

IN THE CIRCUIT COURT OF
FAYETTE COUNTY, WEST VIRGINIA

2021 JAN -8 P 1:01

FAYETTE COUNTY
CLERK

ADMINISTRATIVE ORDER
21-A0-03

**RE: JUDICIAL EMERGENCY EXTENDED AND GRAND JURY AND PETIT JURY
ORIENTATION POSTPONED AND RESCHEDULED**

On December 28, 2020, then presiding Chief Judge Paul M. Blake, Jr. entered Administrative Order 20-AO-13, which ordered that only essential personnel were to report to work, limited in-person court proceedings to emergency matters only, closed the judicial offices to the general public, and established related procedures to become effective at 12:00 pm on December 28, 2020, and extending through January 8, 2021.

During this emergency closure period, additional court personnel have tested positive for the COVID-19 virus or have been quarantined by the Fayette County Health Department. Additionally, there have been positive cases in the Fayette County Public Defender's Office, resulting in temporary closure of that office.

With the January 2021 Term of Court starting on January 12, 2021, the January 2021 session of the Fayette County Grand Jury was scheduled to begin on January 12, 2021. Petit Juror orientation was scheduled for January 15, 2021. These events would have brought large groups of people into the court facilities from all areas of the county during a period of heightened community spread of the virus.

The undersigned Chief Judge, having discussed the situation with Judge Paul M. Blake, Jr., having conferred with Dr. Anita Stewart, the Medical Director of the Fayette County Health Department, and taking into consideration the health, safety, and welfare of court personnel and the public, it is hereby **ORDERED** that:

1. **EMERGENCY CLOSURE EXTENDED:** The emergency closure and related procedures set forth in Administrative Order 20-AO-13 are hereby **EXTENDED** through **JANUARY 22, 2021**. Unless extended by future administrative order, normal court functions, court hours, and work hours shall resume on January 25, 2021.

2. **ADDITIONAL GUIDANCE:** Magistrates, in their discretion, may accept misdemeanor guilty pleas by video via Microsoft TEAMS or polycom, provided that all parties agree and the defendant consents in writing and waives any requirement for the plea proceeding to be conducted in open court. Additionally, in the event a defendant has been convicted of a misdemeanor and sentenced to participate in community corrections at the Fayette County Day Report Center or ordered to home confinement as a sentence and is thereafter arrested and held for a violation of the terms and conditions related to DRC or home confinement, Magistrates may, in their discretion, file a final jail commitment so that the defendant may be released if the defendant satisfies any jail sentence while awaiting the violation hearing.

3. **GRAND JURY POSTPONED:** The January 2021 session of the Fayette County Grand Jury scheduled for the week of January 12, 2021 is hereby **POSTPONED**. The January 2021 session of the Fayette County Grand Jury is hereby **RESCHEDULED** to start on **February 9, 2021, at 9:00 a.m.**

4. **PETIT JUROR ORIENTATION POSTPONED:** The January 2021 Petit Juror orientation set for January 15, 2021 is hereby **POSTPONED**. The January 2021 Petit Juror orientation is hereby **RESCHEDULED** to **February 12, 2021** and will be divided into two sessions to ensure appropriate social distancing in the courtroom and held at the following times:

- a. Orientation for Panel A of the January 2021 Petit Jury will start on **February 12, 2021, at 9:00 a.m.;**
- b. Orientation for Panel B of the January 2021 Petit Jury will start on **February 12, 2021, at 1:00 p.m.**

5. Except as modified herein, the terms and conditions set forth in Administrative Order 20-AO-13 shall remain in full force and effect.

It is further **ORDERED** the Clerk of this Court shall forward attested copies of this Order to Judge Paul M. Blake, Jr.; Judge Matthew D. England; each of the Fayette County Magistrates; Acting Fayette County Circuit Clerk Deborah B. Hendrick; Fayette County Magistrate Court Clerk Erin Akers; Chief Probation Officer Jerrod A. White; Fayette County Administrator Deborah Berry; Fayette County Sheriff Michael A. Fridley; and Joseph Armstrong, Administrative Director, WV Supreme Court of Appeals, Building 1, Room E-100, 1900 Kanawha Boulevard, East, Charleston, WV 25305.

ENTERED this 8th day of January, 2021.


THOMAS H. EWING, Chief Judge

A TRUE COPY of an order entered

January 8, 2021

Teste: Deborah B. Hendrick

Circuit Clerk Fayette County, WV