
Amending COVID-19 Circuit Court Operating Plan

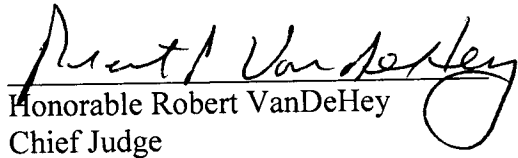
WHEREAS: On May 21, 2021, the Wisconsin Supreme Court terminated the following orders: (1) In re the Matter of Jury Trials During the COVID-19 Pandemic—Amended (S. Ct. Order issued March 22, 2020; Amended April 15, 2020); (2) In re the Matter of Filing of Court Documents in Circuit and Appellate Courts (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 Judge has determined that it is in the best interest of the circuit court operations for La Crosse County to amend its existing COVID-19 Court Operational Plan, dated March 11, 2021.

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

Date: June 2, 2021


Honorable Robert VanDeHey
Chief Judge
Seventh Judicial Administrative District

COVID-19 Circuit Court Updated Operating Plan for La Crosse 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 La Crosse County implemented the protective measures as set forth in the previous plan dated March 11, 2021. Given the latest CDC guidelines and the new protocols authorized by La Crosse County the following changes to the plan have been made effective upon approval of Chief Judge VanDeHey:

General

All judges will use all reasonable efforts to conduct proceedings remotely to control the number of persons in the courthouse but may at their discretion continue to schedule in person hearings as they determine appropriate and at the request of the parties involved.

Judge and Court Staff Health

The health of Judge and Court Staff will be controlled by the La Crosse County COVID-19 protocols and guidance posted on the county website, with the exception of special procedures for jury selections as set forth below.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrance to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms.
2. Disinfectant wipes or spray are available near the door of the courtroom, at counsel tables, at the witness stand, on the judges' benches, and in the hallways.

COVID-19 Jury Trial Plan:

EFFECTIVE DATES

- This plan will be in effect until modified or vacated by the La Crosse County Circuit Court.
- The Court reserves the right to modify these procedures and schedules consisted with advice from the Center for Disease Control and La Crosse County Health Department.

SCHEDULING

- In an effort to limit the number of Jurors and litigants in the courthouse at any given moment, the trial schedule is modified for 2021.
- Jury selections for 2021 will be scheduled with one branch picking each week. The five branches will rotate jury weeks with an annual schedule as previously posted for the public, litigants and bar. Each branch may set as many trials as they wish for their weeks.

NOTIFICATION AND DEFERMENT OF JURORS

- At the time of the summons, the court will send a letter notifying jurors of the health and safety practices in the courthouse. The letter will contain the following language:
 - **Normally jurors are only excused for extreme hardship, but given the current pandemic, the court may grant any requests for deferral of jury service if a juror has a personal concern over his/her safety or that of someone with whom the juror comes into regular contact that might affect the juror's ability to serve. The juror should call the Clerk of Court immediately to discuss deferment.**
- Jurors requesting deferment based on the criteria set forth in the juror deferment policy may be deferred by Clerk of Court. A notation will be made of the reason for deferment and will be available for review by the parties.

JURY SELECTION

- In an effort to limit the number of persons present in the courtroom for jury selection and the duration of time persons are present, judges are encouraged to utilize a number of techniques including but not limited to:
 - Use of jury questionnaires to exclude jurors in advance.
 - Encouraging counsel in civil cases to stipulate to six-person juries and to use other alternative dispute resolution practices as may be appropriate for their particular cases.
 - Communicate fully and often with all interested parties to coordinate timing of arrival of necessary parties and potential support persons.

FACILITIES

- Branch one will continue to be the Courtroom used to facilitate jury trials in 2021. Jurors who are able may walk up the stairs and avoid the elevator except for those needing accommodation.
- Jurors will not be socially distanced in the courtroom but will be instructed to wear masks during the selection process as a precaution given the number of jurors needed for selection. They will be provided with disposable masks to be used during selection and to be discarded at the end of their selection service.

- All persons in the courtroom for selection shall also be provided with disposable masks to be worn during selection and then discard at the conclusion of the selection process.
- The Jury Assembly Room will be used for jury breaks during selection and deliberation. Both jury rooms on the 2nd floor will be used for short breaks during the trial accommodating social distancing by breaking up the number of jurors in each jury room.
- The Courthouse and Law Enforcement Center has been equipped with an air filtration system using CARES grant funds.

I will ensure that all judges using La Crosse County courtrooms will conduct proceedings consistent with the plan.

Date: June 2, 2021

Presiding Judge Ramona A. Gonzalez