

FILED

APR 24 2020

IN THE DISTRICT COURT CLEVELAND COUNTY
STATE OF OKLAHOMA

IN RE: CONTINUITY OF OPERATIONS PLAN

In the office of the CLERK OF THE JUDICIAL BRANCH OF THE

A0-2020-1

Court Clerk MARILYN WILLIAMS JUDICIAL DISTRICT

AMENDED ORDER SUSPENDING CERTAIN IN-PERSON COURT PROCEEDINGS

The Administrative Orders relating to the Continuity of Operations Plan for the District Court of Cleveland County are hereby amended and modified as follows:

1. The Phase 3 Protocol of the Continuity of Operations Plan for the District Court of Cleveland County as set forth in the Administrative Order entered April 6, 2020 shall remain in effect until and through May 15, 2020.
2. Commencing May 18, 2020, the Phase 2 Protocol as set forth in the Administrative Order entered March 23, 2020 shall take effect. Unless otherwise directed and ordered, the Phase 2 Protocol shall remain in effect until and through May 29, 2020. It is the intention of the Court that the Phase 1 Protocol, as set forth in the March 16, 2020 Administrative Order will be implemented June 1, 2020 and shall remain in effect until and through June 12, 2020, unless otherwise directed or ordered. Upon the expiration of the orders suspending in-person proceedings, normal operations shall ensue.
3. A summary of each phase of the Continuity of Operations Plan is attached hereto. In addition, amended guidelines for the implementation of the emergency orders relating to the Continuity of Operations Plan is attached hereto.
4. In-person access to the office of Cleveland County Court Clerk shall remain restricted until further directive issued by the Cleveland County Court Clerk. All measures currently implemented for the filing of documents and/or for contact with the Cleveland County Court Clerk shall remain in effect in order to facilitate the business of that office.
5. The Cleveland County Sheriff's Office, in conjunction with the Cleveland County Commissioners, has instituted certain increased screening measures to ensure the safety of persons entering the Cleveland County Courthouse complex. Due to the proposed transition of operations outlined herein, this Court finds it beneficial to memorialize those measures. Those measures are set forth in the guidelines for the implementation of these orders attached hereto and incorporated herein by reference.

6. All other provisions in the Administrative Orders relating to the Continuity of Operations Plan previously issued which are not specifically modified herein remain in full force and effect.
7. This Order will remain in effect until further order.

IT IS SO ORDERED this 24th day of April, 2020!

A handwritten signature in black ink, reading "Thad Balkman". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Thad Balkman, Chief Judge

GUIDELINES FOR JUDICIAL PROCEEDINGS UNDER THE CLEVELAND COUNTY CONTINUITY OF OPERATIONS PLAN

Summary of Phase 1, 2 and 3 Protocols

	Phase 1	Phase 2	Phase 3
Access to Courthouse for court or judicial purposes	Restricted to litigants, attorneys, witnesses, victims, security officers, other necessary persons, as determined by the assigned judge and persons going to Clerk's office	Restricted to court personnel, employees of the office of the District Attorney, Court Clerk and Sheriff, OIDS Attorneys and persons appearing for emergency matters, arraignments or as directed by a judge	Restricted to designated courthouse employees and court personnel
Exceptions to Suspension of <i>In-Person</i> Proceedings	<ul style="list-style-type: none"> *Arraignments *PHCs *Preliminary Hearings *Plea Dockets *Call/Jury Assign./Status Conference Dockets *MTA/MTR Settings *SC cases w/ time limits *Emergency Matters *Other matters as directed by assigned judge 	<ul style="list-style-type: none"> *Arraignments *Emergency Matters *Other matters as directed by assigned judge 	None
<i>In-Person</i> Access to Clerk	Not Restricted	Restricted to persons designated above	Restricted to persons designated above

General Guidelines

1. Any guideline issued in conjunction with the prior Administrative Orders relating to the Continuity of Operations Plan which are not specifically modified herein, remain in full force and effect.
2. All District Court proceedings currently set shall be conducted under the appropriate phase protocol in effect at the time the matter is scheduled to be heard. Matters will remain as set until continued by the assigned judge as some proceedings may be held via remote means or under conditions that protect the health and safety of all participants. **YOU ARE DIRECTED TO CONTACT THE ASSIGNED JUDGE IMMEDIATELY TO DETERMINE WHETHER YOUR CASE WILL BE RESET AND IF SO, TO DETERMINE THE DATE THAT THE MATTER WILL BE HEARD.** If you are represented by counsel, all contact with the courts shall be by your attorney ONLY. If you are not represented by counsel, you may contact the office of your assigned judge by contacting that office by telephone or email. The list of the contact information for each judicial office is attached hereto. Contact with judicial offices shall be for the purposes of resetting the matter ONLY. *Ex parte* communications regarding the substance of the matter set before the court is prohibited.
3. You are strongly encouraged to take advantage of the Court's efforts to manage cases effectively during the period of the public health crisis. Dockets will be heavily backlogged as a result of the crisis and significant delays will ensue if cases that are amenable to being held by remote means are not handled accordingly. The Court will continue to utilize remote methods of conducting hearings, where appropriate, after returning to normal operations in order to safeguard the health of the public and justice system partners.
4. It is intended that court operations transition incrementally back to normal operations. However, during the transition, in-person access to the court will be limited as directed by the Chief Judge as well as assigned judges in order to control the number of persons appearing and to provide for adequate social distancing.
5. Matters to be filed at the Cleveland County Clerk's office should be presented under the appropriate directive from the Cleveland County Court Clerk in effect at the time the pleading is presented. When possible, pleadings should continue to be presented electronically by submitting the same to the Cleveland County Court Clerk at: clevelandpleadings@oscn.net.
6. Courtesy copies of pleadings or materials may be sent to the assigned judge at the time the pleading filed by adding the email address of the secretary/bailiff of the assigned judge to the return. In the alternative, courtesy copies may be emailed directly to the secretary/bailiff of the assigned judge. Matters that require a hearing to be set may be sent directly to the secretary/bailiff of the assigned judge, along with a Notice of Hearing. The judicial office will communicate via email regarding the setting of the matter.

When an appropriate date and method of conducting the hearing is determined, the judicial office will complete the Notice of Hearing, file the pleading and Notice and have it returned to the moving party via email.

7. Signature matters may be submitted in person by leaving the matter in the drop boxes located in the lobby of the courthouse or in the signature boxes located in or near each judicial office when access to those floors has resumed. Signature matters may also be presented via email. Once signed by the judge, matters will be filed and a file stamped copy will be returned via email by the Court Clerk.
8. No defendant housed in the Cleveland County Detention Center shall be brought to the Cleveland County Courthouse unless specifically ordered by the assigned judge.
9. Courthouse security officers shall continue the following screening measures:
 - a. All persons entering the courthouse shall be asked to state why they are entering the building;
 - b. All persons entering the courthouse shall be asked to orally acknowledge whether they
 - (1) Have traveled within the last 14 days from any country outside the United States or from an area in the United States with substantial community spread of COVID-19 to include the New York Tri-State Area, Massachusetts, California, Louisiana, Michigan, Florida or Washington State;
 - (2) Have been or have had close contact with someone who has been asked to self-quarantine by any health care provider or public official;
 - (3) Have been or have had close contact with someone who has been diagnosed with COVID-19; or
 - (4) Are presently exhibiting the symptoms of an infectious respiratory illness, which includes fever, cough, or shortness of breath.
 - c. Temperature screening shall be continued at the direction of the Sheriff or Commissioners.
10. The screening questions may be posted. Courthouse security officers may ask each question or may refer a person wishing to enter the courthouse to the posted screening questions and ask if the answer to any question is "Yes". If a person answers any of the screening questions in the affirmative or if they are exhibiting a fever, they shall not be permitted into the courthouse without express authorization from the Chief Judge or the elected official that the person is seeking to enter the courthouse to see.
11. The courthouse security officers also have the authority to deny access to anyone for court purposes pursuant to the appropriate protocol of Continuity of Operations Plan in effect at the time the person wishes to gain access. Furthermore, courthouse security officers shall also ensure that appropriate limitations on the number of persons in a courtroom gallery is enforced and shall encourage all persons in public areas, including but not limited to courtroom galleries, are practicing appropriate social distancing.

Civil and Family Law Matters

1. In-person Civil and Family law motion dockets are suspended pursuant to the Administrative Order issued herewith. Judicial offices may rule on any matter presented pursuant to Rule 4 of the District Courts. In addition, any matter may be set for a telephonic or video conference by agreement and with the consent of the assigned judge. Counsel are encourage to email the assigned judge's office to request a hearing date during the effective period of this order.
2. In-person Temporary Order dockets are suspended pursuant to the Administrative Order issued herewith. However, any matter may be set for hearing by agreement with the consent of the assigned judge. Counsel are encourage to email the assigned judge's office to request a hearing date during the effective period of this order.
3. Waiver divorces may be presented by counsel accompanied by affidavits or special interrogatories without the necessity of a party being present. In the alternative, hearings may be held via video conferencing or other electronic means at the discretion of the assigned judge.
4. Resolution Conferences will remain as set and shall be conducted in the manner directed by the assigned judge unless otherwise ordered. Resolution Conference materials must be exchanged with counsel per the Order for Resolution Conference, however, the materials shall not be delivered to the Court. Instead, a notice of compliance with the Order for Resolution Conference may be emailed to the assigned judge's secretary/bailiff. The notice of compliance may be included in the Resolution Conference Statement if so desired which may also be emailed to the assigned judge's secretary/bailiff.
5. Pretrial Conferences will remain as set and shall be conducted in the manner directed by the assigned judge unless otherwise ordered. Pretrial Conference materials shall be exchanged between the parties pursuant to the Order for Pretrial Conference issued in each case. However, only courtesy copies of motions to be heard at the Pretrial Conference and the jointly prepared Pretrial Conference Order shall be delivered via email to the assigned judge.
6. Motions to Enter shall be conducted via email. Each judicial office will send the appropriate scheduling order to all counsel or the parties if *pro se* with instructions to complete the Scheduling Order, to obtain the signatures required and to return it to the assigned judge via email. Once the completed Scheduling Order is returned, a Resolution Conference or Status Conference date will be offered via email by the assigned judge's secretary/bailiff. Once a date is chosen, the assigned judge will execute the order and file stamped copies shall be returned via email.

Arraignments

7. IN CUSTODY: arraignments will continue under the current video arraignment process.
8. OUT OF CUSTODY/REPRESENTED BY COUNSEL: PHASE 1 AND 2: DEFENDANT NEED NOT APPEAR, unless he/she has not previously been processed through the Cleveland County Detention Center. Counsel may arraign his/her client by summary order. If agreed upon by the state, a summary order may be presented to the assigned magistrate PRIOR to the date set for arraignment. If bond or other conditions are not agreed upon OR if an agreed order is not presented PRIOR to the date set for arraignment, counsel for the defendant must appear for walk-in arraignments.
PHASE 3: Counsel for Defendant may present an agreed arraignment summary order to the assigned magistrate via email. If there is no agreement regarding bond or other conditions OR if the Defendant has not been processed through the CCDC, the arraignment shall be set for an arraignment conducted by remote means.
9. OUT OF CUSTODY/NOT REPRESENTED BY COUNSEL: PHASE 1 AND 2: DEFENDANT MUST APPEAR. PHASE 3: Arraignment shall be reset for an in-person proceeding.
10. Once in-person arraignments have resumed and until the return to normal operations, only the defendant and/or his attorney, the state, court personnel and/or victims wishing to be present shall be allowed in the courthouse for arraignments. All family members, friends and other interested persons shall remain outside the building unless otherwise ordered, approved or directed by a Judge of the District Court.
11. Arraignment summary order forms are available via email. Either the State or defense counsel may present an agreed summary order to the assigned magistrate. The agreement may be indicated by each attorney's signature on the proposed summary order or by forwarding the email from opposing counsel evidencing the agreement.
12. Current arraignment settings may be modified by the assigned magistrate in order to facilitate appropriate docket management. This may include moving the arraignment setting to an earlier date. In addition, counsel may request an earlier setting in order to facilitate appropriate docket management.

