

FILED

MAR 25 2020

IN THE CHANCERY COURT OF JACKSON, GEORGE, AND GREENE COUNTY, MISSISSIPPI

ADMINISTRATIVE ORDER REGARDING COVID-19 #4

JOSH ELDREDGE, CLERK
By *[Signature]*

*Filed
D. Neil Harris
Senior Chancellor
March 25, 2020
3:15 P.M.*

The Chief Justice Orders, and Administrative Orders regarding COVID-19 #1, #2, #3 and their attachments are incorporated herein as if set forth in full in words and figures.

1.

On March 13, 2020, the President of the United States declared a National Emergency Concerning the COVID-19 Outbreak. See Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak attached as Exhibit A and incorporated herein as if set forth in full in words and figures.

2.

On March 24, 2020, Governor Tate Reeves signed into law Executive Order No. 1463 which is attached as Exhibit B and incorporated herein by reference as if set forth in full in words and figures.

3.

In keeping with President Trump's Proclamation Declaring a National Emergency and in keeping with Governor Reeves Executive Order directing cooperation in response to the COVID-19 virus outbreak during the State of Emergency, the court does,

FIND, ORDER, ADJUDGED AND DECREE AS FOLLOWS TO WIT:

All dockets, and emergencies shall be called in accordance with Administrative Order #3 outside the court building. *See Exhibit C*

ORDERED ADJUDGED AND DECREED THIS THE 25TH DAY OF MARCH, 2020.

[Signature]
D. NEIL HARRIS, SR.
SENIOR CHANCELLOR



PROCLAMATIONS

Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak

Issued on: March 13, 2020



In December 2019, a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease COVID-19 that has now spread globally. The Secretary of Health and Human Services (HHS) declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), in response to COVID-19. I have taken sweeping action to control the spread of the virus in the United States, including by suspending entry of foreign nationals seeking entry who had been physically present within the prior 14 days in certain jurisdictions where COVID-19 outbreaks have occurred, including the People’s Republic of China, the Islamic Republic of Iran, and the Schengen Area of Europe. The Federal Government, along with State and local governments, has taken preventive and proactive measures to slow the spread of the virus and treat those affected, including by instituting Federal quarantines for individuals evacuated from foreign nations, issuing a declaration pursuant to section 319F-3 of the Public Health Service Act (42 U.S.C. 247d-6d), and releasing policies to accelerate the acquisition of personal protective equipment and streamline bringing new diagnostic capabilities to laboratories. On March 11, 2020, the World Health Organization announced that the COVID-19 outbreak can be characterized as a

“A”

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pandemic, as the rates of infection continue to rise in many locations around the world and across the United States.

The spread of COVID-19 within our Nation's communities threatens to strain our Nation's healthcare systems. As of March 12, 2020, 1,645 people from 47 States have been infected with the virus that causes COVID-19. It is incumbent on hospitals and medical facilities throughout the country to assess their preparedness posture and be prepared to surge capacity and capability. Additional measures, however, are needed to successfully contain and combat the virus in the United States.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*) and consistent with section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020. Pursuant to this declaration, I direct as follows:

Section 1. Emergency Authority. The Secretary of HHS may exercise the authority under section 1135 of the SSA to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak.

Sec. 2. Certification and Notice. In exercising this authority, the Secretary of HHS shall provide certification and advance written notice to the Congress as required by section 1135(d) of the SSA (42 U.S.C. 1320b-5(d)).

Sec. 3. General Provisions. (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

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(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord two thousand twenty, and of the Independence of the United States of America the two hundred and forty-fourth.

