

**IN THE FILLMORE CITY JUSTICE COURT,
MILLARD COUNTY, STATE OF UTAH**

**IN RE: COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED BY
COVID- 19**

**STANDING ORDER FOR PROCEDURES
DURING COVID-19 PANDEMIC**

3/26/20 ADMINISTRATIVE ORDER

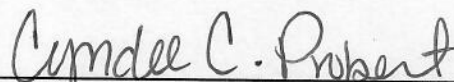
CLERK'S AREA CLOSED

Judge Cyndee C. Probert

Currently, the courts are operating on a modified basis. The courts are implementing protocols to keep the public and our staff healthy. Until further notice, except when it cannot be avoided, all court services will be delivered in a manner to avoid in person interaction. The clerk's reception area is closed to the public.

THE COURTS REMAIN OPEN. To handle court matters, please call 435-743-5425.

Dated: 3/26/2020



Judge Cyndee C. Probert

**IN THE FILLMORE CITY JUSTICE COURT,
MILLARD COUNTY, STATE OF UTAH**

IN RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19	STANDING ORDER FOR PROCEDURES DURING COVID-19 PANDEMIC DOCUMENT FILING Judge Cyndee C. Probert
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This Order implements the Administrative Order, styled "In Re: Order for Court Operations During Pandemic," issued by the Utah Supreme Court on March 21, 2020 {Utah Pandemic Order}. The Court has reviewed the Utah Pandemic Order, the Utah State Court's Pandemic Influenza Response Plan, the Utah State Court's Continuity of Operations Plan, and hereby ORDERS as follows:

FILINGS, PAYMENTS, AND HEARINGS ARE BEING HANDLED REMOTELY.

1. The Justice Court WILL REMAIN OPEN ALTHOUGH WITH MODIFIED PROCEDURES during regular business hours, and will continue to accept filings, and be available to answer phone calls, emails and other communications. To protect the public and staff, in person filings shall take place as follows:
 2.
 - A. Filings are to be filed by USPS, Fillmore City drive-up window, Fillmore City night drop box, or electronically filed which includes email: courtclerk@fillmorecity.org
 - B. Deposit all filings in the box. Filing is not complete until all steps are completed. **Any document dropped off must have your phone number and/or email address.**
 - C. If dropped off after regular court business hours, call the clerk at **435-743-5425** to let them know you dropped off the document.
 - D. The night drop box will be checked every business morning.
 - E. Upon reviewing the document in the box, the clerk will email, call or text you to verify that document(s) has/have been received.
 - F. There must be a written or recorded confirmation that the document you filed has been received before the filing is complete.

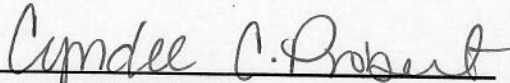
G. Keep a copy of any documents you place in the box for your records.

DO NOT ENTER THE BUILDING

**IF YOU NEED TO MAKE A PAYMENT, USE THE DRIVE UP WINDOW, NIGHT DROP
AFTER 5 p.m., or CALL: 435-743-5425 or go online:
www.fillmorecity.org**

Dated: March 26, 2020

BY THE COURT


Cyndee C. Probert
Justice Court Judge

**IN THE FILLMORE CITY JUSTICE COURT,
MILLARD COUNTY, STATE OF UTAH**

IN RE: COURT OPERATIONS

UNDER THE EXIGENT CIRCUMSTANCES

CREATED BY COVID-19

STANDING ORDER FOR PROCEDURES

DURING COVID-19 PANDEMIC

Judge Cyndee C. Probert

This Order implements the Administrative Order, styled "In Re: Order for Court Operations During Pandemic," issued by the Utah Supreme Court on March 21, 2020 [Utah Pandemic Order]. The court has reviewed the Utah Pandemic Order, the Utah State Court's Pandemic Influenza Response Plan, the Utah State Court's Continuity of Operations Plan, and hereby ORDERS as follows:

1. The Justice Court WILL REMAIN OPEN WITH MODIFIED PROCEDURES during regular business hours, and will continue to accept filings and be available to answer phone calls, emails, and other communications. It will also put procedures in place to ensure that those who are prohibited from entering the courthouse by this order continue to have access to justice. All parties are encouraged to use the telephone, drive up window and emails listed in this order as a first resort when communicating with the court. If you do not have access to our email (courtclerk@fillmorecity.org), feel free to call us at **(435) 743-5425**. We thank you in advance for your patience if you experience longer than usual wait times. Anyone making a request pursuant to this order is required to include, IF AVAILABLE, their telephone number, current email address, and current mailing address.
2. All hearings on domestic violence cases, all in custody bench warrant hearings, all in-custody hearings, and all sentencing hearings (unless the parties waive the time for speedy sentencing) set between March 26, 2020 and June 1, 2020, will

PROCEED. However, all hearings will be held via video-conferencing or telephone unless exigent circumstances exist which require in person hearings.

