

**CRIMINAL DISTRICT COURT ORLEANS PARISH
STATE OF LOUISIANA**

ORDER IMPLEMENTING PHASE TWO – LIMITED OPENING OF COURT

Acting in accordance with Louisiana Const. Art. V, Sect. 1; pursuant to La. R.S. 1:55 due to the COVID-19 emergency as detailed in Louisiana State Governor John Bel Edwards's Executive Department Proclamations of Public Health Emergency, the City of New Orleans Mayor LaToya Cantrell's Mayoral Proclamation of a State of Emergency Due to COVID-19, the Louisiana Supreme Court's Order on April 22, 2020 and in accordance with the inherent powers of this court, and in consideration of ongoing public health recommendations to reduce the risk of exposure to the COVID19 virus and slowing the spread of the disease while balancing the need to protect the constitutional rights and public safety of the citizens of the state by maintaining access to Louisiana courts, the Chief Judge, of this court, acting on behalf of the Court En Banc,

HEREBY ORDERS THAT:

1.

Criminal District Court for the Parish of Orleans' courthouse will re-open to the public on Monday, June 1, 2020 at 9:00 a.m. at which time it will enter Phase Two of the Court's Continuity of Operations Plan (COOP).

2.

All criminal jury trials are suspended until further notice of this court.

3.

All criminal matters scheduled between March 13, 2020 and May 31, 2020, for defendants who are not incarcerated, are continued. Those criminal defendants with notice to appear between March 13, 2020 and May 31, 2020 shall appear in person at Criminal District Court to receive service for a new court date. Notice will be provided by a clerk stationed at the entrance to the courthouse on Tulane Avenue beginning June 1, 2020, Monday through Thursdays between the hours of 9:00 a.m. and 1:00 p.m. in the following manner:

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| a. Last number of social security number 0, 1, 2 | Appear for re-service on Mondays |
| b. Last number of social security number 3, 4, 5 | Appear for re-service on Tuesdays |
| c. Last number of social security number 6, 7, 8, 9 | Appear for re-service on Wednesdays |
| d. All | Appear for re-service on Thursdays |

4.

Any and all preliminary or permanent injunctions, protective orders, criminal stay away orders issued pursuant to Code of Criminal Procedures Articles 30, 320 and/or 871.1 which have been issued by this Court and which would expire on or between the dates of March 13, 2020 and June 12, 2020 are hereby **EXTENDED** until at least 4:30 p.m. on July 1, 2020 unless otherwise previously extended by order of this Court.

5.

Criminal matters for incarcerated individuals shall, during Phase Two, continue to proceed by audio-video conferencing. Counsel are requested to be visible on the video screen and in proper court attire. Counsel are encouraged to contact the section in which their matter is assigned for filing questions. Please visit the Court's website at www.criminalcourt.org to locate the section email address and telephone number.

6.

Absent further notice, the courthouse will re-open June 1, 2020 with the following Phase Two restrictions:

- A. All individuals seeking entry into the courthouse will be pre-screened. Pre-screening may include taking of temperatures. Criminal defendants denied admittance will be given a new date by the clerk stationed at the entrance of the courthouse.
- B. Defendants who had court dates scheduled between March 13, 2020 and May 31, 2020, will be issued service for new court dates by the clerk stationed at the entrance of the courthouse.
- C. All individuals entering the courthouse shall be required to wear a protective facial mask in accordance with the guidelines set forth in the Governor's Proclamation and Mayor's Declaration. Those who report without a mask will be provided a mask while supplies last.
- D. Elevators shall be limited to a maximum of 2 persons.
- E. Hallways and corridors shall be clear and are to be used for access/egress only. Social distancing shall be observed at all times.
- F. Criminal defense attorneys are strongly encouraged to utilize La. Dist. Court Rule 18, Appendix 18 – Waiver of Defendant's Presence in criminal proceedings.
- G. Attorneys are strongly encouraged to complete all forms, including but not limited to Boykin forms, specialty court contracts, stay away orders, diversion referrals and hearing officer conference forms prior to the date and time scheduled for appearance/hearing.
- H. Drug Testing will resume on Monday, June 1, 2020 and will be conducted as per a schedule. Defendants who are drug testing shall enter the courthouse at the S.

White Street side of the building directly into the Drug Testing area (formerly the Coroner's Office).

- I. Access to the courthouse will be strictly limited by the Orleans Parish Sherriff's Office to ensure that safe occupancy numbers and social distancing protocols are maintained.
- J. The Court will accommodate participation by the public through the use of simultaneous audio and/or video transmission.
- K. Any person who has active symptoms of COVID-19, or who has been ordered to isolate/quarantine due to COVID-19, or has been in contact with a family or household member under the same conditions/restrictions shall be prohibited from entering the courthouse. He/she shall be given a new court date and ordered to leave the area.
- L. Any person with pre-existing medical conditions that increase vulnerability to COVID-19 or who is 65 years of age or older may request to reschedule their court date when they appear.

7.

All participants are strongly encouraged to access the Court's website at www.criminalcourt.org for information. Participants should directly contact the Clerk of Criminal District Court at 504.658.9000 for information regarding specific individual cases. Further, for information on incarcerated defendants, contact the Orleans Parish Sheriff's Office at 504.202.9339. For all other inquiries contact the Judicial Administrator's Office at 504.658.9100.

IT IS FURTHER ORDERED that failure to comply with any provisions of this Phase Two Limited Opening Order may be considered contempt of court.

This Order is effective at 8:00 a.m. on Monday, June 1, 2020 and will remain in effect until further notice. All provisions of this Court's prior orders shall remain in place except as expressly modified herein. Adjustments to this Order, if necessary, will be posted on the Court's website (www.criminalcourt.org), the Louisiana Supreme Court website (www.lasc.org), and in the local media outlets.

New Orleans, Louisiana this 26 day of May, 2020.

On behalf of the Court En Banc



KAREN K. HERMAN
CHIEF JUDGE