FILED
APR 06 2020
NEBRASKA SUPREME COURT
COURT APPEALS

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

IN RE NOVEL CORONAVIRUS AND COVID-19 DISEASE	)	ADMINISTRATIVE ORDER OF THE CHIEF JUSTICE OF THE NEBRASKA SUPREME COURT

The Court continues to carefully monitor the evolving circumstances presented by the spread of the novel coronavirus and the COVID-19 disease. Pursuant to the authority vested in the Chief Justice of the Nebraska Supreme Court under Neb. Const. art. V, § 1 and Neb. Rev. Stat. § 25-2221, the following general administrative order regarding procedures of the judicial branch with respect to the novel Coronavirus and COVID-19 disease is required for the following reasons:

WHEREAS, a public health emergency has been declared in the United States, all 93 Nebraska counties are now under the State's Directed Health Measures, and guidance from public health officials suggests that one of the most effective ways to protect against the spread of this disease is to limit exposure, particularly to persons at higher risk of developing serious COVID-19 illness;

WHEREAS, conditions in the State of Nebraska at this time do not warrant closing court or probation operations, however, this order may be updated as conditions change;

IT IS THEREFORE ORDERED that persons who have an elevated risk of transmitting the novel coronavirus that causes COVID-19 includes anyone who:

- has traveled by cruise ship or to a country listed by the Center for Disease Control as a Level 3 Travel Health Notice area within 14 days this order or within 14 days of any scheduled court proceeding, or lives with or has close contact with someone who has;
- has been asked to self-quarantine by any health care provider or public official;

- has been diagnosed with or has had contact with anyone who has been diagnosed with COVID-19; or
- is presently exhibiting the symptoms of an infectious respiratory illness, which includes fever, cough, shortness of breath, or any other symptoms as identified by the Center for Disease Control and Prevention guidelines for the COVID-19 disease.

IT IS FURTHER ORDERED that

1) any attorney or party shall promptly notify opposing counsel and the court if they reasonably suspect that a participant in any scheduled hearing, trial, conference, deposition, or other proceeding may come within any of the categories listed above;

2) any attorney or party shall notify the court and opposing counsel if any proceedings relating to the litigation of cases pending before the court would require travel or other actions contrary to guidance set forth by the Center for Disease Control and Prevention or other foreign or domestic public health officials;

3) to the extent possible, counsel shall affirmatively inquire of their clients and witnesses whether they fall within any of the categories listed above;

4) no person who falls within any of those categories shall attend any hearing, trial, conference, deposition, or other proceeding without prior notification to and authorization from the court;

5) any probationer, problem-solving court participant, or individual under presentence/predisposition investigation who falls within any of those categories shall notify the probation or supervision officer prior to having in-person contact and follow the officer's directives for the duration of the declared public health emergency and continue to comply with all conditions of probation or supervision unless otherwise directed;

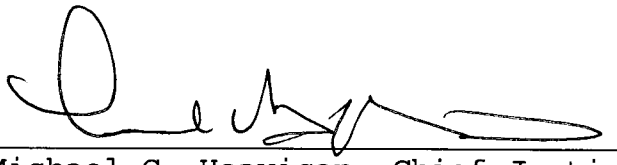
6) persons shall be familiar with all court orders and notices from the judicial district in which they have any pending matter.

IT IS FURTHER ORDERED that no court shall close unless or until the Chief Justice of the Nebraska Supreme Court has issued an order declaring a nonjudicial day. However, courts and probation offices shall continue to implement emergency preparedness plans to carry out mission essential functions.

This order shall remain in effect until otherwise ordered by the Nebraska Supreme Court.

Dated this 6th day of April, 2020.

BY THE COURT:



Michael G. Heavican, Chief Justice