

**IN THE CHANCERY COURT FOR THE EIGHTEENTH JUDICIAL DISTRICT  
OF MISSISSIPPI IN THE COUNTIES OF BENTON, CALHOUN,  
LAFAYETTE, MARSHALL AND TIPPAH**

**IN RE: COURT PROCEDURE IN LIGHT OF THE COVID-19 PANDEMIC**

**ORDER EXTENDING SUSPENDING IN-PERSON COURT PROCEEDINGS**

In response to the COVID-19 Pandemic and the recommendation of state and local agencies, the two chancellors of the 18<sup>th</sup> Judicial District order that the next two weeks suspension of certain Court proceedings' and have now determined the prior order should be extended as follows:

Under the constitutional, statutory, and inherent authority of the Mississippi Supreme Court, we adopt the following provisions. All in-person proceedings in the 18<sup>th</sup> Judicial District, including Youth Court, which were suspended from the close of business on April 17, 2020, are extended to April 30, 2020, apply as follows subject to the exceptions below.

Exceptions to this suspension of in-person court proceedings include, but are not limited to:

- Proceedings related to emergency child custody orders;
- Child Protective Services emergency matters related to child protection;
- Proceedings related to petitions for temporary or permanent injunctive relief;
- Proceedings related to emergency mental health orders;
- Proceedings related to emergency protection of elderly or vulnerable persons;
- Proceedings related to emergency child matters or matters deemed by the Youth Court Judge to be necessary for a Court hearing.

- Proceedings directly related to COVID-19 public health emergency; and
- Other exceptions as approved by Robert Whitwell, Senior Judge, of the District and/or Chancellor, Lawrence L. Little;

The Presiding judges over each of our five counties are authorized to determine the manner in which in-person court proceedings for the exceptions listed above are to be conducted. Any permitted in-court proceedings shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the trial judge.

Judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. Additionally, court clerks are charged with ensuring that court functions continue. Nevertheless, all judges and court clerks are urged to limit in-person courtroom contact as much as possible by utilizing available technologies, including alternative means of filing, teleconferencing, email and video conferencing if available.

If it becomes necessary to close judges' offices or court clerks' offices during the period of suspension, these offices shall remain accessible by telephone, video, email, and fax to the extent possible during regular business hours. Orders can be emailed or faxed.

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.

Deadlines set forth in court rules, statutes, ordinances, administrative rules, summonses or otherwise that are set to expire between March 20 and April 17, 2020 are hereby extended through April 30, 2020.

Orders of protection and temporary injunctions that would otherwise expire between March 20 and April 17, are hereby extended to April 30, 2010.

This order applies to all counties in the 18<sup>th</sup> Judicial District and to all courts and court clerks' offices except administrative courts in the 18<sup>th</sup> Judicial District and to all courts and court clerks' office except administrative courts within the Executive Branch and federal courts and court clerk's offices located in Mississippi.

Under the terms of this order, the Chancery Court of the 18<sup>th</sup> Judicial District remains open, consistent with the Judicial Branch's obligation to mitigate the risks associated with COVID-19. All matters not modified or changed related to the Court's Order of March 19 and 26, 2020, shall remain in full force and effect.

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

So **ORDERED** this the 2<sup>nd</sup> day of April, 2020.



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**ROBERT Q. WHITWELL, SENIOR CHANCELLOR**