

**DIRECTIVES FOR IMPLEMENTATION OF COURT ORDER FOR
CRIMINAL CASES AND JUVENILE CASES**

1. The following rules are meant to provide further direction in implementing the Court Order signed March 17, 2020. These rules apply unless exigent or emergency circumstances exist on a case by case basis to be determined by the Court. These directives will be in effect through May 15, 2020
2. No civil or criminal Jury Trials will be held through May 15, 2020 or until further Order of the Court.
3. All Plea Hearings are adjourned, through May 15, 2020, or until further Order of the Court, including in-custody defendants. This is in recognition that Probation and Parole is currently operating at limited capacity.
 - a. In-Custody Plea and Sentencing Hearings determined by the Court to be urgent and necessary may be scheduled via videoconference if all parties agree and waive any Statutory or Constitutional requirements pertaining to In-Court appearances. The Parties shall then contact the Judicial Assistant to schedule these hearings.
4. All Preliminary Hearings, with the exception of 10-day Time-limit Preserved Preliminary Hearings, are adjourned through May 15, 2020, or until further order of the Court. The Court will determine if time limits should be tolled and only in the absence of a voluntary waiver. Time limits may be tolled for good cause due to the Covid-19 pandemic.
 - a. At in-custody Initial Appearances, if a Preliminary Hearing were to be set on the 20-day Preliminary Hearing stack date, the Intake Judge or Commissioner will make a finding on the record that time-limits, although preserved, are tolled for good cause due to the Coronavirus pandemic. Time-limits will be tolled for 60 days.
5. Beginning on March 23, 2020, all Initial custodial Appearances will be conducted via video conferencing through May 15, 2020, or until further Order of the Court.
6. Only in-custody Initial Appearances and cases involving charges of Domestic Abuse and criminal Operating While Under the Influence are being conducted as scheduled through May 15, 2020 or until further Order of the Court.
 - a. All Initial Appearances involving bonded-out defendants are being rescheduled by the Marathon County Clerk of Courts.
 - b. All Initial Appearances involving summonsed-in or ordered-in defendants are being rescheduled by the Marathon County District Attorney's Office.

7. All Civil Traffic and OWI 1st Initial Appearances are hereby adjourned, or until further Order of the Court. Defendants are being informed of their new Initial Appearance dates by Law Enforcement Agencies and the District Attorney's Office.
8. Bond Forfeiture Hearings are hereby cancelled through May 15, 2020, or until further Order of the Court.
9. Through May 15, 2020, or until further Order of the Court, all defendants, whether represented or unrepresented wishing to make a voluntary appearance to quash a warrant should either contact their attorney and have them contact the Judicial Assistant for the responsible Court or contact the Judicial Assistant themselves. The Judicial Assistant will then contact the District Attorney's Office to see if there is an objection to reinstatement of bond. If no objection, the District Attorney will file a motion to quash for the Court's signature, and bond will be reinstated with the same prior terms and conditions. If there is an objection to quashing warrant and reinstating the previous bond, the Judicial Assistant shall set a court date for a hearing to be held via electronic communication with the intake Judge.
 - a. Defense Attorneys may act on behalf of their client in communicating with the Court and Judicial Assistant regarding appearances to quash any warrants.
10. All Writs of Habeas Corpus are cancelled through May 15, 2020 or until further Order of the Court
11. All Pre-trial Conferences and Status Conferences will be conducted via electronic communications between the parties through May 15, 2020 or until further Order of the Court. The Parties will communicate with the Court via electronic communication regarding setting future dates.
 - a. All Pre-trials involving pro se defendants are adjourned through May 15, 2020, or until further Order of the Court.
12. All non-evidentiary hearings, including Bond Modifications, Final Pre-trials, and Oral Rulings will be conducted via videoconferencing through May 15, 2020, or until further Order of the Court.
13. All evidentiary hearings are hereby adjourned through May 15, 2020 or until further Order of the Court.
14. Sentencing After Revocation hearings may be held subject to approval of the Court. This order is in effect through May 15, 2020 or until further Order of the Court.
15. Any Juvenile Petition filed with the Court will include an Order to toll Time-Limits for Cause except if the Juvenile is being held in Shelter or Secure Detention until May 15, 2020, or until further Order of the Court. The Court will determine if time limits should be tolled and only in the absence of a voluntary waiver. Time limits may be tolled for good cause due to the Covid-19 pandemic.

16. When arranging for telephonic or other electronic communications involving multiple parties, it is the responsibility of the petitioner, prosecutor or plaintiff to initiate the conference call to the Court.

Dated this 19th day of March, 2020

Michael K. Moran, Acting Presiding Judge
Marathon County Circuit Court