
**IN THE MATTER OF
OPERATIONAL PLAN FOR
PEPIN 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 14, 2020, the Pepin 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 Pepin County Circuit Court is approved for the resumption of in-person court proceedings and jury trials.

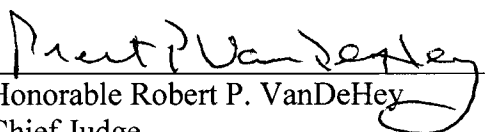
IT IS FURTHER ORDERED the Wisconsin Supreme Court's amended order *In Re the Matter of Remote Hearings During the COVID-19 Pandemic (04/15/20)*, ceases to apply to the Pepin County Circuit Court:

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 Pepin 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 Pepin County Circuit Court:

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

Dated this 18th day of August, 2020


Honorable Robert P. VanDeHey
Chief Judge
Seventh Judicial Administrative District

COVID-19 Circuit Court Operating Plan for Pepin 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 Pepin 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 has procured any equipment and supplies deemed necessary.
4. The stakeholder subcommittee will continue to meet regularly, maintain communication with the local health authority and administrative 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.
6. These directives may be amended as circumstances require. Any ADA or other issues with complying with these guidelines should be brought to the attention of the Pepin County Circuit Court so appropriate accommodations can be made.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will continue do so according to the general county's policy.
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 wear face coverings, practice social distancing, and practice appropriate hand hygiene recommendations when litigants, attorneys, victims, law enforcement or any other person or member of the public are present. If in a common area and if social distancing can be accomplished, masks are not needed.

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 7, 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.

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. Pepin County Circuit Court will follow the recommendations of the Draft Pepin County Administrative COVID-19 policy which is attached.

Gallery

2. 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. A distance of at least six feet shall be maintained between all individuals in the courtroom, except individuals residing in the same household may sit together and individuals that volunteer to be "a unit" may sit together.

Well

3. 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.

The court recognizes that attorney client confidentiality and trial strategy may be hindered in the court if strict compliance to social distancing is required at all times. The court will make exceptions to allow attorneys and clients to deviate from social distance protocols to consult with each other in the courtroom when necessary.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrance of each courtroom, building entrances, two throughout each hallway on each floor and elevator entrances.

2. Disinfectant wipes or spray have been placed at counsel tables, at the witness stand, on the judges' benches, at the clerk's desk, and court reporters desk and in the hallway.

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 99.6°F will not be transported to the court building.

2. Staff who are screening individuals entering the courtroom will be provided appropriate personal protective equipment, including masks, gloves and hand sanitizer.

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.

Face Coverings

1. Notice of the requirement to wear face masks will be posted at the entrance of each courtroom.

2. All individuals entering the courtroom will be required to wear face coverings at all times. In the event the court finds that face masks or face coverings for a witness will interfere with the fact finders ability to judge credibility or believability of the witness the court will make exceptions to protocol as required.

3. Individuals will be encouraged to bring a face covering with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided.

4. 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. The County will endeavor to procure additional staff as conditions require to assist with necessary cleaning and traffic monitoring on jury trial days and court days as needed.

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 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. This plan may be modified by the Court and Stakeholder's Committee should the circumstances of the COVID-19 Public Health Emergency require modifications to address changing conditions and safety issues.

Date: 07/10/20

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

Date: _____

Hon. Robert P. VanDeHey
Chief Judge Approval

Pepin County COVID-19 Stakeholder Committee Members

Thomas W. Clark, Circuit Court Judge

Mark Franklin, Court Commissioner

Allan Morgan, Court Commissioner

Patrick Brummond, District Court Administrator

S. Joseph Randtke, Pepin County Corporation Counsel (effective 07/01/2020)

Heidi Stewart, Public Health Nurse

Pamela Hansen, County Administrator

Jon D. Seifert, District Attorney

Ashley Henthorn, Court Reporter

Gina Rieck, Register in Probate, Juvenile Clerk & Judicial Assistant

Audrey Lieftring, Clerk of Court

Lea Kralewski, Deputy Clerk of Court

Maria Nelson, Pepin County Emergency Management

Joel Wener, Pepin County Sheriff

Matt Roesler, Pepin County Chief Deputy Sheriff

Susan Krisik, DOC Agent

Melissa Buesgen, DOC Supervisor

Steven Hughes, Public Defender

Roger Hillestad, Attorney



ADMINISTRATION / FINANCE OFFICE
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Finance Director and Administrative Coordinator
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Durand, Wisconsin 54736
phansen@co.pepin.wi.us
(715) 672-8704 Fax (715)-672-8677