Preliminary Hearing Conferences (PHC)

13. All matters currently set for PHC shall remain as set, subject to the provisions below. However, current PHC settings may be modified by the assigned magistrate in order to facilitate appropriate docket management. This may include moving the PHC setting to an earlier date. In addition, counsel may request an earlier setting in order to facilitate appropriate docket management.
14. DEFENDANT NOT REPRESENTED BY COUNSEL: If the defendant is in custody, the PHC will be conducted by video conferencing. If the defendant is out of custody, the PHC will be conducted as follows:

PHASE 1 AND 2: Defendant must appear in person as previously ordered.

PHASE 3: The PHC shall be reset for an in-person proceeding.

15. DEFENDANT REPRESENTED BY COUNSEL: ALL PHASES: If a defendant is represented by counsel, he/she need not appear, unless otherwise directed by his/her attorney or the Court. Counsel for the defendant must file an Entry of Appearance as required by Court Rules. The Entry of Appearance shall be emailed to the assigned District Attorney who shall then email all reports, agreed discovery and a recommendation to defendant's attorney. Meaningful negotiations shall take place prior to the PHC.
- a. If both attorneys have complied with this Order but additional time is needed, an agreed PHC summary order continuing the matter may be submitted to the assigned magistrate and his/her secretary/bailiff via email. All applicable blanks on the summary order must be filled out.
Incomplete Summary Orders shall not be considered. No continuance shall be granted unless for good cause shown.
 - b. If the matter is for plea or waiver of Preliminary Hearing and setting for Formal Arraignment, an agreed summary order setting the matter on the assigned District Judge's docket **along with a signed waiver of Jury Trial or Preliminary Hearing** (as appropriate) may be submitted to the assigned magistrate and his/her secretary/bailiff via email. If the matter may be conducted via remote means, the same shall be indicated on the proposed summary order as well as whether both parties agree to waive jurisdictional limitations so that an appropriate setting may be made.
 - c. If the matter is for Preliminary Hearing, counsel shall communicate with the assigned magistrate to request a Preliminary Hearing date. Once the date is received, the procedure for presenting the proposed summary order shall be the same as subparagraphs (a) and (b) above.
 - d. The proposed Summary Order MUST BE SUBMITTED TO THE ASSIGNED MAGISTRATE NO LATER THAN 5:00 P.M. OF THE FRIDAY PRIOR TO THE PHC SETTING. The assigned magistrate may provide notice of approval via email. If the proposed summary order is not submitted OR it is not approved by the assigned magistrate prior to the PHC setting, **both attorneys AND the Defendant must appear if the PHC setting occurs during Phase 1 or 2 or after the return to normal operations. If the PHC setting occurs during Phase 3, the PHC shall be set for hearing via remote means. The defendant will be required to appear with counsel at the PHC.**
 - e. For all other matters, both attorneys and the defendant must appear for an in-person PHC as directed by the assigned magistrate.
16. PHC summary order forms are available via email. Either the State or defense counsel may present an agreed summary order to the assigned magistrate. The agreement may be indicated by each attorney's signature on the proposed summary order or by forwarding the email from opposing counsel evidencing the agreement.

Disposition Dockets

17. All matters currently set for plea on any felony or misdemeanor disposition docket shall remain as set, unless otherwise ordered by the assigned judge. However, current settings may be modified by the assigned judge in order to facilitate appropriate docket management. This may include moving the disposition to an earlier date. . In addition, counsel may request an earlier setting in order to facilitate appropriate docket management. In determining whether a matter will be reset, the court will take into consideration whether the defendant is in or out of custody, the age of the case, the prejudice, if any, to any victims, the prejudice, if any, to the defendant, the length of the delay caused by the reset and any other factors relevant to the assigned judge. Persons in custody shall not be reset absent good cause.
18. Until further order, if a defendant is in custody, the disposition will be done by video conferencing. All paperwork must be completed prior to the docket and it must be presented to the Court at the time of the docket. Defendants will not be brought to the Cleveland County Courthouse.
19. Pleas, Formal Arraignments, Motions to Revoke or Accelerate or other matters set on a disposition docket may be conducted by remote means by agreement or at direction of the assigned judge.
20. Requests to continue matters set on disposition dockets may be made via email to the assigned judge with opposing counsel copied on the email or by presenting an agreed summary order to the assigned judge. Matters shall only be continued for good cause shown which must be indicated in the email request or on the proposed agreed summary order.

Jury Assignment/Call/Sounding or Status Conference Dockets

21. All matters currently set for jury assignment/call/sounding or status conference dockets shall remain as set, unless otherwise ordered by the assigned judge. However, current settings may be modified by the assigned judge in order to facilitate appropriate docket management. This may include moving the setting to an earlier date. In addition, counsel may request an earlier setting in order to facilitate appropriate docket management.
22. DEFENDANT NOT REPRESENTED BY COUNSEL: If the defendant is in custody, the matter will be conducted by video conferencing. If the defendant is out of custody, the matter will be conducted as follows:
PHASE 1 AND 2: Defendant must appear in person as previously ordered.
PHASE 3: The matter shall be reset for an in-person proceeding.
23. DEFENDANT REPRESENTED BY COUNSEL: ALL PHASES: If a defendant is represented by counsel, he/she need not appear, unless otherwise directed by his/her attorney or the Court. The same procedure as set forth above for PHC dockets shall be utilized for these dockets. The deadlines set forth

above apply equally to this dockets. Failure to comply shall result in both attorneys and the defendant being compelled to appear in person.

All Other Criminal Case Matters

24. Any jail issues or questions may be directed to Judges Stice or Walkley via email or telephone call to their cellular telephone numbers.
25. Any matter related to treatment or specialty courts may be directed to:
Judge Tupper for Drug Court, Recovery Court, Mental Health Court, and/or PTR Program
Judge Virgin for Community Sentencing
Judge Walkley for PTR Program
26. Any other criminal case matters including but not limited to search warrants, arrest warrants and other law enforcement contact may be directed to Judges Walkley, Balkman or Stice.

Protective Orders

27. During Phase 3, Emergency Protective Orders may be granted at the discretion of and under the procedure set forth by the judge assigned to hear those matters as set forth below. For all Protective Order issues, contact:
April 27, 2020-May 6, 2020: Judge Brockman
May 7, 2020-May 15, 2020: Judge Napoli
(If the judge assigned to that week is not available, you may contact the other judge.)
28. After the expiration of the Phase 3 Protocol, Protective Orders will be conducted at the discretion of the assigned judge.

Emergency Custody, Visitation,

or other Civil Emergency and/or Time Sensitive Matters

29. During Phase 3, all applications shall be emailed to the following judge for review and disposition
April 27, 2020-May 6, 2020: Judge Tupper
May 7, 2020-May 15, 2020: Judge Virgin
(If the judge assigned to that week is not available, you may contact the other judge.)
30. After the expiration of Phase 3, emergency applications shall be emailed to the assigned judge for disposition.

Emergency Delinquent/Deprived/Youthful Offender Matters

31. Emergency applications or matters may be granted at the discretion of and under the procedure set forth by Judge Stice.

32. Emergency applications or matters may be granted at the discretion of and under the procedure set forth by Judge Napoli.

These guidelines are hereby adopted by the Cleveland County Courts this 24th day of April, 2020 and are incorporated in the Order Suspending Certain In-Person Proceedings filed herewith.

A handwritten signature in black ink, reading "Thad Balkman", written over a horizontal line.

Thad Balkman, Chief Judge

JUDGE	EMAIL	SEC/BAILIFF	EMAIL	OFFICE #
Walkley	lori.walkley@oscn.net	Kari Wilder	kari.wilder@oscn.net	(405) 366-0639
Tupper	michael.tupper@oscn.net	Heather Walton	heather.walton@oscn.net	(405) 329-9788
Virgin	jeff.virgin@oscn.net	Pam Dominic	pamela.dominic@oscn.net	(405) 366-0600
Balkman		Jami Welbourne	jami.welbourne@oscn.net	(405) 329-2400
Bonner		Tomi Walden	tomiwalden@oscn.net	(405)321-6251
Napoli	jequita.napoli@oscn.net	Avery Butner	avery.butner@oscn.net	(405) 329-5733
Stice	steve.stice@oscn.net	Leanna Smoot	leanna.smoot@oscn.net	(405) 321-5638
Puckett	lori.puckett@oscn.net	Kaci Dunn	kaci.dunn@oscn.net	(405) 360-9393
Brockman	scott.brockman@oscn.net	Cheryl Cowen	cheryl.cowen@oscn.net	(405) 447-3737

PROSECUTOR	EMAIL	CASE ASSIGNMENTS
Jennifer Austin	Jennifer.Austin@dac.state.ok.us	Balkman Major Crimes/Virgin Major Crimes 0-4
Christy Miller	christy.miller@dac.state.ok.us	Walkley Major Crimes/Virgin Major Crimes 5-9
Patrick Crowe	patrick.crowe@dac.state.ok.us	Balkman Odd Case #s
Patricia High	Patricia.High@dac.state.ok.us	Virgin Odd Case #s/Community Sent.
Jacobi Whatley	Jacobi.Whatley@dac.state.ok.us	Walkley Odd Case #s/PTR
Pamela Stillings	Pamela.stillings@dac.state.ok.us	Walkley Even Case #s/AMMHC
Michael Patlan	Michael.patlan@dac.state.ok.us	Balkman Even Case #s/DC
SuAnne Carlson	Suanne.carlson@dac.state.ok.us	Virgin Even Case #s
Abbi Nathan	Abbi.nathan@dac.state.ok.us	DV Felonies 2-9
Amy Taylor	Amy.taylor@dac.state.ok.us	DV Misdemeanors/DV Felonies 0-1
Brady Robison	Brady.robison@dac.state.ok.us	Misdemeanor Odd Case #s
		Misdemeanor Even Case #s
General Felony Email	D21GeneralFelony@dac.state.ok.us	
General Misdemeanor Email	D21Misdemeanor@dac.state.ok.us	
General DV Email	D21Domestic@dac.state.ok.us	

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }
GUIDELINES FOR COURT CLERKS OPERATIONS UNDER THE CLEVELAND COUNTY



FILED
CONTINUITY OF OPERATIONS PLAN PHASE III
APR 07 2020

AD-2020-1

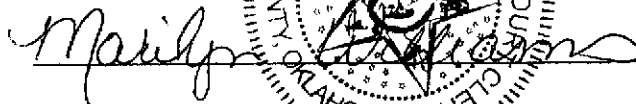
General Guidelines In the office of the
Court Clerk MARILYN WILLIAMS

