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FILED

JUL 24 2020

JACQUELINE BRYANT, CLERK
By: [Signature]
DEPUTY CLERK

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

IN THE ADMINISTRATIVE MATTER OF:
THE SECOND JUDICIAL DISTRICT COURT'S
RESPONSE TO CORONAVIRUS DISEASE
(COVID-19)

ADMINISTRATIVE ORDER 2020-02(D)

WHEREAS, the Second Judicial District Court (“the District Court”) Chief Judge has authority to make administrative decisions pertaining to the business of the court (WDCR 2(2), NRS 3.025(2)(c));

WHEREAS, on March 12, 2020, Governor Steve Sisolak (“Governor Sisolak”) issued a Declaration of Emergency in Nevada to facilitate response to the Coronavirus Disease (COVID-19) pandemic;

WHEREAS, as the result of the Declaration of Emergency for COVID-19, Governor Sisolak issued Directives governing activities in Nevada, including a stay at home order, directives limiting the number of persons who can gather, and phases for reopening;

1 WHEREAS, the Declaration of Emergency for COVID-19, and all Directives issued are
2 available at: [gov.nv.gov/News/Emergency_Orders/Emergency Orders](http://gov.nv.gov/News/Emergency_Orders/Emergency_Orders) (last accessed 7/21/2020);

3 WHEREAS, on March 16, 2020, Administrative Order (“AO”) 2020-02 was entered by Chief
4 Judge Scott N. Freeman (“the Chief Judge”);

5
6 WHEREAS, Administrative Order 2020-02 provides, “This order shall be reviewed no later
7 than every 30 days and shall continue until modified or rescinded by a subsequent order.”
8 Administrative Order 2020-02, p. 4;

9
10 WHEREAS, on March 18, 2020, the Chief Judge issued AO 2020-05 which temporarily
11 closed the courthouse to the public;

12 WHEREAS, on April 9, 2020, AO 2020-02(A) was entered by the Chief Judge;

13 WHEREAS, on May 29, 2020, AO 2020-02(B) was entered by the Chief Judge;

14 WHEREAS, on June 11, 2020, AO 2020-02(C) was entered by the Chief Judge; and,

15
16 WHEREAS additional Administrative Orders have been issued on other court matters and all
17 Administrative Orders are available at washoecourts.com/Main/AdminOrders (last accessed
18 7/21/2020).

19 WHEREAS the Court requested an inspection of the court facilities by the Washoe County
20 Health District (“the WCHD”), which occurred, and was followed by a written report provided to the
21 Chief Judge. The WCHD report delineated necessary cleaning, distancing and HVAC operation
22 protocols that should be completed and followed for safe return of the public to the courthouse(s)
23 (“the WCHD Protocols”).
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1 **Accordingly, after review, and good cause appearing therefor, this supplemental**
2 **Administrative Order 2020-02(D) follows:**

3 This Administrative Order is intended to be consistent with the Declaration of Emergency in
4 Nevada and to effectuate Governor Sisolak’s issued Directives resulting from the Declaration of
5 Emergency and subsequent renewals or extensions of said Directives.
6

7 This Order is also intended to be consistent with the May 12, 2020, Statement from the
8 National Council of Juvenile and Family Court Judges Regarding Safe Courts and Access to Justice
9 During COVID-19 (“the NCJFCJ Statement”)¹ and AO 2020-05(A) which adopted the NCJFCJ
10 Statement’s protective guidelines.
11

12 This Order is also intended to be consistent with the Washoe County Health District Protocols
13 for the safe return of the public to the courthouse(s). A copy of the WCHD Protocols is attached as
14 Exhibit 1.
15

16 All provisions of Administrative Order 2020-02, 02(A), 02(B) and (02)(C) shall remain in full
17 force and effect except as specifically modified or supplemented by this or other subsequent
18 Administrative Orders.

