

Serial: 240067

IN THE SUPREME COURT OF MISSISSIPPI

No. 2021-AD-00001-SCT

FILED

DEC 30 2021

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

RE: EMERGENCY ORDER RELATED TO CORONAVIRUS (COVID-19)

EMERGENCY ADMINISTRATIVE ORDER-25

From the onset of the national and state emergencies created by Coronavirus (COVID-19) in March 2020, the Court has issued a series of Emergency Administrative Orders to address the changing circumstances and the evolving guidance provided by health authorities. In these Orders, the Court has sought to properly balance individual rights, public health and safety, and the constitutional requirement that Mississippi state courts remain open and accessible. *See* Miss. Const. art. 3, §§ 24-25.

Unfortunately, circumstances continue to deteriorate. In addition to the Delta variant of COVID-19, our State now faces the Omicron variant, which accounts for more than 60% of the new reported cases, according to State Epidemiologist Dr. Paul Byers. These variants are more contagious and spreading multiple times faster than the original strains. As of December 14, 2021, there were 575 new COVID-19 confirmed infections in Mississippi. Approximately two weeks later, the number of confirmed cases increased more than eightfold, to 4,885 cases. The Mississippi Department of Health reports that number includes over 4,700 persons who were not vaccinated, representing 97% of the new cases.

Due to the evolving nature of this pandemic and the aforementioned findings:

IT IS, THEREFORE, ORDERED:

1. Consistent with the Court’s prior Emergency Administrative Orders, all local and state courts—municipal, justice, county, chancery, circuit, and appellate courts—shall remain open to ensure the fulfillment of their constitutional and statutory duties. *See, e.g.,* Miss. Const. art. 3, § 24 (“All courts shall be open . . . and justice shall be administered without sale, denial, or delay.”).

2. In fulfilling the aforementioned duties, individual judges have the discretion to control their own dockets. In exercising their discretionary powers, individual judges are strongly encouraged to refer to the guidance issued by the MSDH for preventing the spread of COVID-19 (e.g., recommendations on social distancing; personal-protective measures, including face coverings; and capacity limitations for gatherings).

3. If not otherwise prohibited, all courts are urged to limit in-person, courtroom contact as much as possible by utilizing available technologies, including electronic filing, teleconferencing, and videoconferencing.

4. Individual judges have the discretion to postpone jury trials scheduled through Friday, January 14, 2022.

5. Individual judges have the discretion to instruct their clerks that jury summonses should not be sent to jurors that would be returnable to any date prior to Tuesday, January 18, 2022.

6. Individual judges presiding over intervention courts are authorized to modify the scheduling of drug testing and home-supervision visits as they see fit through Friday, January 14, 2022.

7. All other provisions of Emergency Administrative Order-21 remain in effect.

SO ORDERED, this the 30 day of December, 2021

A handwritten signature in black ink that reads "Michael K Randolph". The signature is written in a cursive style with a horizontal line drawn underneath the name.

MICHAEL K. RANDOLPH,
CHIEF JUSTICE