

IN THE DISTRICT COURT OF THE FIFTH  
JUDICIAL DISTRICT  
SEWARD AND YORK COUNTIES  
**ADMINISTRATIVE ORDER**

The Court, in response to the public health emergency, implements the following procedures for the District Court Seward and York Counties.

1. All civil hearings that do not require evidence will be heard telephonically.
2. Any currently scheduled civil hearing that does not require the offering of evidence should be re-scheduled for teleconference by contacting the Clerk of the District Court, or the Court's bailiff, Carrie Sermeno.
3. For all civil motions held in Court, only counsel shall appear. Counsel shall advise parties that they are not to attend motion hearings. Parties shall only be present in the courtroom if they are a self-represented litigant.
4. For criminal cases, we encourage the use of waivers for arraignments.
5. For protection orders, only the parties may be present in court. Necessary witnesses will remain in the hall until summoned for testimony.
6. No spectators shall be allowed in the courtroom. Only parties, counsel, and named witnesses may be present during court proceedings. Expanded news media coverage will be allowed as per court rule. However, the court may limit the number of news media personnel for good cause.
7. Litigants will remain in lobby area, outside the courtroom doors, until the case is called. Litigants shall exit the courtroom immediately upon conclusion of their hearing and exit the courthouse.
8. Pretrial motions shall be handled as follows:
  - a. Criminal cases may occur by video conference or teleconference, if available, on the record, on a case by case basis. If an evidentiary hearing is necessary, it shall be specially set by the Court and will occur either in person or by video conference, preserving defendant's right of confrontation.
  - b. Civil cases may occur by video conference or teleconference, if available, unless specially set by the Court to occur in person, and shall be on the record. Witnesses may testify by distance video conferencing by stipulation of the parties.

- c. Evidence to be submitted for the record shall be delivered to the Court (Court Reporter-Sue Wurm) in either electronic or paper form at least 24 hours prior the hearing to permit the pre-marking of the exhibit number, for the Court to consider and a copy sent to opposing counsel with the Exhibit number assigned on the Exhibit at least 24 hours prior to the hearing.
9. Any party or their attorney may petition the Court and request a hearing, on the record, for relief from the foregoing Order or to object, in any way, to the Court's procedures in this regard. Any request will be addressed as soon as practicable.
10. All attorneys shall continue to notify the Court and opposing counsel if any client or witness comes within any risk category, as outlined in the Administrative Order of the Chief Justice of the Nebraska Supreme Court on March 12, 2020 and shall fully comply with all provisions of said Order. Litigants and counsel shall maintain a 6-foot distance between themselves, court staff and courtroom security.
11. Pursuant to guidelines issued by the Centers for Disease Control, courtroom capacity shall not exceed ten (10) people including court staff and attendance is limited to litigants, their counsel and any necessary witnesses.

Dated this 25<sup>th</sup> day of March, 2020

BY THE COURT:

  
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JAMES C. STECKER, DISTRICT JUDGE