3. All arraignments, pretrial conferences, order to show cause hearings, motion hearings, review hearings, status conferences, restitution hearings, plea by affidavit hearings, remand hearings, and trials (except, of course, any such hearings expressly covered by paragraph 2) pending or filed after this order or set between March 26, 2020 and June 1, 2020, are HEREBY CONTINUED. If the parties want to address exceptions to this policy, or address other issues in these cases related to pretrial release and/or bail as permitted by the Utah Pandemic Order, they are directed to do any of the following:
 - a. File a request for hearing along with a notice to submit;
 - b. Email us at courtclerk@fillmorecity.org to request a hearing.

The court intends to conduct all of these hearings either telephonically or via video-conference. If necessary, the court will schedule an in-person hearing.

4. All small claims cases set between March 26, 2020, and June 1, 2020, are HEREBY CONTINUED. Please email us if you have any questions about a small claims case.
5. If your case has not been continued pursuant to the above orders, you nevertheless **MAY NOT ENTER THE JUSTICE COURT** especially if you show contagious disease symptoms or symptoms of COVID-19 (cough, fever, or shortness of breath), or have been in contact with someone who either shows these symptoms or has been exposed to COVID-19. Further, the court will liberally grant continuances for anyone in an at-risk group identified by the CDC, including: (1) anyone over the age of 60; (2) anyone with diabetes or heart/lung disease; (3) anyone with a compromised immune system; and (4) anyone who is pregnant. If any of the circumstances described in this paragraph applies to you, please request a continuance using any of the following methods:

- a. File a request for continuance along with a notice to submit;
- b. Email us at courtclerk@fillmorecity.org to request a hearing; or
- c. Call the court at 435-743-5425

If you request a continuance using any of these methods, the court will set a hearing in a time, place and manner that strikes the proper balance between the public's vital interest in prompt adjudication of cases and its equally vital interest in preserving the health and safety of everyone living in our greater community.

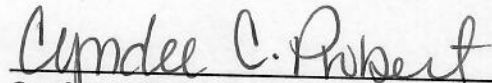
6. **The court encourages all parties to make liberal use of the plea by affidavit mechanism between March 26, 2020, and October 1, 2020. In addition, parties with access to video-enabled desktops, laptops, tablets, and phones, the court will schedule as many hearings as possible via WEBEX at the request of the parties.**
7. All conditions of pretrial release remain in effect. If any party wants to adjust the conditions of pretrial release pursuant to the Utah Pandemic Order between March 26, 2020, and June 1, 2020, please request a hearing by using any of the following methods:
 - a. File a request for hearing along with a notice to submit;
 - b. Email us at courtclerk@fillmorecity.org
 - c. Call the court at 435-743-5425
8. All sentencing orders and plea-in-abeyance agreements will remain in effect. The court will continue to monitor compliance with its orders. However, the court will alter its tracking practices as follows between March 26, 2020, and June 1, 2020:

- a. The court will not send any cases to the Office of State Debt Collection between March 26, 2020, and October 1, 2020. Once the Utah Pandemic Order is no longer in effect, the court will issue standing orders granting reasonable extensions and/or setting review hearings in cases with overdue fines, fees, or community service in lieu of fines or fees.
 - b. The court will continue to receive and file order to show cause affidavits between March 26, 2020, and October 1, 2020, to preserve its jurisdiction. The court will not set any OSC hearings based on these affidavits at this time, unless they are specifically requested by a party and authorized by the Utah Pandemic Order. Once the Utah Pandemic Order is no longer in effect, the court will issue standing orders granting reasonable extensions and/or setting OSC hearings in these cases.
 - c. Any defendant who was sentenced or agreed to complete an in-person PRIME for Life class may fulfill that requirement by completing an online equivalent, such as myPRIME class offered by the Prevention Research Institute.
 - d. Any defendant who was sentenced or who agreed to complete an in-person domestic violence assessment and in-person domestic violence treatment by fulfill that requirement by completing an online equivalent that follows the approved Duluth Model standards.
9. The Utah Pandemic Order states that it may be amended at any time. The court will respond to such amendments as quickly as possible. In the meantime, the court encourages all of its partners and patrons to check the following websites to obtain the latest news regarding the operations of the court during the pandemic:
- a. www.utcourts.gov
 - b. www.cdc.gov

10. Until further order of the court, the court will continue to accept filing and fine payments though the drive up window, night drop box, or electronically. In person filings shall be done through the drive up window or night drop box located at a publically accessible location at the Fillmore City Office Building. The procedure of accepting a filing is set forth by a separate order, a copy of which is available from the clerk and will be posted at the entrance to the courthouse.

Dated: March 26, 2020

BY THE COURT


Cyndee C. Probert
Justice Court Judge