
**IN THE MATTER OF
OPERATIONAL PLAN FOR
BUFFALO COUNTY CIRCUIT COURT**

ORDER

WHEREAS, on March 22, 2020, and as amended on April 15, 2020, the Wisconsin Supreme Court suspended, until further order of the court, most in-person proceedings, subject to exceptions for certain matters, if remote technology is not practicable or adequate to protect the constitutional rights of the citizens of Wisconsin.

WHEREAS, the Wisconsin Supreme Court ordered each circuit court to submit an operational plan to the chief judge of the applicable judicial administrative district. The operational plan was to include the requirements set forth in the order, and reduce to the greatest extent possible the risk of transmission of the virus that causes COVID-19, and promote the health and safety of all those present in the courtrooms and other court-related confined spaces. Supreme Court Orders, *In Re the Matter of the Extension of Orders and Interim rule concerning Continuation of Jury Trials, Suspension of Statutory Deadlines for Non-Criminal Jury Trials, and Remote Hearings during the COVID-19 Pandemic (05/22/20)* and *In Re the matter of the Final Report of the Wisconsin Courts COVID-19 Task Force (05/22/20)*.

WHEREAS, on August 4, 2020, the Buffalo County Circuit Court submitted an operational plan to resume in-person court proceedings and jury trials pursuant to the Wisconsin Supreme Court's May 22, 2020, order. The plan verifies that the court has communicated with the appropriate stakeholders regarding the protective measures. It also requires face coverings for all individuals present in the courtroom, appropriate social distancing, sanitation/hygiene practices, and appropriate signage.

IT IS ORDERED the operational plan for the Buffalo County Circuit Court is approved for the resumption of in-person court proceedings and jury trials.

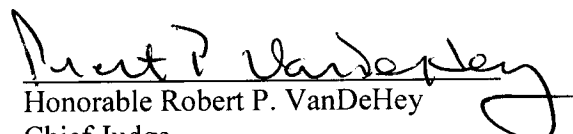
IT IS FURTHER ORDERED the Wisconsin Supreme Court's amended order *In Re the Matter of Remote Hearings During the COVID-19 Pandemic (04/15/20)*, ceases to apply to the Buffalo County Circuit Court:

IT IS FURTHER ORDERED the Wisconsin Supreme Court's amended order *In Re the Matter of Jury Trials During the COVID-19 Pandemic (03/22/20)*, ceases to apply to the Buffalo County Circuit Court:

IT IS FURTHER ORDERED the Wisconsin Supreme Court's Interim Rule 20-02 *In Re the Matter of an Interim Rule re Suspension of Deadlines for Non-Criminal Jury Trials Due to the COVID-19 Pandemic*, ceases to apply to the Buffalo County Circuit Court:

IT IS FURTHER ORDERED the provisions of this order shall be subject to modification or termination by future orders.

Dated this 5th day of August, 2020


Honorable Robert P. VanDeHey
Chief Judge
Seventh Judicial Administrative District

COVID-19 Circuit Court Operating Plan for Buffalo 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 Buffalo County will implement the following protective measures:

General

1. The county judiciary has established a stakeholder committee to discuss and consider the recommendations outlined in the Wisconsin COVID- 19 Task Force report.
2. All judges will use all reasonable efforts to conduct proceedings remotely.
3. Before calendaring in-person hearings, the stakeholder committee has addressed staffing needs and will endeavor to procure any equipment and supplies deemed necessary.
4. The stakeholder subcommittee will continue to meet regularly, maintain communication with the local health authority and administrator coordinator who serves as the county risk manager, and will adjust this operating plan as necessary with any changes in the public health conditions in the county.
5. Judges will begin setting non-essential in-person proceedings no sooner than September 8, 2020. Subject to the discretion of the court official assigned to an individual case, in person hearings may be held prior to September 8, 2020 where the court official determines an in-person hearing is necessary. The assigned court official will consult with the parties involved for input on the necessity of in court proceedings.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will continue do so, whenever possible.
2. The following procedures have been implemented to monitor the health of Judge and Court Staff: daily COVID-19 screening form.
3. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hand hygiene recommendations per Buffalo County Covid 19 Policy-see attached.
4. Attorneys and court staff will endeavor to handle forms and exhibits as minimally as possible.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building.
2. The court will return to conducting in person hearings after September 8, 2020 for non-essential proceedings, excluding court intake. This process will be subject to the

other safety measures discussed in this plan to be fully implemented. The assigned court official will endeavor to hold as many of these hearings as possible by remote technology.

