

DANIEL M. CORDIS
ASSOCIATE COURT JUDGE
TENTH JUDICIAL CIRCUIT OF ILLINOIS

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**STANDING ORDER RE COVID-19 PROCEDURES FOR
TAZEWELL COUNTY TRAFFIC COURT**
Effective April 30, 2020

In light of Administrative Orders (2020-02 *et seq.*) and recent developments affecting the operation of the Courts of the Tenth Judicial Circuit during the COVID-19 pandemic, the following Standing Order is issued with regard to the Tazewell County Traffic Court (Courtroom 207) and shall remain in effect in its entirety until modified or rescinded.

1. Petty and Business Offenses.

- A. For all such cases that were previously continued to or scheduled for a first appearance on a Friday in May 2020, the Circuit Clerk's staff shall continue and reschedule all such cases to a Friday date no earlier than Friday, June 5, 2020. When rescheduling such cases, the Circuit Clerk shall stagger the settings at 9:00 a.m., 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m. and 3:00 p.m. and attempt to allocate the appropriate number of cases and/or defendants during each period of time with the goal of having as equal a caseload during each time slot as possible.
- B. Notwithstanding the foregoing, if the Court date being continued pursuant hereto was previously scheduled for a bench trial, the Circuit Clerk shall reschedule any such bench trial setting for a Wednesday or Thursday afternoon at either 1:00 p.m. or 3:00 p.m. no earlier than Wednesday, June 3, 2020. The Circuit Clerk shall attempt to allocate the appropriate number of bench trial settings during each period of time with the goal of having as equal a caseload during each time slot as possible.
- C. The Circuit Clerk shall mail a written notice of the new Court date/time to each defendant at his/her last known address as printed on the traffic citation, and if the defendant has an attorney of record a duplicate of the notice shall also be mailed to the attorney.

- D. The Court will accept and approve a disposition of court supervision on a mail-in basis for petty/business offenses. This applies to both self-represented defendants and defendants who are represented by counsel – *i.e.* neither defendant nor defense counsel needs to appear in Court if he/she has an agreement for court supervision and the documents are mailed in to the Circuit Clerk.

2. Misdemeanor Cases.

- A. For all such cases that were previously continued to or scheduled for a first appearance in May 2020, the Circuit Clerk's staff shall continue and reschedule all such cases to a date no earlier than June 1, 2020.
- B. For any such case in which the defendant has had the Public Defender's Office appointed previously, the Circuit Clerk shall reschedule the case for a Monday or Tuesday afternoon at 1:00 p.m. or 3:00 p.m. The Circuit Clerk shall attempt to allocate the appropriate number of cases for each time slot with the same goal in mind as stated above with regard to petty/business offenses.
- C. The Circuit Clerk shall mail a written notice of the new Court date/time to each defendant at his/her last known address, and if the defendant has an attorney of record a duplicate of the notice shall also be mailed to the attorney.

3. Felony Cases.

- A. All such cases that were previously continued to or scheduled for a first appearance or arraignment in May 2020 will be continued and rescheduled to a new Court date no earlier than June 1, 2020. The Circuit Clerk's staff will notify the State's Attorney's Office of the need for a continuance, and a continuance Order will be signed by the Court. The State's Attorney's Office shall mail or deliver a copy of the continuance Order to the defendant directly (if self-represented) or to the Public Defender or private counsel, as applicable. If the defendant is represented by counsel, a duplicate copy of the continuance Order does not need to be sent to the defendant if his/her counsel has received a copy. It will be the obligation of the attorney to notify his/her client of the new Court date.
- B. For felony cases in which the Public Defender's Office has previously been appointed, the Circuit Clerk and/or State's Attorney will stagger and schedule future Court dates/times on Mondays and Tuesdays at 1:00 p.m. and 3:00 p.m. as described above with regard to misdemeanor cases.

- C. For felony cases where the defendant is self-represented or represented by private counsel, all such cases will continue to be scheduled as before on Mondays at 9:00 a.m. no earlier than June 1, 2020.

4. Petitions to Revoke.

- A. All such pending petitions that were scheduled in May 2020 shall be continued and rescheduled to a date no earlier than June 1, 2020.
- B. Defendants and attorneys shall be notified of a continuance of a Petition to Revoke consistent with the misdemeanor or felony sections of this Standing Order depending on the type of case at issue.

5. Guilty Pleas and Agreed Sentence/Disposition.

- A. If a defendant (regardless of whether self-represented or represented by counsel) wishes to tender a guilty plea and has reached an agreed-upon disposition with the State, the Court will review and conduct a proceeding to conclude the case. The proceeding can be conducted either (i) in-person in the courtroom or (ii) via Zoom videoconference. The Court is willing to conduct such proceeding in a hybrid fashion where, for example, the prosecutor is in the courtroom and defense counsel and the defendant are in a remote location participating by Zoom. Or, the prosecutor and defense counsel are in the courtroom and the defendant is in a remote location participating by Zoom.
- B. The written, signed guilty plea and all other necessary documentation should be submitted to the Court in advance.
- C. Only attorneys and the defendant will be allowed in the courtroom for a guilty plea proceeding. For example, no family members or friends of the defendant will be permitted into the courtroom.
- D. Coordination in advance to set up and schedule the Zoom videoconference will be appreciated.

6. Trials.

- A. Jury Trials. Consistent with previous Order of the Illinois Supreme Court and Tenth Circuit Administrative Orders, no jury trials will be conducted in May 2020.

- B. Bench Trials. It is anticipated that bench trials will not be conducted in May 2020. However, if there are exigent circumstances that cause the State's Attorney, defense counsel or a defendant to believe that a bench trial must be conducted in May 2020, the situation should be brought to the attention of the Court at TrafficCourt@tazewell.com. All communications to the Court should also include opposing counsel or the opposing party. The Court will address the situation in a prompt fashion on a case-by-case basis and consistent with all Orders of the Illinois Supreme Court and applicable Administrative Orders of the Tenth Judicial Circuit.

7. Motions to Suppress/Statutory Summary Suspension Hearings/Miscellaneous

If a particular type of hearing or situation arises that is not otherwise addressed by this Standing Order, the attorneys involved or defendant (only if self-represented) should contact the Court at TrafficCourt@tazewell.com. All communications to the Court should also include opposing counsel or the opposing party. The Court will deal with any such circumstances and scheduling on a case-by-case basis in a prompt fashion and consistent with all Orders of the Illinois Supreme Court and applicable Administrative Orders of the Tenth Judicial Circuit.

8. Location of Defendants/Face Masks/Social Distancing

- A. The Court will enforce and abide by all social distancing requirements to maintain six (6) feet of distance between yourself and anyone else in the courthouse.
- B. The contents of this Standing Order are, in part, meant to limit the number of people in the courthouse at any given time.
- C. Defendants will be socially distanced either (i) on the second floor of the courthouse, (ii) the third floor of the courthouse (iii) Courtroom 308 (as space is available) or (iv) in the jury commission room (Room 305) of the Mackenzie Building located at 11 South Fourth Street, Pekin, Illinois. Defendants should be prepared to be flexible and follow the instructions of the sheriff's deputies at security or the bailiffs as to where they should go on any given day because space needs and limitations will fluctuate on a daily basis.



Associate Judge