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**Revised Circuit Court Operating Plan**

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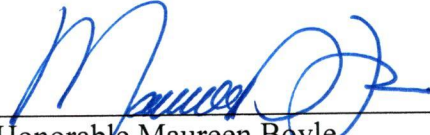
WHEREAS: On May 21, 2021, the Wisconsin Supreme Court terminated the following orders: (1) In re the Matter of Jury Trials During the COVID-19 Pandemic—Amended (S. Ct. Order issued March 22, 2020; Amended April 15, 2020); (2) In re the Matter of Filing of Court Documents in Circuit and Appellate Courts (Temporary Mailbox Rule) (S. Ct. Order issued April 13, 2020); (3) Interim Rule 20-02; and In re the Matter of the Extension of Orders and the Interim Rule Concerning Continuation of Jury Trials, Suspension of Statutory Deadlines for Non-Criminal Jury Trials, and Remote Hearings During the COVID-19 Pandemic (Amended Order) (S. Ct. Order issued October 1, 2020);

WHEREAS: The Wisconsin Supreme Court “no longer requires that personal masking, social distancing, and sanitizing court facilities be part of any plan for circuit court and municipal court proceedings approved by the chief judge of the applicable judicial district. Instead, circuit courts and municipal courts, with the approval of the applicable chief judge, shall make county-wide decisions about what is in the best interest of circuit court and municipal court operations, respectively. This includes deciding whether or not to continue to require masking, social distancing, and sanitizing court facilities on a county by county basis.”;

WHEREAS: On May 28, 2021, pursuant to the order of the Wisconsin Supreme Court dated June 2, 2021, presiding Judge of Rusk County has requested approval to revise the Rusk County operational plan dated June 5, 2020;

THEREFORE: The Covid-19 Circuit Court Operating Plan for Rusk County is revised effective June 7, 2021.

Date: \_\_\_\_\_

6-7-2021  
\_\_\_\_\_  
Honorable Maureen Boyle  
Chief Judge, 10<sup>th</sup> Judicial District

## **Amended COVID-19 Circuit Court Operating Plan for Rusk County**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the courts of Rusk County will implement the following protective measures:

### **General**

1. Planning for a modified plan Rusk County Circuit Court began in early May. Judge Steven P. Anderson and Clerk of Court Lori Gorsegner have met on an almost daily basis working on ideas and strategies to safely resume in person appearances. Judge Anderson and Clerk Gorsegner consulted with the Stakeholder's Committee members. The planning culminated in a Zoom meeting on May 28, 2021, with the following justice partners to discuss and consider the recommendations outlined in the Wisconsin COVID- 19 Task Force report:  
Judge Steven P. Anderson  
Clerk of Court Lori Gorsegner  
Court Commissioner Terry Nussberger  
Sheriff Jeffrey Wallace  
District Attorney Annette Barna  
County Administrator Andy Albarado  
DOC Supervisor Melissa Buesgen  
District Court Administrator Christopher Channing
2. The judge will conduct proceedings remotely when possible or necessary.

### **Judge and Court Staff Health**

1. Judges and court staff who can perform the essential functions of their job remotely may do so, if necessary.
2. The Judges and Court Staff will follow CDC Public Health guidelines.
3. Judges and court staff will be required to wear face coverings in the courtrooms, jury rooms and confined court-related spaces if not vaccinated. They will practice social distancing and appropriate hand hygiene as recommended by the CDC.
4. Protective Measures: hand sanitizer and face coverings are provided and cleaning of courtroom and clerk of court's office is completed.

### **Scheduling**

1. The judge will continue to use zoom and telephone hearings as much as possible.

### **Vulnerable Populations**

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.

2. Vulnerable populations who are scheduled for court will be accommodated by using zoom video or telephone.

### **Social Distancing**

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet per CDC guidelines.

#### *Gallery*

2. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating.

#### *Well*

3. In each courtroom, the tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space.

### **Hygiene**

1. Hand sanitizer dispensers have been placed at the entrances to the building, inside of each courtroom, and inside of bathrooms.
2. Notices regarding the availability of hand sanitizer and disinfecting wipes/spray will be posted at the entrance of each courtroom and court-related confined space.
3. Disinfectant wipes or spray have been placed at counsel tables, at the witness stand, at the jury box, and on the judge's bench.
4. CDC flyers outlining appropriate hygiene, social distancing, or public safety have been posted in multiple locations on each floor of the court building.

### **Face Coverings**


1. All persons present in the Courtrooms, jury rooms and court-related confined spaces shall wear face coverings if not vaccinated. The witness stand is surrounded in Plexiglas so when testifying the witness may remove his/her mask. After the witness is released from the witness stand they shall put their face covering back on until they leave the courtroom.
2. Individuals may bring face coverings with them, but if the individual does not have a face covering, a disposable face mask will be provided.

