

Amending COVID-19 Circuit Court Operating Plan

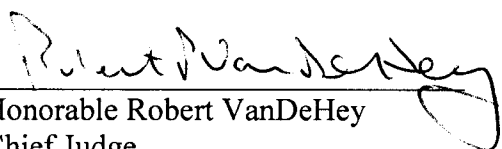
WHEREAS: On May 21, 2021, the Wisconsin Supreme Court terminated the following orders: (1) In re the Matter of Jury Trials During the COVID-19 Pandemic—Amended (S. Ct. Order issued March 22, 2020; Amended April 15, 2020); (2) In re the Matter of Filing of Court Documents in Circuit and Appellate Courts (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: The circuit court judges have determined that it is in the best interest of the circuit court operations for Juneau County to amend its existing COVID-19 Court Operational Plan, dated October 5, 2020, by adding “Phase Four” criteria.

THEREFORE: The COVID-19 Court Operational Plan for Juneau County is hereby amended.

Date: May 28, 2021


Honorable Robert VanDeHey
Chief Judge
Seventh Judicial Administrative District

**AMENDED
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.

Phase Four

1. In the event of a resurgence of the COVID-19 pandemic, the courts of Juneau County reserve the right to return to an earlier phase in this Order.
2. In the event of a continual decline in the pandemic, the courts of Juneau County may, by the consent of both judges, rescind this Order in part or whole as deemed appropriate.
3. The effective date of Phase Four of the Juneau County Operational Plan shall be June 3, 2021.
4. Justice Center cleaning staff will disinfect all counsel tables, chairs, jury box and jury room before court starts each day, and at the mid-day break before court resumes in the afternoon.
5. Social distancing shall be maintained in all courtroom proceedings, with the appropriate social distancing being three feet.
6. Health screening at the entrance or security station in the Juneau County Justice Center shall continue.
7. Parties, attorneys, and jurors upon request, will be provided a face mask if they do not have one. Individuals who are fully vaccinated are not required to wear a face mask. Individuals who are not fully vaccinated are highly recommended to wear a face mask, but are not required.