
**IN THE MATTER OF
PHASED OPERATIONAL PLAN FOR
JUNEAU 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 July 6, 2020, the Juneau County Circuit Court submitted a phased operational plan to resume in-person court proceedings and on October 1, 2020, a notice of Phase Three transition to resume 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 phased operational plan for the Juneau County Circuit Court is approved for the resumption of in-person court proceedings and jury trials pursuant to the phases.

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 Juneau 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 Juneau 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 Juneau 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 October, 2020


Honorable Robert P. VanDeHey
Chief Judge
Seventh Judicial Administrative District

OPERATIONAL PLAN FOR RESUMPTION OF IN-PERSON HEARINGS JUNEAU COUNTY

The purpose of this document is to establish guidance to all court stakeholders as they work together to re-open facilities, return to in-person hearings, and begin to normalize operations, while simultaneously taking significant steps to protect the health of the public, litigants, attorneys, and individuals who work in the courts.

Meetings were held concerning the development of this plan. Attendance at those meetings included: Ken Hamm, District Attorney; Jen Cunha, Public Defender; Mark Gumz, Local Attorney Manager for the Public Defender's Office; Michele Mehne, Victim Witness Coordinator; Teresa Miller, Acting Clerk of Court; Tieg Hoag, Jail Lieutenant; Colleen Beier, Jail Captain; Andy Zobal, Undersheriff; Maggie Delain, Assistant District Attorney; Angela Kujak, Court Commissioner; Terry Reynolds, Probate/Juvenile Clerk; Josh Andreasen, Assistant District Attorney; Gary Purvis, Head Bailiff; Amanda Dederich, Juneau County Public Health Officer; Al Manna, Maintenance Supervisor; Lori Lowe, Judicial Assistant to Judge Smith; Chris Woggon, Judicial Assistant to Judge Curran; Judge Smith; and, Judge Curran.

At the meetings, the recommendations of the Chief Justices Wisconsin Courts COVID-19 Task Force were discussed and were used as a basis for the development of this plan. Two drafts of this plan were circulated for comments and suggestions.

Effective Date

The plan called for in this document shall have a beginning date of 7 business days after the approval of this plan.

Signage

Signage will be posted around the Justice Center and at the entrance to each courtroom to remind individuals to maintain proper social distancing, avoid the touching of surfaces, wearing a protective mask and to sit in pre-marked seating areas to maintain social distancing, and practices for appropriate hand sanitation/hygiene. Hand sanitizers will be available at the entrance to the building, the Clerk of Court's Office, the Court Security checkpoint, outside of the courtrooms, and at counsel tables inside the courtrooms.

Floor and Seat Markings

The public seating areas in all courtrooms and in the hallway outside the courtrooms will be marked off so that proper social distancing of 6 feet of separation can be maintained.

Health Screening

1. People entering the Justice Center shall be asked simple questions regarding symptoms and prior contact with exposed individuals and a no-touch infrared thermometer to assess for fever shall be utilized. People with a body temperature of above 100.4 shall not be allowed into the building.
2. All court staff and court officials will wear face masks. Parties, attorneys, and jurors will wear face masks or will be provided a face mask if they do not have one. An exception may be granted for witnesses during testimony if the court official determines that removal of the face mask is necessary to determine credibility and individuals with specific respiratory or other health conditions that prevent the individual from wearing a mask. In the event of shortages, face coverings shall be prioritized for those who are required to be in court, victims, and their family members. Spectators may be turned away and not allowed to return until they have secured face coverings if there is a shortage of face masks, or if the courtroom is filled to a point where further attendance would violate social distancing norms of 6 feet of separation.
3. Free-standing hand sanitizing dispensers shall be located in the Justice Center for use by the public.
4. Cleaning agents shall be present at counsel table for purposes of disinfecting in between hearings.
5. Subject to the discretion of the court official based on noise in the public hallway, the doors to the courtrooms shall be propped open so that people entering the courtrooms do not have to touch door handles.
6. Justice Center cleaning staff will deep clean each courtroom, jury room, before and when in use, conference room, and waiting areas and related facilities including restrooms, stairwells and elevators, at least daily.

Phase One – Resumption of Limited In-person Proceedings

Before Phase One can commence, Juneau County must obtain a reasonable stock and a reasonably reliable source for the items mentioned above. In-person proceedings shall be defined as follows:

- a. Remote hearings will continue to be used for hearings of a routine nature at the Court's discretion
- b. Essential and mandatory proceedings
- c. All criminal matters, except jury trials
- d. Mental commitments and guardianship hearings with time limits
- e. Juvenile proceedings and juvenile delinquency, juvenile guardianships, children in need of protection or services, and termination of parental rights
- f. Civil matters, restraining order proceedings under Chapter 813, family temporary order hearings; enforcement of physical placement orders; relocation motions; stipulated final divorce hearings, and time-sensitive small claims proceedings; court trials; evidentiary hearings; contempt hearings

Phase Two (anticipated to commence approximately 60 days after the approval of the reopening plan, subject to the safe and successful implementation of Phase One and to then-existing public health conditions.)

Phase Two shall consist of in-person processing of all cases except jury trials.

Phase Three

In-person processing of all cases, including jury trials. It is anticipated that notices regarding specific public health precautions or liberal use of deferral and excusal policies towards jurors. Health screening of potential jurors and all other sanitation and social distancing rules set forth above shall be maintained. Prospective jurors shall be provided with a letter similar to that set forth in Appendix B to the Chief Justices Wisconsin Courts COVID-19 Task Force report dated May, 2020.