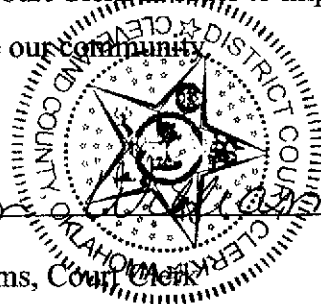
1. Upon the advice of the District Court and with the consent of the Cleveland County Commissioners, the Cleveland County Court Clerk's office is severely reducing operations effective immediately. Of the 32 members of the Cleveland County Court Clerk's office, only the Court Clerk, Marilyn Williams, and four (4) supervisors who have volunteered to remain will be on duty at the courthouse during the crisis. The volunteer supervisors are not compromised or do not have higher health risks. The remainder of the Court Clerk's staff will work remotely, where applicable, in order to protect the health and safety of those people and the public.
2. Any guideline issued in conjunction with the prior Continuity of Operations Plans issued by the District Court which are not specifically modified herein, remain in full force and effect.
3. All in-person filings are suspended. Matters may be filed electronically submitting the same to the Cleveland County Court Clerk at: clevelandpleadings@oscn.net. Any matters submitted via email will be processed as quickly as possible due to the staff reductions. Criminal, emergency matters and Court Clerk inquiries will take priority in processing. Non-emergency matters will be processed as time permits.
4. A drop box, located in the foyer of the county building, is available for drop off of pleadings and payment of filing fees by check. Matters left in the drop box will be gathered one time per day and placed in a secure area for 24 hours before processing begins unless it is an emergency matter. DO NOT PLACE SIGNATURE MATTERS FOR THE COURT OR DISTRICT ATTORNEY IN THIS DROP BOX. THE JUDGES AND THE DISTRICT ATTORNEY HAVE SEPARATE DROP BOXES. Signature matters may be also be presented via email to the assigned judge.
5. Applications for Emergency Protective Orders, emergency custody, visitation, guardianship or mental health matters may be submitted via email or may be left at the courthouse. Do not place emergency requests in the Court Clerk's drop box. If submitting the request in person, use the Court Clerk I-Pad. If submitting the request via email, please indicate the matter is an emergency by placing the word "EMERGENCY" in the subject line. Emergency matters will be given priority in processing and will be scanned and emailed to the assigned or duty judge. A file stamped copy will be returned via email. The assigned or duty judge will contact the moving party once it is processed.
6. Applications for Emergency Protective Orders, Guardianship pleadings and applications for Court Appointed Counsel will remain available at the Cleveland County Courthouse. In addition, Applications for Protective Orders and Applications for Court Appointed Counsel are available at

Cleveland County Court Clerk's office at clevelandclerk@oscn.net.

7. Pursuant to the District Court's Order, the issuance of any discretionary license by the Court Clerk is hereby suspended during the effective period of this Order. All questions regarding the Office of the Court Clerk, including but not limited to the issuance any other licenses, should be directed to clevelandclerk@oscn.net.
8. Pursuant to the District Court's Order, search warrants and returns will be processed through Judges Walkley and Balkman. Law enforcement should not bring any documents to the Court Clerk's office.
9. Bondsman, OCS staff, and/or PTR staff who are preparing releases for persons incarcerated in the Cleveland County Detention Center may use the Court Clerk's I-Pad when necessary but shall not be present in the Clerk's office.
10. In-person payments for court costs and fines may only be processed by dropping the same in the Clerk's drop box. On-line processing remains available.
11. Courtesy copies of all orders will be emailed to counsel or as directed by the assigned judge as time permits.
12. OSCN will not be current each day reflecting filings. Please do not rely on OSCN entries during this time of staff reduction. All efforts will be made to have matters filed, scanned and entered in a timely manner.

These guidelines are hereby adopted by the Cleveland County Court Clerk in order to implement Cleveland County's Continuity of Operations Plan and to continue to serve our community.


Marilyn Williams, Court Clerk





APR -6 2020

IN THE DISTRICT COURT CLEVELAND COUNTY
STATE OF OKLAHOMAIN RE: CONTINUITY OF OPERATIONS PLAN
FOR THE JUDICIAL BRANCH OF THE
21ST JUDICIAL DISTRICTIn the office of the
Court Clerk MARILYN WILLIAMS
A0-2020-1**AMENDED ORDER SUSPENDING CERTAIN IN-PERSON COURT PROCEEDINGS**
PHASE III PROTOCOL

On March 16, 2020 the judiciary of the 21st Judicial District entered an Administrative Order to implement a three (3) tiered approach to the public health crisis. Phase I, implemented on March 16, 2020, reduced in-person proceedings. On March 23, 2020, due to the increased risk to public health and safety, Phase II was implemented to further restrict in-person contact. On April 5, 2020, the Cleveland County Judiciary were notified that multiple Cleveland County courthouse staff members have tested positive for COVID-19. Due to the Center for Disease Center (CDC) directives regarding self-quarantine for persons possibly exposed, the Cleveland County Judiciary has, by consensus, determined that further restrictions are necessary to protect the health and safety of the public and the persons responsible for court operations.

Accordingly, the Continuity of Operations Plan for the Courts of the 21st Judicial District (Cleveland, Garvin & McClain Counties) is hereby amended to implement Phase III of the Continuity of Operations Plan as follows:

1. The District Court of Cleveland County shall be closed commencing at 3:00 p.m. on April 6, 2020 and shall remain closed until 8:00 a.m. April 27, 2020, subject to the provisions and exceptions set forth in this Order, unless otherwise ordered or directed.
2. Access to the Cleveland County Courthouse for judicial or court purposes shall be limited to constitutional and emergency matters as more fully set forth below.
3. All in custody misdemeanor or felony arraignments shall be presided over remotely at the direction of the assigned magistrate. All other arraignments shall be deferred as set forth in the guidelines attached hereto.
4. Applications for Emergency Protective Order shall be presided over remotely at the direction of the assigned judge. All show-cause hearings currently set are to be reset by the assigned judge. All Emergency Protective Orders currently in place shall remain in effective until May 15, 2020, unless otherwise ordered or directed.

5. Emergency custody, visitation, guardianship, or mental health applications, Department of Human Services (DHS) emergency matters related to child protection and proceedings related to emergency protection of elderly or vulnerable persons shall be presided over remotely at the direction of the assigned judge. All show-cause hearings currently set are to be reset by the assigned judge. All emergency orders currently in place shall remain in effect until May 15, 2020, unless otherwise ordered or directed.
6. The Cleveland County Court Clerk shall not accept any in-person filings during the effective period of this Order. Matters filed via email will be processed after the effective period of this Order. With the advice of the Cleveland County judiciary and upon the consent of the Cleveland County Commissioners, the Cleveland County Court Clerk shall cease all operations during the effective period of this Order.
7. All matters not stayed during the pendency of this Order shall be conducted in accordance with the guidelines for judicial proceedings attached hereto and incorporated herein by reference. Judicial offices may continue to conduct court processes by remote means so long as the conduct of those processes do not require any person, including but not limited to court staff, county staff, litigants and/or attorneys to violate any local, state or federal "Shelter In Place" directive, recommendation or guideline.
8. Any orders issued during the effective period of this order shall be effective on the date issued but shall not be filed of record during the effective period of this order, unless otherwise directed.
9. YOU ARE DIRECTED TO CONTACT THE ASSIGNED JUDGE VIA EMAIL IF YOU HAVE MATTERS SET DURING THE PENDENCY OF THIS ORDER.

If you are represented by counsel, all contact with the courts shall be by your attorney ONLY. If you are not represented by counsel, you may contact the office of your assigned judge by contacting that office by telephone or email. The list of the contact information for each judicial office is attached hereto. Contact with judicial offices shall be for the purposes of resetting the matter ONLY. *Ex parte* communications regarding the substance of the matter set before the court is prohibited.

10. Applications for Emergency Protective Orders and Court Appointed Counsel will remain available at the Cleveland County Courthouse. In addition, Applications for Protective

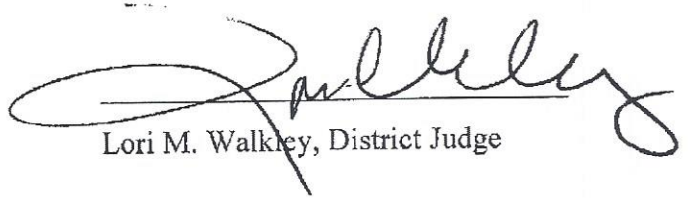
Orders and Applications for Court Appointed Counsel are available at <https://clevelandcountycourt.com/>. You may request that the document be emailed to you by contacting the Cleveland County Court Clerk's office at clevelandclerk@oscn.net.

11. The issuance of any discretionary license by the Court Clerk is hereby suspended during the effective period of this Order. All questions regarding the Office of the Court Clerk, including but not limited to the issuance any other licenses, should be directed to clevelandclerk@oscn.net.
12. All other provisions in the Continuity of Operations Plan orders previously issued which are not specifically modified herein remain in full force and effect.
13. This Order will remain in effect until further order.

IT IS SO ORDERED this 6th day of April, 2020!



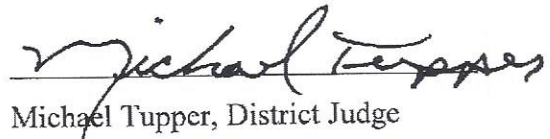
Thad Balkman, Chief Judge



Lori M. Walkley, District Judge



Jeff Virgin, District Judge



Michael Tupper, District Judge

GUIDELINES FOR JUDICIAL PROCEEDINGS UNDER THE CLEVELAND COUNTY COURT FILED
OPERATIONS PLAN PHASE III APR -6 2020

General Guidelines

In the office of the
Court Clerk MARILYN WILLIAMS

1. Any guideline issued in conjunction with the prior Continuity of Operations Plans which are not specifically modified herein, remain in full force and effect.
2. All pleadings shall be deferred or made electronically through the Cleveland County Court Clerk. Matters may be filed electronically by submitting the same to the Cleveland County Court Clerk at: clevelandpleadings@oscn.net. Any matters submitted via email will be processed after the effective period of the Phase III Order.
3. Courtesy copies of pleadings or materials may be sent to the assigned judge's secretary/bailiff.
4. Signature matters may be presented via email or may be left at the security area of the courthouse.

Civil and Family Law Matters

5. In-Person Civil and Family law motion dockets remain suspended until further order. Judicial offices may continue to rule on any matter presented pursuant to Rule 4 of the District Courts.
6. In-Person Temporary Order dockets remain suspended until further order. Judicial offices may continue to hold remote proceedings if the same can be conducted in conformance with the Phase III order.
7. Waiver divorces may be presented via email to the assigned judge when accompanied by affidavits or special interrogatories without the necessity of counsel or a party being present. In the alternative, hearings may be held via video conferencing or other electronic means at the discretion of the assigned judge. In either case, all necessary orders, executed by all parties and counsel, as well as parenting class certificates of completion, if applicable, shall be provided to the assigned judge via email prior to the judge's consideration of the matter. Any matters submitted will be filed after the effective period of the Phase III order.
8. Resolution and Pretrial Conferences will continue to remain as set under the prior guidelines issued March 23, 2020, unless otherwise ordered by the assigned judge.
9. Motions to Enter shall be continue to be conducted via email under the prior guidelines issued March 23, 2020, unless otherwise ordered by the assigned judge.
10. Sheriff's sales, confirmation hearings, forcible entry and detainer matters, small claims, CS case hearings, applications for car titles and any matter set on civil uncontested docket are suspended during the effective period of the Administrative Order. Questions regarding resetting of those matters should be referred to the assigned judge.