DONALD J. TRUMP

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STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1463

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Mississippi significantly impact the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, the risk of spread of COVID-19 within Mississippi constitutes a public emergency that may result in substantial injury or harm to life, health, and property within Mississippi; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi and as of March 24, 2020, there are 320 presumptive and confirmed cases in Mississippi that have tested positive for COVID-19; and

WHEREAS, the Centers for Disease Control (CDC) guidance for responding to COVID-19 recommends avoiding crowds as much as possible, especially for older adults and individuals with serious chronic medical conditions and Mississippi State Department of Health has recommended avoiding social gatherings where 10 people or more may come into close contact; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, called upon Americans to slow the spread of COVID-19 over a 15 day period by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 20, 2020, the Mississippi State Department of Health issued a COVID-19 Update recommending that all restaurants and bars suspend dine-in service in order to help slow the spread of COVID-19, but not including carryout or delivery orders; recommending that Mississippi residents not attend funerals, weddings, church services or other community or social events with expected attendance of more than 10 people, but not including gas stations, pharmacies, grocery stores, or food marts; and

WHEREAS, on March 16, 2020, in order to minimize risk of possible further transmission of COVID-19 and related measures, I issued Executive Order No. 1458 directing various governmental entities to review and identify which employees perform essential duties to carry out the entity's core functions during the State of Emergency and those employees whose duties that may not be essential during the State of Emergency. And, where feasible, for the entity to determine if core functions and duties could be performed by essential employees from home in order to minimize the interaction and risk of possible transmission of COVID-19 between employees; and

WHEREAS, the uninterrupted delivery of essential services and functions is vital to infrastructure viability, critical to maintain continuity of functions critical to public health and safety, as well as economic and national security, and is crucial to community resilience, continuity of essential functions and to promote the security and safety of Mississippi residents even as the nation limits human interaction and engages in social distancing; and

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WHEREAS, there are segments of the workforce that deliver essential service and functions that are essential to maintaining continuity of operations of critical infrastructure including those identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA)'s March 19, 2020, "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response;" and

WHEREAS, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA)'s guidance explains that "response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported," and that to the extent possible, "jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden on workers crossing jurisdictional boundaries:"

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution and laws of the State of Mississippi, do hereby order and direct as follows:

1. That, in response to the COVID-19 emergency and in accordance with the Guidelines from the President, the CDC, and the Mississippi State Department of Health and pursuant to Miss. Code. Ann. § 33-15-11(c)(4):
 - a. From the date of this Executive Order until April 17, 2020, Mississippi residents shall avoid social and other non-essential gatherings in groups of more than 10 people where the gatherings in a single space at the same time where individuals are in close proximity to each other. This does not apply to normal operations of locations like airports, medical and healthcare facilities, retail shopping including grocery and department stores, offices, factories and other manufacturing facilities or any Essential Business or Operation as determined by and identified below.
 - b. From the date of this Executive Order until April 17, 2020, restaurants, bars, or other dining establishments shall suspend dine-in services unless able to reduce capacity to allow no more than 10 people to be gathered in a single space at the same time where individuals are in seated or otherwise in close proximity to each other. However, the use of drive-thru, carryout, or delivery options is allowed and highly encouraged.
 - c. From the date of this Executive Order until April 17, 2020, persons shall not visit hospitals, nursing homes and retirement or long-term care facilities unless to provide critical assistance, to visit residents receiving imminent end-of-life care, or as otherwise directed by the healthcare facility, provided in the professional opinion of the supervising physician or other supervising healthcare professional at such facility that such visits can be accomplished without unreasonable risk to staff or other residents of such facilities. In lieu of in-person visits, electronic visits are encouraged.
2. Consistent with Executive Order No. 1458 providing that essential employees of governmental entities should work from home to the extent feasible in order to minimize the interaction and risk of possible transmission of COVID-19 between employees, it is also recommended and encouraged that all Mississippi businesses and non-profit entities likewise utilize, to the maximum extent possible, work from home or other telework procedures.
3. That, in response to the COVID-19 emergency, to promote and secure the safety and protection of Mississippi residents, and in consideration of the orders, rules, requests and other actions of federal authorities, it is vital to maintaining continuity of operations of critical infrastructure that Essential Businesses or Operations providing essential services or functions remain open, operational and continue to provide uninterrupted essential services and functions during this COVID-19 State of Emergency. Accordingly:
 - a. Pursuant to Miss. Code. Ann. § 33-15-11(c)(4) and § 33-15-31 any Essential Business or Operation providing essential services or functions may operate at such level as necessary to provide such essential services or functions and shall not be subject to any 10 person gathering limitation or any other limitation or restriction

inconsistent with this Executive Order but shall take all reasonable measures to ensure compliance with the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19, including, but not limited to, social distancing, sending sick employees home and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms.

