

In the Second District Court in and for Davis, Morgan and Weber Counties

Emergency General Court Order No. 20-04

In Re: Pandemic Response Plan

WHEREAS, the World Health Organization has declared the COVID-19 outbreak to be a pandemic; the Governor of Utah, the Honorable Gary Herbert, has declared a state of emergency, and the Chief Justice of the Utah Supreme Court, the Honorable Matthew Durrant, has issued Administrative Orders dated March 12, March 13, and March 21, 2020 (the "Administrative Orders") activating the Utah State Courts Pandemic Response Plan ("Pandemic Response Plan") in order to protect the public, court staff and members of the judiciary; and

WHEREAS, the Administrative Orders direct Presiding Judges and Trial Court Executives to implement the provisions in both level "Yellow" and level "Red" of the Pandemic Response Plan; and

WHEREAS, the Chief Justice's latest administrative order (the "March 21 Administrative Order") (copy attached) authorizes presiding judges to issue supplemental orders furthering the implementation of the March 21 Administrative Order and the provisions of the Pandemic Response Plan;

NOW THEREFORE, it is hereby ORDERED, as follows:

1. By its terms, ¶10 of the March 21 Administrative Order directs the "assigned judge" on matters where a defendant is being held in custody on Class B or C misdemeanor offenses to "reconsider the custody status" and encourages the judge to release such defendants "subject to appropriate conditions." For all matters on the Layton City misdemeanor calendar, the assigned judge for purposes of this reconsideration shall be either the Honorable David R. Hamilton or the Honorable Michael S. Edwards. For all matters on the Bountiful City misdemeanor calendar, the assigned judge for purposes of this reconsideration shall be the Honorable David J. Williams. These judges have the authority to conduct these reviews and order, or agree to, releases from custody regardless of the designation of another judge as the assigned judge on the court's computer system.
2. Associate Presiding Judge Michael D. DiReda in Weber County and Presiding Judge David M. Connors in Davis County are authorized to meet with representatives of the county attorney's office, the public defenders, the sheriffs, jail staff, any of their respective designees, and others as appropriate, to develop protocols for reviewing

other in-custody defendants and providing for early release of inmates, if necessary, to help reduce the population of the jails to allow re-structuring of living arrangements to set up isolation pods for sick or infected inmates and to maximize social distancing as to other inmates who cannot be released. Except in emergency health-related circumstances, these releases will be subject to the prior approval of the judge assigned to the inmate's case.

3. Under the provisions of the Pandemic Response Plan, court staff members are operating on reduced schedules to help avoid exposure and possible infection. All courthouses within the Second District will remain open, but access may be limited by circumstances related to staff schedules. In Morgan County, given the fact that the court has very limited staff, clerical staff will be present in person each Wednesday from 8 AM to 5 PM. All other days of the week assistance is available by telephone, by email, or in person at the Ogden District Court located at 2525 Grant Ave., Ogden, UT 84401. Telephone contact can be made at 385-350-9170 or 801-395-1079. Protective Order requests may be emailed to morgan_po@utcourts.gov. Any other matters that need to be filed by email may be sent to 2webermorgand@utcourts.gov. There is also a drop-box available at the Morgan County location, which is checked daily.
4. Effectively immediately, trustee sales and sheriff sales, including those that are required to take place at courthouses within the Second District pursuant to Utah Code §§ 57-1-25 and 27 and Utah R. Civ. P. 69B, may not be held inside the courthouses. Such sales may be held outside, on the courthouse grounds, in a location designated by courthouse security or, if no location is designated, in a location that permits participants to maintain the recommended distance from each other and does not interfere with courthouse operations.

DATED this 27th day of March, 2020.



David M. Connors
Presiding District Court Judge



Michael D. DiReda
Associate Presiding District Court Judge