

IN THE SEPARATE JUVENILE COURT OF SARPY COUNTY, NEBRASKA  
FINDINGS AND ORDER RE CORONAVIRUS AND COVID-19

Now on the 20<sup>th</sup> day of March, 2020 the undersigned Judges of the Separate Juvenile Court for Sarpy County, Nebraska, finds as follows with copies provided to counsel of record on all matters set as of March 16, 2020:

That this Court is monitoring the current state of emergency involving the Novel Coronavirus and COVID-19 and finds it essential to the public health and safety to continue matters currently pending before this Court. In so finding, the Court specifically notes that the Chief Justice of the Nebraska Supreme Court has issued an Administrative Order captioned, "In Re Novel Coronavirus and COVID-19 Disease", in which he found that "a public health emergency has been declared by the United States, and guidance from public health officials suggest that one of the most effective ways to protect against the spread of this disease is to limit exposure."

Further, the United States District Court of the District of Nebraska in General Order NO. 2020-04 suspended federal jury trials in part due to "the Court's inability to safely call and retain an adequate cross section of jurors" due to the existing state of emergency due to Novel Coronavirus and COVID-19.

Further, Dori Heath, Clerk of the Sarpy County District Court, provided an affidavit to the District Court in Sarpy County attesting to her inability to operate her office due to the current public health emergency.

For the reasons stated herein, this Court finds that good cause exists to continue all matters currently pending and all matters are continued to a date to be determined by the Court. If any party has an objection to same, such may be filed with the Court. A copy of the Governor's Proclamation and the Chief Justice's Order is attached and hereby incorporated by reference.

Further, this Court will continue to address all emergencies and exigent circumstances requiring hearings which will occur by video internet connection or another means per agreement of the parties.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS HEREIN ABOVE SET.

Signed and entered this 20<sup>th</sup> day of March 2020.

BY THE COURT:

Lawrence D. Gendler, Judge

Robert B. O'Neal, Judge

*Lawrence D. Gendler*  
*Robert B. O'Neal*

CLERK DISTRICT COURT  
2020 MAR 20 PM 2:22  
SARPY COUNTY NEBRASKA  
SEPARATE JUVENILE COURT

# STATE OF NEBRASKA



## Proclamation

WHEREAS,

Commencing on March 6, 2020 and continuing, the Coronavirus (COVID-19) has impacted the entire State of Nebraska. COVID-19 has spread across the country with cases being confirmed within the borders of Nebraska. This emergency can strain the abilities of state and local governments to meet the needs of the citizens and respond to the pandemic; and

WHEREAS,

The actions necessary to assist in meeting the emergency conditions and subsequent impacts of these events present a burden upon the entire State of Nebraska; and

NOW THEREFORE,

Under the provisions of Neb. Rev. Stat. §81-829.40, which confers emergency responsibilities and powers upon the Governor, I, Pete Ricketts, as Governor of the State of Nebraska do hereby declare that a state of emergency exists within the State of Nebraska; and

NOW,

In addition to the powers conferred upon me by law, I may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules, or regulations of any state agency if strict compliance with the provisions would prevent, hinder, or delay necessary action in coping with the emergency. This could include waiving regulations to expedite measures in order to protect the life, health, and safety of our citizens and to mitigate the impact of the pandemic; and

I HERBY DIRECT,

The Nebraska Adjutant General, who also serves as State Disaster Coordinator, to activate appropriate State emergency plans and to take such steps as he deems necessary to meet these emergencies, and to continue these actions until such time as the threat to life and property created by these situations has been alleviated; and

I FURTHER DIRECT  
OR REQUEST,

State and appropriate Federal agencies to cooperate with the and support the Adjutant General of Nebraska upon his request, as may be appropriate and lawful; and

I HEREBY AUTHORIZE,

The Adjutant General of Nebraska to activate such elements of State Government and Emergency Management resources as are appropriate to deal with this emergency and to expend such funds, within the limitations of availability, from the Governor's Emergency Fund to support these actions.

IN WITNESS WHEREOF,


I hereunto set my hand and cause the Seal of the State of Nebraska to be affixed this 13th day of March, 2020.

Done at the State Capitol, Lincoln, Nebraska, on this Thirteenth Day of March in the Year of Our Lord, Two Thousand Twenty.



ATTEST:

  
Secretary of State

  
Governor

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