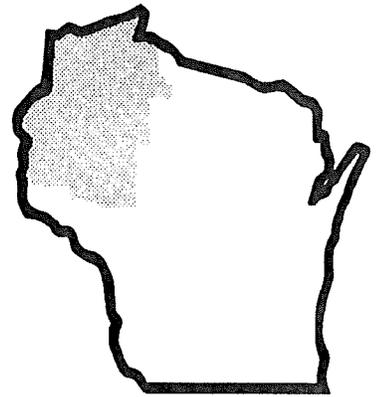


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June 11, 2020

Chief Justice Patience Roggensack

Director of State Courts Randy Koschnick

BY EMAIL

Dear Chief Justice Roggensack and Director Koschnick:

Pursuant to the Wisconsin Supreme Court's order dated May 22, 2020, attached please find copies of St. Croix County's operational plans to resume in-person court proceedings and jury trials as well my order approving same. The effective date of the plans is June 15th, 2020, which is the date non-essential in person hearings will begin, although jury trials will not be set any sooner than July 1, 2020.

As you will read, St. Croix County worked diligently and with great care and caution to reduce risk, including approving the re-design and re-construction of a jury box in one of the courtrooms to allow for social distancing.

Please do not hesitate to contact me with any questions or concerns. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maureen D. Boyle', written over a horizontal line.

Maureen D. Boyle
Chief Judge District 10

CC: The Honorable Scott R. Needham, St. Croix County Circuit Court
Christopher Channing, District 10 Court Administrator

**ORDER APPROVING OPERATIONAL PLANS FOR THE SAFE RESUMPTION OF
IN PERSON PROCEEDINGS AND JURY TRIALS IN ST CROIX 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: 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 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 judges of each district, if remote technology is not practicable or adequate to protect constitutional rights of the citizens of Wisconsin;

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 that March 22, 2020 order regarding the suspension of jury trials, that Interim Rule 20-02 regarding suspension 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 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: On May 22, 2020, the Wisconsin Supreme Court outlined the specific criteria required in each circuit court operational plan as to how that circuit court will conduct in-person proceedings and jury trials so as to reduce to the greatest extent possible the risk of transmission of the virus causes COVID-19 and that promotes the health and safety of all those present in the courtrooms, jury rooms, and other court-related confined spaces of that circuit court;

WHEREAS: On June 8, 2020, the Honorable Scott R. Needham , Presiding Circuit Judge of St. Croix County, submitted operational plans regarding resumption of jury trials and regarding resumption of in-person proceedings, both of which contain a

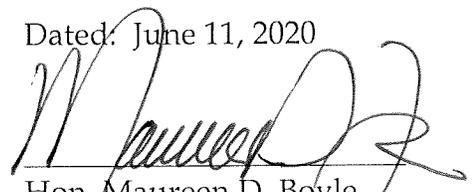
statement regarding communication with local justice partners regarding the safe resumption of in-person proceedings and jury trials in that circuit court; a requirement that all persons who are present in the courtrooms, jury rooms, and other court-related confined spaces shall wear face coverings, except as authorized on the record by said judge; outlines practices for appropriate sanitation/hygiene of frequently touched surfaces and the hands of participants; specify that notices regarding face coverings and availability of hand sanitizer and disinfecting wipes/sprays in court-related areas will be appropriately posted and noticed; and incorporate many recommendations made in the Final Report of the Chief Justice's Task Force;

THEREFORE IT IS ORDERED:

The operational plans of the Circuit Court of St. Croix County regarding procedures and practices for conducting jury trials and other in-person proceedings during the 2020 public health emergency and pandemic-COVID 19 are hereby approved and are effective June 15, 2020. All previous orders identified in the May 22, 2020 order of the Wisconsin Supreme Court cease to apply to the Circuit Court of St. Croix County and that circuit court must continue to follow its operational plans as approved by the chief judge until further notice of the Wisconsin Supreme Court.

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

Dated: June 11, 2020



Hon. Maureen D. Boyle,
Chief Judge 10th Judicial District

ST. CROIX COUNTY IN PERSON REENGAGEMENT SUBCOMMITTEE REPORT

JUNE 4, 2020

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COVID-19 CIRCUIT COURT OPERATING PLAN**

IN PERSON REENGAGEMENT – OVERVIEW:

During the first two weeks of March, the spread of the COVID-19 virus resulted in many questions, but few answers about the impact it may have on the judicial system and specifically the courts. On March 13, 2020, Governor Tony Evers declared a public health emergency in Wisconsin, but there was no guidance forthcoming from the Wisconsin Supreme Court on how the circuit courts should react or adjust to the impact of this new virus.

On March 16, 2020, the Hon. Maureen D. Boyle, Chief Judge of the 10th Judicial Administrative District, issued an Order in the Matter of Response to COVID-19, which recognized the need to preserve "access to our courts," but at the same time reflected on the need of the circuit courts to "remain responsive to the rights of individuals to have their cases heard, as well as be cognizant of the health risks to victims, defendants, litigants, attorneys, witnesses, jurors, court staff, and the general public. The Chief Judge then ordered that judges in the Tenth Judicial District shall consider the following when making determinations about how to conduct business in their court:

- Rescheduling jury trials whenever possible and postponing jurors to later dates of service
- Liberally granting and encouraging adjournments to later dates that do not conflict with statutory timelines
- Adopting incremental scheduling practices for treatment court dates
- Encouraging the use of appearances by phone or video whenever possible and lawful
- Using "social distancing" practices
- Reducing the congregation of large groups of people, particularly high volume calendars
- Developing and updating county-wide court standards or practices whenever possible to continue to address the ongoing issues created by COVID-19