Arraignments

11. IN CUSTODY: Probable cause affidavits and applications for court appointed counsel shall be scanned and emailed to the following persons:

April 6, 2020-April 16, 2020: Judge Stice at: steve.stice@oscn.net
April 17, 2020-April 26, 2020: Judge Puckett at lori.puckett@oscn.net
April 6, 2020-April 26, 2020: Travis White at Travis.White@dac.state.ok.us

The prosecutor shall present any bond request and/or additional information to the magistrate via email within 24 hours of receipt of the probable cause affidavit. The magistrate shall then review the matter, set the appropriate bond amount and set the matter for the appropriate court appearance which will be communicated to the prosecutor and the jail via email. Said email determinations shall have the force of any other written or oral judicial directive during the effective period of the Phase III order.

12. OUT OF CUSTODY: DO NOT APPEAR. All out of custody arraignments shall be deferred until May 15, 2020-May 30, 2020. Defendants who have posted a bond shall report for walk-in arraignments between those dates, unless otherwise directed or ordered. Counsel may continue to communicate with each other regarding arraignments per the prior guidelines.

Applications for Court Appointed Counsel

13. Applications for Court Appointed Counsel will remain available at the Cleveland County Courthouse. In addition, Applications for Court Appointed Counsel are available at <https://clevelandcountyyok.com/>. Or, you may request that the document be emailed to you by contacting the Cleveland County Court Clerk's office at clevelandclerk@oscn.net.
14. Applications may be returned via email to jeff.virgin@oscn.net or may be filled out at the courthouse and left at the table where the blank applications are provided.
15. Current contact information must be included on the application as you will be notified of the decision regarding your application via email or telephone.

Preliminary Hearing Conferences (PHC)

16. All matters currently set for PHC in which the defendant is represented by counsel shall remain as set, subject to the provisions below.
17. All matters currently set for PHC in which the defendant is not represented by counsel shall be reset by the assigned magistrate.

18. For defendants represented by counsel: The procedure set forth in the prior guidelines shall remain in effect. In addition, each judicial office may require additional status reports to be submitted via email.

Disposition Dockets/Motions to Revoke or Accelerate

19. Dispositions, Formal Arraignments and/or hearings on Motions to Revoke/Accelerate are hereby suspended unless otherwise ordered by the assigned judge. Matters which may be handled remotely in conformance with the Phase III order of this date may be handled as agreed upon by the parties and the assigned judge.

All Other Criminal Matters

20. Any jail issues or questions may be directed to Judges Stice or Walkley via email or telephone call to their cellular phone numbers.
21. Any matter related to treatment or specialty courts may be directed to:
- Judge Tupper for Drug Court, Recovery Court, Mental Health Court, and/or PTR Program
- Judge Virgin for Community Sentencing
- Judge Walkley for PTR Program
22. Any other criminal case matters including but not limited to search warrants, arrest warrants and other law enforcement contact may be directed to as follows:
- April 6, 2020-April 16, 2020: Judge Balkman
- April 17, 2020-April 26, 2020: Judge Walkley
- (If the judge assigned to that week is not available, you may contact the other judge. Law enforcement may also refer to the Duty Judge Roster if cellular numbers are needed.)

Protective Orders

23. Emergency Protective Orders may be granted at the discretion of and under the procedure set forth by the judge assigned to hear those matters as set forth below. For all Protective Order issues, contact:
- April 6, 2020-April 16, 2020: Judge Brockman
- April 17, 2020-April 27, 2020: Judge Napoli
- (If the judge assigned to that week is not available, you may contact the other judge.)

Emergency Custody, Visitation,
or other Civil Emergency and/or Time Sensitive Matters

24. All applications shall be emailed to the following judge for review and disposition

April 6, 2020-April 16, 2020: Judge Tupper

April 17, 2020-April 26, 2020: Judge Virgin

(If the judge assigned to that week is not available, you may contact the other judge.)

Emergency Delinquent/Deprived/Youthful Offender Matters

25. Emergency applications or matters may be granted at the discretion of and under the procedure set forth by Judge Stice.

Emergency Mental Health or Guardianship Applications

26. Emergency applications or matters may be granted at the discretion of and under the procedure set forth by Judge Napoli.

Contact Information

27. Contact information for judicial and district attorney offices is attached hereto.

These guidelines are hereby adopted by the Cleveland County Courts this 6th day of April, 2020 and are incorporated in the Order Suspending Certain In-Person Proceedings filed herewith.

A handwritten signature in black ink, reading "Thad Balkman", written over a horizontal line.

Thad Balkman, Chief Judge

JUDGE	EMAIL	SEC/BAILIFF	EMAIL	OFFICE #
Walkley	lori.walkley@oscn.net	Kari Wilder	kari.wilder@oscn.net	(405) 366-0639
Tupper	michael.tupper@oscn.net	Heather Walton	heather.walton@oscn.net	(405) 329-9788
Virgin	jeff.virgin@oscn.net	Pam Dominic	pamela.dominic@oscn.net	(405) 366-0600
Balkman		Jami Welbourne	jami.welbourne@oscn.net	(405) 329-2400
Bonner		Tomi Walden	tomiwalden@oscn.net	(405) 321-6251
Napoli	jequita.napoli@oscn.net	Avery Butner	avery.butner@oscn.net	(405) 329-5733
Stice	steve.stice@oscn.net	Leanna Smoot	leanna.smoot@oscn.net	(405) 321-5638
Puckett	lori.puckett@oscn.net	Kaci Dunn	kaci.dunn@oscn.net	(405) 360-9393
Brockman	scott.brockman@oscn.net	Cheryl Cowen	cheryl.cowen@oscn.net	(405) 447-3737

PROSECUTOR	EMAIL	CASE ASSIGNMENTS
Jennifer Austin	Jennifer.Austin@dac.state.ok.us	Balkman Major Crimes/Virgin Major Crimes 0-4
Christy Miller	christy.miller@dac.state.ok.us	Walkley Major Crimes/Virgin Major Crimes 5-9
Patrick Crowe	patrick.crowe@dac.state.ok.us	Balkman Odd Case #s
Patricia High	Patricia.High@dac.state.ok.us	Virgin Odd Case #s/Community Sent.
Jacobi Whatley	Jacobi.Whatley@dac.state.ok.us	Walkley Odd Case #s/PTR
Pamela Stillings	Pamela.stillings@dac.state.ok.us	Walkley Even Case #s/AMMHC
Michael Patlan	Michael.patlan@dac.state.ok.us	Balkman Even Case #s/DC
SuAnne Carlson	Suanne.carlson@dac.state.ok.us	Virgin Even Case #s
Abbi Nathan	Abbi.nathan@dac.state.ok.us	DV Felonies 2-9
Amy Taylor	Amy.taylor@dac.state.ok.us	DV Misdemeanors/DV Felonies 0-1
Brady Robison	Brady.robison@dac.state.ok.us	Misdemeanor Odd Case #s
		Misdemeanor Even Case #s
General Felony Email	D21GeneralFelony@dac.state.ok.us	
General Misdemeanor Email	D21Misdemeanor@dac.state.ok.us	
General DV Email	D21Domestic@dac.state.ok.us	

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }
FILED

MAR 23 2020

In the office of the
Court Clerk MARILYN WILLIAMS

IN THE DISTRICT COURT CLEVELAND COUNTY
STATE OF OKLAHOMA

IN RE: **CONTINUITY OF OPERATIONS PLAN
FOR THE JUDICIAL BRANCH OF THE
21ST JUDICIAL DISTRICT**

A0-2020-1

AMENDED ORDER SUSPENDING CERTAIN IN-PERSON COURT PROCEEDINGS
PHASE II PROTOCOL

On March 16, 2020 the judiciary of the 21st Judicial District entered an Administrative Order to implement a three (3) tiered approach to the public health crisis. Phase I, implemented on March 16, 2020, reduced in-person proceedings. On March 21, 2020, the Cleveland County Judiciary were notified that a Cleveland County employee who had limited contact at the courthouse had a confirmed diagnosis of the COVID-19 infection. The Cleveland County Judiciary has by consensus determined that further restrictions are necessary to protect the health and safety of the public and the persons responsible for court operations.

Accordingly, the Continuity of Operations Plan for the Courts of the 21st Judicial District (Cleveland, Garvin & McClain Counties) is hereby amended to implement Phase II of the Continuity of Operations Plan as follows:

1. The District Court of Cleveland County shall remain open, subject to the provisions of this Order, unless otherwise ordered or directed.
2. Access to the Cleveland County Courthouse for judicial or court purposes shall be limited to employees designated by the Cleveland County Court Clerk and the Cleveland County Sheriff, attorneys and staff designated by the District Attorney's Office for the 21st Judicial District, attorneys with the Oklahoma Indigent Defense System Cleveland County Non-Capital Trial Division and judicial officers and staff. Members of the Cleveland County Bar Association, and other attorneys may be granted access by judicial permission on an as needed basis. Members of the public may only be granted access by judicial permission, by appointment made with the District Attorney, Sheriff or Court Clerk, or to conduct emergency matters as more fully set forth below.

3. All in-person proceedings in the district courts are suspended from the close of business on March 23, 2020 until further order, subject to the exceptions below.

THIS ORDER DOES NOT APPLY TO THE FOLLOWING:

- Misdemeanor or Felony Arraignments;
- Applications for Emergency Protective Order;
- Emergency custody, visitation, guardianship, or mental health applications, Department of Human Services (DHS) emergency matters related to child protection and proceedings related to emergency protection of elderly or vulnerable persons;
- Proceedings directly related to the COVID – 19 public health emergency; and,
- Other exceptions as approved by the Chief Judge.

These matters shall be conducted in accordance with the guidelines for judicial proceedings attached hereto and incorporated herein by reference.

4. All other district court proceedings currently set while this order is in effect shall be suspended and rescheduled unless:
 - a. The proceedings will be conducted remotely; OR,
 - b. The assigned judge determines that the proceedings can be conducted under conditions that protect the health and safety of all participants.

The assigned judge is authorized to determine the manner in which court proceedings are to be conducted, whether in-person or via remote means, and may restrict access to any proceeding to further protect the health and safety of all persons.

NOTE: THIS INCLUDES ALL CIVIL, FAMILY, JUVENILE AND CRIMINAL PROCEEDINGS NOT SPECIFICALLY EXCLUDED ABOVE. PLEASE REFER TO THE GUIDELINES FOR JUDICIAL PROCEEDINGS ATTACHED HERETO FOR SPECIFIC DOCKETS OR CASE TYPES. SOME PROCEEDINGS MAY STILL REQUIRE YOUR PRESENCE AT THE COURTHOUSE OR WILL BE CONDUCTED REMOTELY PURSUANT TO THIS PARAGRAPH.