3. Court intake will return to in person proceedings when the assigned court official has considered the input of the stakeholder committee and the risk to the health and safety of litigants and staff is reasonably assured through the implementation of the safety measures contained herein.

4. Defendants appearing for intake court will be summoned to court 30 minutes in advance of their session for screening and seat assignments.

5. The Public defender will be allowed the use of the small court room on intake day to be used as a conference room. Other conference rooms will be available to other attorneys on intake day on a first come first served basis. All attorneys will be expected to wipe the tables and chairs in the room they use with disinfectant wipes in between client meetings.

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. Each judge will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations.

3. Vulnerable populations who are scheduled for court will be accommodated by: Providing access via phone or Zoom; reasonable adjournments may be necessary.

Social Distancing

1. Buffalo County Circuit Court will follow the recommendations of the Buffalo County Administrative COVID-19 policy-see attached.

2. Courthouse staff will mark areas for congregating outside the courthouse with appropriate social distancing.

Gallery

1. With the assistance of stakeholders, the gallery has been marked to identify appropriate social distancing in the gallery area. Seating is limited to every other row total of 30.

2. A copy of the assigned seat diagram will be provided to court staff for intake for every 20 defendants showing names and location of seating.

Well

1. With the assistance of stakeholders, in each court room the counsel tables, witness stand, judges' bench, clerk, reporters and bailiff stations are arranged so that the 6 foot social distancing is adhered to.

Hygiene

1. Hand sanitizer dispensers will be placed at the entrance of the main courtroom, building entrance, and elevator entrance.
2. Disinfectant wipes or spray will be placed at counsel tables, at the witness stand, on the judges' benches, at the clerk's desk, and the court reporters desk.
3. Post CDC flyers outlining appropriate hygiene, social distancing, or public safety have been posted in multiple locations inside and outside the courtrooms. Notices regarding the availability of hand sanitizer and disinfecting wipes/spray in court related areas of the courthouse will be posted at the entrance of each courtroom.

Screening

1. Inmates being transported from the jail to the courtroom will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 100.4°F will not be transported to the court building.
2. Staff who are performing form and temperature screening of individuals coming for court and who will be entering the courtroom will be provided personal protective equipment, including appropriate masks, gloves and hand sanitizers.
3. Staff who are doing the screening will have a listing of court official phone numbers in order to notify the courts of individuals who have been denied entrance.
4. County will endeavor to procure additional staff to check temperatures, check in defendants and guests and distribute face masks and gloves on intake and jury trial dates. Individuals demonstrating COVID-19 symptoms will not be allowed to enter the building.

Face Coverings

1. All individuals entering the courtroom will be required to wear face coverings at all times. Notice of the requirement to wear face masks will be posted at the entrance of each courtroom.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided.
3. Individuals who will be required to be in the courtroom for a judicial proceeding will be provided a face mask and required to wear it while in the courtroom.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building. Said staff will be provided appropriate personal protective equipment

2. Court building cleaning staff will clean and disinfect the court room at the end of each day the courtroom is used. During court sessions, disinfectant wipes or spray will be made available to participants to use to clean court room tables, chairs, benches, microphones and equipment used in the court session.


3. County will endeavor to procure additional staff to assist with necessary cleaning and traffic monitoring on intake days and jury trial days.

Building Access

1. Entrances to the Court house will be designated for those appearing for court hearings. Traffic routes and elevator usage will be consistent with the general county's policy as to traffic routes and elevator usage.