Also, on March 16, 2020, the St. Croix County Circuit Court Judges, Hon. Scott R. Needham, Presiding Judge, issued "guidelines to provide procedures and directions for proceedings and essential functions in the Courts during the next several weeks." The Order included Temporary and Emergency Guidelines for Juvenile/Child Protection, Civil, Small Claims, Guardianship, Mental Commitment, Family, and Criminal Proceedings, and incorporated the use of videoconferencing technology and the temporary suspension of some non-essential court functions. These Guidelines ended by stating:

Cases will proceed as currently scheduled unless otherwise provided for in this Order or Notified by the Court. Please note that injunction hearings, in-custody criminal intake/preliminary hearings/motions hearings, mental commitments, juvenile detention, CHIPs temporary physical, and termination of parental rights cases should be presumed to be proceeding as originally scheduled UNLESS the parties have specifically been informed by the Court.

On March 22, 2020, the Wisconsin Supreme Court issued two orders: One, In Re the Matter of Remote Hearings During the Covid-19 Pandemic, and the second, In Re the Matter of Jury Trials During the Covid-19 Pandemic. The order regarding remote hearings ordered all courts in the State of Wisconsin to remain open, but suspended all in-person proceedings in the circuit courts through April 30, 2020, with the exception of the following if remote technology is not practicable or adequate to address these matters:

- Jury trials, which will be addressed by separate order.
- Proceedings necessary to protect the constitutional rights of criminal defendants and juveniles.
- Proceedings involving in-custody defendants, who are not being held on any basis other than the case-at-bar, which will presumptively proceed as timely scheduled.

- Other exceptions approved by the Chief Judge of the Judicial District, the Chief Judge of the Court of Appeals, or the Chief Justice of the Wisconsin Supreme Court, for the respective proceeding, as applicable.

As a result of the Wisconsin Supreme Court Orders of March 22, 2020, the Hon. Scott R. Needham, St. Croix County Presiding Judge, issued Addendum Orders to the Order issued March 16, 2020, which Addendums eventually resulted in the issuance of Addendum #3 on March 25, 2020, which, among things, ordered that effective March 30, 2020, court proceedings in St. Croix County would be limited to only two judges per week and only during the hours of 8 am to noon, until April 30, 2020, unless sooner terminated or unless extended.

On April 15, 2020, the Wisconsin Supreme Court issued an Amended Order regarding In Re the Matter of Remote Hearings During the Covid-19 Pandemic, which extended its March 22, 2020, Order suspending all in-person proceedings (with some exceptions) in the circuit courts until further order of the court.

On April 16, 2020, the Hon. Scott R. Needham, St. Croix County Presiding Judge, issued Addendum #4 to the St. Croix County Circuit Courts Order Regarding Temporary Measures, which provided, effective May 1, 2020, that the previous Orders and Addendums were amended to provide that:

1. All branches of the St. Croix County Circuit Courts and Commissioners offices will return to full operational status. Court hours shall be: 8 a.m. - 4:30 p.m. Monday through Friday.
2. The Wisconsin Supreme Court Order entered on March 22, 2020, as amended on April 15, 2020, shall control all court proceedings except as provided by said Order.
3. All prior Orders entered by St. Croix County Circuit Courts and the 10th Judicial District are incorporated herein by reference except as modified by this Order.

On April 28, 2020, the Hon. Patience Drake Roggensack, Chief Justice of the Wisconsin Supreme Court, “established a State-wide Wisconsin Courts COVID-19 Task Force to recommend a framework of criteria under which Wisconsin courts throughout the state can safely continue court proceedings, including jury trials.”

On May 14, 2020, the Hon. Scott R. Needham, St. Croix County Presiding Judge, established the St. Croix County Courts COVID-19 Task Force, which was established to “to address facilities / equipment, reengaging in-person court appearances, and reengaging jury trials.” Judge Needham was a member of the State-wide Wisconsin Courts COVID-19 Task Force, and while on May 14, 2020, the Wisconsin Supreme Court had not yet acted on the recommendations of the State-wide Wisconsin Courts COVID-19 Task Force, Judge Needham, wanted St. Croix County to “to get in front of the issue and begin the process of “reopening” the courts in St. Croix.”

On May 15, 2020, the Chief Justice’s Wisconsin Courts COVID-19 Task Force issued its Final Report which, among other things, included “a framework to guide counties and circuit courts as they work together to reopen facilities, return to in-person proceedings, and begin to normalize operations.” The Chief justice’s Wisconsin Courts COVID-19 Task Force also recommended that:

each county begin by establishing a stakeholder group to develop a plan and make decisions. Resuming operations affects many stakeholders, as defined within this document. Because each stakeholder represents a particular area of expertise, it is recommended to provide equal weight to each participant’s input.

On May 20, 2020, the St. Croix County Courts COVID-19 Task Force met and one of the results of that meeting was the "establishment of three subcommittees to develop the guidelines / recommendations for: facilities / equipment; reengaging in-person appearances; and reengaging jury trials, even though there were still in effect Orders of the Wisconsin Supreme Court prohibiting in person appearances and suspending jury trials.

