

Serial: 231314

IN THE SUPREME COURT OF MISSISSIPPI

FILED

No. 2020-AD-00001-SCT

APR 09 2020

&

No. 89-R-99038-SCT

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

IN RE: EMERGENCY ORDER RELATED TO CORONAVIRUS (COVID -19)

ORDER

This matter is before the Court on the Motion for Temporary Modification of Rule 8.5(c) of the Mississippi Rules of Criminal Procedure to Require Senior Circuit Court Judges, or Their Designees, to Conduct Weekly Reviews of the Conditions of Release for All Pre-Trial Detainees jointly filed by the Attorney General for the State of Mississippi and the State Public Defender. In light of the national and state emergencies created by Coronavirus (COVID-19), the petitioners:

request that Rule 8.5(c) [of the Mississippi Rules of Criminal Procedure] be temporarily modified to require senior circuit court judges, or their designees, to conduct within five days of entry of an order of this Court, and weekly thereafter until the current statewide State of Emergency is lifted, a review of the conditions of release for all pre-trial detainees currently housed in Mississippi's county and regional jails without regard for whether they have been detained for more than 90 days. Rule 8.5(c) should be temporarily modified further to require sheriffs to produce to senior circuit judges, district attorneys, clerks of court, and the local senior public defender jail census information within two days of an order of this Court and weekly thereafter.

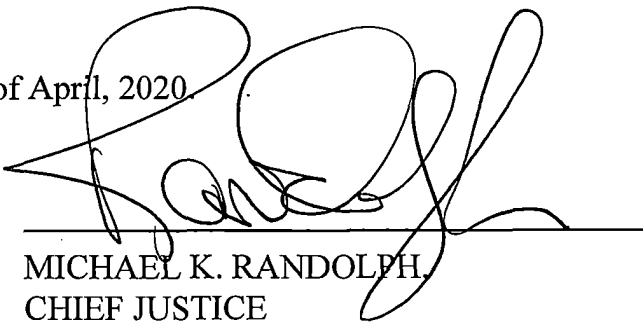
Subsequently, the Office of the Attorney General made an *ore tenus* motion to amend "weekly" to "bi-weekly."

After due consideration, the undersigned Chief Justice, in his capacity as chief administrative officer of all courts in the state, finds that the bench, the bar, and any parties

interested or affected by this proposed change should be provided the opportunity to respond and comment on the proposed temporary modification of Rule 8.5(c) of the Mississippi Rules of Criminal Procedure. Given the exigency of the circumstances, all such responses and comments should be filed with the Court on or before 5:00 p.m. on Tuesday, April 14, 2020.

IT IS THEREFORE ORDERED that the bench, the bar, and any parties interested or affected by this proposed change shall be provided the opportunity to respond and comment on the proposed temporary modification of Rule 8.5(c) of the Mississippi Rules of Criminal Procedure that is provided in the Motion for Temporary Modification of Rule 8.5(c) of the Mississippi Rules of Criminal Procedure to Require Senior Circuit Court Judges, or Their Designees, to Conduct Weekly Reviews of the Conditions of Release for All Pre-Trial Detainees jointly filed by the Attorney General for the State of Mississippi and the State Public Defender. All such responses and comments shall be filed with the Court on or before 5:00 p.m. on Tuesday, April 14, 2020.

SO ORDERED, this the 9 day of April, 2020.



MICHAEL K. RANDOLPH,
CHIEF JUSTICE