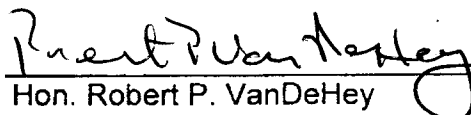
I have conferred with all judges of courts with courtrooms in the court building regarding this Operating Plan. In developing the plan, I consulted with the stakeholder committee. A list of members on the committee and the frequency in which they will continue to meet is attached to this plan. I will ensure that the judges of courts with courtrooms in the court building covered by this Operating Plan will conduct proceedings consistent with the plan.

Date: 07/08/20



Hon. Thomas W. Clark
Buffalo County Circuit Court

Date: 8/5/2020



Hon. Robert P. VanDeHey
Chief Judge Approval

Buffalo County COVID-19 Stakeholder Committee Members

Thomas W. Clark, Circuit Court Judge

Mark Franklin, Court Commissioner

Allan Morgan, Court Commissioner

Gary Schlosstein, Court Commissioner

Patrick Brummond, District Court Administrator

April Loeffler, Buffalo County Public Health Nurse

Sonya Hansen, Buffalo County Administrator

Thomas Bilski, Buffalo County District Attorney/Corporation Counsel

Ashley Henthorn, Court Reporter

Renee Pronschinske, Register in Probate, Juvenile Clerk & Judicial Assistant

Roselle Schlosser, Clerk of Court

Bruce Fuerbringer, Buffalo County Emergency Management

Michael Schmidtknecht, Buffalo County Sheriff

Mike Felton, DOC Supervisor

Randy Kees, Public Defender

Joe Randtke, Attorney

Marv Rieck, Building and Grounds Supervisor

BUFFALO COUNTY EMPLOYEES RETURN TO WORK PLAN / GUIDELINES
Version I: May 18, 2020

Basic Facts About Coronavirus:

COVID-19 is a respiratory illness caused by a virus. Symptoms often include a cough or shortness of breath and may also include fever, chills, muscle pain, headache, sore throat, diarrhea, vomiting, fatigue and a new loss of taste or smell or as additional symptoms are identified and updated from the CDC. The virus is spread mainly from person-to-person:

Between people who are in close contact with one another (within about six feet)

Through droplets produced when an infected person coughs, sneezes, or talks

The virus may be spread by people who are not showing symptoms. It may be possible for a person to get COVID-19 by touching a surface or object that has the virus on it and then touching their face. Older adults and those with serious underlying medical conditions may be at higher risk for more serious complications.

Effective May 26, 2020, employees are to return to work at the courthouse unless they have received prior approval from the Department Manager/Elected Official for alternative work arrangements. Employees who have had previously reassigned work outside the scope of their department should return to their normal duties unless approval obtained from Home Committee.

Employee Health and Hygiene:

- Employees are encouraged to self-monitor daily for signs and symptoms of COVID-19 prior to reporting to work using the tool provided to them by their direct supervisor.
 - Self and monitoring tool: <https://www.dhs.wisconsin.gov/publications/p02598a.pdf>
- Employees shall talk with their supervisors if they have any concerns about this return to work guidelines.
- Employees must report contact with any person who tests positive or who have symptoms for COVID-19 to their supervisor and their local health officer.
- Employees are strongly advised to wear masks outside of their office and in common areas of courthouse if others are present.
- Employees scheduling appointments should inform visitors that masks are required and encourage them to bring their own.
- Employees shall wash their hands frequently and effectively (at least 20 seconds) with soap and water throughout the day. Some workstations may have hand-sanitizer dispensers that can be used for hand hygiene in place of soap and water, if hands are not visibly soiled.
- Employees shall cover their mouth and nose with their sleeve or a tissue when coughing or sneezing and to avoid touching their face, their mouth, nose and eyes, with their hands. They should dispose of tissues in the trash and wash or sanitize their hands immediately afterward.
- Employees should avoid touching others including handshakes, hugs or other close contact.
- Department Managers/Elected Officials shall post signage to promote worker hygiene. Signage may be found in the P Drive/Department Manager/COVID-19/Signs.

- Employees are discouraged from using other workers' phones, desks, offices or other work tools and equipment, when possible. Department Managers/Elected Officials are responsible to make sure that shared workspaces allow for social distancing (6 feet) between employees.
- Employees working from shared phones, desks, offices and other work tools and equipment shall sanitize shared workplace items before and after each use.
- Employees accepting cash and papers should avoid touching their face afterwards. Any cash exchanged should be placed on the counter (not in hand), including when providing change back to visitor. Clean the counter after each visitor.

