

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STANDING ORDER No. 5 CONCERNING COVID-19 PRECAUTIONARY MEASURES

WHEREAS, on March 9, 2020, the Superior Court entered a Standing Order Concerning COVID-19 Precautionary Measures (“Standing Order No. 1”) in the interest of protecting jurors, parties, witnesses, lawyers, judges and court staff;

WHEREAS, the Delaware Supreme Court entered an Order Declaring a Judicial Emergency, effective 8:00 a.m. on Monday, March 16, 2020 (the “Judicial Emergency Order”), which provides the trial courts with the discretion to continue criminal and civil trials for a period of 30 days, and to utilize audiovisual devices to conduct proceedings, in order to limit the number of people gathering in public court buildings;

WHEREAS, the Delaware Supreme Court, on March 22, 2020, issued Administrative Order No. 3, closing all public courthouses in the State until April 15, 2020 and implementing certain other measures in response to the public health threat posed by COVID-19;

WHEREAS, the Superior Court has reviewed its practices and procedures in accord with Supreme Court’s Administrative Order No. 3 and have issued Standing Orders 2, 3 and 4 advising the members of the Delaware Bar, litigants and the public who have matters before the Superior Court in the coming months of updated operational protocols to handle essential matters;

WHEREAS, the federal government and the Governor of the State of Delaware have issued mandates to limit the amount of person-to-person contact and guidance as to social distancing in order to mitigate the spread of the COVID-19 virus;

NOW, THEREFORE, in order to further public health and safety, comply with the states of emergency, and to provide additional guidance to counsel and litigants, IT IS HEREBY ORDERED that this Standing Order No. 5 is issued to modify Standing Order No. 2 as to case reviews and to supplement Standing Orders Nos. 1, 3 and 4 and is effective 12:00 p.m. on Friday April 3, 2020, subject to further review:

All Grand Jury proceedings, Criminal Case Reviews, Suppression hearings, Criminal motions that do not relate to a change in the custody status of the defendant, the filing of and responses to Rule 61 motions, sentencing (unless the parties represent to the Court that it may affect the custody status of the defendant), and criminal trials are suspended and stayed until *April 15, 2020*, subject to further review.

President Judge Jan R. Jurden