The subcommittees created were:

St. Croix County Jury Trial Reengagement Subcommittee, facilitated by Judge Michael Waterman
St. Croix County Facilities and Equipment Subcommittee, facilitated by Judge Scott Nordstrand
St. Croix County In-Person Reengagement Subcommittee, facilitated by Judge Edward Vlack

On May 22, 2020, the Wisconsin Supreme Court issued two Orders that impact the work of the St. Croix County Courts COVID-19 Task Force. The first Order was In re the Matter of the Final Report of the Wisconsin Courts COVID-19 Task Force and by that Order the Wisconsin Supreme Court:

adopts the Task Force's Final Report in order to provide information and recommendations for counties, circuit courts, and other judicial stakeholders and to provide them with a resource for making sound decisions in their community while safely transitioning back to full and in-person circuit court operations, including the resumption of in-person proceedings and trials, so that the circuit courts can continue to serve the citizens of their Wisconsin communities. In recognition of the wide range of needs and circumstances that exist in the various counties and circuit courts across the state during the continued threat of COVID-19, the court intends that the Final Report will provide guidelines for those bodies to address local COVID-19 challenges based on local conditions and available facilities.

The second Order issued by the Wisconsin Supreme Court on May 22, 2020, was In re the Matter of the Extension of Orders and Interim Rule Concerning Continuation of Jury Trials, Suspension of Deadlines for Non-Criminal Jury Trials, and Remote Hearings During the COVID-19 Pandemic and stated, among other things:

IT IS FURTHER ORDERED, that the April 15, 2020 amended order "In Re The Matter of Remote Hearings During the COVID-19 Pandemic" is 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 judicial administrative district, as set forth below. When a circuit court's operational plan has been approved by the chief judge, as set forth below, this April 15, 2020 amended order shall cease to apply to that circuit court; and

IT IS FURTHER ORDERED that the March 22, 2020 order "In Re the Matter of Jury Trials During the COVID-19 Pandemic" is extended for each circuit court until that circuit court shall have satisfied the requirements set forth below. The extension of this order means that all civil and criminal jury trials in each circuit court are continued 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 judicial administrative district, as set forth below. When a circuit court's operational plan has been approved by the chief judge, as set forth below, this March 22, 2020 order shall cease to apply to that circuit court; and

IT IS FURTHER ORDERED that Interim Rule 20-02 "In the Matter of an Interim Rule re Suspension of Deadlines for Non-Criminal Jury Trials Due to the COVID-19 Pandemic" shall remain in effect 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 judicial administrative district, as set forth below. When a circuit court's

operational plan has been approved by the chief judge, as set forth below, Interim Rule 20-02 shall cease to apply to that circuit court; and

IT IS FURTHER ORDERED that each circuit court shall prepare an operational plan for the safe resumption of in-person proceedings and jury trials in that circuit court. The operational plan shall provide specific information about how that circuit court will conduct in-person proceedings and jury trials in a manner that reduces to the greatest extent possible the risk of transmission of the virus that causes COVID-19 and that promotes the health and safety of all those present in the courtrooms, jury rooms, and other court-related confined spaces of that circuit court. Each operational plan must include the following:

- A statement that the circuit court judge or judges have communicated with the clerk of the circuit court and with representatives of the county, the county sheriff's department, the district attorney's office, and the local office of the state public defender, if applicable, regarding the safe resumption of in-person proceedings and jury trials in that circuit court;
- A requirement that all persons who are present in courtrooms, jury rooms, and other court-related confined spaces shall wear face coverings, 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 the judge or jury to weigh the witness's credibility. The plan must specify that notices regarding this requirement will be posted at the entrance of each courtroom, jury room, and court-related confined space and that this requirement will be enforced by the judge(s) of the circuit court;
- Practices for appropriate sanitation/hygiene of frequently touched surfaces and the hands of participants. The plan must specify that 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, jury room, and court-related confined space.

The circuit courts are encouraged to refer to and to incorporate into their operational plans the recommendations set forth in the Task Force's Final Report, as applicable to the circumstances for that circuit court; and.

IT IS FURTHER ORDERED that each circuit court shall submit its operational plan to the chief judge of the applicable judicial administrative district, who shall review the 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. If the chief judge approves the operational plan for a circuit court, the chief judge shall issue a written order stating that the chief judge has approved the operational plan for the specified circuit court and that the April 15, 2020 amended order "In Re The Matter of Remote Hearings During the COVID-19 Pandemic," the March 22, 2020 order "In Re The Matter of Jury Trials During the COVID-19 Pandemic," and Interim Rule 20-02 "In the Matter of an Interim Rule re Suspension of Deadlines for Non-Criminal Jury Trials Due to the COVID-19 Pandemic" shall cease to apply to that circuit court. The circuit court shall continue to follow its operational plan as approved by the chief judge until further order of this court; and

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

Finally, on May 27, 2020, the Hon. Patience Drake Roggensack, Chief Justice of the Wisconsin Supreme Court, issued the following e-mail to all Circuit Court Judges and District Court Administrators:

I thank you and your staffs for your hard work in keeping Wisconsin's courts open and functioning since COVID-19 descended upon us. I know, first hand, how tiresome it can be to sit in zoom conferences over and over and to employ proceedings in less than ideal formats. However, this has been necessary in order to serve the public.

As Wisconsin circuit courts and municipal courts move toward resuming in-person proceedings, Wisconsin judges will be shouldering even more responsibility to the public, their staffs and others who will come to court to participate, as judges become gate-keepers for safely resuming in-person proceedings.

It is critical to heed the advice of Dean Robert Golden and Dr. Dennis Maki from the University of Wisconsin School of Medicine and Public Health. They both urged courts to mask all participants and clean frequently touched surfaces. I know some participants (and judges too) will resist masking. However, without masking, we would be requiring jurors, other witnesses and lawyers who must defend those for whom representation is a constitutional right to appear in an unsafe environment. We have the ability to make court appearances safe, and we must do so. We can provide services the public needs and heed the medical advice of the physicians who gave of their time and knowledge so that we could commence in-court proceedings safely.