Department Managers/Elected Officials may send employees home who report to work that display symptoms to prevent the spread of COVID-19 to others.

If your staff members report exposure to COVID-19, please reach out to Buffalo County Administration, as soon as you (or they are) able to.

Administration will discuss with Department Manager / Elected Official (and the applicable employee):

- 1) The appropriate Family First Coronavirus Relief Act (FFCRA) form to complete, and
- 2) The expectations for returning to work, which follows the State of WI Dept. of Health Services (DHS) isolation timeframe – regardless if they have been tested for COVID-19. Isolation Release: <https://www.dhs.wisconsin.gov/publications/p02632.pdf>

A. Employees with COVID-19 symptoms:

- a. Employee should stay home, call their supervisor, and call their primary health care provider.
 - i. Mayo Clinic
 1. Eau Claire: 715-838-5222
 2. La Crosse: 608-785-0940
 3. Mondovi: 715-926-4858
 - ii. Winona Health
 1. General line: 507-454-3650
 2. COVID-19 Nurse Line: 507-457-7619
 - iii. Gundersen
 1. General line: 608-782-7300
 2. After hours: 608-775-4454 or 800-858-1050
- b. Employee should get tested*.
 - i. If test is negative, employee may return to work once symptoms have resolved for 24 hours.**
 - ii. If test is positive, the employee's local health department will work with them to determine when they may resume working.
 - iii. *Antibody tests do not rule out illness. Consult with public health if questions or concerns arise.
 - iv. **If you have an exposure, please see guidance below in section C.

c. If employee chooses not to get tested, there is no way to know if their symptoms are because of COVID-19 or something else. Therefore, public health will work with them to determine if we suspect them to have COVID-19. Generally, we will recommend:

- i. Self-isolating at their home until symptoms have resolved for 72 hours and 10 days after symptom onset (whichever is later).
- ii. Working from home if they can.

B. Directions for employees with symptoms that aren't typical for COVID-19:

- a. Employee should not come to work, call their supervisor, and call their primary health care provider if needed. Consult with public health if there are questions or concerns about whether symptoms could be related to COVID-19.
- b. Employee may resume working once their symptoms have resolved for 24 hours.
 - i. This is a general practice that all employees should practice, and it is not specific to COVID-19.

C. Directions for employees with a travel or contact exposure:

- a. Employees should report their exposure to their supervisor and local health department.
- b. The local health department for the employee will work with them to determine when they may resume working.
 - i. Generally, recommendations include:
 - 1. Self-quarantine for 14 days following exposure.
 - 2. In some circumstances, employees may work if they remain asymptomatic and have the ability to wear a mask at all times.
 - 3. If an employee develops symptoms during this time and they resolve before their quarantine period is over, they still need to self-quarantine for the full 14 days since their exposure.
- c. Consult with Buffalo County Public Health if there are questions or concerns.

REFERENCES:

- A. COVID 19: Businesses, Employers, and Workers
- B. COVID-19 Health Alert #2
- C. FAQs for Law Enforcement Agencies and Personnel
- D. COVID-19: Symptoms of Illness
- E. What is the difference between isolation and quarantine?
- F. Isolation Guidance

Building Access and Safeguards:

