33RD JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

PARISH OF ALLEN

ORDER

Acting in accordance with the Louisiana Constitution, and the inherent power of this Court, and considering the Supreme Court of Louisiana's Order signed on April 6, 2020, by Chief Justice Bernette J. Johnson:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

The Thirty-third Judicial District Court, modifies and amends its scheduled court proceedings pursuant to the Supreme Court of Louisiana's Order signed on April 6, 2020, by Chief Justice Bernette J. Johnson, a copy of which is attached hereto.

IT IS FURTHER ORDERED that this order be recorded in the Minute Book.

Oberlin, Allen Parish, Louisiana on this 7 day of April, 2020.

FOR THE COURT:

E. DAVID DESHOTELS
CHIEF JUDGE

THIRTY-THIRD
JUDICIAL
DISTRICT COURT
STATE OF LOUISIANA
PARISH OF ALLEN
P.O. Box 496
Oberlin, LA 70655

SUPREME COURT OF LOUISIANA

O R D E R

Acting under the authority of Article V, Section 1 of Constitution of 1974, and the inherent power of this Court, and considering the continuing spread of Coronavirus Disease 2019 (COVID-19) in Louisiana, Governor John Bel Edwards' declaration of public health emergencies in Proclamation Numbers 25 JBE 2020, 27 JBE 2020, 30 JBE 2020, 33 JBE 2020, and 41 JBE 2020, President Donald Trump's declaration of a national emergency on March 13, 2020, the Orders of this Court dated March 16, March 20, and March 23, 2020, and in consideration of ongoing public health recommendations to reduce the risk of exposure to the virus and slowing the spread of the disease while balancing the need to protect the constitutional rights and public safety of the citizens of the state by maintaining access to Louisiana courts,

IT IS HEREBY ORDERED THAT:

1. Prior Orders: This Order shall repeal and replace the Orders of this Court dated March 16, March 20, and March 23, 2020;

2. Jury Trials: All jury trials, both civil and criminal, scheduled to commence in any Louisiana state court between the date of this Order and May 1, 2020, are hereby continued to a date to be reset by local order no earlier than May 4, 2020.

3. In-person emergency matters only: Until at least May 4, 2020, courts may only conduct in-person proceedings to address emergency matters that cannot be resolved virtually. Courts must continue to take measures to limit access to courtrooms and other spaces, with absolute minimum physical contact, to practice social distancing and limit in-person court activity to only the emergency matters set forth in sections 4 and 5 below. As this situation is constantly changing, courts are further instructed to follow all guidelines issued by the Center for Disease Control, the President and the Governor, and to further limit access to courtroom and other spaces to the maximum number of people set forth in any future guideline or official proclamation that may be issued. All emergency matters should be conducted with the use of video and telephone conferencing whenever possible. Any court lacking the technological capabilities to implement this mandate shall notify the Judicial Administrator of the Louisiana Supreme Court so that accommodations can be made.

4. Criminal Matters: In criminal matters, the following matters are deemed emergency matters for purposes of section 3 above: criminal initial appearances for adults and juveniles, arraignments for incarcerated individuals, bond hearings, criminal protective orders and other emergency matters necessary to protect the health, safety and liberty of individuals as determined by each court.

5. Civil Matters: In civil matters, the following matters are deemed emergency matters for purposes of section 3 above: civil protective orders, child in need of care proceedings, emergency child custody matters, proceedings for children removed from their home by emergency court order, proceedings related to

emergency interdictions and mental health orders, temporary restraining orders and injunctions, and 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 each court.

6. Remote Proceedings: This Order expressly does not prohibit any court proceedings by telephone, video, teleconferencing, or any other means that do not involve in-person contact with consent of all parties and the judge. This Order does not affect courts' consideration of matters that can be resolved without in-person proceedings. This authority does not extend to any matters suspended by executive action by the Governor, including but not limited to evictions.

7. Speedy Trial Computations: Given the public health concerns and the necessity of taking action to slow the spread of the disease, the continuances occasioned by this Order serve the ends of justice and outweigh the best interest of the public and the defendant in a speedy trial. Therefore, the time periods of such continuance 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.

8. Clerk's Offices: Courts should work with parish clerks to encourage in-person filings of court pleadings to be replaced with filing by other means, such as U.S. mail, e-filing, email or facsimile. In all criminal, juvenile and civil matters handled on an emergency or expedited basis, a record shall be kept under the direction of the acting judge for each action.

The Court may issue further Orders regarding this matter as necessary to address the circumstances arising from this pandemic and will post such Orders on the Court's website at www.lasc.org, and in the news media.

Given under our hands and seal this 6th day of April A. D., 2020, New Orleans, Louisiana.

FOR THE COURT:

Bernette J. Johnson

Chief Justice Bernette J. Johnson

STATE OF LOUISIANA
PARISH OF ALLEN

GERALD HARRINGTON
CLERK OF COURT

I HEREBY CERTIFY THAT the foregoing is a true and correct copy of the original act Filed for record in this office, on The 8th Day of April A.D., 2020 @ 9:12 AM bearing the NO. 501993 and recorded in COB Book 536 Page 912

IN TESTIMONY WHEREOF, witness my official signature and seal of office at Oberlin, Allen Parish, LA. on The 8th Day of April A.D., 20 20

By _____
DEPUTY CLERK OF COURT