5. **YOU ARE DIRECTED TO CONTACT THE ASSIGNED JUDGE IMMEDIATELY TO DETERMINE WHETHER YOUR CASE WILL BE RESET AND IF SO, TO DETERMINE THE DATE THAT THE MATTER WILL BE HEARD.**

If you are represented by counsel, all contact with the courts shall be by your attorney ONLY. If you are not represented by counsel, you may contact the office of your assigned judge by contacting that office by telephone or email. The list of the contact information for each judicial office is attached hereto. Contact with judicial offices shall be for the purposes of resetting the matter ONLY. *Ex parte* communications regarding the substance of the matter set before the court is prohibited.

6. In-person access to the office of Cleveland County Court Clerk shall be limited to the persons referenced in paragraph 2 above ONLY. Pursuant to SCAD-20-24 issued by the Oklahoma Supreme Court and the Oklahoma Court of Criminal Appeals, all statutory deadlines and procedures, whether prescribed by statute, rule or order in any civil, juvenile or criminal case are suspended for 30 days from the March 16, 2020 issuance of the SCAD. This includes statutes of limitations in civil matters. Therefore, in person filing of documents to satisfy a deadline is not essential during this state of emergency.

DO NOT COME TO THE CLEVELAND COUNTY COURT CLERK'S OFFICE IN PERSON TO FILE NON-EMERGENCY MATTERS DURING THE EFFECTIVE PERIOD OF THIS ORDER UNLESS OTHERWISE DIRECTED BY A JUDGE OR THE COURT CLERK.

Marilyn Williams, the Cleveland County Court Clerk, has received approval from the Supreme Court to implement a modified electronic filing system for all non-emergency matters. You are encouraged to utilize this system for filing all non-emergency matters in order to continue effective operations and case processing. The procedure for that filing system is included in the guidelines attached hereto.

7. Applications for Emergency Protective Orders and Court Appointed Counsel will remain available at the Cleveland County Courthouse. In addition, Applications for Protective

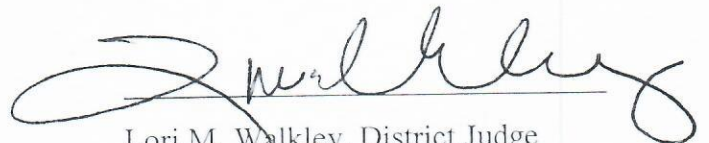
Orders and Applications for Court Appointed Counsel are available at <https://clevelandcountyok.com/>. You may request that the document be emailed to you by contacting the Cleveland County Court Clerk's office at clevelandclerk@oscn.net.

8. Marriage licenses may be issued by appointment with the Court Clerk ONLY. All other questions regarding the Office of the Court Clerk, including but not limited to the issuance any other licenses, should be directed to clevelandclerk@oscn.net.
9. All other provisions in the March 16, 2020 Administrative Order not specifically modified herein remain in full force and effect.
10. This Order will remain in effect until further order.

IT IS SO ORDERED this 23rd day of March, 2020!



Thad Balkman, Chief Judge



Lori M. Walkley, District Judge



Jeff Virgin, District Judge



Michael Tupper, District Judge

GUIDELINES FOR JUDICIAL PROCEEDINGS UNDER THE CLEVELAND COUNTY CONTINUITY OF
OPERATIONS PLAN PHASE IIFILED
MAR 23 2020General GuidelinesIn the office of the
Court Clerk MARILYN WILLIAMS

1. Any guideline issued in conjunction with the March 16, 2020 Administrative Order which are not specifically modified herein, remain in full force and effect.
2. All non-emergency pleadings shall be deferred or made electronically through the Cleveland County Court Clerk. Matters may be filed electronically by submitting the same to the Cleveland County Court Clerk at: clevelandpleadings@oscn.net. The matter submitted will be filed and the Clerk will notify you of the fee, if any, associated with the filing. You may submit payment via credit card at the direction of the Clerk. Once the fee has been submitted, you will receive a copy of the pleading filed via email as well as a receipt for any payment made.
3. Courtesy copies of pleadings or materials may be sent by the Clerk to the assigned judge at the time the pleading is returned to the person submitting the same by adding the email address of the secretary/bailiff of the assigned judge to the return. Other matters which have previously been filed or do not require filing with the Clerk prior to providing a courtesy copy to the court may be emailed to the secretary/bailiff of the assigned judge directly. The previous order regarding page limitations is vacated.
4. Signature matters submitted by persons with access to the courthouse under paragraph no. 2 of the Amended Order Suspending Certain In-Person Proceedings may be left in the signature boxes located in or near each judicial office. All other signature matters must be presented via email. Once signed by the judge, matters will be filed and a file stamped copy will be returned.

Civil and Family Law Matters

5. In-Person Civil and Family law motion dockets are suspended until further order.
 - a. For matters currently set: Judicial offices may rule on any matter presented pursuant to Rule 4 of the District Courts. Although not required pursuant to the extension of deadlines issued by the Supreme Court, counsel are encourage to submit any response or reply briefs that would normally come due during the effective time period of the Administrative Order in a timely manner prior to the originally set hearing date so that the assigned judge can continue to effectively dispose of motions and/or move cases toward resolution by utilizing Rule 4.
 - b. For matters filed or settings requested after March 16, 2020: Counsel and/or *pro se* litigants are encouraged to continue filing necessary matters pursuant to paragraph no. 6 of the March 23, 2020 Administrative Order and paragraph no. 2 above. Once filed, matters may be set by agreement of the parties and the court during the effective period of the Administrative Order for a determination on the briefs or for a hearing by remote means. If no agreement is reached, the matter will be set for a

regular docket once the Administrative Order is no longer in effect. Parties and counsel are cautioned that resetting matters after the effective period of the Administrative Order may cause a significant delay due to the backlog of cases suspended during the public health emergency.

6. In-Person Temporary Order dockets are suspended until further order. However, any matter may be set for hearing via remote means with the consent of the assigned judge. For matters currently set, counsel and/or *pro se* parties shall immediately contact the assigned judge via email to determine the status of the Application for Temporary Order. Matters filed or served after the March 16, 2020, shall be set by agreement between the parties and the court for a hearing by remote means during the effective period of the Administrative Order or will be set for a regular docket once the Administrative Order is no longer in effect. Parties and counsel are cautioned that resetting matters after the effective period of the Administrative Order may cause a significant delay due to the backlog of cases suspended during the public health emergency.
7. Any hearing or trial currently scheduled which is not specifically excluded in the Amended Order Suspending Certain In-Person Proceedings is subject to paragraphs nos. 4 and 5 of that Order. Pursuant to that Order, you are directed and ordered to contact the assigned judge's office to determine the status of the setting effected by the Administrative Order. Email communication with judicial offices is preferred.
8. Waiver divorces may be presented via email to the assigned judge when accompanied by affidavits or special interrogatories without the necessity of counsel or a party being present. In the alternative, hearings may be held via video conferencing or other electronic means at the discretion of the assigned judge. In either case, all necessary orders, executed by all parties and counsel, as well as parenting class certificates of completion, if applicable, shall be provided to the assigned judge via email prior to the judge's consideration of the matter. Once executed by the assigned judge, the orders will be filed by the judge's staff, scanned and emailed to counsel and/or *pro se* litigants.
9. Resolution Conferences will remain as set unless otherwise ordered by the assigned judge and shall take place telephonically or by other remote means. Resolution Conference materials must be exchanged with counsel per the Order for Resolution Conference, however, the materials shall not be delivered to the Court. Instead, counsel and/or a *pro se* litigant may email a notice of compliance with the Order for Resolution Conference to the assigned judge's secretary/bailiff. The notice of compliance may be included in the Resolution Conference Statement if so desired which may also be emailed to the assigned judge's secretary/bailiff.
10. Pretrial Conferences will remain as set unless otherwise ordered by the assigned judge and shall take place telephonically or by other remote means. Pretrial Conference materials shall be exchanged between the parties pursuant to the Order for Pretrial Conference issued in each case. However, only courtesy copies

of motions to be heard at the Pretrial Conference shall be delivered to the assigned judge along with the joint Order for Pretrial Conference.

11. Motions to Enter shall be conducted via email. Each judicial office will send the appropriate scheduling order to all counsel or the parties if *pro se* with instructions to complete the Scheduling Order, to obtain the signatures required and to return it to the assigned judge via email. Once the completed Scheduling Order is returned, a Resolution Conference or Status Conference date will be offered via email by the assigned judge's secretary/bailiff. Once a date is chosen, the assigned judge will execute the order and file stamped copies shall be returned via email.
12. Sheriff's sales, confirmation hearings, small claims, CS case hearings, applications for car titles and any matter set on civil uncontested docket are suspended during the effective period of the Administrative Order. Questions regarding resetting of those matters should be referred to the assigned judge.
13. Please refer to the guidelines for each judicial office regarding the manner in which proceedings will be conducted and for any instructions specific to that particular office or docket..

Arraignments

14. IN CUSTODY: arraignments will continue under the current video arraignment process.
15. OUT OF CUSTODY/REPRESENTED BY COUNSEL: DEFENDANT AND COUNSEL DO NOT APPEAR. Procedure:
 - a. Counsel may arraign his/her client by court minute by presenting an Arraignment Summary Order via email to the assigned prosecutor PRIOR to the arraignment date. If the assigned prosecutor is not known, the document may be sent to the general felony or misdemeanor email. Contact and current case assignment information for the Cleveland County prosecutors is listed on the contact sheet attached hereto.
 - b. If the bond as set and posted and all conditions of bond are agreed upon by the State, the Arraignment Summary Order shall be forwarded to the arraignment magistrate via email along with the email "string" evidencing defense counsel's intention or consent.
 - c. If the bond as set and posted is agreed upon but the State is requesting additional conditions not agreed upon by the defense, the prosecutor shall indicate State's request on the Arraignment Summary Order and any argument in favor of State's position may be included in the email to the defense attorney and arraignment magistrate. Defense counsel may also make any argument in favor of his/her position in the same email "string". The arraignment magistrate may rule on the requests as submitted.
 - d. If the bond as set and posted is not agreed upon by the State, the State shall indicate the same on the Arraignment Summary Order. The arraignment magistrate will set the matter for a bond enhancement hearing to be conducted after the effective period of the Administrative Order

Suspending Certain In-Person Proceedings in effect at the time of the arraignment. The defendant's bond will be enhanced to include Rules and Conditions of Pretrial Release during the pendency of the request for bond enhancement. Rules and Conditions of Pretrial Release along with reporting instructions will be returned via email to counsel.

- e. If the defendant has not previously been processed through the Cleveland County Detention Center prior to arraignment, the defendant will be placed on Level 1 of the Pretrial Release Program until such time that the defendant is processed through the detention center.
- f. All such Arraignment Summary Orders submitted will contain a next appearance date as set by the Court and the Arraignment Summary Order will be returned via email to counsel along with any further orders.

- 16. OUT OF CUSTODY/NOT REPRESENTED BY COUNSEL: DEFENDANT MUST APPEAR as ordered. Failure to appear without prior consent to a continuance from the arraigning magistrate shall result in a Bench Warrant issuing. Defendants requesting a continuance due to health issues MUST contact the office of Judge Stice.
- 17. Walk-in arraignments of unrepresented defendants will be conducted according to the current schedule and procedure however, during the effective period of the Administrative Order, all arraignments shall occur in the courtroom of Judge Stice on the 4th floor of the Cleveland County Courthouse.
- 18. Only the unrepresented defendant, the prosecutor and court personnel shall be allowed in the courthouse for arraignments. To protect the health and safety of all persons, all victims, family members, friends and other interested persons shall remain outside the building unless otherwise ordered, approved or directed by a Judge of the District Court. Victims wishing to be present must contact the Victim/Witness Coordinator of the District Attorney's Office.