- Access to the courthouse will be limited to the Sheriff's Department entrance door. Exceptions will be approved on a case-by-case basis by the County Administrative Coordinator.
- Signage will be posted at the entrance to remind people experiencing COVID-19 symptoms should not enter the building and call for services. A list of contact numbers will be posted at the entrance.
- Appointments for services are encouraged. Services may be available to the public via other means than physically coming to the courthouse. The county website will encourage the public to call for services prior to arrival.
- Signage will instruct visitors to maintain social distancing for the duration of their visit.
- All office counter windows will have a physical barrier in place.
- Masks will be required by visitors who meet with employees in their offices or workspace. Employees shall also wear masks when meeting with visitors. Masks will be available for sale at the County's cost to the public. Mask will be provided for employees.
- Employees will immediately clean their workspace after the conclusion of the meeting. Supplies will be available in each department.
- Employees are encouraged to utilize curbside services as much as possible. Employees shall wear a mask when delivering services in this manner and shall sanitize any shared resources and wash their hands after delivery of services.
- Employees are encouraged to direct visitors to use the drop box in the Sheriff's Department entrance whenever possible.
- Employees will be trained in using cleaners and disinfectants by Buildings and Grounds Manager or Janitor.
- Visitors will be advised to use the hand sanitizer before and after any meetings. Signs will be displayed to inform the public of this safe practice. Employees should either wash their hands or use hand sanitizer before and after any meetings.
- Elevator shall be limited to two (2) persons unless parties are from the same household. Signage will be posted outside the elevator to encourage compliance.
- No loitering signs will be placed throughout the courthouse.
- Department Managers/Elected Officials shall remove items from visitor contact that cannot be sanitized.
- Department Managers/Elected Officials shall sanitize pens between usages or develop a method to sanitize pens at the end of each workday.
- The Second-Floor restroom will be designated as the Public Restroom and will be cleaned and sanitized under a schedule by the Buildings and Grounds Manager. Signage will be posted in the building and on the restroom doors informing the public of access.
- The First, Third and Fourth Floor restrooms will be designated for employee use only and will be cleaned and sanitized under a schedule by the Buildings and Grounds Manager. Signs will be displayed on the restroom doors.
- Department Managers/Elected Officials will encourage staggered breaks and lunch schedules to minimize occupancy; or limit and monitor occupancy based on the size and layout of the room in order to maintain appropriate social distancing measures.

- Employees are encouraged to prop open doors to reduce touching of handles whenever possible.

Building Cleaning:

- Each Department shall develop protocol for cleaning, sanitizing and wiping down high-touch surfaces between visitors and department employees.
- Employees are responsible for cleaning their own tablets, touchscreens and keyboard or other high touch surfaces in their workspace.
- Employees will be provided with disinfectant wipes, cleaner, or sprays that are effective against the virus and will receive training from the Buildings and Grounds department.
- If an employee was present at the job site during their infectious period (within 48 hours) of suspected or confirmed to have COVID-19 infection, the Buildings and Grounds staff will follow the CDC's cleaning and disinfecting guidelines.
- Buildings and Grounds will clean high-touch surfaces in public areas of the courthouse at a minimum of two (2) times per day.
- Buildings and Grounds will work closely with Department Managers/Elected Officials to provide additional cleaning measures on a case-by-case basis.

Business Travel:

- Business travel will be considered on a case-by-case basis and must be approved by the Department Manager/Elected Official. Travel outside the State of Wisconsin for business shall be highly discouraged and must be approved by Home Committee.
- Employees are to self-monitor for symptoms of COVID-19 before travel and cancel if they become sick. Employees shall refer to protocol on pages 2-3.

Social Distancing:

- All departments are encouraged to develop and implement policies to maintain social distancing to reduce the risk of infection. Physical space should always be increased between employees and visitors to maintain at least a six-foot distance.
- Employees are encouraged to use e-mail, text, call or use virtual methods to communicate with co-workers rather than meeting with them in person.
- Markings will be placed throughout the courthouse to identify areas for social distancing.
- Marking will be placed throughout corridors with directional tape where appropriate to encourage one-way traffic flow and minimize interactions.
- Benches located within the courthouse will be moved to improve social distancing practices.
- Breakrooms should limit occupancy to maintain social distancing.
- Signage will be placed throughout the courthouse building to encourage compliance with social distancing.

Wellness Workout Facility:

Access will be limited to two (2) employees at a time. A schedule will be posted in the outlook calendar for employees to sign up to use the facility on a first come, first served basis. A sign will be placed on the door indicating when the facility is in use. No guests will be allowed until further notice.

Employees must sign in and sign out to assist if contact tracing becomes necessary.

Employees will wipe down all equipment they use after each use, dispose of the wipes appropriately and will place the placard on the equipment with their initials and date that the equipment was cleaned.

