

40th Judicial District Court

Parish of St. John the Baptist

**St. John the Baptist Parish
Clerk of Court
Eliana DeFrancesch
Filed: Edgard
Date: March 16, 2020
Time: 4:11 P.M.**

State of Louisiana



ORDER

Acting in accordance with Louisiana Constitution Article V, Section 1; pursuant to LSA R.S. 1:55; due to COVID-19 emergency as detailed in Governor John Bel Edwards's Declaration of Public Health Emergency (Executive Department Proclamation No. JBE 2020-25 and JBE 2020-27) and St. John the Baptist Parish President Jaclyn Hotard's Declaration of State of Emergency and in accordance with the inherent powers of this court, the Chief Judge, acting on behalf of the Judges of the 40th Judicial District Court,

HEREBY ORDERS THAT:

Due to the unprecedented pandemic as referenced in the above-captioned emergency declarations, and in accordance with the 40th Judicial District Court's Emergency Operations Plan, the 40th Judicial District Court adopts the following:

All civil jury trials are suspended for the duration of this order, that attorneys and litigants with such scheduled trials are ordered to contact the appropriate division of court for rescheduling;

All criminal jury trials are suspended for the duration of this order. In cases where LA C. Cr. P. Art. 701 speedy-trial motions have been filed in pre-trial detained individuals' cases, the time periods of such continuances contemplated in this order shall be excluded from speedy trial computations pursuant to law, including but not limited to those set forth in the Louisiana code of Criminal Procedure and the Louisiana Children's Code, and presumptively constitute just cause;

In all other matters, any party or defendant with notice to appear from March 16, 2020 through March 30, 2020 and desiring a continuance is ordered to contact the appropriate division for further instructions and those granted a continuance are ordered to appear on the new date chosen by local order:

The 40th Judicial District Court will follow guidance from the Louisiana Supreme Court including:

Restricting court settings to emergency and time-sensitive settings when possible;

Staggering docket schedules to reduce the number of people in a space at the same time; except for hearings related to the following: civil protective orders, child in need of care proceedings, emergency child custody matters, proceeding for children removed from their home by emergency court order, proceeding related to emergency interdictions and mental health orders, matters of public health related to this crisis and other emergency matters necessary to protect the health, safety, and liberty of individuals as determined by the court;

Allowing employees to work from home to do so when possible;

Expanding use of audio/or video conferencing in meetings, discovery conferences, scheduling conferences, bail settings, first appearance settings, and hearing on post-convictions whenever possible and pursuant to Appendix 15.3 of the Rules for District Courts;

Additional screening shall be required and that entry to the courthouse shall be denied to those who have traveled to China, Italy, Iran, or South Korea within the past 14 days; reside or have had close contact with someone who has traveled in one of the above areas within the last 14 days, have been asked to self-quarantine by any hospital or health agency; or have been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19, and that those denied entry are ordered to contact the appropriate division for further instructions and must appear on the new date chosen by local order;

Attorneys, litigants, visitors, and members of the public who are at higher risk of serious illness due to the COVID-19 pandemic according to the Centers for Disease Control, including but not limited to factors such as age, and serious health condition, should refrain from entering the courthouse and those persons are ordered to contact the appropriate division for further instructions;

Employees at higher risk of serious illness due to the COVID-19 pandemic according to the Centers for Disease Control, including but not limited to factors such as age and serious health condition, are permitted to work remotely as possible;

If the conditions indicate that the Court needs to adjust the above policy, notice will be posted to the Court's website (www.40thjdc.org), the Louisiana Supreme Court Website (www.lasc.org) the St. John Parish website (www.sjbparish.com) and the St. John Parish Clerk of Court website (www.stjohnclerkonline.org) and in the news media.

This order shall be effective from March 16, 2020 through March 30, 2020.

Done in Edgard, Louisiana, this 16th day of March 2020

For the 40th Judicial District Court

A handwritten signature in blue ink that reads "Madeline Jasmine". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Madeline Jasmine
Chief Judge