IN THE MILLARD COUNTY JUSTICE COURT,
MILLARD COUNTY, STATE OF UTAH

IN RE: COURT OPERATIONS **UNDER THE EXIGENT CIRCUMSTANCES** **CREATED BY COVID-19**	**STANDING ORDER FOR PROCEDURES** **DURING COVID-19 PANDEMIC** **Order 20 0326b** **Judge Debra L. Haveron**

This Order implements the Administrative Order, styled "In Re: Order for Court Operations During Pandemic," issued by the Utah Supreme Court on March 21, 2020 [Utah Pandemic Order]. The court has reviewed the Utah Pandemic Order, the Utah State Court's Pandemic Influenza Response Plan, the Utah State Court's Continuity of Operations Plan, and hereby ORDERS as follows:

1. The Justice Court WILL REMAIN OPEN WITH MODIFIED PROCEDURES during regular business hours, and will continue to accept filings and be available to answer phone calls, emails, and other communications. It will also put procedures in place to ensure that those who are prohibited from entering the courthouse by this order continue to have access to justice. All parties are encouraged to use the telephone and emails listed in this order as a first resort when communicating with the court. If you do not have access to email (millardjustice@gmail.com), feel free to call us at **(435) 743-6923**. We thank you in advance for your patience if you experience longer than usual wait times. Anyone making a request pursuant to this order is required to include, IF AVAILABLE, their telephone number, current email address, and current mailing address.
2. All hearings on domestic violence cases, all in custody bench warrant hearings, all in-custody hearings, and all sentencing hearings (unless the parties waive the time for speedy sentencing) set between March 26, 2020 and June 1, 2020, will

PROCEED. However, all hearings will be held via video-conferencing or telephone unless exigent circumstances exist which require in-person hearings.

3. All arraignments, pretrial conferences, order to show cause hearings, motion hearings, review hearings, status conferences, restitution hearings, plea by affidavit hearings, remand hearings, and trials (except, of course, any such hearings expressly covered by paragraph 2) pending or filed after this order or set between March 26, 2020 and June 1, 2020, are HEREBY CONTINUED. If the parties want to address exceptions to this policy, or address other issues in these cases related to pretrial release and/or bail as permitted by the Utah Pandemic Order, they are directed to do any of the following:
    a. File a request for hearing along with a notice to submit; and
    b. Email the court at millardjustice!@gmail.com to request a hearing.

    The court intends to conduct all of these hearings either telephonically or via video-conference. If necessary, the court will schedule an in-person hearing.
4. All small claims cases set between March 26, 2020, and June 1, 2020, are HEREBY CONTINUED. Please email us if you have any questions about a small claims case.
5. If your case has not been continued pursuant to the above orders, you nevertheless **MAY NOT ENTER THE JUSTICE COURT,** especially if you show contagious disease symptoms or symptoms of COVID-19 (cough, fever, or shortness of breath), or have been in contact with someone who either shows these symptoms or has been exposed to COVID-19. Further, the court will liberally grant continuances for anyone in an at-risk group identified by the CDC, including: (1) anyone over the age of 60; (2) anyone with diabetes or heart/lung disease; (3) anyone with a compromised immune system; and (4) anyone who is pregnant. If any of the circumstances described in this paragraph applies to you, please request a continuance using any of the following methods:
    a. File a request for continuance along with a notice to submit;
    b. Email us at millardjustice@gmail.com to request a hearing; or
    c. Call the court at 435-743-6952.

If you request a continuance using any of these methods, the court will set a hearing at a time, place and manner that strikes the proper balance between the public's vital interest in prompt adjudication of cases and its equally vital interest in preserving the health and safety of everyone living in our greater community.

6. **The court encourages all parties to make liberal use of the plea by affidavit mechanism between March 26, 2020, and October 1, 2020. In addition, parties with access to video-enabled desktops, laptops, tablets, and phones, the court will schedule as many hearings as possible via WEBEX at the request of the parties.**
7. All conditions of pretrial release remain in effect. If any party wants to adjust the conditions of pretrial release pursuant to the Utah Pandemic Order between March 26,2020, and June 1, 2020, please request a hearing by using any of the following methods:
    a. File a request for hearing along with a notice to submit;
    b. Email us at millardjustice@gmail.com, or
    c. Call the court at 435-743-6952.
8. All sentencing orders and plea-in-abeyance agreements will remain in effect. The court will continue to monitor compliance with its orders. However, the court will alter its tracking practices as follows between March 26, 2020, and June 1, 2020:
    a. The court will not send any cases to the Office of State Debt Collection between March 26, 2020, and October 1, 2020. Once the Utah Pandemic Order is no longer in effect, the court will issue standing orders granting reasonable extensions and/or setting review hearings in cases with overdue fines, fees, or community service in lieu of fines or fees.
    b. The court will continue to receive and file order to show cause affidavits between March 26, 2020, and October 1, 2020, to preserve its jurisdiction. The court will not set any OSC hearings based on these affidavits at this time, unless they are specifically requested by a party and authorized by the Utah Pandemic Order. Once the Utah Pandemic Order is no longer in effect, the

court will issue standing orders granting reasonable extensions and/or setting OSC hearings in these cases.

c. Any defendant who was sentenced or agreed to complete an in-person PRIME for Life class may fulfill that requirement by completing an online equivalent, such as myPRIME class offered by the Prevention Research Institute.

d. Any defendant who was sentenced or who agreed to complete an in-person domestic violence assessment and in-person domestic violence treatment may fulfill that requirement by completing an online equivalent that follows the approved Duluth Model standards.

9. The Utah Pandemic Order states that it may be amended at any time. The court will respond to such amendments as quickly as possible. In the meantime, the court encourages all of its partners and patrons to check the following websites to obtain the latest news regarding the operations of the court during the pandemic:

   a. www.utcourts.gov

   b. www.cdc.gov

10. Until further order of the court, the court will continue to accept filing and fine payments as outlined in Order #20-0326a, Document Filing & Payments, dated March 26, 2020, a copy of which is available from the clerk and will be posted at the entrance to the courthouse.

Dated: March 26, 2020

BY THE COURT

Debra L. Haveron
Justice Court Judge