

ROBERT R. STEINKE
DISTRICT JUDGE
FIFTH JUDICIAL DISTRICT
PLATTE COUNTY COURTHOUSE
P.O. BOX 1188
COLUMBUS, NEBRASKA 68602-1188

KELLI SCHEFFLER
COURT REPORTER

(402) 563-4956
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March 20, 2020

To: All Attorneys who practice in the Platte County District Court

As a result of the COVID-19 virus, the following temporary changes will be implemented in the Platte County District Court:

1. All jury trials scheduled through the end of April, 2020, will be continued.
2. Bench trials have not, at this time, been continued. Counsel are encouraged to resolve cases by settlement in advance of trial, if at all possible. Continuances will, of course, be considered, and may be necessitated, to accommodate the needs of litigants and the unique circumstances we find ourselves in.
3. As you may be aware, the Platte County Board has decided to limit access to the courthouse. See the attached letter from Sheriff Wemhoff. The courthouse will, however, remain available for necessary services, including court hearings, by appointment and with permission. Thus, limited necessary hearings will be conducted. For example, the cases set for the entry of pleas on Monday and Tuesday will proceed as scheduled. Please be patient, however, as there may be a delay in gaining entry into the courthouse and being screened at the metal detector. In addition, spectators will not be allowed, because of COVID-19 concerns, in the absence of permission by the Court. Social distancing in the courtroom will be enforced.
4. **Motions.** Motions will continue to be heard as scheduled. However, to limit the necessity of courtroom appearances, motions will be conducted telephonically, if at all possible, or otherwise by video conference. This will include temporary hearings in domestic relations cases. Please email affidavits in advance to my court reporter, Kelli Scheffler, krschef@yahoo.com, so they can be marked for purposes of the hearing. Summary judgment motions involving a substantial amount of evidence will be scheduled by order of the Court. Please contact my court reporter at 402-563-4957 or the Clerk's office at 402-563-4906, if you anticipate filing a summary judgment motion.

Please contact the Clerk's office and provide a phone number at which you can be reached. Conference calls will be initiated by the Court.

5. **Criminal Arraignments.** The Court will accept written not guilty pleas in felony cases. This will eliminate the necessity of an initial personal appearance in court. The next scheduled jury term in criminal cases is June, and likely July. Upon written not guilty pleas being entered, the Court will enter an order scheduling the cases for trial and status hearings. If you have clients who wish to enter guilty/no contest pleas, contact the Court and arrangements will be made. I have attached a form for written not guilty pleas. I have also attached a written form for waiver of speedy trial.

Sentencings will continue to be conducted as presently scheduled. Again, access to the courtroom will be limited to counsel and your respective clients.

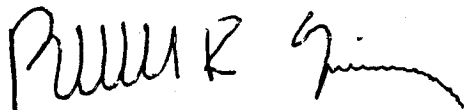
Persons housed at the Platte County Detention Facility or the Nebraska Department of Correctional Services will be allowed to participate at hearings by audiovisual conferencing.

6. Finally, please screen your clients in conformance with the March 12, 2020, administrative order of the Chief Justice, a copy of which is attached.

We are confronted with a serious and very fluid situation. Circumstances change on what seems to be an hourly basis. We will do our very best to adjust to the circumstances as they evolve.

Please feel free to contact the Court at any time with questions, concerns or suggestions.

Very truly yours,



Robert R. Steinke
District Judge

RRS/krs

Encl.

PLATTE COUNTY SHERIFF'S OFFICE



2610 14TH St.

Columbus, NE 68601

O - 402-564-9077

F - 402-564-1662

email - sheriff@plattene.us

EDWARD WEMHOFF, SHERIFF

March 19, 2020

Platte County officials have been continuously monitoring official guidelines regarding the COVID 19 health pandemic. In following such guidelines, and in an attempt to maintain the health of Platte County employees, the Platte County Board has made the decision to limit public access to the Platte County Courthouse.

These actions will be taken immediately.

Platte County offices will remain staffed if and when possible, and will be available to the public for necessary services. If you would have business to conduct, or are in need of necessary services from a specific office, please call that office before coming to the courthouse.

Phone numbers for each office can be found on the Platte County Nebraska website.

If you need to drop of an item for any Platte County office, you can do so in the Platte County Treasurers drop box. The drop box is located directly outside and to the south of the courthouse entrance doors.

