

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

FILED

MAY 22 2020 1

 Clerk of the
Circuit Court

Sangamon County Administrative Order 2020-10
Sangamon County Courthouse Procedures for COVID-19 Coronavirus

WHEREAS, The Sangamon County Courts will take all reasonable measures to minimize personal contact to prevent the spread of the COVID-19 coronavirus.

Whereas, The Illinois Supreme Court has entered an Order in M.R. 30370 authorizing all courts to modify or suspend any deadlines and procedures for a stated period ending no later than 30 days after the State of Illinois' Governor's state of emergency declaration.

Whereas, the Illinois Supreme Court has entered an Order in M.R. 30370 temporarily suspending the operation of Supreme Court Rules to the extent that any rule is contrary to the provisions of the Order entered in M.R. 30370.

Whereas, Illinois Supreme Court Rule 504 directs that the date set by the arresting officer, or the clerk of the circuit court, for an accused's first appearance in court shall be not less than 14 days, but within 60 days after the date of the arrest, whenever practicable.

Whereas, the size of Sangamon County requires the services of a number of law enforcement agencies resulting in large numbers of defendants being summoned to court for the same date and time for first appearances on traffic and conservation citations.

Whereas, the Sangamon County Courthouse has had, and continues to have, limited capacity to accommodate large groups of litigants that are summoned for court on the same date and time while still maintaining compliance with all mandated social distancing measures that are a necessary part of the current functionality of the Sangamon County Courthouse.

Whereas, it has not been practicable, and whereas, it will continue to not be practicable for all agencies to comply with Illinois Supreme Court Rule 504 by scheduling first appearances on all citations within 60 days of the date of the arrest as it will result in the creation of multiple docket calls throughout the upcoming months where an overwhelming number of defendants are summoned to appear at the Sangamon County Courthouse on a scheduled date and time thereby making compliance with mandated social distancing guidelines impossible to achieve, and consequently increasing the risk of placing individuals in an environment that is contrary to the public health and welfare of the citizens.

Whereas, if a Defendant does not appear, or otherwise answer the citation, on the date of a rescheduled appearance that has not been stricken, a continuance of the proceedings for a minimum of 30 days would serve to recognize the extreme disruptions the pandemic has caused all parties to court proceedings and would foster the image of flexibility that these circumstances require in order to provide meaningful access to justice. If Defendant does not respond on or before the continued court date, then the court shall enter an order for failure to appear, or issue a warrant of arrest for cases where the sentence is punishable by a possible sentence of imprisonment.

Whereas, enactment of this order will permit the processing of a substantial number of first appearance citations, and provide access to the courts for a substantial number of citizens whose cases have been suspended during the limited operations implemented in response to the Covid-19 coronavirus pandemic, while maintaining substantial compliance with social distancing measures as the Defendants are processed through the Sangamon County courthouse.

WHEREFORE, IT IS HEREBY ORDERED, that it has been, and will continue to be, impractical for arresting law enforcement agencies, or the clerk of the circuit court, to schedule all citations issued during

the pendency of Supreme Court Order M.R. 30370 for a first appearance within 60 days of the date of arrest as is otherwise required pursuant to Illinois Supreme Court Rule 504. All law enforcement agencies responsible for serving the citizens of Sangamon County are exempt from the timing directive set forth in Illinois Supreme Court Rule 504 until such time as this order is terminated, but in no case shall this order remain in effect for longer than 30 days after the termination of the Governor's state of emergency declaration. Defendants who are unable to attend court on the date of the rescheduled appearance shall be processed with a minimum 30 day continuance order on the first missed appearance. Cases with no appearance on or before the continued court date shall have an order for failure to appear entered with notice of the failure to appear sent to the Illinois Secretary of State as appropriate, or for cases where a sentence of imprisonment could be imposed, a warrant of arrest may be issued. This order serves the purposes of keeping the courts available and accessible while ensuring compliance with all public safety measurements implemented in furtherance of policy directives from federal, state and local public health advisories.

ENTERED THIS 21st DAY OF May, 2020.



JOHN M. MADONIA
Presiding Judge