

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
FIFTH DIVISION**

**GENERAL ORDER SUSPENDING IN PERSON COURT PROCEEDINGS  
DURING FEBRUARY 2022**

On January 6, 2022, the Court issued an order, sua sponte, suspending jury trials in all cases scheduled during January 2022. That General Order was based on the finding that “conducting jury trials during this surge poses a substantial risk of exposure to Covid infection that will threaten the safety and security of all persons who attend jury trials, including court personnel, attorneys, parties, jurors, witnesses, family members, media observers, and the general public.”

Sadly, the surge in Covid 19 cases has continued. The Court currently is conducting all proceedings and other operations virtually to protect court personnel, attorneys, parties, witnesses, and other persons from the risk of Covid infection. Meanwhile, the Court takes judicial notice of the following facts.

1. As of January 22, 2022, there were 102,575 active Covid cases in Arkansas.
2. 8,118 new cases were reported for the 24-hour period between January 21-22, 2022.
3. 1,659 persons were hospitalized due to Covid illness.
4. 464 persons were in intensive care units (ICU).
5. 207 persons were on ventilators.
6. 9,498 persons have died from Covid disease.
7. 11,160 new Covid cases were reported on January 20, 2022.
8. 13,073 new Covid cases were reported on January 21, 2022.

The rising death toll, number of persons requiring hospitalization, ICU patients, patients who are on ventilators, and continued rise in new cases reported due to Covid-19 prove that the risk of Covid infection continues to threaten the safety and security of persons who attend in-person Court proceedings, including non-jury and jury trials.

The Sixth Amendment to the Constitution of the United States guarantees the right to confront witnesses in all criminal proceedings. The

Seventh Amendment to the Constitution of the United States guarantees the right to trial by jury. The Fifth and Fourteenth Amendments to the Constitution of the United States guarantee due process of law to all persons. Those fundamental rights require, at minimum, that judicial proceedings be conducted under conditions that do not expose persons to the risk of sickness and death from the novel coronavirus that causes Covid-19.

**Therefore, the Court hereby continues, on its own motion, all bench and jury trials scheduled in Fifth Division during February 2022. This action is taken to protect the safety and security of court personnel, attorneys, parties, witnesses, and other persons.**

Attorneys in cases scheduled for trial during February 2022 are directed to contact the Trial Court Assistant to reschedule trials. Speedy trial will be tolled for all criminal cases affected by this order due to pandemic case congestion. The Court directs that this order be entered into the record of each case scheduled for trial in Fifth Division during February 2022.

ORDERED THIS 24th DAY OF JANUARY 2022.

A handwritten signature in black ink, appearing to read "Robert J. Hoff", is written over a horizontal line.

CIRCUIT JUDGE