

COMMONWEALTH OF KENTUCKY
38th Judicial District
(Edmonson, Butler, Ohio and Hancock Counties)
COVID-19 Emergency Protocol Order

Supreme Court Administrative Orders 2020-39 and 2020-43, which resume hearings in civil and criminal matters, direct that such hearings should be accomplished using available telephonic and video technology to conduct all proceedings remotely unless a judge determines in his or her discretion that a matter requires in-person attendance and that in the event in-person hearings are held certain health and safety precautions must be followed. Due to the nature of matters that come before the 38th Judicial District Court and the lack of necessary contact information in most cases to conduct hearings remotely, the 38th Judicial District Court will operate under Administrative Orders 2020-39 and 2020-43 with this COVID-19 Emergency Protocol Order. THEREFORE IT IS HEREBY ORDERED as follows:

1. The criminal dockets shall be called on the regular scheduled days (*see* administrative orders scheduling dockets). Hearings shall be by video or telephone. In the event telephone numbers and/or e-mails are not made available consistent with this order, attorneys, parties, witnesses and other necessary persons are to appear in person.
2. Attorneys and parties shall call the Circuit Court Clerk to schedule hearings in civil cases. The Court will provide the Circuit Court Clerk of each county dates to schedule hearings in civil cases.
3. Attorneys, parties, witnesses and other necessary persons shall appear in person based on noticed times (and no more than five (5) minutes prior to the scheduled hearing) **unless** a telephone number and/or e-mail address is provided to the Circuit Court Clerk within forty-eight (48) hours prior to the noticed hearing.

4. All criminal defendants shall appear in person for hearings **unless** an e-mail address is provided to the Circuit Court Clerk within forty-eight (48) hours prior to the noticed hearing and the defendant has access to video technology. Criminal defendants represented by counsel may attend by telephone with a telephone number provided to the Circuit Court Clerk within forty-eight (48) hours prior to the noticed hearing.
5. Notwithstanding the above, in no event shall attendance exceed 33% of the Courtroom's occupant capacity.
6. Individuals who fall into a high-risk category as defined by the CDC shall participate remotely and shall provide the information to the Circuit Court Clerk within forty-eight (48) hours prior to the noticed hearing.
7. Persons who are ill, exhibiting symptoms consistent with the COVID-19 virus or are known to have been infected with the virus and possibly contagious are prohibited from entering the courthouse. This information shall be immediately communicated to the Circuit Court Clerk.
8. All persons attending an in-person hearing before the Court must always maintain appropriate social distancing and wear facemasks.
9. Persons attending a hearing shall not enter the courthouse until the scheduled hearing time and shall maintain six (6) feet separation from all persons upon entering or leaving the courthouse.
10. Each person attending a hearing shall follow and abide by all signage directing the manner of ingress and egress from the courthouse.
11. All filings must be mailed, e-filed or conventionally filed using a drop box provided outside the courthouse.

Enter this 1st day of June 2020.

A handwritten signature in black ink, appearing to be 'J.B. Hines', written in a cursive style.

J.B. Hines, Chief District Judge