### **Cleaning**

1. Rusk County cleaning staff will clean the courtroom and common areas of the court building so that common spaces are cleaned at least every day and will be disinfected by mist.
2. Rusk County continuously runs the HVAC system.
3. Rusk County cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.

4. Rusk County cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
5. Cleaning wipes or cleaning spray and paper towels will be provided at counsel tables and anyone using the table will need to clean before and after each use.


Date: 6/2/2021



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Hon. Steven P. Anderson, Judge

Date: 6/7/2021



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Hon. Maureen D. Boyle, Chief Judge

# **Amended COVID-19 Circuit Court Operating Plan for Rusk County**

## **Addendum: Jury Trial Plan**

As an addendum to the Operating Plan filed with the Chief Judge of the Judicial District on June 5, 2020, this plan is developed to ensure the health and safety of jurors, litigants, attorneys, visitors, court staff, judges, and other individuals participating in jury trials. The courts of Rusk County will implement the following additional protective measures related to jury trials:

### **Recovery Planning and General Education**

1. Planning for reopening Rusk County Circuit Court began in early May. Judge Steven P. Anderson and Clerk of Court Lori Gorsegner met on an almost daily basis working on ideas and strategies to safely resume in person appearances. Judge Anderson and Clerk Gorsegner consulted with the Stakeholder Committee members. This planning culminated in a Zoom meeting on May 28, 2021, with the following justice partners:

Judge Steven P. Anderson  
Clerk of Court Lori Gorsegner  
Court Commissioner Terry Nussberger  
Sheriff Jeffery Wallace  
District Attorney Annette Barna  
County Administrator Andy Albardo  
DOC Supervisor Melissa Buesgen  
District Court Administrator Chris Channing

2. The following efforts have been undertaken to educate the general public on the importance of jury service and the specific precautions taken in the county with respect to public safety and ensuring the safety of jurors during the pandemic: Notice sent to Jurors outlining safety procedures; there will be a news release about the plan and it will be posted on the Rusk County website; no group jury orientation; Individual pads and pens for jurors to keep; using two courtrooms and the county board room by Zoom to do jury selection; using jury box and gallery during trial to social distance jurors; using large courtroom to do jury deliberations as there is a bathroom near and allows for social distancing. The jurors have an assigned seats to prevent contamination. Jurors will be taken outside by bailiffs for breaks.


### **Summoning Jurors**

1. Considerations have been made for the safety and wellbeing of jurors.
2. The Clerk of Court and judge are using liberal deferral and excusal of jurors.

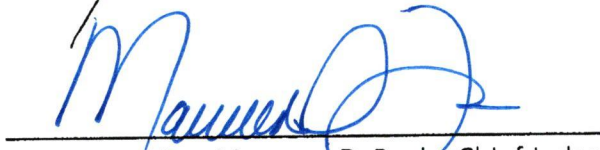
**Juror Attendance and Safe Participation**

1. Personal protective equipment will be available to the jurors, including masks, and hand sanitizer.
2. Social distancing of jurors will be enforced through the following strategies: limiting the capacity in the courtroom, marking off spaces 6 ft. apart within the courtroom and jury box, reconfiguring placement of counsel tables, court reporter, witness stand, and/or bench, using an alternate courtroom for additional capacity, installing Plexiglas shields for witness stand.
3. After the jury has been empaneled, the following efforts have been made to accommodate social distancing, but ensure that each juror has adequate sight lines to the witness stand and can hear and see all proceedings. Examples of such accommodations include: use of technology and video monitors to increase sight lines, and handling of exhibits. Documented efforts: portable document cameras (Elmos) will be used at each counsel table for all exhibits pre-marked by the attorneys, which will then be displayed on the large screen facing the jury and the litigants. Hard copy exhibits can be filed with the Clerk of Court office for electronic filing.
4. Social distancing consideration during trial breaks and deliberations include reconfiguration of the deliberation room, using an alternate room for deliberations, hand sanitizing and bathroom capacity, availability of refreshments: Rusk County will use the large courtroom which can accommodate the jurors for deliberations. We will allow the jurors to eat lunch in the gallery of the main courtroom and in the jury room where there are bathrooms. We will split the jury for breaks during the trial to accommodate social distancing.
5. The court will attempt to prioritize jury trials during the COVID 19 public health emergency and as usual will take into consideration the nature of the cases, the extent to which the cases involve liberty interests, cases with time limitations, victim's rights and input, and the length of time a case has been pending.
6. Rusk County can only accommodate one jury trial per day, so there is no need to enter order in regard to scheduling.
7. Due to capacity issues within the courtroom, the following accommodations will be given for public view of the proceedings: if members of the public cannot be accommodated due to the number of those attending, the court will use courtroom two with sound and sight to stream and also the County Board Room if necessary.

Date: 6/2/2021

  
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Hon. Steven P. Anderson, Presiding Judge

Date: 6/7/2021

  
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Hon. Maureen D. Boyle, Chief Judge