- b. Pursuant to Miss. Code. Ann. § 33-15-31(a), § 33-15-31(b), § 33-15-11(c)(1) & § 33-15-11(c)(4) any order, rule, regulation or action by any governing body, agency or political subdivision of the state that imposes any additional freedom of movement or social distancing limitations on Essential Business or Operation, restricts scope of services or hours of operation of any Essential Business or Operation, or which will or might in any way conflict with or impede the purpose of this Executive Order is suspended and unenforceable during this COVID-19 State of Emergency. However, nothing in this Executive Order shall in any way alter or modify the authority of the Mississippi Emergency Management Agency, the Mississippi Department of Public Safety or of the State Department of Health and the State Health Officer.
- c. For purposes of this Executive Order, the phrase “Essential Business or Operation” means:
 - Essential Government functions including public safety and first responders, law enforcement, fire prevention and response, courts and court personnel, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call center employees, all workers and vendors that support law enforcement and emergency management operations and services;
 - Essential healthcare operations including hospitals/clinics, research and laboratory operations, nursing homes, residential health care facilities, congregate care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment manufacturers and providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;
 - Essential infrastructure including utilities including power generation, nuclear facilities, utility poles and components, fuel and transmission, petroleum producers, suppliers and distributors, supply chain companies, telecommunications, electronic security and life safety services, wireless communication, communications sales and customer support, telecommunication and data centers, cybersecurity operations, flood control, operation of dams, aviation, airports, ports, roads and highways, mass transit, automotive sales and repair, vehicle rental services, taxi and network providers (such as Uber and Lyft), freight and passenger rail, pipelines, transportation infrastructure, public water and waste water, hazardous waste disposal, hotels and commercial lodging services;
 - Manufacturing including food processing and production, pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products, automotive production and suppliers, healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other Essential Business or Operation;
 - Agriculture and farms including food cultivation, livestock, cattle, poultry and seafood operations, livestock auctions, feedlots, dealers and brokers of livestock, livestock transporters, farmer’s markets, feed stores, repair of agricultural equipment, gas, diesel and petroleum suppliers, aquaculture, horticulture, chemicals including pesticides, herbicides and fertilizer,

producers and distributors, forest products businesses, including those involved in forestry operations, logging, manufacture of lumber and paper products, meat processing facilities, rendering facilities and transporters, feed processing facilities, veterinary services;