19 Due to the on-going health crisis caused by the COVID-19 pandemic, all scheduled District
20 Court hearings and settlement conferences shall continue to be conducted by alternative means to in-
21 person hearings, or decided on the papers, or rescheduled unless otherwise provided for in AOs or
22 otherwise directed by the Chief Judge. Hearings and settlement conferences in District Court matters
23 shall be held in the discretion of the presiding judge in each department by either conference call or
24 audiovisual platform. All such hearings and settlement conferences shall be conducted in
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¹ NCJFCJ.org/wp-content/uploads/2020/05/NCJFCJ_Statement_Regarding_Court_Safety_COVID-19_Final.pdf (last accessed 5/19/2020).

1 accordance with the Nevada Supreme Court Rules Governing Appearance by Audiovisual
2 Transmission Equipment, Part IX.

3
4 Members of the bar were appointed to working groups to investigate, report and make
5 recommendations on recommencing criminal and civil jury trials (“the WG Recommendations”).
6 These working groups provided the District Court with significant information and assisted the
7 District Court in refining its plan for the public to return to the District Court courthouse(s) and serve
8 as jurors and participants in jury trials. After a review and consideration of the WG
9 Recommendations, the District Court established a standing working group comprised of members of
10 the judiciary and members of the initial working groups. The District Court continued developing a
11 working plan for conducting in person jury trials during the COVID-19 pandemic. The Chief Judge
12 instructed the Jury Commissioner to augment the jury questionnaire to include inquiries, as approved
13 by the District Court, related to serving as a juror during the COVID-19 pandemic. The Chief Judge
14 also directed the Jury Commissioner to send the augmented questionnaire to prospective jurors as
15 part of the summons process.
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17

18 The District Court continues working toward the commencement of criminal and civil in
19 person jury trials and in the process determined commencement of jury trials should occur on a
20 staged basis. The identified stages are:

- 21
22 • Jury trials involving criminal charges asserted against in-custody defendants who have
23 invoked their Constitutional rights to a speedy trial.
- 24 • Jury trials involving criminal charges asserted against out-of-custody defendants who
25 have invoked their Constitutional rights to a speedy trial.
- 26 • Jury trials involving criminal charges asserted against in-custody defendants who have
27 waived their Constitutional rights to a speedy trial.
28

- Jury trials involving criminal charges against out-of-custody defendants who have waived their Constitutional rights to a speedy trial.
- Jury trials involving civil claims for relief with statutory or rule-based priority.
- Jury trials involving civil claims for relief.

To accommodate the summons process for jurors, the Court anticipates commencing criminal jury trials on **September 21, 2020**. All criminal jury trials scheduled to begin before **September 21, 2020**, are vacated. Counsel are directed to contact the assigned department to reset trials.

Initially, one trial will be conducted at 75 Court Street, or such other place the Chief Judge may designate, until the Chief Judge determines more than one jury trial can proceed at a time.

The time period of any continuance as a result of this or prior AOs shall be excluded for purposes of calculating speedy trial under NRS 178.556(1) and NRS 174.512. While the District Court is actively planning commencement of jury trials, the ends of justice and public health concerns are served by taking actions necessary to stage the commencement to accommodate public health concerns resulting from the COVID-19 pandemic. Ultimately, these concerns outweigh the interests of the parties and the public in a speedy trial.

All civil jury trials scheduled to begin on or before **October 31, 2020**, are vacated. Counsel are directed to contact the assigned department to reset the trial.

Case types identified as “essential” in the Administrative Order 2020-02 continue to have priority in the District Court, together with the stages identified herein. Case-by-case exceptions may be ordered at the discretion of the Chief Judge and/or in cases designated as Family Division cases, the Presiding Judge of the Family Division.

This Order shall operate to toll civil cases for purposes of NRCP 41(e).

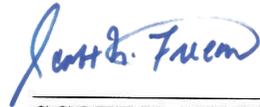
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1 Any time periods identified in Administrative Order 2020-02, 02(A), 02(B), and 02(C) are
2 extended for an additional thirty (30) from the date of this Administrative Order 2020-02(D), except
3 as specifically stated herein or provided in another Administrative Order, i.e. Administrative Order
4 2020-09 [Dependency Matters].
5

6 This Order shall be reviewed no later than every thirty (30) days and shall continue until
7 modified or rescinded by a subsequent order.

8 IT IS SO ORDERED.

9 DATED this 24th day of July, 2020.



SCOTT N. FREEMAN
CHIEF JUDGE

EXHIBIT 1

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

June 17, 2020

Scott N. Freeman, Chief Judge
Second Judicial Court District Court
75 Court St
Reno, NV 89501

Honorable Judge Freeman:

On June 12, 2020, site visits and walkthroughs were conducted by the Washoe County Health District at Washoe County District Court, 75 Court Street, Reno, Nevada 89501 and Reno Justice Court, 1 South Sierra Street, Reno, Nevada 89501 to review and assess facilities and operations under Administrative Order 2020-05(A). Information was gathered and observations were made in order to advise on a plan to control the spread of Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) to prevent Coronavirus 2019 (COVID-19) as staff and public access is opened for both buildings. Consistent with guidelines from the Centers for Disease Control (CDC) and in accordance with the National Council of Juvenile and Family Court Judges (NCJFCJ) statement Regarding Safe Courts and Access to Justice during COVID-19, the Washoe County Health District recommends the following:

- Screen all staff to ensure they are ready to return to work and do not have symptoms of COVID-19 or a close contact to a case of COVID-19 in quarantine.
- Implement a daily staff screening program to ensure that nobody comes to work if sick or potentially contagious with any communicable disease including COVID-19.
- Clean the carpets and floors in all buildings prior to reopening to remove soil and dirt so that these surfaces can be properly sanitized as necessary if an outbreak occurs.
- Allow the ventilation to run in all buildings for at least 24 hours prior to re-opening to the public and have ventilation checked by a Heating Ventilation and Air Conditioning (HVAC) Engineer.
- Keep individuals with underlying conditions or at risk to develop serious complications if infected with COVID-19 out of the buildings as much as possible.
- Provide ground markings or other visible markings to help enforce 6' Social Distancing in areas outside the court buildings as people wait to enter.
- Adjust operations to accommodate only as many individuals entering the buildings as can follow 6' Social Distancing guidelines.
- Require the use of face coverings for staff and the general public while inside the buildings.
- Check temperatures of individuals entering building and do not allow entry if over 100.4°F.
- Provide hand sanitizer stations at entry to buildings and in all lobbies.
- Provide hand sanitizer in all meeting rooms, breakrooms and courtrooms.

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- Keep all bathroom and breakroom sinks stocked with soap and paper towels.
- Provide sanitizers effective against COVID-19 (EPA List N) as needed to ensure that sanitizing of facility surfaces is accomplished as prescribed.
- Sanitize microphones, council tables, customer counters, desktops, keyboards and phones after every use.
- Sanitize turnstile bars, toilet handles, elevator buttons and faucet handles every hour.
- Sanitize all other high touch areas to include light switches, door pushes, door handles and vending-machines at least twice daily.
- Limit occupancy only to rooms where 6' Social Distancing can be accomplished.
- Provide for 6' Social Distancing in lobby areas, waiting areas, jury rooms, vestibules, hallways and inside courtrooms with markings and/or by spreading out furniture as necessary.
- Provide for 15 minute breaks as much as possible every hour during and in between proceedings to allow for air exchange in vacant courtrooms.
- Provide barriers such as glass or partitions for staff who routinely work face-to-face with the general public.
- Keep families or groups from co-mingling with other groups inside the Family Peace Center or in any of the conference rooms within the buildings.
- Shut down water fountains to eliminate the potential for contamination and spread from the water outlets.
- Run the HVAC systems for at least an hour before the buildings open and an hour after the buildings close each day.

The preceding list follows current CDC Guidelines and Phase 2 Guidelines and Statewide Standards for reopening. Subsequent more or less stringent guidelines from the CDC, State of Nevada and Washoe County are contingent upon the trajectories of COVID-19 cases as gathered from future data. Please let me know if you have any questions or I may be of any assistance.

Sincerely,



Jeffrey M. Brasel, Ph.D., M.S., R.E.H.S.
Senior Registered Environmental Health Specialist