Circuit court judges and municipal judges are the guardians of safe in-person judicial proceedings. Hopefully COVID-19 will become less and less of a problem, but until then the Supreme Court Orders of May 22 will be our plan for safety in the courts. I have absolute confidence in our ability to meet this challenge. My continuing thanks to you all who are on the front lines as we move forward.

The St. Croix County In-Person Reengagement Subcommittee has met three times prior to submitting this Report: May 22, 2020, May 28, 2020, and June 2, 2020. This St. Croix County In-Person Reengagement Subcommittee Report consists of four sections:

- | | | |
|------------|-------------------------|--|
| Section 1: | In-person Reengagement: | Overview |
| Section 2: | In-Person Reengagement: | Safety Criteria for In-Person Appearances |
| Section 3: | In-Person Reengagement: | A Five Phased Process |
| Section 4: | In-Person Reengagement: | The St. Croix County Covid-19 Circuit Court Operating Plan |

The courts in St. Croix County are located in the St. Croix County Government Center, which houses not only the courts on the second floor, but also houses a number of St. Croix County offices (the County Clerk and the County Treasurer, for example) on the first floor, which are not affiliated with the court system. Therefore, in discussing and creating its recommendations, the Subcommittee had to consider not just the interests and concerns of the courts, but also the policies of St. Croix County.

The Final Report of the Wisconsin Courts COVID-19 Task Force was the primary resource used by the Subcommittee in making the recommendations contained in this Report. However, since the building housing the courts is a public facility, another resource that was considered by the Subcommittee was the Wisconsin

Guidance on Preparing Workplaces for COVID-19 for Public Facilities, which contains guidelines from the Wisconsin Economic Development Corporation (WEDC), created with “input from national and state health and industry experts and in partnership with the Wisconsin Department of Health Services, the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Safety and Professional Services, the Wisconsin Department of Tourism” and from WEDC’s “regional economic development partners.”

The Subcommittee attempted to stay within the parameters of its assignment, that being in-person reengagement. However, some of the issues raised overlapped with issues that may have been considered by the two other subcommittees. For example, one of the recommendations of this Subcommittee include plexiglass barriers on witness stands, which technically was in the purview of the St. Croix County Facilities and Equipment Subcommittee.

In mid March, once the significance of the COVID-19 virus became evident, it immediately and dramatically impacted in many ways how the courts conducted business, including the use of remote technology that was in most cases new and, at times, challenging. However, the use of new technology and the different ways to do business also made those working in the courts aware that in some cases the new technology presented more efficient ways to conduct business.

Finally, in discussing and creating this Report, the Subcommittee considered not only the persons who make up the St. Croix County Court System, but also all persons and entities who have regular contact with the St. Croix County Courts or Court Commissioners, and that list is as follows:

I. BASIC COURT PERSONNEL

- A. Judges, court reporters, and judicial assistants
- B. Court Commissioner, Family Court Commissioner, and staff
- C. Register in Probate and staff
- D. Clerk of Court, courtroom clerks, assistant clerk of courts

II. GOVERNMENT CENTER SECOND FLOOR AGENCIES

- A. District Attorney, assistant District Attorney, and staff
- B. Child Support workers and staff

III. GOVERNMENT CENTER FIRST FLOOR AGENCIES

- A. Corporation Counsel, assistant Corporation Counsel and staff
- B. Victim Witness and staff
- C. Entry Screening

IV. GOVERNMENT CENTER LOWER LEVEL AGENCIES

- A. Sheriff Department
 - i. Sheriff and administrative staff
 - ii. Deputies and investigators
 - iii. Jail and staff
 - iv. Day Report Center
 - v. Court security
 - vi. Inmates
- B. Facilities and cleaning staff

V. OUTSIDE AGENCIES/ENTITIES

- A. Human Services specifically juvenile intake/supervision
- B. Municipal Law Enforcement Officers
- C. State Public Defender
- D. Probation and Parole
- E. Private Bar
- F. Parties to litigation
- G. Witnesses
- H. Jurors
- I. General Public

One big question that looms over the return to having more in person court proceedings is what if someone from an outside agency/entity who has had contact with the St. Croix County Court System contracts COVID-19, how will that impact the courts? What if someone in a Government Center Lower Level Agency contracts COVID-19, how will that impact the courts? What if someone in a Government Center First Floor Agency contracts COVID-19, how will that impact the courts? What if someone in a Government Center Second Floor Agency contracts COVID-19, how will that impact the courts? And, finally, what if someone in the court system itself contracts COVID-19, how will that impact the courts? Potentially, all members of court system could be quarantined. Is there currently in place any policy which covers the event that someone in any of these areas, who has contact with anyone in the Court System, contracts COVID-19?

The St. Croix County Policy states:

- If an employee tests positive for COVID-19, the employee shall quarantine themselves at home for 14-days (or longer as advised by the Public Health Department). Please see attached letter entitled "isolation letter"
- Public Health will advise the "close contacts" of the individual to also quarantine themselves for 14-days (or longer as advised by the Public Health Department). People that have contact with an employee and did not maintain social distancing will be considered a "medium risk contact" and be sent the letter attached entitled Medium Risk Contact Letter, which requires 14-days of quarantine.
- If the person does not have "close contacts" (with an employee (i.e. they maintained six-foot distancing, etc), then they would just monitor symptoms and NOT come into the building if they have a fever or have symptoms of COVID-19.

