

WHEREAS, on June 1, 2020, non-essential businesses were permitted, subject to certain limitations, to reopen in Delaware under the Nineteenth Modification to Governor Carney's order declaring a State of Emergency;

WHEREAS, in an order dated June 5, 2020, the Chief Justice extended the judicial emergency effective June 8, 2020, extended certain deadlines that expired between March 23, 2020 and June 30, 2020 through July 1, 2020, and accepted the recommendations of the Courts Reopening Committee and the Justice of the Peace Court for reopening;

WHEREAS, Phase 1 of the Courts Reopening Plan commenced on June 8, 2020, and Phase 2 of the Reopening Plan commenced on June 15, 2020;

WHEREAS, Phase 1 and Phase 2 of the Reopening Plan have proceeded successfully to date, and the Courts Reopening Committee continues to study how to safely resume jury trials as contemplated by Phase 3 of the Reopening Plan;

WHEREAS, COVID-19 continues to pose a serious risk to public health and safety of Delawareans, requiring the courts to continue a careful, phased reopening of the courts to reduce the risk that COVID-19 poses to jurors, parties, witnesses, lawyers, judges, and court staff who enter the State courthouses; and

WHEREAS, the Chief Justice, in consultation with the other members of the Supreme Court, has determined that extension of the judicial emergency is necessary and that the courts should continue to comply with the Reopening Plan set forth in the June 5, 2020 order.

NOW, THEREFORE, IT IS ORDERED that:

- (1) Under the authority of 10 *Del. C.* § 2004, the judicial emergency for all State courts and their facilities in Delaware is extended for another 30 days effective July 8, 2020, subject to further review.
- (2) The courts shall continue to operate under Phase 2 as set forth in Paragraphs 2A, 2B, 3, and 4 of the June 5, 2020 order. Given the concerning national trend of increasing virus spread, new quarantine requirements by other states, and hotspots within our State, the courts will not enter Phase 3 of the Reopening Plan until medical experts believe it is safe to do so and more information becomes available about the trends in COVID-19 infections and its spread in the United States and Delaware.

- (3) In light of the continuing threat COVID-19 poses to public health, all courts in the State are authorized, to the greatest extent possible under 10 *Del. C.* § 2008, to continue to utilize audiovisual devices at their facilities and remotely to conduct proceedings (except for jury trials) for the duration of this order.
- (4) During the period of judicial emergency, all time requirements under the Speedy Trial Guidelines are tolled.
- (5) Administrative Order No. 3 regarding the suspension of any requirements for sworn declarations, verifications, certificates, statements, oaths, or affidavits in filings with the Supreme Court, the Court of Chancery, the Superior Court, the Family Court, the Court of Common Pleas, or the Justice of the Peace Court will remain in effect.
- (6) Each courthouse shall continue to provide a method, such as a dropbox or mailing address, for attorneys and the public to fill out and file paper documents if electronic filing is not available to them. For such cases, the courts shall continue to provide, when practical, an email address for attorneys and the public to email paper documents which will be considered filed with the court when received.
- (7) The Clerk of the Court is directed to transmit forthwith a certified copy of this Order to the clerk of each trial court in each county.

BY THE CHIEF JUSTICE:

/s/ Collins J. Seitz, Jr.
Chief Justice