

**ELEVENTH JUDICIAL CIRCUIT COURT
(FORD, LIVINGSTON, LOGAN, McLEAN AND WOODFORD COUNTIES)**

**ADMINISTRATIVE ORDER 2020 – 19
SUPPLEMENT #2—JURY TRIALS
RESUMPTION OF COURT OPERATIONS—COVID-19**

Effective June 1, 2020 and until further Order of the Court

WHEREAS, the 11th Judicial Circuit Court of Illinois, by way of Chief Judge Mark A. Fellheimer, entered pandemic-related *Administrative Orders* in response to the Covid-19 pandemic with the reasons and rationale set forth within those Orders that caused the Courts to modify its operations; and

WHEREAS, the Illinois Supreme Court also entered Covid-19 pandemic-related Orders in *In re: Illinois Courts Response to COVID-19 Emergency, M.R. 30370*, the latest on May 20, 2020 authorizing each circuit court to return to hearing court matters on June 1, 2020, whether in person or remotely, according to a schedule to be adopted for each county by the Chief Judge in each circuit; and

WHEREAS, the Supreme Court, in its May 20, 2020 Order, directed Chief Judges to consider many factors and to consider the *Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During Covid-19 Pandemic* (“Guidelines”) for resuming court operations. Chief Judge Fellheimer, in consultation with the McLean County Presiding Judges and the Resident Circuit Judges of Ford, Livingston, Woodford and Logan counties, has considered those factors and the Guidelines in determining the schedule for each county within the 11th Judicial Circuit; and

WHEREAS, Chief Judge Fellheimer entered 11th Circuit Court Administrative Order 2020-19 allowing 11th Circuit Courts to hear all matters effective June 1, 2020;

WHEREAS, it is necessary to establish further guidelines for Jury Trials in light of Administrative Order 2020-19 and Illinois Supreme Court Order M.R. 30370 as provided herein;

THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. **McLean County:** To start, jury trial(s) in McLean County in June, 2020 will be limited to two potential jury trials being conducted simultaneously out of precaution for prospective jurors and due to space limitations within the Law and Justice Center for the reasons more fully set forth hereinbelow.
 - a. Any courtroom Judge requesting a jury trial to proceed in June and until further Order of Court will submit such case(s), in advance, to the Presiding Judge of the Division in which the case is filed (Juvenile Delinquency Judges shall make their request through the Presiding Judge of the Criminal Division who will then submit the jury trial request(s) to the Chief Judge who

shall prioritize which two cases have the number 1 (one) setting and which case(s) will be a back-up.

- b. Jury Trials will be conducted in Room 503 or Courtroom 5A of the Law and Justice Center. In-custody criminal cases will have priority over other cases for purposes of setting and scheduling jury trials. All trial requests that aren't selected as one of the cases, primary or back-up, set by the Chief Judge for a jury trial will be continued. Any back-up case that is not reached for a jury trial shall also be continued pursuant to this Order. To the extent speedy trial implications are involved, any such continuance, per Supreme Court Order M.R. 30370, will be excluded from speedy trial computations and statutory time restrictions applicable to same shall be tolled until further Order of the Supreme Court.
- c. In support of this Order, it is necessary to state the reasons why only two jury trials can safely proceed in the McLean County Law and Justice Center at this time and what efforts were undertaken to arrive at this conclusion. These include, but are not limited to, the following:
 - i. For the past several months, McLean County Judges and other officials have been meeting regularly to determine how to safely reopen the McLean County Law and Justice Center to hear non-essential court matters.
 - ii. Regular meetings with judges to determine courtroom needs and the ability to handle remote hearings.
 - iii. Regular meetings with the Sheriff and Court Security to determine the capacity of courtrooms to safely hold in-person hearings.
 - iv. Meeting and building walk-throughs with the McLean County Department of Health to determine the capacity to hold in person hearings and what measures are necessary to safely allow the public in the building.
 - v. Regular meetings with Court Security to determine the ability to conduct off-site court proceedings including, but not limited to, off-site jury trials.
 - vi. Meetings with Facilities and Maintenance personnel to determine the ability to modify courtrooms to allow for social distancing.
 - vii. All other rooms in the Law and Justice Center are not conducive to conducting jury trials and still safely maintaining social distancing. Court security has also informed the judges that they are unable to secure any other facilities being considered for off-site trials.
- d. Judge Fellheimer also in his order took measures to limit the number of individuals in the courtroom to keep the Law and Justice population under control.

- e. As a result of aforementioned, Chief Judge Fellheimer has determined that the McLean County Law and Justice Center can safely accommodate the maximum of two jury trials at one time while still maintaining social distancing and other health related recommendations. Consequentially, this will reduce the number of jury trials that can be conducted in comparison to the number of jury trials that were being conducted prior to the Covid-19 pandemic.
- f. In order to accommodate two trials at one time, revisions had to be made to the facilities which include but are not limited to, the following:
 - i. The fifth floor jury assembly room being turned into a courtroom to allow for social distancing among the jurors;
 - ii. Modifying courtrooms to jury conference rooms to allow for social distancing among jurors while on break or during deliberations resulting in reduced overall courtroom capacity for non-jury cases.
 - iii. Removal of certain seating and fixtures in the courtrooms to accommodate for social distancing.

2. **Livingston, Woodford, Logan, and Ford Counties:** Jury Trials in Livingston, Woodford, Logan and Ford County will proceed upon approval of the respective Resident Circuit Judge with priority of jury trials left to the decision of the Resident Circuit Judge.

Entered this 1st day of June, 2020



Chief Judge Mark A. Fellheimer