The "isolation letter" format is:

To: *(Individual's name, address & date of birth)*

Because you have tested positive for COVID-19 you are at risk of transmitting it to others. You will remain at _____ for at least 10 days since your symptoms first began and for at least 3 days after symptoms resolve.

Wis. Stat. Ch 252 and Wis. Admin. Code DHS Ch. 145 give local and state health departments the authority to control communicable diseases and contagious medical conditions by use of isolation and quarantine procedures. Violation of isolation or quarantine measures could result in legal action through the courts. It is recommended that you voluntarily comply with the following:

- Stay home (or other location where you can be isolated from others). This means do not go to work, school, or public areas. If you need medical care, follow instructions below.

- Separate yourself from other people and animals in your home. As much as possible, you should have a specific room away from other people in your home and use a separate bathroom.
- Other people who you live with or had close contact with, starting 2 days before you were sick and while you were sick, should now stay home (quarantine) and watch for symptoms for 14 days after their last contact with you.
- Avoid sharing personal household items. You should not share dishes, drinking glasses, eating utensils, towels, or bedding with other people in your home. After using these items, they should be washed thoroughly with soap and water.
- Wash your hands often and practice good hygiene.
- Wear a face mask if you need to be around other people and cover your mouth and nose with a tissue when you cough or sneeze.
- Postpone all non-essential medical appointments until you are out of isolation. If you have an essential appointment during the isolation period, notify your healthcare provider of your COVID-19 status. They will help coordinate the visit.
- Measure your temperature twice per day; once in the a.m. and once in the p.m.
- Watch for a worsening cough or difficulty breathing.
- If your symptoms get worse or you have difficulty breathing:
 - Contact your doctor. Do not use public transportation, ride sharing, or taxis.
 - If you need emergency medical attention anytime during the isolation, call 911 and let them know you were diagnosed with COVID-19.

Ms. Heather Amos advised the Subcommittee on June 2, 2020, that:

The County does not have an “official” policy yet addressing all the issues related to COVID-19 and future pandemics. The County should have a policy to address these issues and possibly bring something to the County Board for official adoption of the requirements for face masks, etc.

Finally, in drafting the recommendations of the Subcommittee, the Subcommittee realized that it would not be able to craft recommendations that would cover 100% of the cases, but used the 95% rule – the recommendations should cover 95% of the cases, but there always remains about 5% that need to be considered individually.

Respectfully submitted,

Hon. Edward F. Vlack	St. Croix County Circuit Court Judge, Br. 2
Hon. Timothy Heckmann	St. Croix County Circuit Court Commissioner
Hon. Stephen Dunlap	St. Croix County Family Court Commissioner
Mr. Michael Nieskes	St. Croix County District Attorney
Ms. Samantha Richie	State Public Defender
Investigator Justin Johnson	St. Croix County Sheriff Department
Ms. Kristi Severson	St. Croix County Clerk of Court
Ms. Ericka Nelson	St. Croix County Register in Probate
Ms. Heather Amos	St. Croix County Assistant Corporation Counsel
Mr. Jim Elsbury	St. Croix County Director of Facilities
Mr. Jamie Johnson	Private Bar Representative

IN-PERSON REENGAGEMENT -- SAFETY CRITERIA FOR IN-PERSON APPEARANCES:

The Subcommittee notes that the recommendation in the Final Report of the Wisconsin Courts COVID-19 Task Force regarding Safety Criteria for In-Person Appearances (page 10) were:

based on guidance issued by the Wisconsin Department of Health Services, the Centers for Disease Control and Prevention (CDC), and other federal entities. In addition, medical and health experts from the University of Wisconsin School of Medicine and Public Health have reviewed these guidelines as part of the Task Force's deliberations. Any application of these recommendations should account for the most current local COVID-19 data and guidance from local, state, and federal experts regarding what threshold should be used to move from one phase to another, such as local infection rate trends, testing capacity, hospital capacity, or other factors.

Before reciting its recommendations for safety criteria for the resumption of increased in-person court appearances, the Subcommittee wishes to recognize and commend the steps taken by Mr. Jim Elsbury and his staff for immediately implementing measures for the safety of all persons who work in or visit the St. Croix County Government Center, as well as the hiring of outside agencies who perform daily cleaning and sanitizing throughout the Government Center. There is no doubt in the minds of the members of the Subcommittee that those efforts significantly contributed to the lack of any cases of the COVID-19 virus being contracted within the Government Center.

The purpose of this section is to set forth the safety criteria the Subcommittees recommends be in place for the protection of all employees and citizens entering the St. Croix County Government Center, and also those using the courts, in order to begin the resumption of increased in-person court appearances, most of which safety criteria are already in place.

Based upon the discussions at the meetings of the Subcommittee, it is the understanding of the Subcommittee that all recommendations herein can be in place by Monday, June 15, 2020.

1. Entry Screening

St. Croix County has had the benefit of security screening at the main entrance to the St. Croix County Government Center for a number of years. The Subcommittee recommends that the most logical location for entry screening for health reasons is also at the main entrance to the St. Croix County Government Center. A person's body temperature is one of the symptoms of the COVID-19 virus. The Subcommittee has been advised that walk-through equipment has been ordered that will register the body temperature of any person walking through this equipment. Thus, an immediate, non-obtrusive means will be available to alert the screening staff to a potential carrier of the COVID-19 virus. The Subcommittee was advised that at this time, however, this will be used for jail inmates only.