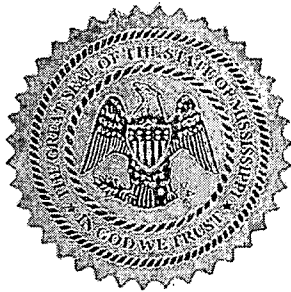
- Essential retail including all supermarkets, food and beverage stores, food providers, convenience stores, pharmacies, hardware and building materials, gas stations, restaurants or bars (but only to the extent that (1) not more than 10 people are gathered in such restaurants or bars in a single space at the same time where individuals are in seated or otherwise in close proximity to each other or (2) for curb side pick-up, carryout or delivery);
- Essential services including trash collection, mail and shipping services, home repair, automotive sales and repair, warehouse, distribution and fulfillment centers, laundromats/laundry service;
- Media including newspapers, digital news sites, television, radio and other media services;
- Education including educators supporting public and private K-12 schools, colleges and universities, educational institutions, for purposes of facilitating distance learning, performing critical research or other essential functions including public schools preparing and transporting free and reduced meals to eligible students within their respective districts (this Executive Order is consistent with and does not amend or supersede Executive Order No. 1460 regarding public schools);
- Financial services including banks and related financial institutions, insurance, payroll, accounting, processing financial transactions, services related to financial markets;
- Professional services including legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- Providers of basic necessities to economically disadvantaged populations including businesses, religious and secular non-profit organizations, food banks, foster care, homeless shelters and congregate care facilities;
- Construction and construction related services including building and construction, lumber, building materials and hardware, electricians, plumbers, exterminators, cleaning and janitorial, HVACR and water heating industry, painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure;
- Essential services necessary to maintain the safety, sanitation and essential operations of residences and essential businesses and essential business operations, including law enforcement, fire prevention and response, firearm and ammunition manufacturers and retailers, building code enforcement, security, emergency management and response, building cleaning including disinfection, automotive sales and repair, mortuaries and cemeteries;
- Defense Industrial Base including employers and personnel who support the essential products and services required to meet national security commitments to the Federal Government and the U. S. Military, including personnel working for companies and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense and government-owned/contractor-operated and government-owned/government-operated facilities.

- Vendors that provide essential services or products, including logistics and technology support, child care programs and services, medical waste disposal, hazardous waste disposal, services needed to ensure the continuing operation of Essential Business or Operation, operation of government agencies, and to provide for the health, safety and welfare of the public;
 - Religious entities including religious and faith-based facilities, entities and groups, religious gatherings provided that they adhere to the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19;
 - Categories of workers and related industries identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) in its "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response" <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> as it may be amended,
 - Other categories as may be identified and deemed essential by the Mississippi Department of Health, the Mississippi Emergency Management Agency and/or other appropriate agency of the State of Mississippi.
4. That all departments, commissions, agencies, institutions, and boards of the State of Mississippi, political subdivisions thereof, counties, municipalities and school districts are authorized and directed to cooperate in actions and measures taken in response to COVID-19 during the State of Emergency.

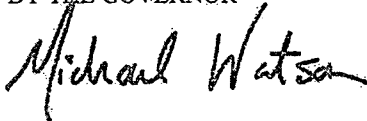
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 24th day of March, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America; the two hundred and forty-fourth.


TATE REEVES
GOVERNOR



BY THE GOVERNOR



MICHAEL WATSON
SECRETARY OF STATE

FILED

MAR 23 2020

IN THE CHANCERY COURT OF JACKSON, GEORGE, AND GREENE COUNTIES,
MISSISSIPPI

JOSH ELDREDGE, CLERK
By *Angie Miller*

ADMINISTRATIVE ORDER REGARDING COVID-19 #3

*Filed
D. Neil Harris
Senior Chancellor
12:30 P.M.*

CONSISTENT WITH Chief Justice Randolph's Administrative Orders #1 – #6 and

consistent with Administrative Orders #1 – #2 of the Sixteenth Chancery Judicial District, the Court does hereby FIND, ORDER, ADJUDGE and DECREE as follows, to-wit:

1.

All hearings except for Rule 65 emergencies, emergency petitions for domestic abuse, heirship calls, and Rule 81 summons shall be continued until after June 1, 2020.

2.

The dockets of each chancellor shall be called for heirships and Rule 81 summons on the date set and will be continued until after June 1, 2020. Lawyers, litigants, and interested parties are not required to appear on the date when the matter is set but will be heard on the new date after June 1st, 2020.

3.

Only emergencies involving Rule 65 and domestic abuse protection orders as determined by a Chancellor will be held on the outside porch of a courthouse in this district.

4.

All dockets called in accordance with this Administrative Order #3 will be called outside the court building by a chancellor and reset after June 1, 2020 unless otherwise determined.

ORDERED, ADJUDGED and DECREED this the 23rd day of March, 2020.

D. Neil Harris
CHANCELLOR D. NEIL HARRIS, SR,
SENIOR CHANCELLOR

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