Employees should wash their hands before and after leaving the facility.

Signage will be displayed to remind employees of safe practices, such as hand hygiene and cough/sneeze etiquette.

County Vehicles:

- Employees shall wipe down keys, steering wheel, doorknobs, shifting lever and other high touch areas after use and complete placard card showing date and initial that vehicle has been cleaned. Sanitary wipes will be placed in county-owned vehicles.
- Occupancy is limited to two (2) people per vehicle.

Committee and Board Meetings and Conference Rooms:

- Conference rooms will not be available for public meetings until further direction from the Executive Committee or County Administrative Coordinator.
- Conference rooms will be limited to occupancy and set up for social distancing of six (6) feet between attendees.
- Meetings will be held in person only when social distancing practices can be implemented. Meetings may be held virtually if public participation is made available thru virtual means and prior approval is granted by the County Board Chair. Meeting rooms will be set up to accommodate social distancing or an alternative meeting place in an open, well ventilated space will be secured.
- Buildings and Grounds staff will clean meeting and conference rooms that are not located in any departments. Department Managers will coordinate with Buildings and Ground staff to develop any department conference rooms cleaning schedules.

Vendor Deliveries:

- Vendors will be requested to call the Administrative Office to accept deliveries for courthouse offices. Administration staff will place delivery in the first-floor mail room and notify department of delivery by telephone.
- Vendors will be requested to call other offices and arrange for delivery. State and Federal offices are encouraged to limit vendor access.
- Signage will be posted to provide directions for vendors to follow.

Adoption and Modifications:

This guideline shall become effective May 26, 2020 at 8:00 a.m. and may be modified or terminated as recommended by the Human Resource Committee and approved by the County Board of Supervisors.

COVID-19 Buffalo County Circuit Court Operating Plan Addendum: Jury Trial Plan

As an addendum to the Operating Plan filed with the Chief Judge of the Judicial District on Apr. 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 **Buffalo County** will implement the following additional protective measures related to jury trials:

Recovery Planning and General Education

1. A recovery planning, jury committee including the following stakeholders, has been established: see attached.
2. The attached letter describes efforts that 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

Summoning Jurors

1. Considerations have been made for the safety and wellbeing of jurors. The attached letter was developed and will be sent with the juror summons to each juror. There will be no group orientation for jurors but they will be advised of the link to a site which can provide them with more information concerning jury service, see attached letter.
2. The attached letter discusses the policy which has been developed regarding deferral and excusal of jurors due to the pandemic. This information has been clearly outlined so court staff and jurors are aware of these policies for consistent application.
3. When jurors arrive at the courthouse they will be directed to a specific courthouse entrance.
4. When jurors and other individuals attempt to enter the court building, a staff person will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the court building. If required to appear in court, the appropriate court office will be immediately notified.
5. When jurors and other individuals attempt to enter the court building, a staff person who will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building. That person will be deferred from jury duty.

Juror Attendance and Safe Participation

1. The following personal protective equipment will be available to the jurors, including masks, face guards, gloves and individual hand sanitizer in courtrooms and jury deliberation rooms. Masks will be required of jurors but use of face shields and gloves will be optional.
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, and installing Plexiglas shields between participants.
3. The following strategies will be used to reduce the number of people required to report for jury selection: Utilize preselection questionnaires, conduct voir dire in sessions based on the capacity of the court room that will allow appropriate social distancing, conduct voir dire virtually in full or in part, utilize in-person and virtual voir dire simultaneously, broadcast jury selection and limit or eliminate spectators in the courtroom, utilize 6-person juries upon stipulation, and give priority to "strikes for cause" based on juror health and safety concerns. The clerk will determine the first 20 jurors to be called and they will be seated in a designated seat in the courtroom. Up to 30 more jurors will be seated elsewhere in the courthouse where they will be able to hear the voir dire questions via zoom technology. Bailiffs will be stationed in the courtroom and elsewhere in the courthouse for this purpose.
4. The trial jurors will be seated so as to be at least 6 feet apart. They will be seated in the gallery or in the jury box depending on the size of the trial jury. All jurors will be positioned to enable each juror to have an adequate view of the witness, large screen, and to adequately hear each witness.
5. Notices will be posted regarding hygiene, hand sanitizing and distancing practices.
6. Social distancing consideration during trial breaks and deliberations include reconfiguration of the deliberation room and or using an alternate room for deliberations and ensuring appropriate bathroom capacity to be monitored by the bailiffs.
7. Bottled water and individually packed lunches will be provided to each selected juror.
8. Due to capacity issues within the courtroom, the following accommodations will be given for public view of the proceedings. Members of the public will be given access to the alternate court room where trial proceedings will be broadcast using speaker phone technology.

