

Q &A Chat box are encouraged to submit questions.

Judge Droege: Very fluid situation with many changes and spring break feels like it was months ago. The Court mobilized a pandemic team. We were the first in the state to work to proceed and provide access to justice for users of our courthouse. Governor Kelly and the President issued emergency orders and disaster declarations.

House Sub HB102, published 3/19/2020 is important to review. It addresses speedy trial considerations.

Attorneys review AO 2020-PR 32 from April 3rd. It lays out how district courts should handle cases during emergency operations.

Judge Cameron:

We're hearing in-custody second appearances on our regular weekly date. Pleas, sentencings, motions on bond, and other hearings are all available to be heard at request of counsel. Email the divisions directly to move the case.

Mon

Tue

Wed Judge Cameron, Division 13

Thur Judge McCarthy and Judge Ryan, Divisions 17 and 18

Fri Judge Welch, Division 19

Don't let videoconferencing intimidate you. This type of business is going to be here for a while, if not forever. A competent attorney will be required to conduct videoconference hearings going forward.

Judge Sutherland: Our judges have been working very hard to stay operational. Defense counsel is urged to reach out to ADAs to keep cases moving. Contact our AAs, we will get these hearings scheduled. I've done 2 dozen bond modifications through agreement of counsel.

1. When do you think trials will start up again?

It's a day-to-day consideration. Currently, the court would be able to resume jury trials four weeks after public health officials recommend the easing of restrictions. At this point it's looking like mid-June, but that can change.

Division 13 has set continued jury trials to a docket call in May. These will remain on a scheduling basis during this time.

Judge Droege: If you have a JT set now. There's no guarantee that trial will go on the scheduled date. When we return to operations, in-custody cases will get priority. The Supreme Court Order continues all jury trials.

We may have issues getting jurors to report once restrictions are eased.

2. Evidentiary hearings – could you give an update of these please?

We're all learning as we go along. There are certain hearings that may be able to occur. We are mindful of the rules of evidence. Pretrial hearings may be possible including suppression hearings.

We want everyone moving with us so there's not a plan to conduct evidentiary hearings in April. We would ramp up slowly in May to get fully up-to-speed to handle these hearings.

3. Previously, criminal mediations have been very successful in getting cases resolved. Will judges continue to do criminal mediations??

We're all committed to using mediations and are working to get those back up again.

Judge Sutherland: We hear the argument that it's more effective to have the mediation in person. BlueJeans has virtual breakout rooms where the moderator can control access to the room. The Moderator is able to go in and out of rooms to handle the mediation. I'm encouraging judges and attorneys to explore the mediation option.

4. Is probation requiring persons go to Averhealth to provide UAs and if yes, shouldn't we suspend UAs until the stay at home order is lifted?

Court orders stand and probationers ordered to UAs are still expected to follow that order. Each court is responsible for their orders and will address amendments to orders based on individual cases.

We've been informed that Averhealth is using CDC guidelines for UAs.

5. Can we resolve misdemeanor cases via Zoom court hearings?

Judge Sutherland: The Court uses BlueJeans. Absolutely we can address misdemeanor cases. Anytime on the judge's day, the hearing can be scheduled.

6. What is the phone number for Blue Jeans visits at the Olathe Jail. I have called the jail and they state they have blue jeans but do not know the number. I have asked other practitioners and they also do not know what number for us to call. I need to be able to visit a female client in custody remotely.

We can get back to the Bar on this question. Apparently it hasn't worked for everyone to use at Olathe.

Carl Cornwall provided the phone number 913-715-5941 for jail video.

7. Is there anything the criminal defense bar could be doing to help facilitate progress during this time?

Attorneys are encouraged to coordinate with the District Attorney and work your cases. Attorneys have to adapt to the videoconferencing.

8. Are there any COVID procedures which will be permanent? For example, will the Blue Jeans video hearings ever be implemented for misdemeanor dockets, etc?

As a Court we are considering all options and will keep the Bar informed. The new courthouse will have much better capability than the current one. We've had BlueJeans for a long time and it has regular use in civil. Criminal technology will be used more often. We don't want to take any rights away from defendants.

9. Does the court plan to create a COVID-19 task force?

That will be referred to Katherine Stocks

10. DUIs require custody time. Can we delay custody time on those mandatory detention cases if we resolve them?

Yes. The Supreme Court Order gave us the ability to adjust.

