

**IN THE THIRTEENTH JUDICIAL CIRCUIT COURT OF MISSOURI
EN BANC**

**IN RE: COVID-19 ORDER 2
SUMMONS, WRITS, EVICTIONS AND SERVICE OF PROCESS
06-2020**

ORDER

WHEREAS, national, state and local emergencies have been declared following the classification of COVID-19 as a pandemic; and

WHEREAS, the Supreme Court of Missouri has suspended all in-person proceedings in all appellate and circuit courts not falling within a recognized exception – including all associate, family, juvenile, municipal, and probate divisions, through April 17, 2020, which may be extended by the Supreme Court of Missouri as circumstances may warrant:

WHEREAS, it is imperative that the Court take steps to protect the health and safety of all employees of the 13th Judicial Circuit, all judicial officers, all attorneys, and all parties who have court hearings or other business before the Court while also balancing the rights of all said individuals and parties to litigation; and

WHEREAS, it is appropriate and necessary to take quick action to reduce the possibility of exposure to COVID-19 and to reduce the spread of COVID-19; and

WHEREAS, employees of the Circuit Clerk's office who execute writs of restitution, execution and replevin come in close contact with members of the general public in executing those duties; and

WHEREAS, directives from many levels of government have determined that it is not in the interest of the public health to displace persons from their residence at this time during this COVID-19 emergency, including the federal government authorizing a moratorium on foreclosure and eviction actions for homeowners and mortgages back by FHA, Fannie Mae, and Freddie Mac to allow them to face the hardships caused by COVID-19 without fear of losing their homes; and


WHEREAS, pursuant to section 478.240.2, RSMo, and section 15 of the Missouri Constitution, the Presiding Judge has general administrative authority over all judicial personnel and court officials in the Circuit; and

WHEREAS, the implementation of the following precautionary measures are necessary to combat the spread of the disease and for the protection of the public from the risks associated with the pandemic disease;

IT IS HEREBY ORDERED, effective immediately and until at least April 17, 2020, which may be extended by subsequent Administrative Order as circumstances may warrant:

1. Service of process shall not be prepared by the Circuit Clerk nor served by the Sheriff of Boone County or Callaway County on all civil matters not falling within the cases excepted herein is hereby suspended until further notice, except for good cause shown.
2. Service of process by the Sheriff of Boone County or Callaway County on all subpoenas in criminal cases is hereby suspended until further notice, except for good cause shown.
3. All extraditions by this Circuit are at the discretion of the Sheriff until further notice, unless otherwise ordered by the Presiding Judge or his designee.
4. Execution of warrants for failure to appear issued by a judge of this court shall be at the discretion of the Chief Law Enforcement Officer of each law enforcement agency performing law enforcement services in the county until further notice, unless otherwise ordered by the Presiding Judge or his designee.
5. The Circuit Clerk is hereby directed to delay issuing writs of restitution, attachment, execution and replevin (including writs for evictions) up through and including April 17, 2020.
6. All evictions in the 13th Circuit are hereby suspended by operation of this Administrative Order up through and including April 17, 2020.
7. Nothing in this order shall be interpreted to supplant or negate the procedures set forth in sections 221.040 or 221.130, RSMo.
8. The Circuit Clerk shall mail all requests for summons in misdemeanor and traffic cases to the address of record of the Defendant, instead of being given to the Sheriff for personal service.

Done this 23th day of March, 2020.



Kevin Crane
Presiding Judge

Civil Process service suspended: In compliance with the 13th Judicial Circuit COVID-19 Order #2, the Boone County Sheriff's Department has suspended serving of criminal subpoenas and other forms of civil process including evictions until at least April 17, 2020. The BCSD will continue to serve emergency orders of protection and probate warrants.