Other

I have conferred with all judges of courts with courtrooms in the court building regarding this Operating Plan. In developing the plan, I consulted with the stakeholder committee. A list of members on the committee and the frequency in which they will continue to meet is attached to this plan. I will ensure that the judges of courts with courtrooms in the court building covered by this Operating Plan will conduct proceedings consistent with the plan.

The Judge will begin setting jury trials no sooner than September 8, 2020.

Date: 08/04/20

Thomas W. Clark
Hon. Thomas W. Clark
Buffalo County Circuit Court

Date: 8/5/2020

Robert P. VanDeHey
Hon. Robert P. VanDeHey
Chief Judge Approval

Buffalo County COVID-19 Stakeholder Committee Members

Thomas W. Clark, Circuit Court Judge
Mark Franklin, Court Commissioner
Allan Morgan, Court Commissioner
Gary Schlosstein, Court Commissioner
Patrick Brummond, District Court Administrator
April Loeffler, Buffalo County Public Health Nurse
Sonya Hansen, Buffalo County Administrator
Thomas Bilski, Buffalo County District Attorney/Corporation Counsel
Ashley Henthorn, Court Reporter
Renee Pronschinske, Register in Probate, Juvenile Clerk & Judicial Assistant
Roselle Schlosser, Clerk of Court
Bruce Fuerbringer, Buffalo County Emergency Management
Michael Schmidtknecht, Buffalo County Sheriff
Mike Felton, DOC Supervisor
Randy Kees, Public Defender
Joe Randtke, Attorney
Marv Rieck, Building and Grounds Supervisor



**CHAMBERS OF THE CIRCUIT JUDGE
BUFFALO AND PEPIN COUNTIES**

Buffalo County Courthouse, PO Box 68, Alma, WI 54610

Pepin County Courthouse, PO Box 39, Durand, WI 54736

608-685-6202 (phone)

608-685-6211 (fax)

715-672-8859 (phone)

715-672-8521 (fax)

July 29, 2020

To all prospective Jurors

Re: Your Upcoming Jury Service

The right to a trial by jury of one's peers is a sacred constitutional right. To be judged by those peers is a cornerstone of our democracy. Along with the right to a trial by jury comes the responsibility of stepping up and serving on a jury when your fellow citizens need your service. It is an opportunity to participate in what our forefathers envisioned to protect our citizens and what veterans have fought for and sacrificed for through the generations who followed them.

We are facing a unique challenge to the requirements of protecting the right to a trial by jury. The current pandemic requires us to pull back and socially distance ourselves in order to try to slow the spread of the disease. However, we still owe those accused and those with civil claims the chance to protect their rights in Court.

In the near future, we will begin the process of randomly selecting jury panels for Buffalo and Pepin County. Citizens will be randomly chosen to serve on juries that will be held in Alma and Durand. The specifics of jury selection are found in Wisconsin Statute Chapter 756. Generally, all citizens, 18 and older, except convicted felons who have not had their rights restored, are eligible to be jurors. Wisconsin statute 756.03 allows for jurors to be excused or their service to be deferred. The difference is that if excused, that jury service would not have to be made up but if deferred that jury service would be exchanged for a trial at a later date. Those who have medical conditions that would be subjected to unreasonable risk of harm by juror service will be either deferred or excused depending on the severity of the case.

