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SUPREME COURT OF MISSOURI ISSUES OPERATIONAL DIRECTIVES TO HELP COURTS STATEWIDE
BEGIN RESUMING COURT ACTIVITIES THROUGH SPECIFIED
PHASES

JEFFERSON CITY, Mo. – The Supreme Court of Missouri today issued an order and operational directives, effective May 16, to help courts statewide establish localized plans – recognizing the varying community health safeguards and court dockets, facilities and staffing levels across the state – for easing COVID-19 restrictions on in-person proceedings. Since mid-March, the state’s courts have been operating under precautionary measures to help combat the spread of the disease while ensuring they remain open to conduct business as necessary to carry out their core, constitutional functions.

Under today’s order (available at <https://www.courts.mo.gov/page.jsp?id=156095>), activities in all appellate and circuit courts – including all associate, family, juvenile, municipal and probate divisions – will continue to be restricted in some respect, and courts are encouraged to use all available technologies to conduct activities remotely to limit the number of in-person proceedings conducted in courthouses. The order authorizes judges presiding over civil matters to waive, for good cause shown, deadlines or time limitations set by state or local court rule (but not those set by a statutory or constitutional provision) and directs courts to adopt measures to ensure timely filing by self-represented litigants (who lack access to Missouri’s electronic filing system).

The order further enacts operational directives (available at <https://www.courts.mo.gov/file.jsp?id=156093>) establishing uniform “gateway criteria” for Missouri courts to begin resuming – gradually as local conditions permit – activities previously suspended. Under the operational directives, also effective May 16, to help make paramount the health and welfare of litigants, witnesses, victims, jurors, attorneys, judicial employees and other individuals involved in judicial proceedings in determining whether a courthouse is ready to progress through four defined operating phases, local courts:

- * Should monitor local circumstances and conditions on a regular basis.
- * Should work with local health officials, law enforcement officers, children’s division personnel, juvenile officers, prosecutors and public defenders, and local attorneys in adapting their plans for moving through operating phases to local health conditions.
- * May move to a new operating phase only after being in the prior operating phase at least 14 calendar days, with no confirmed COVID-19 cases in the court facility and improving COVID-19 health conditions in the community during that time.

- * May revert to a prior operating phase immediately when required by local conditions and circumstances.

Regardless of the phase in which they may be operating, local courts should:

- * Allow (or, in phase three, consider allowing) “vulnerable individuals” as defined by the Centers for Disease Control and Prevention to postpone their required presence in a court proceeding.
- * Follow social-distancing protocols and consider requiring the use of masks or other face coverings.
- * Clean and disinfect common areas and consider providing hand sanitizers and wipes.

The Court intends to issue further operational directives for conducting grand and petit jury proceedings as pandemic and health conditions improve.

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