Applications for Court Appointed Counsel

- 19. Applications for Court Appointed Counsel will remain available at the Cleveland County Courthouse. In addition, Applications for Court Appointed Counsel are available at <https://clevelandcountytok.com/>. Or, you may request that the document be emailed to you by contacting the Cleveland County Court Clerk's office at clevelandclerk@oscn.net.
- 20. Applications may be returned via email to pam.dominic@oscn.net or may be filled out at the courthouse and left at the table where the blank applications are provided.
- 21. Current contact information must be included on the application as you will be notified of the decision regarding your application via email or telephone.

Preliminary Hearing Conferences (PHC)

22. All matters currently set for PHC shall remain as set, subject to the provisions below.
23. IN CUSTODY/NOT REPRESENTED BY COUNSEL: PHC will be conducted by video conferencing.
24. OUT OF CUSTODY/NOT REPRESENTED BY COUNSEL: DEFENDANT MUST APPEAR as ordered and will receive a summary order resetting the PHC UNLESS the defendant contacts the assigned magistrate to provide an email address for receipt of the summary order resetting the matter PRIOR to the PHC date. Failure to appear without prior consent to a continuance from the assigned magistrate shall result in a Bench Warrant issuing. Defendants requesting a continuance due to health issues MUST contact the office of Judge Stice for all cases assigned to Judge Walkley, Judge Brockman for all cases assigned to Judge Virgin and Judge Puckett for all cases assigned to Judge Balkman.
25. REPRESENTED BY COUNSEL-REGARDLESS OF CUSTODY STATUS: DEFENDANT AND COUNSEL DO NOT APPEAR. Procedure:
 - a. Counsel for the defendant must file an Entry of Appearance as required by Court Rules. The Entry of Appearance shall be emailed to the assigned District Attorney who shall then email all reports, agreed discovery and a recommendation to defendant's attorney. Meaningful negotiations shall take place prior to the PHC.
 - b. Defense counsel shall communicate his/her PHC announcement to the assigned prosecutor via email (ex. "for plea, waiver of Preliminary Hearing/Jury Trial attached", "for Preliminary Hearing", "requesting reset for diversion court consideration", or, "requesting reset for further negotiations"...). The assigned prosecutor will then complete the PHC Summary Order and forward the same to the secretary/bailiff of the assigned magistrate with assigned magistrate and the defense attorney copied on the email. All applicable blanks on the PHC Summary Order must be filled out and it must be signed by the State and defense counsel. **Incomplete Summary Orders shall not be considered.** The proposed Summary Order MUST BE APPROVED BY THE ASSIGNED MAGISTRATE NO LATER THAN THE DATE OF THE PHC SETTING.
 - c. If a reset of the PHC is requested, the reason for the continuance must be included on the summary order. No continuance of more than one week shall be granted unless for good cause shown. The next PHC setting will be provided by the assigned magistrate based upon the request made and the constraints of the docket.
 - d. If the matter is for plea or waiver of Preliminary Hearing and setting for Formal Arraignment, defendant's attorney must submit to the assigned prosecutor, along with his/her PHC announcement, a signed waiver of Jury Trial and/or Preliminary Hearing. These pleadings shall be forwarded to the assigned magistrate along with the proposed PHC Summary order for approval by the court. The executed PHC Summary Order containing the next setting shall be returned to counsel via email.

- e. If the matter is for Preliminary Hearing, the PHC Summary Order shall indicate the same and the matter will be set for Preliminary Hearing by the assigned magistrate. The executed PHC Summary Order shall be returned to counsel via email.

Preliminary Hearings

26. All Preliminary Hearings are hereby suspended unless otherwise ordered by the assigned magistrate pursuant to paragraph no. 4 of the Amended Order Suspending Certain In-Person Proceedings filed this date. Counsel are directed to contact the assigned magistrate's office to determine the status of the matter.

Disposition Dockets/Motions to Revoke or Accelerate

27. All Disposition Docket for out of custody defendants are hereby suspended unless otherwise ordered by the assigned judge pursuant to paragraph no. 4 of the Amended Order Suspending Certain In-Person Proceedings filed this date. Counsel are directed to contact the assigned judge's office to determine the status of the matter.
28. If a defendant is in custody, the disposition will be done by video conferencing if represented by counsel and counsel is able to have access to the Cleveland County Detention Center to complete the appropriate paperwork.
29. All matters pertaining to dispositions, revocations or accelerations are subject to the discretion and further order of the assigned judge.

Misdemeanor Jury Assignment Dockets

30. Contact the assigned judge for instructions regarding Misdemeanor Jury Assignment Dockets.

All Traffic Matters

31. All matters set for hearing on any traffic citation or cases with the TR designation are hereby suspended unless otherwise ordered by the assigned judge. You are directed to contact the assigned judge to receive a date that the matter will heard. Failure to contact the assigned judge within thirty (30) days of the original date that you were ordered to be in court may result in the issuance of a Bench Warrant.

Protective Orders

32. All applications for Emergency Protective Order shall be handled under the process currently in place. Show cause hearings may be conducted remotely or will be set for hearing after the effective period of the Administrative Order.
33. Applications for Emergency Protective Orders will remain available at the Cleveland County Courthouse. In addition, Applications for Emergency Protective Orders are available at <https://clevelandcountytok.com/>. Or, you may request that the document be emailed to you by contacting the Cleveland County Court Clerk's office at clevelandclerk@oscn.net.
34. You may file the Application by email by submitting the same to clevelandpleadings@oscn.net. The Court Clerk will provide the Application to the assigned judge for review. You will be notified via email if the assigned judge needs further information, whether the application was granted or whether the application will be set for further hearing in the future. PLEASE PROVIDE CURRENT CONTACT INFORMATION ON THE APPLICATION INCLUDING YOUR EMAIL ADDRESS OR TELEPHONE NUMBER IF YOU DO NOT HAVE EMAIL ACCESS.
35. Matters currently set for hearing are hereby suspended unless they will be conducted by remote means. Contact the assigned judge to determine the status of the matter.

Emergency custody, visitation, guardianship, or mental health applications,

Department of Human Services (DHS) emergency matters related to child protection, proceedings related to emergency protection of elderly or vulnerable persons or other emergency and/or time sensitive matters

36. All applications shall be emailed to the assigned judge for review and disposition. In the event a person presenting the application does not have access to email, the application may be presented under the process currently in place. The assigned judge shall determine the manner and method for any hearing.

Deprived and Delinquent Matters

37. Hearing on all non-emergency deprived and delinquent matters are suspended unless otherwise directed by the assigned judge.

These guidelines are hereby adopted by the Cleveland County Courts this 23rd day of March, 2020 and are incorporated in the Order Suspending Certain In-Person Proceedings filed herewith.

A handwritten signature in black ink, reading "Thad Balkman", written over a horizontal line.

Thad Balkman, Chief Judge

JUDGE	EMAIL	SEC/BAILIFF	EMAIL	OFFICE #
Walkley	lori.walkley@oscn.net	Kari Wilder	kari.wilder@oscn.net	(405) 366-0639
Tupper	michael.tupper@oscn.net	Heather Walton	heather.walton@oscn.net	(405) 329-9788
Virgin	jeff.virgin@oscn.net	Pam Dominic	pamela.dominic@oscn.net	(405) 366-0600
Balkman		Jami Welbourne	jami.welbourne@oscn.net	(405) 329-2400
Bonner		Tomi Walden	tomiwalden@oscn.net	(405) 321-6251
Napoli	jequita.napoli@oscn.net	Avery Butner	avery.butner@oscn.net	(405) 329-5733
Stice	steve.stice@oscn.net	Leanna Smoot	leanna.smoot@oscn.net	(405) 321-5638
Puckett	lori.puckett@oscn.net	Kaci Dunn	kaci.dunn@oscn.net	(405) 360-9393
Brockman	scott.brockman@oscn.net	Cheryl Cowen	cheryl.cowen@oscn.net	(405) 447-3737

PROSECUTOR	EMAIL	CASE ASSIGNMENTS
Jennifer Austin	Jennifer.Austin@dac.state.ok.us	Balkman Major Crimes/Virgin Major Crimes 0-4
Christy Miller	christy.miller@dac.state.ok.us	Walkley Major Crimes/Virgin Major Crimes 5-9
Patrick Crowe	patrick.crowe@dac.state.ok.us	Balkman Odd Case #s
Patricia High	Patricia.High@dac.state.ok.us	Virgin Odd Case #s/Community Sent.
Jacobi Whatley	Jacobi.Whatley@dac.state.ok.us	Walkley Odd Case #s/PTR
Pamela Stillings	Pamela.stillings@dac.state.ok.us	Walkley Even Case #s/AMMHC
Michael Patlan	Michael.patlan@dac.state.ok.us	Balkman Even Case #s/DC
SuAnne Carlson	Suanne.carlson@dac.state.ok.us	Virgin Even Case #s
Abbi Nathan	Abbi.nathan@dac.state.ok.us	DV Felonies 2-9
Amy Taylor	Amy.taylor@dac.state.ok.us	DV Misdemeanors/DV Felonies 0-1
Brady Robison	Brady.robison@dac.state.ok.us	Misdemeanor Odd Case #s
		Misdemeanor Even Case #s
General Felony Email	D21GeneralFelony@dac.state.ok.us	
General Misdemeanor Email	D21Misdemeanor@dac.state.ok.us	
General DV Email	D21Domestic@dac.state.ok.us	

IN THE DISTRICT COURTS OF THE 21ST JUDICIAL DISTRICT
(CLEVELAND, GARVIN & McCLAIN COUNTIES)
STATE OF OKLAHOMA

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY } **FILED**

MAR 16 2020

IN RE: COVID-19 EMERGENCY DIRECTIVE AO-2020-1

In the office of the
Court Clerk MARILYN WILLIAMS

Due to the national emergency declared by the President of the United States as a result of the emerging public threat posed by COVID-19, the directives from the World Health Organization and the Oklahoma Department of Health and consistent with the provisions of the Order Suspending In-Person Court Proceedings, I further order that the County Court Clerks shall post a notice at the entrances to every court facility and courtrooms in their county directing that any person who has likely been exposed to COVID-19 should not enter the courthouse.

A person who has likely been exposed to COVID-19 who has business before the courts shall contact the office of the assigned judge (if known) or the county court clerk's office by telephone or other remote means, inform court personnel of the nature of his or her business before the court, and receive further instruction. A person who has likely been exposed to COVID-19 who has business before the courts or who has been ordered to appear before the court MUST make contact as set forth above on or before the date required for the court appearance. Failure to do so may result in a default being entered or a warrant issuing for failure to appear. This provision ONLY applies to persons who have likely been exposed to COVID-19 as set forth below.

For purposes of this Order, a person who has likely been exposed to COVID-19 is defined as any person who:

1. has traveled to China, South Korea, Japan, Italy, or Iran within the previous 14 days;
2. has been directed to quarantine, isolate, or self-monitor;
3. has been diagnosed with COVID-19; or
4. resides with or has been in close contact with any person in the abovementioned categories.

The directives contained in this Order shall take effect on March 16, 2020 and shall remain in effect until further order.

IT IS SO ORDERED!