Potential Screening Questions to be asked of persons entering the Government Center, include:

1. Have you been confirmed with the Coronavirus in the past 14 days?
2. Have you come in contact with someone with lab-confirmed Coronavirus in the past 21 days?
3. Have you traveled outside of Wisconsin during the past 21 days? If so, where?
4. Do you have a fever of greater than 100.3?
5. Do you have a cough?
6. Do you have shortness of breath?

**If the answer to #3 is Minnesota, there is no issue. If the answer to #3 is a “hot spot” for COVID-19, such as Sioux Falls, SD or areas of Florida and the person has COVID-19 symptoms, Court Services can request that the individual not enter the building and instead be provided with a phone number to make an appointment for Government Center departments (i.e. Register of Deeds, County Clerk, etc.). If the individual has a court hearing, Court Services can call the Judicial Assistant for the judge assigned to determine if the individual can appear telephonically or through Zoom.

After the Subcommittee meeting on June 2, 2020, Ms. Heather Amos advised that:

Here are the clarifications to our previous discussions regarding traveling outside of WI/MN:

- If an employee travels outside of MN and WI, it is “recommended” that they quarantine for 14 days when they return from the travels. However, it is not required. It is in the Department Head’s discretion to address each employee’s travel with the employee and whether the employee should quarantine for 14-days. If the employee returns from their travels and has sign/symptoms related to COVID-19, the employee should stay home and seek out COVID-19 testing. (The County’s website has the testing locations -- <https://www.sccwi.gov/covid19>).
- As for citizens who enter the building and respond to the questions related to travel as “yes,” but all the other questions are “no” there should be no concern with entrance to the building. This question, while helping for contact tracing purposes for Public Health, is not as relevant as it was two months ago.

There is not current policy in place if someone answers they have tested positive for COVID-19 or has had contact with someone who tested positive for COVID-19. Further, there is no current policy or any written guidelines to cover the situation if someone refuses to answer the questions. Written guidelines are necessary. Since the screening takes place on the first floor, and someone entering may not have any need to attend court, it appears that the guidelines would primarily come from the County. However, if someone refuses to be screened, has tested positive, or has been exposed, and does have a court appearance, what guidelines do the courts have for the security personnel at the front entrance?

And, finally, a number persons who work in the St. Croix County Government Center do not enter through the front entrance, but enter in the rear, lower entrance, such as Judges, the District Attorney, Assistant District Attorneys, and Sheriff Department personnel. Should they be screened and, if so, how? How should their health be monitored?

2. Personal Protective Equipment

The Subcommittee recognizes that there is scientific evidence that wearing masks helps reduce the risk of contracting the COVID-19 virus. As of May 26, 2020, all persons entering the St. Croix County Government Center are required to wear a mask. As noted on page 4 of this Report, one of the Wisconsin Supreme Court Orders issued on May 22, 2020, was In re the Matter of the Final Report of the Wisconsin Courts COVID-19 Task Force and by that Order the Wisconsin Supreme Court:

adopts the Task Force's Final Report in order to provide information and recommendations for counties, circuit courts, and other judicial stakeholders and to provide them with a resource for making sound decisions in their community while safely transitioning back to full and in-person circuit court operations, including the resumption of in-person proceedings and trials, so that the circuit courts can continue to serve the citizens of their Wisconsin communities. In recognition of the wide range of needs and circumstances that exist in the various counties and circuit courts across the state during the

continued threat of COVID-19, the court intends that the Final Report will provide guidelines for those bodies to address local COVID-19 challenges based on local conditions and available facilities.

The Final Report of the Chief Justice's Wisconsin Courts COVID-19 Task Force stated on page 8 about personal protective equipment:

Court staff and court officials should be provided with surgical grade facemasks, as well as gloves if it is necessary to handle exhibits. Litigants who are attending proceedings where their presence is mandatory should be provided with a surgical mask if they do not have one (this would include jurors). It is recommended that members of the public entering the courthouse on a voluntary basis should provide their own face coverings; the court would not provide this equipment to them. This recommendation should be addressed by a larger county committee based on the occupancy of building (e.g., what functions and offices are located within the courthouse or county building).

Then, the Final Report of the Chief Justice's Wisconsin Courts COVID-19 Task Force stated on page 10, about personal protective equipment:

Health experts recommend requiring surgical grade masks as the safest and most cost-effective means to reduce transmission of COVID-19. Masks should be worn continuously in the courthouse/room and during proceedings.

One of the provisions of the Wisconsin Supreme Court's May 22, 2020, Order In re the Matter of the Extension of Orders and Interim Rule Concerning Continuation of Jury Trials, Suspension of Deadlines for Non-Criminal Jury Trials, and Remote Hearings During the COVID-19 Pandemic provided that:

Each operational plan must include the following:

- A requirement that all persons who are present in courtrooms, jury rooms, and other court-related confined spaces shall wear face coverings, 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 the judge or jury to weigh the witness's credibility. The plan must specify that notices regarding this requirement will be posted at the entrance of each courtroom, jury room, and court-related confined space and that this requirement will be enforced by the judge(s) of the circuit court;

As noted on page 6, Chief Justice Roggensack advised in her May 27, 2020 e-mail:

It is critical to heed the advice of Dean Robert Golden and Dr. Dennis Maki from the University of Wisconsin School of Medicine and Public Health. They both urged courts to mask all participants and clean frequently touched surfaces. I know some participants (and judges too) will resist masking. However, without masking, we would be requiring jurors, other witnesses and lawyers who must defend those for whom representation is a constitutional right to appear in an unsafe environment. We have the ability to make court appearances safe, and we must do so. We can provide services the public needs and heed the medical advice of the physicians who gave of their time and knowledge so that we could commence in-court proceedings safely.

