

**ORDER APPROVING PLAN FOR THE SAFE RESUMPTION OF IN-PERSON PROCEEDINGS
IN PRICE COUNTY**

WHEREAS: The Wisconsin Supreme Court, in light of the COVID-19 Statewide and National states of emergency, has entered certain orders related to the operations of the Circuit Court regarding in-person appearances and jury trials;

WHEREAS: Price County is experiencing an increase in Covid-19 cases and currently working with its stakeholders to modify its court facilities and to change jury trial procedures so as to enable safe jury trials and has not yet been able to complete those modifications and changes; therefore, it is not safe at this time to resume jury trials;

WHEREAS: On March 22, 2020, the Wisconsin Supreme Court ordered that although the courts of the State of Wisconsin remain open, all civil and criminal jury trials scheduled to begin before May 22, 2020 are to be continued and rescheduled by the assigned judge to a date after May 22, 2020;

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 hearings in the circuit courts, subject to exceptions for certain matters, including those approved by the chief judge of each district;

WHEREAS: On March 31, 2020, the Wisconsin Supreme Court issued Interim Rule 20-02 which suspended statutory deadlines for conducting non-criminal jury trials until further order of the court;

WHEREAS: On May 22, 2020, the Wisconsin Supreme Court ordered the adoption of the Task Force's Final Report and its recommendations for consideration by the Circuit Courts;

WHEREAS: The Task Force's Final Report at pages thirteen (13) and fourteen (14) recommends a four-phased approach to the resumption of in-person hearings and jury trials to protect the health and safety of the public and litigants. The phased approach indicates that jury trials should begin in Phase 3;

WHEREAS: On May 22, 2020, the Wisconsin Supreme Court ordered that the March 22, 2020 order regarding the suspension of jury trials, that Interim Rule 20-02 regarding suspensions of deadlines for non-criminal jury trials, and the April 15, 2020 amended order regarding remote hearings are extended for each circuit court until that circuit court shall have prepared an operational plan for the safe resumption of in-person proceedings and jury trials and the plan shall have been approved by the chief judge of the applicable administrative district;

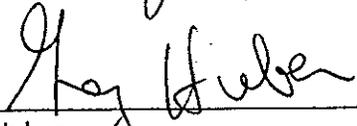
WHEREAS: The May 22, 2020 order requires the chief judge of the administrative district to "review the [operational] plan to ensure that it includes the requirements set forth above, reduces to the greatest extent possible the risk of transmission of the virus that causes COVID-19, and promotes the health and safety of all those present in the courtrooms, jury rooms, and other court-related confined spaces;"

WHEREAS: The judge of Price County has filed with the chief judge of the 9th Administrative District a safety plan incorporating the requirements of the May 22, 2020 order and considering the Task Force's final report. See attached safety plan;

WHEREAS: This safety plan will allow the resumption of in-person hearings consistent with phases one and two of the Task Force Final Report. The Judges along with the local health officials continue to monitor the local situation to determine when the resumption of jury trials would be advisable considering the local health conditions;

THEREFORE: Pursuant to Wisconsin Supreme Court Rules 70.19(3)(f), 70.20(1), and the Supreme Court Orders of March 22, 2020, and as amended on April 15, 2020, Price County may resume in-person hearings in accordance with the safety plan attached, as designated in the Task Force's final report for phases one and two. No jury trials may be held until there is a complete operational plan that covers jury trials.

Dated this 14th day of July, 2020



Hon. Greg Huber
Chief Judge, 9th Judicial District

PRICE COUNTY CIRCUIT COURT
NINTH JUDICIAL DISTRICT OF WISCONSIN
COVID-19 SAFETY PLAN – PHASES ONE AND TWO

This Court, to allow “in-person” court proceedings, recognizes the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals; and therefore will implement the following protective measures. (This Plan does not apply to jury trials at this time, and will be supplemented to so apply.)