The Circuit Courts of this state generally, and Buffalo and Pepin County Circuit Court specifically, are committed to providing safe and secure environments to prospective jurors, litigants, attorneys and staff. We will have available all necessary personal protective equipment including masks, hand sanitizers, antiseptic wipes and if necessary, face shields for your protection. Social distancing practices will be enforced in the Circuit Court and the courthouse. Jurors, litigants, attorneys and staff will be screened for COVID type symptoms.

To close, we wish to make your juror experience a safe and pleasant experience for those summoned for jury duty. Please contact the Pepin County Clerk of Court at 715 672 8861 if a Pepin County resident and Buffalo County Clerk of Court at 608 685 6212 if a Buffalo County resident regarding juror service.

We hope you are having an enjoyable summer. Please be safe.

Regards,

Tom Clark
Buffalo and Pepin County Circuit Court Judge

ROSELLE M. SCHLOSSER

Roselle.Schlosser@wicourts.gov

BUFFALO COUNTY CLERK OF COURT

P.O. BOX 68; ALMA WI 54610

Phone: 608-685-6212 FAX 608-685-6211

Julie Vollmer, Sherry Settles, and Denise Sylvester

Deputy Clerk of Courts

Date: _____

Dear Prospective Juror:

Attached is a summons directing you to appear for Jury Service at 8:00 a.m. on _____.

Please review the following screening questions and if in the last seven days or subsequent days, have experienced any of these symptoms, please contact the Clerk of Court.

1. Do you have a new onset of cough, shortness of breath, difficulty breathing, fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, nausea, vomiting, diarrhea, loss of taste or smell?
2. In the last 14 days have you had contact with a person diagnosed with coronavirus (COVID-19) or suspected of being infected including individuals who are under isolation or quarantine directives?
3. Have any recent changes in your activities increased your risk of exposure to coronavirus (COVID-19)?

Increased risk of exposure of a YES answer would be defined if you have done any of the following:

-had close contact with those outside of your household (less than 6 feet) where evidence of disinfecting or safeguards such as wearing mask, hand washing, cleaning had not occurred.

-had attended any events or congregated in groups of more than 10 people where persons were not known and you were not able to determine if persons had symptoms.

If you answered yes to any of these questions, please contact the Clerk of Court at 608-685-6212.

Please review the specific procedures and precautions being undertaken to ensure the health and safety of the jury, parties, lawyers, and court personnel during jury selection and the jury trial to follow.

1. Upon arrival you will be directed to a court entrance where each prospective juror will be signed in and screened. This screening will consist of screening questions and having your temperature taken using a hand-held thermometer. If your temperature exceeds 100.4 degrees F, you will not be admitted to the courthouse and will be excused from jury service.
2. You will be required to wear a face mask. One will be provided to you if you do not have one.
3. You will be given directions to the County Board Room on third floor. If you need a hearing assistance device, please advise staff. Once the final jury panel is chosen to serve on the case, those that are not chosen will be excused and free to leave.
4. Please do not bring personal items such as food, drink, or books with you to the courthouse. You may bring a phone to make calls as necessary if chosen to serve on the case.
5. Bottled water and individually packaged lunches will be provided to the selected jurors as you will not be able to leave the courthouse until the end of the day.
6. Hand sanitizers will be available at multiple locations. Courtrooms, jury rooms, the elevator and bathrooms will be cleaned and sanitized twice each day. Social distancing practices will be observed in all locations.

The court will grant all written requests for deferral of jury service by individuals who are over age 65 and individuals with serious underlying health conditions. The court will take into consideration the requests of other individuals who do not fall into the definition of vulnerable population, but express health concerns regarding jury service at this time.

You are encouraged to visit the Wisconsin Court System web page (www.wicourts.gov) and click on "services", "for jurors". There is a jury handbook and orientation video for your information.

It is VITAL that you appear and present yourself for jury duty. The right to trial by jury is one of the cornerstones of our democracy, and jury trials necessarily involve sacrifice from those citizens called upon to serve. This has always been true, but it is especially true during these unique and difficult times. Measures have been taken to ensure the health and safety of all participants while balancing these constitutional rights.

Please contact the Clerk of Court with questions or concerns you may have.

Thank you.

Sincerely,

Roselle M. Schlosser, Clerk of Circuit Court