11. When will courts make decisions on hearings set the last week of April/first week of May?

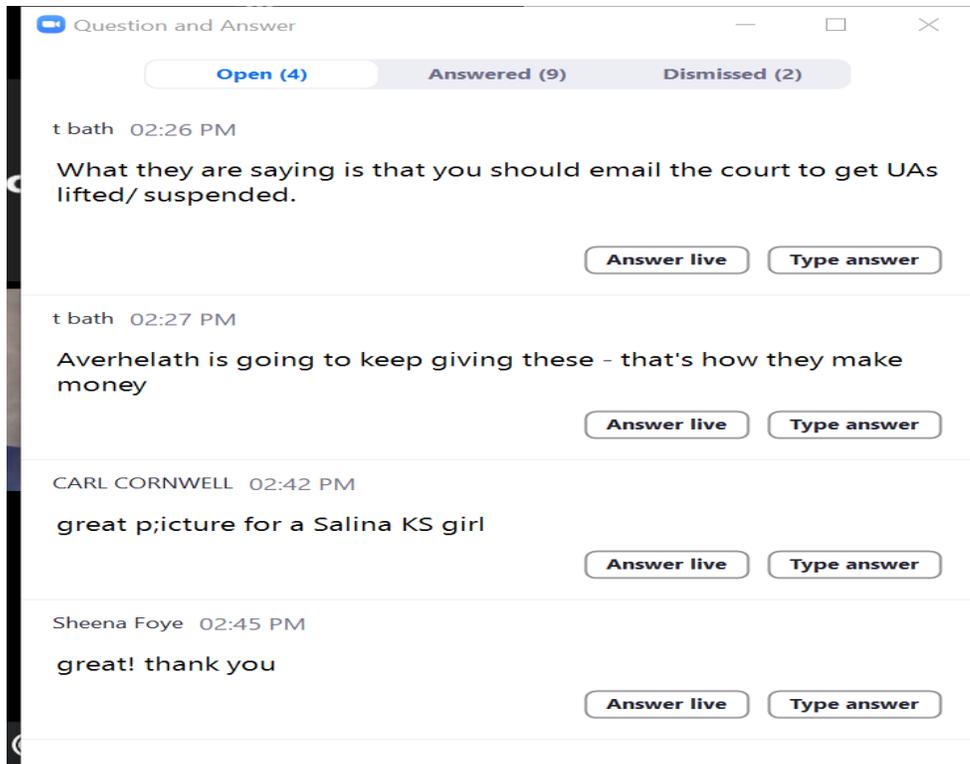
Hopefully by the end of this week we will have an answer on those cases.

We're operating. You can reach out to the court to address concerns in your

12. Do D's need to be present for BlueJeans hearings?

Judge Sutherland: D can download the BlueJeans App or call in by telephone to appear.

Judge Droege: We are working on a protocol with instructions on how to appear with counsel and for self-represented litigants.



Question and Answer

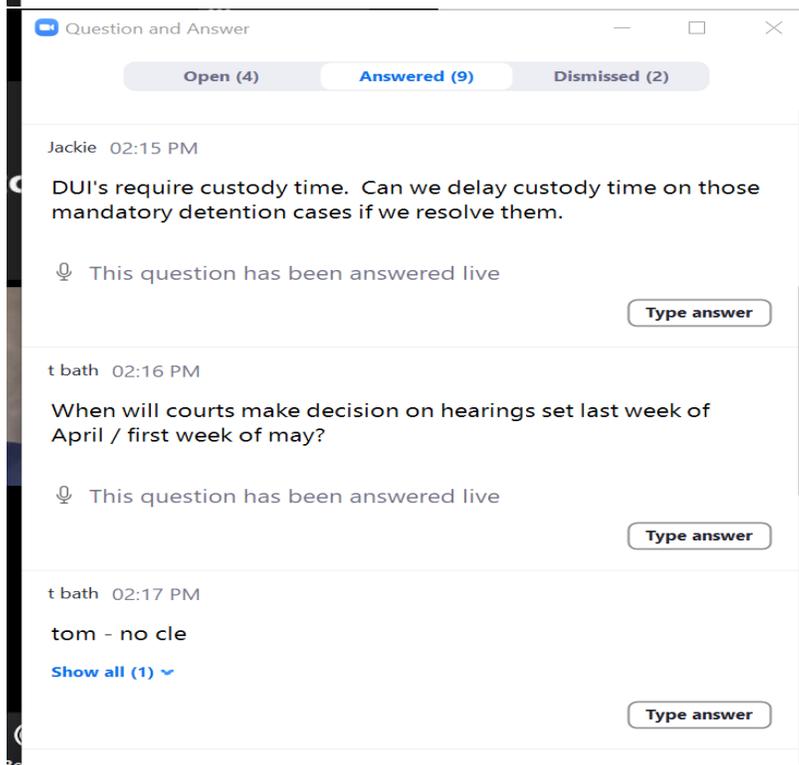
Open (4) Answered (9) Dismissed (2)

t bath 02:26 PM
What they are saying is that you should email the court to get UAs lifted/ suspended.
Answer live Type answer

t bath 02:27 PM
Averhelath is going to keep giving these - that's how they make money
Answer live Type answer

CARL CORNWELL 02:42 PM
great picture for a Salina KS girl
Answer live Type answer

Sheena Foye 02:45 PM
great! thank you
Answer live Type answer



Question and Answer

Open (4) Answered (9) Dismissed (2)

Jackie 02:15 PM
DUI's require custody time. Can we delay custody time on those mandatory detention cases if we resolve them.
This question has been answered live
Type answer

t bath 02:16 PM
When will courts make decision on hearings set last week of April / first week of may?
This question has been answered live
Type answer

t bath 02:17 PM
tom - no cle
Show all (1) v
Type answer

Question and Answer

Open (4) **Answered (9)** Dismissed (2)

CARL CORNWELL 02:20 PM

does the defendant need to be present when we have a bluejeans hearing?

[Collapse all \(1\) ^](#)

KS You 02:34 PM

Judge Sutherland: D can download the BlueJeans App or call in by telephone to appear.
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[Type answer](#)

CARL CORNWELL 02:34 PM

7155941 thats the # for jail video

[Collapse all \(1\) ^](#)

KS You 02:38 PM

Private answer
Thank you. I have recorded your answer in the notes.

Question and Answer

Open (4) Answered (9) Dismissed (2)

Private answer
Thank you. I have recorded your answer in the notes.

Type answer

Sheena Foye 02:35 PM

Is there a free version of Blue Jeans for clients to access or is it all paid after the free 7 day trial

Collapse all (2) ^

KS You 02:44 PM
All Court-hosted BlueJeans hearings are at no-cost to the user. By following the invitation you are able to join as a guest.

KS You 02:53 PM
Judge Droege followed-up that a phone-only option is available for those without a camera. The protocol/cheat sheet is in the works.

Type answer