

**IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI**

**ADMINISTRATIVE ORDER**

**In Re: Suspension of Issuance and Enforcement of Writs of Replevin, Writs of Attachment and similar Writs of Execution Due to COVID-19 Virus (Novel Coronavirus) Pandemic**

**WHEREAS**, the Centers for Disease Control and Prevention have declared that the outbreak of the COVID-19 virus (also known as the novel coronavirus) is a worldwide pandemic;

**WHEREAS**, the President of the United States, the Governor of the State of Missouri, and the Clay County Presiding Commissioner have all recently declared states of emergency related to this pandemic;

**WHEREAS**, the Supreme Court of Missouri, on March 16, 2020, issued its Order suspending (with certain exceptions) all in-person court proceedings in appellate and circuit courts, effective Tuesday, March 17, 2020, through Friday, April 3, 2020;

**WHEREAS**, on March 18, 2020, the Clay County Commission approved a COVID-19 Protocol both in an effort to slow the spread of the COVID-19 virus in Clay County in general, and specifically to protect the health and safety of all Clay County employees;

**WHEREAS**, on March 18, 2020, the Clay County Public Health Center issued a Public Health Emergency Order limiting public gatherings to less than ten people (with certain exceptions) and closing restaurants, bars, and similar business (except for curbside, drive-through and delivery services) from that date until April 1, 2020;

**WHEREAS**, the COVID-19 virus is highly contagious, spreading rapidly between people in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes, or when a person touches a contaminated surface and then touches their mouth, nose or eyes;

**WHEREAS**, there is currently no approved vaccine for the COVID-19 virus;

**WHEREAS** certain members of our community are especially vulnerable to infection by the COVID-19 virus, including those over the age of 70, pregnant women, and those with chronic medical conditions such as heart disease, lung disease, and diabetes;

**WHEREAS**, it is imperative to take all necessary steps to protect the health and safety of all employees of the 7<sup>th</sup> Judicial Circuit, all judicial officers, and all attorneys and parties who have court hearings or other business in the 7<sup>th</sup> Judicial Circuit, while also balancing the rights of all said individuals and parties to litigation;

**WHEREAS**, the Presiding Judge of the 7<sup>th</sup> Judicial Circuit has authority over all cases, trials, and dockets of this Circuit, including the issuance and execution of various Writs associated with those cases;

**WHEREAS**, pursuant to section 478.240.2 RSMo and section 15 of the Missouri Constitution, the Presiding Judge of each Judicial Circuit has general administrative authority over all judicial personnel and court officials within that Presiding Judge's Judicial Circuit;

**WHEREAS**, execution of Writs of Replevin, Writs of Attachment, and similar Writs necessarily require close contact with members of the general public; and

**WHEREAS**, recent directives from the federal, state and local governments have determined that it is not in the interests of public health to displace persons from their residences at this time during this COVID-19 emergency, including the federal government's authorization of a moratorium on foreclosure and eviction actions for homeowners with mortgages backed by FHA, Fannie Mae, and Freddie Mac to allow them to face the hardships caused by the coronavirus without fear of losing their homes;

**IT IS HEREBY ORDERED**, effective Friday, March 20, 2020, and continuing through Sunday, April 19, 2020, unless modified or extended in a subsequent Administrative Order, as follows:

1. The Clay County Circuit Clerk is directed to delay issuing Writs of Replevin, Writs of Attachment and any other similar writs of execution up through and including April 19, 2020;
2. The Clay County Circuit Clerk is directed, however, to continue accepting all filings in all cases, pending and new, civil and criminal;
3. The Clay County Circuit Clerk is further directed that summons shall still issue in all cases, pending and new, civil and criminal, for court dates on or after April 20, 2020; and
4. The Clay County Sheriff's Department is directed to refrain from executing any pending Writs of Replevin, Writs of Attachment and any other similar writs of execution up through and including Sunday, April 19, 2020.

**SO ORDERED this 20<sup>th</sup> day of March, 2020.**

  
SHANE T. ALEXANDER  
Presiding Judge