PRESIDING JUDGE OF THE 21ST JUDICIAL DISTRICT

IN THE DISTRICT COURT OF CLEVELAND COUNTY } s.s.
STATE OF OKLAHOMA }
FILED

IN RE: ORDER SUSPENDING
APRIL 2020 JURY TERM AO-2020-1

MAR 16 2020
In the office of the
Court Clerk MARILYN WILLIAMS

On March 12, 2020 the World Health Organization designated the COVID-19 outbreak as a global pandemic. On March 13, 2020, the President of the United States declared a national emergency as a result of the emerging public threat posed by COVID-19. On March 15, 2020, Governor Stitt declared a State of Emergency for the State of Oklahoma and the Oklahoma Department of Health has urged all Oklahomans to take steps to reduce the spread of infection.

Accordingly, in the interest of public health and safety, all jury trials set between the dates of March 24, 2020 and April 24, 2020 are postponed to a date to be determined by the Court.

Cleveland County citizens who have received summons to appear for jury service for March 24, 2020, April 9, 2020, April 13, 2020 and April 20, 2020 are hereby EXCUSED AND DO NOT NEED TO APPEAR AS ORDERED. Questions concerning jury service may be made by contacting the Cleveland County Court Clerk's Office at (405) 366-0656.

IT IS SO ORDERED this 16th day of March, 2020!


THAD BALKMAN, CHIEF JUDGE

FILED

MAR 16 2020

In the office of the
Court Clerk MARILYN WILLIAMS

IN THE DISTRICT COURTS OF THE 21ST JUDICIAL DISTRICT
(CLEVELAND, GARVIN AND McCLAIN COUNTIES)
STATE OF OKLAHOMA

**IN RE: CONTINUITY OF OPERATIONS PLAN
FOR THE JUDICIAL BRANCH OF THE
21ST JUDICIAL DISTRICT**

A0-2020-1

ORDER SUSPENDING CERTAIN IN-PERSON COURT PROCEEDINGS

On March 12, 2020 the World Health Organization designated the COVID-19 outbreak as a global pandemic. On March 13, 2020 the President of the United States declared a national emergency as a result of the emerging public threat posed by COVID-19. On March 15, 2020, Governor Stitt declared a state of emergency for Oklahoma and the Oklahoma Department of Health has urged all Oklahomans to take steps to reduce the spread of infection.

Accordingly, the following Continuity of Operations Plan for the Courts of the 21st Judicial District (Cleveland, Garvin & McClain Counties) is hereby enacted as follows:

1. The District Courts of the 21st Judicial District (Cleveland, Garvin, and McClain Counties) are open and will remain open unless otherwise ordered or directed.
2. The provisions contained in this Order hereinafter apply only to Cleveland County at this time. Garvin and McClain Counties are assessing their available resources and needs and may join this directive by separate order or will promulgate a Continuity of Operations Plan for those specific counties at a later date.
3. The judiciary is implementing a three (3) tiered approach to balance the need to protect the health of citizens of Cleveland County with the rights and needs of litigants having matters pending before the courts. Tier I: reduce in-person proceedings when possible and limit that number of persons being present in the Cleveland County Courthouse. Tier II: restrict proceedings to those required for the safety of citizens and to protect the constitutional rights of persons accused of crimes only. Tier III: limit all court proceedings to those that may be conducted by remote means.
4. The Tier I plan is more fully set forth below and shall become effective this date and remain in effect until further order. In the event a subsequent plan is required, this order shall be vacated in favor of any order necessary to protect the health of the public.

5. All in-person proceedings in the district courts are suspended from the close of business on March 15, 2020 until further order, subject to the exceptions below.

THIS ORDER DOES NOT APPLY TO THE FOLLOWING:

- Misdemeanor or Felony Arraignments
- Preliminary Hearing Conferences (PHC)
- Preliminary Hearings
- Misdemeanor or Felony plea or disposition dockets
- Misdemeanor or Felony call or jury assignment dockets
- Motions to Revoke or Accelerate unless statutory limit is waived
- Small claims matters with statutory time limits for hearing
- Applications for Emergency Protective Order
- Emergency custody, visitation, guardianship, or mental health applications
- Department of Human Services (DHS) emergency matters related to child protection;
- Proceedings related to emergency protection of elderly or vulnerable persons;
- Other emergency or time sensitive matters
- Proceedings directly related to the COVID – 19 public health emergency;
- Other exceptions as approved by the Chief Judge

IF YOU ARE REQUIRED TO APPEAR FOR ANY OF THE ABOVE PROCEEDINGS, YOU MUST APPEAR AS DIRECTED. Guidelines for the protection of all persons for the above proceedings are attached hereto and incorporated as a part of this Order by reference.

6. All other district court proceedings currently set while this order is in effect shall be rescheduled unless:
1. The proceedings will be conducted remotely; OR,
 2. The assigned judge determines that the proceedings can be conducted under conditions that protect the health and safety of all participants.

YOU ARE DIRECTED TO CONTACT THE ASSIGNED JUDGE IMMEDIATELY TO DETERMINE WHETHER YOUR CASE WILL BE RESET AND IF SO, TO DETERMINE THE DATE THAT THE MATTER WILL BE HEARD.

If you are represented by counsel, all contact with the courts shall be by your attorney ONLY. If you are not represented by counsel, you may contact the office of your assigned judge by contacting that office by telephone or email. The list of the contact information for each judicial office is attached hereto. Contact with judicial offices shall be for the purposes of resetting the matter ONLY. *Ex parte* communications regarding the substance of the matter set before the court is prohibited.

7. Although many court proceedings are public matters, due to the current emergency, the assigned judge is authorized to determine the manner in which in-person court proceedings are to be conducted. Further, all in-person court proceedings shall be limited to attorneys, parties, witnesses, victims, security officers, and other necessary persons, as determined by the assigned judge. Persons accompanying litigants who do not fall within those categories shall remain outside of the Cleveland County Courthouse building.
8. All judges and court clerks are urged to limit in-person courtroom contact as much as possible by utilizing available technologies, including teleconferencing, email, and video conferencing as permitted by statute. Any Local Rule of the 21st Judicial District, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact is suspended during the effective period of this order. This Order expressly does not prohibit court proceedings by telephone, video, teleconferencing, email, or other means that do not involve in-person contact. This Order does not affect courts' consideration of matters that can be resolved without in-person proceedings.
9. If it becomes necessary to close judges' offices or court clerks' offices during the period of suspension, these offices shall remain accessible by telephone and email to the extent possible during their regular business hours.
10. All deadlines and statutes of limitations or repose set forth in court rules, statutes, ordinances, administrative rules, or otherwise that are set to expire during the effective period of this order remain in full force and effect unless extended by court order or statutory exemption. Those deadlines are not extended or tolled by this Order.

11. This Order is intended to be interpreted broadly for protection of the public from risks associated with COVID-19.

12. This Order will remain in effect until further order.

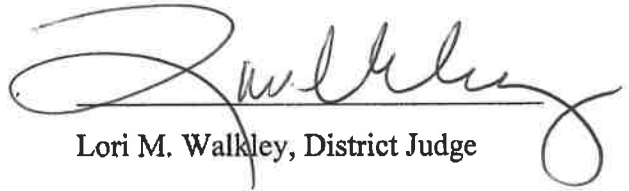
IT IS SO ORDERED this 16th day of March, 2020!



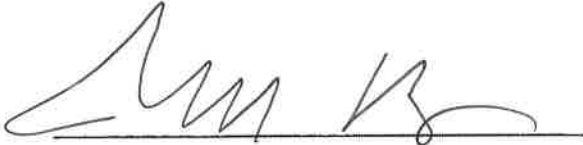
PRESIDING JUDGE OF THE 21ST JUDICIAL DISTRICT



Thad Balkman, Chief Judge



Lori M. Walkley, District Judge



Jeff Virgin, District Judge

Michael Tupper, District Judge

9. If it becomes necessary to close judges' offices or court clerks' offices during the period of suspension, these offices shall remain accessible by telephone and email to the extent possible during their regular business hours.
10. All deadlines and statutes of limitations or repose set forth in court rules, statutes, ordinances, administrative rules, or otherwise that are set to expire during the effective period of this order remain in full force and effect unless extended by court order or statutory exemption. Those deadlines are not extended or tolled by this Order.
11. This Order is intended to be interpreted broadly for protection of the public from risks associated with COVID-19.
12. This Order will remain in effect until further order.

IT IS SO ORDERED this 16th day of March, 2020!

PRESIDING JUDGE OF THE 21ST JUDICIAL DISTRICT

Thad Balkman, Chief Judge

Lori M. Walkley, District Judge

Jeff Virgin, District Judge



Michael Tupper, District Judge

GUIDELINES FOR THE PROTECTION OF PERSONS APPEARING FOR COURT
PROCEEDINGS

General Guidelines

1. Each judicial office shall post guidelines that pertain to their specific office and/or dockets by March 23, 2020. Please refer to those guidelines for additional information.
2. Communications between counsel should occur prior to appearing for court in order to reduce the amount of people entering the building and the amount of time necessary to be in the building. This includes but is not limited to, negotiations, notices regarding the manner in which a proceeding will be conducted, the number of witnesses that will need to be present etc...
3. Communications between defense counsel and the District Attorney's office should be by email or other remote communication method unless, by agreement, counsel for the defense and State wish to meet in person.
4. Communications between counsel and the court should be accomplished by email or other remote communication method unless otherwise directed by the specific judicial office. Any emails directed to the court shall also include all counsel. No *ex parte* communications shall be allowed.
5. Courtesy copies of pleadings or materials which consist of no more than ten (10) pages total may be emailed to the judicial offices rather than presenting the same in person. Submissions of more than ten (10) pages shall be left in the place designated by the specific judicial office pursuant to the guidelines for each office.
6. Requests for continuances of matters set during the effective period of the Order Suspending Certain In-Person Proceedings may be emailed to the court along with a proposed order. All matters remain as set unless a request is approved by the court prior to the hearing date.
7. No defendant housed in the Cleveland County Detention Center shall be brought to the Cleveland County Courthouse unless specifically ordered by the assigned judge.
8. All Rule 8 dockets are suspended during the effective period of this order. Orders resetting any Rule 8 matter set during the effective period of this order shall issue from the office of the Court Clerk.

Civil and Family Law Matters

9. Civil and Family law motion dockets are suspended until further order. Judicial offices may rule on any matter presented pursuant to Rule 4 of the District Courts.
10. Temporary Order dockets are suspended until further order. However, any urgent matter may be set for hearing with the consent of the assigned judge. Counsel are encourage to email the assigned judge's office to request a hearing date during the effective period of this order.
11. Any matter not specifically excluded in the Order Suspending Certain In-Person Proceedings is subject to paragraph #6 of that Order. You are directed and ordered to contact the assigned judge's office to determine whether your case will be reset and if so, to determine the date the matter will be heard. Email communication with judicial offices is preferred.
12. Waiver divorces may be presented by counsel accompanied by affidavits or special interrogatories without the necessity of a party being present. In the alternative, hearings may be held via video conferencing or other electronic means at the discretion of the assigned judge.
13. Resolution Conferences will remain as set unless otherwise ordered by the assigned judge. Parties represented by counsel shall not be present in the courthouse but shall be available by telephone. Resolution Conference materials must be exchanged with counsel per the Order for Resolution Conference, however, the materials shall not be delivered to the Court. Instead, a notice of compliance with the Order for Resolution Conference shall be emailed to the assigned judge's secretary/bailiff. The notice of compliance may be included in the Resolution Conference Statement if so desired which may also be emailed to the assigned judge's secretary/bailiff.
14. Pretrial Conferences will remain as set unless otherwise ordered by the assigned judge. Parties represented by counsel shall not be present in the courthouse but shall be available by telephone. Pretrial Conference materials shall be exchanged between the parties pursuant to the Order for Pretrial Conference issued in each case. However, only courtesy copies of motions to be heard at the Pretrial Conference shall be delivered to the assigned judge.