The Subcommittee notes that the Wisconsin Guidance on Preparing Workplaces for COVID-19 for Public Facilities, states on page 2 of its Recommendations for Public Facilities for face masks and cloth face coverings:

- Employers should recommend that employees wear face masks or cloth face coverings when social distancing is not feasible in the work environment. They may also recommend usage of face masks or cloth face coverings for public-facing activities.
- Ensure your employees are wearing face coverings properly. The U.S. Centers for Disease Control and Prevention (CDC) provides guidance on how to properly wear a face covering and offers tutorials for how to make one.
- If customers will not be able to stay six feet away from others, recommend that they bring their own face mask or covering. Provide face masks for customers to use at your facility if they did not bring one, and provide adequate trash receptacles for disposing of used masks.

Considerations should be made for individuals who are unable or unwilling to wear a mask or cloth face cover for verified medical reasons.

However, as noted, the St. Croix County Operations Plan for Employees that became effective on May 26, 2020, states, in part:

Effective May 26, 2020, the County would like to bring all County services back to full capacity. Employees that can fulfill the duties and responsibilities of their positions remotely should continue to work remotely with supervisor approval. If the duties and responsibilities cannot be fulfilled remotely, then employees should report to their designated work location. Department Heads should have measures in place so that employees can practice social distancing. Masks are required in all common areas, i.e. hallways, conference rooms, break rooms, entry ways, and related. One of our main goals is to keep our employees and the community safe.

Based upon the Order of the Wisconsin Supreme Court and the St. Croix County Operations Plan for Employees, it is clear that the wearing of a mask is required. However, as will be discussed in Item #8 of these Safety Criteria, one of the primary duties of a judge or a jury is to determine the credibility of a witness. The factors to be considered to determine the credibility of a witness include observing “the witness's conduct, appearance and demeanor” on the witness stand. Therefore, the Subcommittee recommends that any witness shall remove his or her mask when testifying.

The Final Report of the Chief Justice’s Wisconsin Courts COVID-19 Task Force recommends the use of gloves in order to handle exhibits. The Subcommittee concurs with that recommendation but adds the additional question of who will be required to wear gloves. The evidence appears to suggest that anyone who may touch an exhibit should be wearing gloves.

The discussion of the Subcommittee on June 2, 2020, also included a discussion of what happens if someone entering the St. Croix County Government Center refuses to wear a mask. Again, Ms. Heather Amos suggested later on June, 2:

As for the front entrance requirements, SCSO staff will request that individuals answer the screening questions and request that they wear a mask. If either a) they refuse to wear a mask or b) they refuse to answer the questions, the County’s policy is that we will ask them to leave the building and provide alternative means for them to call the department they are attempting to do business at (which can be the same for the court, if acceptable). If the person is insistent on entering, staff are not going to physically stop people from entering. County Administration does not believe there is an enforcement mechanism to stop people from entering. If the person indicates that they have a medical or religious reason against

wearing a mask, the staff will let the person enter. We are not going to require “proof.” The logic is that 95% of people are going to comply. The 5% that refuse to comply and refuse to leave after being asked will just be watched by SCSO on the monitors. I believe there should be signs on all the courtroom doors that indicate that masks are required. If a person enters the courtroom without a mask, the court/judge can refuse to hear the case or ask them to leave or ask them to put a mask on before proceeding. The judges control the courtrooms and can require the masks to be worn (unless removal is necessary for a witness to testify, etc.).

3. Social Distancing

A distance of at least six feet should be maintained between all individuals in the courtrooms as well as in the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room. Social distancing markers have been placed on the floors as well the benches on the second floor of the Government Center. Benches will be removed in the courtrooms/hearing rooms to maintain the six foot social distancing requirement. Signs have been posted reminding persons to maintain social distancing.

4. Hand Sanitizers

Hand sanitizer will be available before entering the courtrooms or before entering the hearing rooms. Signs have been posted to use hand sanitizer before entering a courtrooms or hearing rooms.

5. Limited Attendance in the Courtroom

Because of the importance of social distancing requirements and the need to maintain six feet between individuals, it will be necessary to control and restrict attendance in the courtroom. Cases must be carefully calendared to avoid any overlap that may result in violation of social distancing requirements. Each courtroom and each hearing room should be examined to calculate the maximum number of persons that each courtroom/hearing room can accommodate to maintain proper social distancing and that number will be posted. Therefore, the numbers of all witnesses, court personnel, and law enforcement officers must be carefully restricted.

6. Air Purifying Equipment

The Facilities and Equipment Section of the Final Report of the Chief Justice’s Wisconsin Courts COVID-19 Task Force recommended:

HEPA air filters should be used to maintain air quality given the specific size of each courtroom, hearing room, and jury room. The filtration devices should be placed between the court personnel and the jury so that the purified air is aimed at the jury and public. If adequate filtration devices cannot be obtained for every courtroom/jury room, the county should utilize only those rooms that are sufficiently equipped with filtration devices and reduce court calendars to accommodate the reduced number of courtrooms.

Mr. James Elsbury, the St. Croix County Director of Facilities, has advised this Subcommittee that the ventilation system in the St. Croix County Government Center is more than adequate to “maintain air quality” without the need of further air filtration equipment or air filters.