General

1. To limit “in person” court proceedings and the number of persons in the courtroom, judges will use best efforts to continue to conduct proceedings remotely, such as by telephone or video.
2. The county judiciary has established a stakeholders’ committee to meet as necessary and to discuss and consider the recommendations outlined in the Wisconsin COVID-19 Task Force report. The committee includes the Judge, County Administrator, Corporation Counsel, District Attorney, Public Defender, Sheriff, Clerks of Court, Buildings and Grounds Superintendent, Public Health Division Manager/Health Officer, Emergency Management Coordinator, and County Board Chair. Protective measures were developed to address rights and requirements for litigants, interested parties, and the public. It is understood that it is not possible to ensure absolute safety, but that reasonable and necessary precautions can be taken to protect the health of all participants within the physical limitations of the facilities and resources of the court and county.
3. Staffing, equipment, and supply needs have been addressed, and will continue to be met on an ongoing basis.
4. This Plan may be adjusted as necessary.

Judge and Court Staff Health

1. Judges and court staff and all individuals in the courtroom will be required to wear face coverings such as face masks, practice social distancing, and practice appropriate hygiene recommendations. Appropriate signage regarding the same will be posted.

2. Judges will schedule in person proceedings taking into account the need to do so, while considering constitutional and statutory requirements, the nature of the proceeding, and requests of attorneys and litigants. The court will use best efforts to stagger scheduling of in person proceedings.

Scheduling

All scheduling will be done to either avoid in person proceedings or limit the number of individuals in the courtroom at one time.

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. Orders, Notices, or other communications about in person court proceedings will if possible advise individuals who may be in vulnerable populations of the ability to contact the court regarding any necessary accommodations. Such individuals should call the Clerk of Court's office at 715-339-2353.
3. Judges will use best efforts to accommodate vulnerable populations by use of remote appearances, staggering or sequestration, or adjournments.

Social Distancing

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet. Signage reminders will be displayed throughout the facilities in appropriate locations to ensure notice and compliance.
2. Necessary signage will be posted to address restroom and elevator capacity, in keeping with social distancing.
3. While the courthouse will be open for appointments or otherwise, and for attendance at in person proceedings, public common areas are not open for gathering. Therefore, all individuals in the hallway waiting for court, and all other individuals with them or among them, must practice social distancing as set forth above, and must wear a mask.

Gallery

1. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by the judge and court staff.
2. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.
3. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space.

Hygiene

1. Hand sanitizer dispensers have been placed in the courtroom.
2. Hand sanitizer, disinfectant wipes, and disinfectant spray will be available as necessary.
3. CDC flyers outlining appropriate hygiene, social distancing, or public safety will be posted.

Screening

1. For certain circumstances, screening may be implemented by the court. All individuals should self-screen, and if in any doubt regarding COVID-19 concerns, are to immediately exit the courthouse and call the Clerk of Court's office at 715-339-2353 for accommodations or further instructions.
2. Any non-compliance with requirements addressed herein will be enforced by the judge.

Face Coverings

1. Face coverings are required as specified herein; and appropriate signage will be posted at the entrance of each courtroom, jury room, and court-related confined space; and this requirement will be enforced by the judge(s) of the Circuit Court.
2. Individuals coming to court should bring their own face covering with them. Orders and Notices and information will so indicate if possible. Any individual required to appear in court and whose matter can only be heard in person, who fails to have a face covering, will be provided with one (a mask).

3. Witnesses are required to wear a face covering, unless a judge specifically determines on the record that it is necessary for a witness not to wear a face covering during the witness's testimony in order for a judge to weigh the witness's credibility.

Cleaning

1. County cleaning staff will clean common areas of the courthouse, and including the courtroom, at least every 24 hours on weekdays.
2. Supplies to meet courtroom hygiene requirements will be available.
3. Court staff will spray and wipe counsel tables, equipment, and witness stand surfaces with disinfectant between each use of the same by different individuals. Cleaning staff will spray the courtroom gallery area with disinfectant between morning and afternoon proceedings.

Other

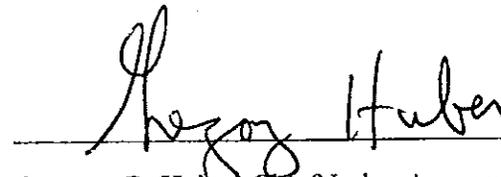
To maximize public awareness of protective measures addressed herein, the County will share information by standard County press releases and the County website, and other interested persons (i.e. law enforcement, county health officials) may share all or parts of this Plan with others as they deem appropriate. Proceedings will be conducted consistent with this Plan.

Date: 6-16-20



Kevin G. Klein, Price County Circuit Court Judge.

Date: 6-17-20



Gregory B. Huber, Chief Judge Approval.