DRAFT as of 6/18/2020

TO: Pepin County Employees
DATE: Effective August 1st, 2020

RE: Reopening the Government Center facilities and employee/customer/visitor safety

As Pepin County residents are making diligent efforts toward a safe reopening of our County with guidance from the Pepin County Public Health Officer as contained in the Health Alert issued on May 20th and updated on June 6th and June 22nd, Pepin County must also lay out steps toward a safe reopening of the Pepin County Government Center facilities which includes plans to welcome our employees and the public back into our buildings.

Since the novel coronavirus (COVID-19) was declared a public health emergency in the State of Wisconsin, our "normal" has evolved and continues to change in response to the current pandemic situation. Thus, the following actions are being taken at this time but will be updated again in the future as the current situation continues to evolve. We continue to have the goal of limiting exposure to the virus to protect against the spread of illness and keep risk low while provide services to the residents of Pepin County.

Please continue to refer to the Health Alerts and Updates issues by our Local Health Department, the Wisconsin DHS website and the CDC regarding to continue to be aware of signs and symptoms and measures to help prevent the spread of respiratory viruses.

The following directives will be in effect as of August 1st and will continue on until rescinded or modified based on the status of the current COVID-19 situation.

The Courts are continuing to do all proceedings remotely, with an in person target date to occur no earlier than September 8th. However, there may be circumstances where an in person proceeding may be required prior to that date. A separate Task Force has been formed to develop additional guidance regarding court operations and needs.

Personnel in office space that is leased to their Agency by Pepin County are expected to adhere to the applicable guidelines contained within or to more restrictive guidelines that their

Agencies may have issued. If they do not intend to comply, notice must be received by the Administrative Coordinator of their intention not to comply and reasoning for doing so.

Remember:

If you are sick, do not come to work or enter our facilities. See Employee Handbook section 3.1.8 for guidance on Leaves – Sick Leave. Common sense should be used in this determination. If you are sick and present to work, Department Heads/supervisors have the right and obligation to send an employee home.

You must fill out a daily screening questionnaire. If you do it online, you should think through the current questionnaire questions before entering any Pepin County Government facility. If you have any YES answers to the questionnaires, you must call the Pepin County Public Health Dept BEFORE entering the facility.

Please call the numbers below in the following order and leave a message if you do not get an answer. Then call the next number on the list.

HEALTH DEPARTMENT 715-672-5961 (M-F 8:30 am – 4:30 pm)

ON CALL CELL PHONE NUMBERS (M-F 5:00 am – 8:30 am & 4:30 pm – 7pm)

Jessica Schrauth, RN Work Cell: (715)279-3241
Nikki Gilles, RN Work Cell: (715)495-7631
Heidi Stewart, Health Officer/ Director Work Cell: (715)279-3242

SOCIAL DISTANCING

Departments will develop social distancing plans. Three key factors for consideration include the following: 1) Physical workspace modifications, 2) Limiting in-person interactions and physical contact, and 3) Employee scheduling and remote working.

Physical Workspace Modifications

Department Heads will determine what, if any, modifications need to be made and submit it in their department plan to Administration, to include:

- separating desks and work stations to achieve a minimum distance of 6' between each;
- do not use other employees workstations or equipment;

- consider scheduling staffing accordingly to minimize exposures;
- modifying common/conference rooms and break rooms/cafeterias to limit capacity;
- modifying high-touch surfaces, such as leaving doors open to reduce touches;
- displaying markings on floors or signs reminding customers and employees to maintain social distancing in areas where people congregate;
- installing plexiglass barricades in areas with initial points of public contact (i.e. such as at front counters).

Limiting in-person interactions and physical contact

Everyone should actively practice social distancing, including but not limited to the following:

- Social Distancing must be observed in all areas, including offices, hallways, meeting, breakrooms, etc. Signage will be placed throughout the facility to remind employees, customers and visitors;
- Continue to attempt to minimize public coming to the facility for day to day business by encouraging phone discussions or receiving documents by mail, drop box or electronically to the maximum extent possible. Continue to minimize paper transactions. Use scanning/email when possible. IF that cannot be achieved, recommend calling first before physically coming to the courthouse to schedule an appointment time and let them know of face covering recommendations and ask them to bring one if they have one;
- If public must come to the facility – suggest the minimum number of people come to the facility to handle the matter and continue to attempt to make appointments to spread out public visits and people congregating waiting to receive service and let them know of face covering recommendations and ask them to bring one if they have one;
- Face coverings - It will be requested that everyone in the facility properly wear face coverings in all public areas of the facility. If employees do not have face coverings they prefer to use, they will be provided a few cloth masks that they can rotate and wash for reuse. Customers/visitors/others will be encouraged to bring their own face coverings, but if they do not have one a face covering will be provided (handed out individually by screener, not generally available for all to take). For employees that work outdoors, social distancing must be successfully practiced. If social distancing cannot be achieved, a face covering must be worn;
- Access to the facilities will be limited to one door which will be a handicap accessible entrance;
- Screening questionnaire must be completed prior to each face to face encounter by anyone allowing someone to enter the facility. At the limited access door, a doorbell with speaker will be installed and departments will be scheduled for blocks of time to assist to monitor the door and contact appropriate department regarding person presenting for services. If a particular department has a high volume event, they should consider arranging to utilize part-time help sit at the door during high volume access times if they are not able to send staff to the door for each person that presents;

- When scheduling a visit, a screening questionnaire should be completed with the person(s) prior to scheduling an appointment and updated upon the person(s) arrival and will be maintained at the screening location or within the department;
- Screening questionnaires will be provided by the Pepin County Public Health Officer and/or Personnel Director. Any questionable screening questionnaire responses must be forwarded to the Public Health Department for review and assessment prior to the visit or meeting occurring. See above for contact numbers;
- Employees are encouraged to utilize curbside services as much as possible. A face covering is recommended to be worn when delivering services in this manner and shall sanitize any shared resources after delivery of services;
- Elevators – signage will be posted encouraging limited capacity of non-household members at 2 people with face coverings being recommended and people remaining 6’ apart;
- Use of Conference calls or video conferences – attempt to hold fewer in-person meetings and using increased conference calls or video conferences to the maximum extent it is possible and efficient to do so;
- Public meetings will continue to offer online options to maintain social distancing. County Board Supervisors, Committee members and staff will be allowed in person, but may attend remotely and be counted for quorum with full per diem through December 31st for both Committee or County Board meetings (subsequently Rules of the Board Ordinances will be in effect). Others will be allowed to the extent social distancing can be achieved as online and call in options for public meetings will continue to be offered;
- All meetings with other employees or the public should be held in conference rooms or shared office space and must be disinfected after each use by user of space;
- Shared staff with other counties should continue to limit work time at both locations using one location as their main location;
- Avoid bringing any items into the workplace that are not needed for work;
- Business Travel Restrictions - All non-essential travel for business purposes including but not limited to trainings or meetings should continue to be postponed or alternate methods utilized to achieve purpose such as conference calls or web based options. County funded travel is limited until further notice, only exceptions can be made with approval of Administrative Coordinator or Personnel Director;
- Vehicles used for essential business travel – no more than two people should be in any vehicle. Everyone within the vehicle must properly wear a face covering. Cleaning and sanitization supplies must be in available in each vehicle and procedures need to be in place for cleaning and sanitization between drivers and on a daily basis. This may include using spray and time between trips if vehicles have cloth seats and/or carpeting;
- Personal travel – employees are encouraged to limit your activities that may increase your risk of exposure to coronavirus (COVID-19). If you are able to do the following things, it is not viewed as increasing your risk for purposes of presenting to work and working within the other guidelines listed:

1. Have you been able to minimize close contact with those outside of your household – i.e. no contact closer than 6 feet or masks were worn and other safeguards in place to decrease risk by all in closer proximity than 6 ft?
2. Have you attended any events or congregated in groups of more than 25 individuals, but all were well known and/or it was known that none had any symptoms, were screened and evidence of other cleaning/disinfecting safeguards were in place?

If you have not been able to do the things listed above, you have increased the risk of exposure you are taking. As a result, Pepin County would expect you to continue to practice active self-monitoring and discuss alternate work arrangements with your supervisor for the next 14 day period. Alternate work arrangements may include the following:

- Wearing a face covering and maintain 6' social distancing in all situations other than at your immediate work area which must be at least 6' from others
- Restriction from close patient/client contact
- Off hour work schedule
- Alternate work location within the facility
- Work from home

If you cannot arrange or adhere to an alternate work arrangement, as a last resort since you chose to increase your risk you may need to take time off if your position cannot be accommodated to be completed within the measures noted above to minimize risk to others. Please discuss personal travel with your supervisor preferable in advance of the occurrence.

EMPLOYEE SCHEDULING AND REMOTE WORKING

Departments need to determine ways of returning all staff to the buildings by August 1st, but will need to ensure department staffing plans to serve the public at all times upon facility reopening.

If continued telework arrangement are desired, a new telework agreement will need to be completed and approved per the Handbook policy. Departments should consider impacts on management, communication, and staffing as certain operations are on site while other employees telework.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

The County Clerk in cooperation with the Emergency Management staff will make cloth masks and gloves available for employees. Departments should consider whether they will need any additional PPE and include it in their specific Department Plan submitted to Administration. The following practices should be observed:

- wearing of face coverings is requested in public or in common areas, such as hallways or other employees' workspaces, etc.;
- once in a common meeting area, if social distancing of 6' or more can be accommodated, face covering may be removed to facilitate meeting;
- wearing gloves for any areas/duties with increased exposure (i.e., taking/giving money to customers);
- obtaining and using additional PPE, if any, as recommended by DHS or CDC for employees in higher-risk positions;
- Installing plexiglass barricades at front counters and points of initial contacts.

CLEANING AND DISINFECTING

The County Clerk office will make cleaning supplies and hand sanitizer available to employees for their work spaces and available to customers/visitors near each entrance and in general areas. Departments should contact the County Clerk's office to coordinate orders of cleaning and sanitizing supplies. All cleaning and sanitizing of public or shared areas should be done while wearing gloves and a face covering followed by proper hand washing and special care not to touch your face.

- Maintenance staff are directed to make cleaning commonly utilized high-touch public space the highest cleaning priority and should complete it throughout the Government Center at least twice daily, once in the morning and once in the afternoon, in addition to once after hours;
- Departments should establish a twice daily sanitizing routine for your office areas;
- Individual workspace should be wiped down several times during the day;
- Employees utilizing break areas should sanitize all items touched including table, refrigerator door handle, faucet, etc.
- All items that cannot be sanitized should be removed from customer/visitor contact. For example, all brochures should be removed from public areas with possibly only one laminated copy available and instructions where to obtain a copy.

OTHER ISSUES

Dress code Policy:

- All Pepin County staff members will need to return to dress code standards per Employee Handbook section 2.1.6. and are expected to present a business casual image to clients, visitors, customers and the public or continue to adhere to any department-specific workplace attire. Jeans will only be allowed as acceptable on Fridays unless professional meetings or events would expect more professional dress on a Friday.

Time away from work:

- If you must take time away from work due to COVID-19 related issues, please contact the Personnel Director to see if any Family First Coronavirus Relief Act (FFCRA) policy provisions are applicable.
- If you are involved in an exposure issue requiring isolation or as a result of COVID-19, an employee should talk with your supervisor regarding how your workload will be handled during your time away from work. In this situation, as applicable you may use available leave time such as comp time, vacation or sick leave as available and then time without pay. One alternative may be to make a request per Employee Handbook 3.1.1 – 5. for a Temporary Work from Home Assignment if applicable for any of the time away and if it can be accommodated for your position. Forms are available from the Pepin County Personnel Director.

Fiscal Data Collection:

- As funds are available to reimburse Counties for some expenses due to the emergency declaration, all employees have been provided with a form to track their hours spent and any expenses incurred as a result of the COVID-19 pandemic emergency. Employees should make a good faith effort to log the information for data collection purposes and on a monthly basis turn the logs into the Emergency Management Director.

These directives may be amended as circumstances require and we appreciate your cooperation through this challenging situation. Any ADA or other issues with complying with these guidelines should be brought forward to the Administrative Coordinator or Personnel Director as applicable so appropriate accommodations can be made.

We will continue to closely monitor the situation including how it impacts Pepin County, Continuity of County Operations and Pepin County Employees.

If you have any concerns, please address them with your Department Head or supervising Elected Official. Thank you.

Pamela Hansen
Administrative Coordinator
Pepin County
715672-8704

Attachment: PEPIN COUNTY COVID-19 HEALTH ALERT: UPDATE 2

COVID-19 Pepin 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 _____, 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 **Pepin 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 attempt to enter the court building, a staff person will ask jurors the same questions as on the attached current Pepin County COVID-19 Visitor Screening questionnaire. 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.

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 with the maximum possible social distancing within the courtroom and jury box to a minimum of four feet between individuals and six feet wherever possible, reconfiguring placement of counsel tables, court reporter, witness stand, and/or bench, and using an alternate courtroom for additional capacity.

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 courtroom that will allow appropriate social distancing as discussed above in #2, 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 12 jurors to be called and they will be seated in a designated seat in the courtroom. 12 more jurors will be seated in the county board room where they will be able to hear the voir dire questions via video technology. Bailiffs will be stationed in the courtroom and the county board room for this purpose.

4. The trial jurors will be seated so as to be at the maximum possible social distancing as discussed above in #2. 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 face masks, hygiene, hand sanitizing and social 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.

7. Bottled water and individually packed lunches will be provided to each selected juror.

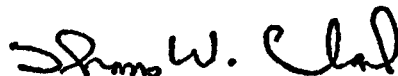
8. Individuals, other than jurors, who reside in the same household and individuals, other than jurors, volunteering to be a unit may sit closer than the maximum possible social distancing requirement as discussed in #2 above.

9. 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 courtroom where trial proceedings will be broadcasted 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: August 14, 2020

Hon. Thomas W. Clark
Pepin County Circuit Court

Date: _____

Hon. Robert P. VanDeHey
Chief Judge Approval

Pepin County COVID-19 Stakeholder Committee Members

Thomas W. Clark, Circuit Court Judge
Mark Franklin, Court Commissioner
Allan Morgan, Court Commissioner
Patrick Brummond, District Court Administrator
S. Joseph Randtke, Pepin County Corporation Counsel (effective 07/01/2020)
Heidi Stewart, Public Health Nurse
Pamela Hansen, County Administrator
Jon D. Seifert, District Attorney
Ashley Henthorn, Court Reporter
Gina Rieck, Register in Probate, Juvenile Clerk & Judicial Assistant
Audrey Lieftring, Clerk of Court
Lea Krlewski, Deputy Clerk of Court
Maria Nelson, Pepin County Emergency Management
Joel Wener, Pepin County Sheriff
Matt Roesler, Pepin County Chief Deputy Sheriff
Susan Krisik, DOC Agent
Melissa Buesgen, DOC Supervisor
Steven Hughes, Public Defender
Roger Hillestad, Attorney



**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)

August 14, 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 Counties. 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 Courts 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,

Thomas Clark
Buffalo County and Pepin County Circuit Court Judge

Pepin County Clerk of Circuit Court
740 7th Avenue West
P. O. Box 39
Durand, WI 54736
Telephone: (715)672-8861
Fax (715) 672-8521
E-mail: Audrey.Lieffring@wicourts.gov

Dear Prospective Juror:

Attached please find a Summons to appear for Jury Service on ____ at ____ am at the Pepin County Government Center.

We want to assure you that every reasonable precaution will be taken to ensure the health and safety of the jury, the parties, the attorneys, and court staff during jury selection and the jury trial.

Please review the attached Pepin County COVID-19 Visitor Screening questionnaire and if in the last seven (7) days or subsequent you have experienced any of the following symptoms, please contact the Clerk of Court at 715-672-8861.

You will also need to complete the attached Pepin County COVID-19 Visitor Screening questionnaire and bring it with you when you report for jury duty. Upon arrival you will be directed to a marked entrance, where a staff member will meet with you outside of the building (weather permitting). Staff will screen each prospective juror prior to entering the building. If you answer affirmatively, you may be excused.

You will be required to wear a face covering during screening and to enter the building. If you do not have your own face covering, one will be provided to you. **The wearing of a face covering is required.** We will also have hand sanitizer readily available at various locations and gloves will be available to you.

There is regular cleaning and disinfecting in common areas in the Courthouse.

If you need a hearing assistance device, please advise the bailiff as soon as you are seated. The Circuit Court Judge in the courtroom will enforce physical distancing.

Once jury selection has been completed and the final panel is selected, those who were not selected will be allowed to leave the building. If you were provided a mask, you will take it with you.

Please do not bring personal items such as food or drink, books, etc. with you to the courthouse. The only exception to this is that you may bring a phone to enable you to make necessary notifications if you are selected for jury service.

Individually packaged beverages, snacks, and lunch will be provided to the selected jurors each day of the trial since you will not be allowed to leave the building until the end of the day.

The court will grant any 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.

Since there will be no group orientation, we strongly encourage you to visit the *Wisconsin Court System* web page (www.wicourts.gov). At the blue banner on the top of the home page, click on "**services**", "**for jurors**", and then use the right-hand "**Navigate this section**", click on "**General information**" to navigate to the "**Handbooks and orientation video**".

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. The right to trial by jury has been enshrined within the Seventh Amendment to our U.S. Constitution since 1791, and it was one of the stated principles in the Declaration of Independence and was adopted by the great state of Wisconsin in its Constitution.

We have taken extensive measures to ensure the health and safety of all of the participants while balancing these important constitutional rights.

If you have any further questions, please contact the Clerk of Court's Office.

Sincerely,

Audrey Lieffring
Clerk of Circuit Court

PEPIN COUNTY

COVID-19 Visitor Screening

Date:	Name:	Department Visited/Reason:
Time:	Phone #:	

Pepin County is committed to the health and safety of all employees and visitors. We are screening all those who enter for respiratory viruses, including but not limited to COVID-19.

Once an employee or visitor is allowed entry, movement within the facility will be limited to designated areas.

- Clean your hands often. Hand sanitizer is available throughout the facility.
- If you are ill or develop any of the signs or symptoms below, notify the applicable department head or meeting organizer immediately.
- If you develop any symptoms within the 14 days following visitation to the facility, we ask that you notify the Pepin County Health Department at 715-672-5961 for additional screening. On call hours: 5:00 a.m. to 7:00 p.m. call Jessi at 715-279-3241, Nikki at 715-495-7631, Heidi at 715-279-3242

COVID-19 Signs and Symptoms	
1. Do you have a new onset of cough, fever, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, nausea, vomiting, diarrhea, loss of taste or smell?	Yes or No
Within the past 14 days, have you:	
2. Had contact with a person diagnosed with coronavirus (COVID-19) or suspected of being infected? This includes individuals who are under isolation or quarantine directives.	Yes or No
3. Have any recent changes in your activities increased your risk of exposure to coronavirus (COVID-19)? Increased risk of exposure for a YES answer would be defined if you have done the following things: <ul style="list-style-type: none"> • Have you had close contact with those outside of your household (less than 6 feet) where evidence of disinfecting or safeguards such as wearing masks, handwashing, cleaning had not occurred? • Have you 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 any symptoms? 	Yes or No

A YES answer to any of the questions above would indicate that the employee or visitor is at Low, Medium or High Risk for COVID-19 and may not be allowed to enter the building. The Health Department will be notified and can approve entrance to the building with a YES answer

on this questionnaire. Alternate methods of service delivery will be made available to the degree possible.

Date:	Time:	Screener:
Notes:		