IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
STATE OF ILLINOIS

<u>ADMINISTRATIVE ORDER AUTHORIZING REMOTE PROCEEDINGS</u>

WHEREAS, on March 17, 2020 the Illinois Supreme Court issued an Order in M.R. 30370 concerning the ongoing threat of COVID-19 in response to the State of Emergency declared by the Governor of the State of Illinois and the Declaration of a National Emergency by the President of the United States; and

WHEREAS, the Order issued by the Illinois Supreme Court authorizes the Illinois courts to establish and periodically update temporary procedures to minimize the impact of COVID-19 on the court system; and

WHEREAS; the Order issued by the Illinois Supreme Court authorizes courts to hear both essential and non-essential court matters and proceedings remotely; and

WHEREAS, while court proceedings are presently limited to certain essential proceedings, judges recognize that the resolution of many pending matters are essential to the individuals involved in those proceedings, and the Courts in Jackson County have the ability to begin hearing both essential and non-essential matters remotely, although initially on a limited basis. Furthermore, in an effort to resolve some of the matters which remain pending during the COVID-19 Pandemic, the courts are prepared to undertake remote hearings to assist parties with a possible resolution of some or all of the issues in their cases.

NOW, THEREFORE, pursuant to the authority granted in Illinois Supreme Court Rule 21 (b) and the court's inherent authority IT IS ORDERED:
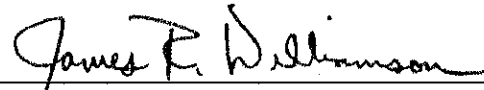
1. At the discretion of the assigned judge, criminal and civil proceedings may be conducted by way of a remote hearing utilizing a closed circuit television system or the Zoom® platform (www.zoom.us). The use of the term "remote hearings" in this protocol includes certain proceedings which are conducted "off the record", *e.g.,* pretrial and settlement conferences, as well as those traditionally conducted "on the record" in open court.

2. All proceedings conducted pursuant to this Administrative Order shall be conducted in accordance with the same standards as hearings traditionally conducted in a courtroom.

3. The manner in which a remote hearing will be conducted remains within the discretion of the judge assigned to the individual case, within the bounds of the applicable law, rules and practice procedures.

4. Court proceedings are generally open to the public, and it remains desirable that court proceedings remain as transparent as possible. Within this context, it is imperative that the public and the media continue to have access to all court proceedings to which access is traditionally permitted. Court proceedings conducted via the Zoom® platform will be accessible to the public and the media through the same meeting invitation link provided to the litigants in any given case. The meeting invitation link will be available at the Jackson County Circuit Clerk's website.

5. It is the responsibility of counsel and parties participating in, or attending, remote hearings to ensure that they have a good connection to the internet with sufficient bandwidth for video and audio. Similarly, individuals appearing remotely should comport themselves in the same manner they would when they appear in an actual courtroom. This includes wearing appropriate attire and being in a location where they will not be interrupted or distracted. Additionally, individuals appearing remotely should be aware of their surroundings and should consider the use of a virtual background which is appropriate for court proceedings.

6. In criminal proceedings, the defendant has a constitutional right to be present in court at every stage in the proceedings. The judge should make a record at the beginning of the proceeding and inquire whether he defendant is aware of his or her right to be physically present in court and whether he or she is waiving that right.

This Administrative Order is effective May 20, 2020.

DATE: ___May 20, 2020___ ENTERED: _____

JAMES R. WILLIAMSON
Chief Judge