STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 5-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; and

WHEREAS, on March 13, 2020, the President of the United States, pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et. seq., and consistent with Section 1135 of the Social Security Act, as amended, 42 U.S.C. § 1320b-5, declared that the COVID-19 outbreak in the United States constitutes a national emergency, retroactive to March 1, 2020; and

WHEREAS, counties are responsible for maintaining daily services including access to the circuit court and magistrates; and

WHEREAS, counties need to have the authority and flexibility to staff, hold meetings, and limit access to the public as each sees fit to not only maintain services but to protect county employees and limit exposure from those who may be carriers of COVID-19, including but not limited to the authority and flexibility to restrict or limit access by the public to the county courthouse and other government facilities under their jurisdiction; and

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia do hereby **DECLARE** that counties have the authority and flexibility to evaluate courthouse services and staffing and to make decisions that are in the best interest of each respective county, as each respective county may determine. Counties have the authority under state law to issue orders and guidance and to take other actions as necessary to protect the public health, safety, and welfare. County staff shall take such actions to effectuate the order and guidance of county commissioners, in consultation with circuit court judges where appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Nineteenth day of March, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE