

ADMINISTRATIVE ORDER FOR MAGISTRATES IN THE 23RD DISTRICT

To: Magistrates, 23rd Judicial District

As you are undoubtedly aware, the Chief Justice has issued an order to help control the spread of the Coronavirus. This order is going to require some changes to your procedures, as well as mine.

Magistrates' working hours and general duties are apparently not generally affected by the Chief Justice's order. However, I need to address some issues that have been raised.

Small claims court cases should be continued until at least 16 April 2020. This was not listed in the original memorandum that I received from the Chief Justice, so this order amends and supersedes the order of 13 March 2020.

With regard to bonds to be set by you, I have no advice for you other than to use your own good judgment, as Judge Osborne always said to me. I understand the issue of potential overcrowding and spread of disease in the jails, so take all statutory and other factors into consideration for bond, including the safety of the public.

When conducting business in your office, you may use your discretion in limiting the number of people sitting/standing in your office at any one time. You may also use your discretion in excluding people who appear to be sick, unless they have a true emergency.

When setting new court dates, do not set any court dates before 16 April 2020 UNLESS they are probation violations, first appearances, and probable cause hearings. Also, please regularly communicate with your Clerk's office concerning future caseloads in District Court. There is going to be a significant backlog in cases the best that we can do, so make every effort to spread out cases evenly.


Please continue to set first appearances as usual. Also, please advise defendants that they have the right to counsel, and they can go to the Clerk's Office to fill out a financial affidavit and request court appointed counsel which will be ruled on by the clerk, in most cases.

Also expect a higher volume of 50B and 50C orders in your offices.

As mentioned above, your working hours and schedules will likely not change. Depending on how this virus progresses, I reserve the right to reduce your in-office hours, but that is not the case at this point.

Thank you for serving on the front lines during this unsettled time and thank you in advance for your implementation of these rules. Please take all precautions to protect yourself from infection and ask courthouse custodial staff to take care in cleaning and disinfecting your offices.

This the 16th day of March, 2020

A handwritten signature in black ink, appearing to read 'D. Byrd', written over a horizontal line.

DAVID V. BYRD, CHIEF JUDGE
TWENTY-THIRD JUDICIAL DISTRICT