

**AMENDED ADMINISTRATIVE ORDER OF THE
9th JUDICIAL DISTRICT IN NEBRASKA
IN AND FOR THE COUNTIES OF BUFFALO AND HALL
EFFECTIVE AUGUST 18, 2021**

As the novel coronavirus and Covid-19 pandemic continues to evolve and progress, the District Courts of the 9th Judicial District in and for the counties of Buffalo and Hall, will take additional measures in an attempt to minimize and prevent the transmission of Covid-19 to protect the public, court staff and litigants. The Court hereby enters the following Administrative Order which will take effect on August 18, 2021 and remain in place until further notice.

1. The Court will continue to utilize telephonic hearings and video conferencing whenever practical and efficient. This will help to aid in reducing the number of individuals in the Courthouse and the Courtrooms.
2. If needed, the Courts have the access and ability to hold hearings and trials at alternate locations which will ultimately allow for greater social distancing. Counsel and parties will be notified in advance if an alternative site will be utilized.

Hall County: Federal Building with the use of video conferencing and Central Community College – Grand Island, if available and with permission.

Buffalo County: Buffalo County Extension Building and University of Nebraska at Kearney, if available and with permission.


3. The Judges will limit the capacity in each respective Courtroom to what is necessary and appropriate with the current community situation. In Hall County, specifically District Courtroom No. 3, the capacity will be limited to **9 individuals**, however, the Court will have the ability to increase or decrease the capacity on specific matters to assure progression of matters before the Court. Individuals should remain in the hallway and not enter the courtroom until their matter is called for hearing.
4. If necessary and depending on certain circumstances, the Courts will require face coverings in all District Courtrooms.
5. The Court has made faces coverings and sanitizer readily available for all persons.

6. The Court regularly sanitizes the Courtrooms in an attempt to minimize the transmission of the virus.
7. The Court's prior order regarding temperature checks and denial of entry to persons with temperature of 100 degrees or greater remains in full force and effect.

Please refer to the attached Administrative Order of the Chief Justice of the Nebraska Supreme Court that was filed on August 9, 2021 for further information and direction.

This Order will remain in full force and effect until rescinded or modified by the Court.

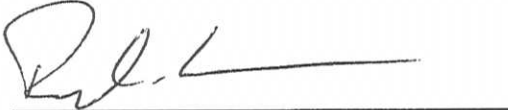
BY THE COURT:



MARK J. YOUNG
DISTRICT JUDGE



JOHN H. MARSH
DISTRICT JUDGE



RYAN C. CARSON
DISTRICT JUDGE



ANDREW C. BUTLER
DISTRICT JUDGE

FILED

AUG 09 2021

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

CLERK
NEBRASKA SUPREME COURT
COURT APPEALS

IN RE NOVEL CORONAVIRUS)	ADMINISTRATIVE ORDER
AND COVID-19 DISEASE)	OF THE CHIEF JUSTICE OF
)	THE NEBRASKA SUPREME COURT
)	

The Nebraska Supreme Court continues to carefully monitor the evolving circumstances presented by the spread of the novel coronavirus and the COVID-19 disease, including monitoring updated guidelines from the Centers for Disease Control and Prevention (CDC) and state and local Directed Health Measures from the Nebraska Department of Health and Human Services. Pursuant to the authority vested in the Chief Justice of the Nebraska Supreme Court under Neb. Const. art. V, § 1 and Neb. Rev. Stat. § 25-2221, the following general administrative order regarding procedures of the judicial branch with respect to the novel Coronavirus and COVID-19 disease is required for the following reasons:

WHEREAS, the national emergency declared as a consequence of the COVID-19 pandemic remains in effect;

WHEREAS, guidance from public health officials suggests that it is important to continue to mitigate the risk to the most vulnerable populations;

WHEREAS, the Chief Justice acknowledges there has been an increase in vaccinated persons; however, the novel coronavirus and the COVID-19 disease have continued to spread, which may affect the functions of the courts;

WHEREAS, persons who have an elevated risk of transmitting the novel coronavirus that causes COVID-19 disease includes anyone who:

- Has tested positive for COVID-19 disease within 14 days of any scheduled in-person court proceeding;
- Despite a person's vaccination status, has had contact with anyone who has tested positive for COVID-19, as contact is defined by current CDC guidelines for the COVID-19 disease, within 14 days this order, or within 14 days of any scheduled in-person court proceeding;



- Has been asked to isolate or self-quarantine by any health care provider or public official; or
- Is exhibiting the symptoms of an infectious respiratory illness, which include a fever of 100.4 degrees Fahrenheit or above, cough, shortness of breath, loss of taste or smell, body aches, or any other symptoms as identified by the CDC guidelines for the COVID-19 disease;

IT IS ORDERED that:

1) any attorney or party shall promptly notify opposing counsel and the court if they reasonably suspect that a participant in any scheduled hearing, trial, conference, deposition, or other proceeding may come within any of the categories listed above;

2) any attorney or party shall notify the court and opposing counsel if any proceedings relating to the litigation of cases pending before the court would require actions contrary to guidance set forth by the CDC or other foreign or domestic public health officials;

3) to the extent possible, counsel shall affirmatively inquire of their clients and witnesses whether they come within any of those categories;

4) no person who falls within any of those categories shall attend any hearing, trial, conference, deposition, or other proceeding without prior notification to and authorization from the court;

5) any probationer, problem solving court participant, or individual under presentence/predisposition investigation who falls within any of those categories shall notify the probation or supervision officer prior to having in-person contact and follow the officer's directives and shall continue to comply with all conditions of probation or supervision unless otherwise directed;

6) persons shall be familiar with all court orders and notices from the judicial district in which they have any pending matter;

7) judges in each judicial district shall adopt a uniform

written plan outlining minimum measures to prevent the transmission of COVID-19 to staff, counsel, parties, and other participants when it is determined that community transmission is substantial or high based on local, state, or national data. This may include, but is not limited to, use of telephonic or videoconferencing hearing options as allowed by statute, social distancing or spacing requirements, use of face coverings, providing hand sanitizer, and sanitizing highly touched surfaces and areas where court services and proceedings are occurring. Such plans shall be submitted to the Administrative Office of the Courts and Probation.

IT IS FURTHER ORDERED that no court shall close unless or until the Chief Justice of the Nebraska Supreme Court has issued an order declaring a nonjudicial day. Courts and probation offices shall continue to implement emergency preparedness plans as necessary to carry out mission essential functions. The March 13, April 6, June 30, and November 6, 2020, and May 21, 2021, Administrative Orders are superseded by this Order. This order shall remain in effect until otherwise ordered by the Nebraska Supreme Court.

Dated this 9th day of August, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "C. J. ...", written over a horizontal line.

Chief Justice