Platte County officials intend to reevaluate the situation on a continual basis, and as soon as it is apparent that we can go back to business as usual, that information will be shared publically. It is our hope that as this pandemic transitions through its stages, we will be able to readjust our availability to the public, once again allowing them back into the courthouse. We hope this occurs sooner than later.

Edward Wemhoff
Platte County Sheriff

Jerry Engdahl
Platte County Board Chair

IN THE DISTRICT COURT OF PLATTE COUNTY, NEBRASKA

THE STATE OF NEBRASKA,

Plaintiff,

-v-

Defendant.

Case No. _____

PLEA OF NOT GUILTY/
WAIVER OF APPEARANCE

I, the defendant in the above-entitled action, advise the court that I am represented by _____ in this matter. I understand that I have been charged with the following violation(s):

_____ and that an arraignment has been scheduled for _____.

I wish to waive a formal arraignment before the court, and ask the court to enter plea(s) of not guilty on my behalf. My attorney has advised me of my rights: The right to trial and to a jury trial, if appropriate; my right to confront accusers; to subpoena witnesses; to remain silent; to counsel; to have this matter transferred to juvenile court, if appropriate; and my right to be presumed innocent until proven guilty beyond a reasonable doubt. My attorney has also advised me of the possible penalties for the violations with which I am charged, and the possibility that I will be required to make restitution for damages, if appropriate.

I waive the right to 24-hour service on the Information prior to entering a plea and the formal reading of the Information. I consent to service of the Information upon my attorney of record.

I understand that my attorney will notify me of all appearance dates in this matter.

Date: _____

Defendant

APPEARANCE OF COUNSEL

I, _____, advise the court that I am the attorney of record for the above-named defendant. I have advised my client of all rights and the possible penalties for the charges filed against him or her. I understand that the court will expect me to represent the defendant in all hearings before the court in this matter.

Date: _____

Attorney for Defendant

Attorney's Address: _____

Attorney's Bar No.: _____

Attorney's Phone No.: _____

IN THE DISTRICT COURT OF PLATTE COUNTY, NEBRASKA

THE STATE OF NEBRASKA,

Plaintiff,

-v-

Defendant.

)
) Case No. _____
)
)
)

) WAIVER OF SPEEDY TRIAL
)
)
)

COMES NOW the defendant, knowing of his or her right to a trial within six (6) months from the time the criminal information was filed, and having reviewed this right with counsel, hereby waives his or her right of speedy public trial in the above-captioned matter. The undersigned acknowledges that his waiver of speedy trial is signed freely, voluntarily, intelligently, and under no coercion or duress.

Defendant

Date _____

Attorney for Defendant

Date _____

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

IN RE NOVEL CORONAVIRUS
AND COVID-19 DISEASE

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)
)
)
)

ADMINISTRATIVE ORDER
OF THE CHIEF JUSTICE OF
THE NEBRASKA SUPREME COURT

The Court is carefully monitoring the evolving circumstances presented by the spread of the novel coronavirus and the COVID-19 disease. 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, a public health emergency has been declared in the United States, and guidance from public health officials suggests that one of the most effective ways to protect against the spread of this disease is to limit exposure, particularly to persons at higher risk of developing serious COVID-19 illness;

WHEREAS, conditions in the State of Nebraska at this time do not warrant limiting court or probation operations. However, this order may be updated as conditions change;

IT IS THEREFORE ORDERED, that persons who have an elevated risk of transmitting the novel coronavirus that causes COVID-19, includes anyone who:

- has traveled outside the United States within 14 days of this order, or lives or has close contact with someone who has;
- Persons who have been asked to self-quarantine by any health care provider or public official;
- Persons who have been diagnosed with, or have had contact with anyone who has been diagnosed with COVID-19; or,
- Persons who are presently exhibiting the symptoms of an infectious respiratory illness, which includes fever, cough, or shortness of breath.



IT IS FURTHER 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 travel or other actions contrary to guidance set forth by the Centers for Disease Control and Prevention 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 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 for the duration of the declared public health emergency and continue to comply with all conditions of probation or supervision unless otherwise directed.

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. However, courts and probation offices shall devise and implement emergency preparedness plans to carry out mission essential functions.

Dated this 12th day of March, 2020.

BY THE COURT



Michael G. Heavican, Chief Justice