15. Motions to Enter shall be conducted via email. Each judicial office will send the appropriate scheduling order to all counsel or the parties if *pro se* with instructions to complete the Scheduling Order, to obtain the signatures required and to return it to the assigned judge via email. Once the completed Scheduling Order is returned, a Resolution Conference or Status Conference date will be offered via email by the assigned judge's secretary/bailiff. Once a date is chosen, the assigned judge will execute the order and file stamped copies shall be returned via email.
16. Confirmation hearings regarding Sheriff's sales of foreclosed property may remain as set on uncontested dockets unless otherwise indicated by the judge hearing the uncontested docket. All other matters set on uncontested dockets are suspended unless approved by the judging hearing the uncontested docket.
17. Please refer to the guidelines for each judicial office regarding the manner in which proceedings will be conducted and for any instructions specific to that particular office or docket.

Arraignments

18. IN CUSTODY: arraignments will continue under the current video arraignment process.
19. OUT OF CUSTODY/REPRESENTED BY COUNSEL: DEFENDANT NEED NOT APPEAR, unless he/she has not previously been processed through the Cleveland County Detention Center. Counsel may arraign his/her client by court minute. If agreed upon by the state, a court minute may be presented to the assigned magistrate PRIOR to the date set for arraignment. If bond or other conditions are not agreed upon or if an agreed order is not presented PRIOR to the date set for arraignment, counsel for the defendant must appear for walk-in arraignments.
20. OUT OF CUSTODY/NOT REPRESENTED BY COUNSEL: DEFENDANT MUST APPEAR.
21. Walk-in arraignments will be conducted according to the current schedule and procedure however, the location of arraignments may be adjusted to provide a space that allows for appropriate social distancing. Notice will be provided at check-in of the appropriate courtroom.

22. Only the defendant and/or his attorney, the state, court personnel and/or victims wishing to be present shall be allowed in the courthouse for arraignments. All family members, friends and other interested persons shall remain outside the building unless otherwise ordered, approved or directed by a Judge of the District Court.

Preliminary Hearing Conferences (PHC)

23. All matters currently set for PHC shall remain as set, subject to the provisions below.
24. IN CUSTODY/NOT REPRESENTED BY COUNSEL: PHC will be conducted by video conferencing.
25. OUT OF CUSTODY/NOT REPRESENTED BY COUNSEL: Defendant must appear in person as previously ordered.
26. REPRESENTED BY COUNSEL: If a defendant is represented by counsel, he/she need not appear, unless otherwise directed by his/her attorney or the Court. Counsel for the defendant must file an Entry of Appearance as required by Court Rules. The Entry of Appearance shall be emailed to the assigned District Attorney who shall then email all reports, agreed discovery and a recommendation to defendant's attorney. Meaningful negotiations shall take place prior to the PHC.
- a. If counsel has complied with this guideline but additional time is needed, a Summary Order continuing the matter may be submitted to the assigned magistrate and his/her secretary/bailiff via email. All applicable blanks on the Summary Order must be filled out and it must be signed by the State and defense counsel. **Incomplete Summary Orders shall not be considered.** The proposed reset date may be obtained from the appropriate judicial office. The proposed Summary Order **MUST BE APPROVED BY THE ASSIGNED MAGISTRATE PRIOR TO THE PHC SETTING.** No continuance shall be granted unless for good cause shown. The assigned magistrate may provide notice of approval via email. If the proposed Summary Order is not approved prior to the PHC setting, counsel must appear.
- b. If the matter is for plea or waiver of Preliminary Hearing and setting for Formal Arraignment, defendant's attorney may submit an agreed Summary Order setting the matter on the assigned District Judge's docket along with a signed waiver of Jury Trial or Preliminary Hearing to the assigned magistrate for approval. The proposed

Summary Order and signed waiver may be submitted via email to the assigned magistrate and his/her secretary/bailiff. If the proposed Summary Order and signed waiver are approved/accepted by the assigned magistrate PRIOR TO THE PHC SETTING, defense counsel need not appear. If approval is not given prior to the PHC setting, **counsel must appear.**

- c. If the matter is for plea, all paperwork is completed and is ready for plea at the time of the PHC setting, an email shall be sent by defense counsel to the secretary/bailiff of the assigned magistrate and the State stating that the plea will take place in lieu of the PHC. The assigned magistrate's staff will direct counsel to an alternate courtroom so that the plea can be taken in lieu of and at the same date/time as the PHC.
- d. For all other matters, defense counsel must appear for PHC unless otherwise excused by the Court.

Preliminary Hearings

- 27. All Preliminary Hearings remain as set unless indicated by assigned judge. Each judicial office may limit the number of persons attending the Preliminary Hearing. Furthermore, if more than one matter is set creating a large number of people congregating in or near the courtroom, the assigned judge may refer matters to any other available judge or may reset any matter set.

Disposition Dockets

- 28. Matters set for plea on any misdemeanor or felony docket may be reset by the assigned judge in order to properly manage the number of persons appearing on those dockets. In determining whether a matter will be reset, the court will take into consideration whether the defendant is in or out of custody, the age of the case, the prejudice, if any, to any victims, the prejudice, if any, to the defendant, the length of the delay caused by the reset and any other factors relevant to the assigned judge. Persons in custody shall not be reset absent good cause.
- 29. Due to the suspension of the April, 2020 jury terms, judges may have additional dockets available for dispositions. Each judicial office may schedule multiple settings in a week

in order to reduce the size of individual dockets. In addition, any judicial office may take a plea whether the case is assigned to him/her by agreement of the parties.

30. If a defendant is in custody, the disposition will be done by video conferencing. All paperwork must be completed prior to the docket and it must be presented to the Court at the time of the docket. Defendants will not be brought to the Cleveland County Courthouse. At the discretion of the judge, some dockets may be conducted at the Cleveland County Detention Center. Appropriate notice will be provided.

Motions to Revoke or Accelerate

31. If a defendant is represented by counsel and has previously waived his/her right to a hearing within twenty (20) days, the matter may be reset by agreement of counsel and approval by the assigned judge without the defendant having to appear. However, the approval by the court must be granted prior to the hearing set in order for the defendant and defense counsel to be excused.
32. If a defendant is represented by counsel, the Motion is set for the first setting following arraignment (no prior waiver of 20 days) and the defendant is requesting additional time to come into compliance, defense counsel may present a signed waiver and agreed summary order prior to the hearing via email to assigned judge and his/her secretary/bailiff. If approved by the court PRIOR TO THE HEARING, the matter will be reset and defendant and defense counsel need not appear. If not approved prior to the hearing, defendant and counsel will need to appear.
33. If a defendant is not represented by counsel, he/she must appear as ordered.

Jury Assignment Dockets

34. If the defendant is represented by counsel and the matter is for plea:
- a. PRIOR TO THE JURY ASSIGNMENT DOCKET (JAD), Counsel may present a waiver of jury trial signed by the defendant and an agreed Summary Order setting the matter for disposition. If the waiver and Summary Order are accepted/approved by the assigned judge prior to the JAD, defendant and defense counsel need not appear.
 - b. If all paperwork is completed and is ready for an agreed plea at the time of the JAD, an email shall be sent by defense counsel to the secretary/bailiff of the assigned judge

and the State stating that the plea will take place in lieu of the JAD. The assigned judge's staff will direct counsel to an alternate courtroom so that the plea can be taken in lieu of and at the same date/time as the JAD. The State need not appear for the agreed plea as completed paperwork will show State's agreement.

35. If the defendant is represented by counsel and the announcement is for any other purpose other than plea, the defendant need not appear unless otherwise directed by the court or his/her attorney.
 - a. If an agreed upon announcement and further setting is presented to **and approved** by the assigned judge PRIOR TO THE JAD, defense counsel need not appear.
 - b. If there is no agreed upon announcement, defense counsel must appear.
36. If the defendant is not represented by counsel, the defendant must appear as previously ordered. The assigned judge may refer any matter to another available judge to manage the amount of people in a courtroom.

Forcible Entry and Detainers

37. Unless otherwise directed by the assigned judge, all small claims matters shall be reset except those seeking immediate possession of property under the Forcible Entry and Detainer statute. Those matters will remain as set.

Protective Orders

38. All applications for Protective Order shall be handled under the process currently in place. Show cause hearings may be referred by the assigned judge to any other available judge for hearing. The court may limit the number of persons allowed to be present.
39. Matters currently set for hearing shall remain as set unless otherwise ordered by the assigned judge. The court shall allow liberal continuances if requested.

Emergency custody, visitation, guardianship, or mental health applications,
Department of Human Services (DHS) emergency matters related to child protection,
proceedings related to emergency protection of elderly or vulnerable persons
or other emergency and/or time sensitive matters

40. All applications for emergency relief shall be handled under the process currently in place. The assigned judge shall determine the manner and method for any hearing.

Deprived and Delinquent Matters

41. Guidelines for docket reduction or public presence shall be provided by the assigned judge. Matters which may be resolved via email correspondence such as review hearings may be ordered to reduce in person appearances. For example, review hearings may be conducted by reports and recommendations sent via email by the case worker to all counsel, CASA and the court. Comments and arguments to recommendations may be made via email in the same email string. The Court may modify any existing order based upon the emails.

These guidelines are hereby adopted by the Cleveland County Courts this 16th day of March, 2020 and are incorporated in the Order Suspending Certain In-Person Proceedings filed herewith.

A handwritten signature in black ink, reading "Thad Balkman", is written over a horizontal line.

Thad Balkman, Chief Judge

CONTACT INFORMATION FOR THE COURTS IN
CLEVELAND COUNTY

JUDGE	OFFICE #	EMAIL	SEC/BAILIFF	EMAIL
WALKLEY	(405) 366-0639	lori.walkley@oscn.net	Kari Wilder	kari.wilder@oscn.net
BALKMAN	(405) 329-2400		Jami Welbourne	jami.welbourne@oscn.net
VIRGIN	(405) 366-0600	jeff.virgin@oscn.net	Pam Dominic	pam.dominic@oscn.net
TUPPER	(405) 329-9788	michael.tupper@oscn.net	Heather Walton	heather.walton@oscn.net
BONNER	(405) 321-6251		Tomi Walden	tomi.walden@oscn.net
NAPOLI	(405) 329-5733	jequita.napoli@oscn.net	Avery Butner	avery.butner@oscn.net
STICE	(405) 321-5638	steve.stic@oscn.net	Leanna Smoot	leanna.smoot@oscn.net
PUCKETT	(405) 360-9393	lori.puckett@oscn.net	Kaci Dunn	kaci.dunn@oscn.net
BROCKMAN	(405) 447-3737	scott.brockman@oscn.net	Cheryl Cowen	cheryl.cowen@oscn.net