7. Anti-Viral Wipes

Anti-viral wipes have been placed on counsel tables in all courtrooms and in the hearing rooms. At the conclusion of each proceeding, all frequently-touched surfaces in the courtroom should be wiped-down with anti-viral wipes, by the persons who sat at counsel tables. Signs should be provided as a reminder.

8. Facilities

As noted, some of the issues discussed by this Subcommittee potentially overlapped issues discussed by the other two subcommittees and this is one of those issues. As noted herein on page 4, the second Order issued by the Wisconsin Supreme Court on May 22, 2020, was In re the Matter of the Extension of Orders and Interim Rule Concerning Continuation of Jury Trials, Suspension of Deadlines for Non-Criminal Jury Trials, and Remote Hearings during the COVID-19 Pandemic and stated, among other things:

Each operational plan must include the following:

A requirement that all persons who are present in courtrooms, jury rooms, and other court-related confined spaces shall wear face coverings, 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 the judge or jury to weigh the witness's credibility. The plan must specify that notices regarding this requirement will be posted at the entrance of each courtroom, jury room, and court-related confined space and that this requirement will be enforced by the judge(s) of the circuit court;

Observing a witness and the witness's demeanor while testifying is a critical factor in determining a witness's credibility. Therefore, the Subcommittee believes that it is necessary that all witnesses remove their facemasks while testifying. In order to satisfy the requirements of this portion of the Supreme Court Order, the Subcommittee recommends that plexiglass barriers be installed in all four courtrooms, as well as the hearing rooms on the front of the witness stands. Further, the Subcommittee recommends that the notices required by this Order of the necessity to wear a mask be posted at the entrance of each courtroom as well as each hearing room.

The Subcommittee realizes that frequently during hearings attorneys have private conversations with their clients or with witnesses. Also, for example, in criminal cases, representatives of the Victim Witness office may have private conversations with victims. The Subcommittee does not believe further plexiglass barriers are feasible nor necessary for the safety of persons engaging in such conversations, and further believes, since all persons are required to wear a mask in the courtrooms/hearing rooms, the use of masks should be adequate protection.

9. Vulnerable individuals

It has become very clear that individuals who are over age 65, individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and individuals whose immune systems are compromised as a result of chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations. Because of that vulnerability, the Subcommittee believes that vulnerable individuals deserve to be mentioned as part of the Safety Criteria for In-Person Appearances.

The Subcommittee recommends that notices of hearing, notices of motions, orders to show cause, and other communications issued by the courts shall include information notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. The accommodations that will be provided to vulnerable individuals will include the ability to appear by Zoom video technology or by phone. Further accommodations will be considered on a case by case basis.

IN-PERSON RE-ENGAGEMENT -- A FIVE-PHASED PROCESS

The Subcommittee recommends that a five-phased approach in order to eventually return to full in-person court operations without any restrictions due to the COVID-19 virus. As will be explained, the court system is already in Phase One of the recommended five-phased schedule. Phase Two includes a return to limited in-person proceedings. Phase Three involves a return to in-person hearings in all matter except jury trials. Phase Four involves in-person hearings for all matters, including jury trials. Phase Five involves the same as Phase Four, but without any restrictions due to the COVID-19 virus.

The Subcommittee also realizes that the timelines it recommends are subject to modification due to ability to meet requirements suggested to transition to a new phase, as well as being subject to modification due to a change in conditions due to the COVID-19 virus.

Phase One: Resumption of four judges holding court five days a week, 8 a.m. to 4:30 p.m.

As noted on page 3, by Order dated March 25, 2020, effective March 30, 2020, court proceedings were limited to two judges a week, and only from 8 a.m. until noon. By Order dated April 16, 2020, effective May 1, 2020, all courts in St. Croix County would resume holding court Mondays through Fridays, with courts hours returning to 8 a.m. to 4:30 p.m. The Subcommittee sees no reason at this time to return to reducing the number of judges holding court and the Subcommittee sees no reason at this time to limit the hours the courts will be in operation. During this Phase One, most court proceedings will occur by phone and or audio/visual means, with the courts currently using Zoom technology, but a limited number of in-person proceedings (including essential and mandatory proceedings) have and will take place.

Phase Two: Resumption of limited in-person proceedings

The Subcommittee recommends that commencing Monday, June 15, 2020, in-person court hearings before a Judge, Circuit Court Commissioner or Family Court Commissioner in the following matters (being beyond essential and mandatory proceedings) should/may resume:

1. Criminal matters, except jury trials:

The Subcommittee recommends that the following matters be conducted in-person:

- initial appearances (currently, when done by Zoom, bond documents are not being returned)
- bond hearings
- competency hearings
- evidentiary motion hearings
- all proceedings at which an interpreter is needed
- NGI pleas
- hearings at which a guilty/no contest plea if entered in a felony

The Subcommittee recommends that the following matters be conducted in-person or by Zoom at the discretion of the court, but by Zoom only if the defendant has camera capability.

- preliminary hearings
- waivers of preliminary hearings
- arraignment
- hearings at which a guilty/no contest plea if entered in a misdemeanor

The Subcommittee recommends the continued use of Zoom or telephone for criminal hearings such as:

- status conferences
- scheduling conferences
- pre-trial conferences

The Subcommittee recognizes that Zoom technology has its limitations, especially if the user has poor internet reception or a poor Wi-Fi connection. Further, often person connecting to Zoom by use of a cell phone are not able to initiate camera capability.

(Though not part of this issue, the Subcommittee also recognizes that the Clerk of Court Office has the ability to provide text message reminders to defendants).

2. Mental commitment proceedings:

The Subcommittee recommends that, in general, these proceedings be conducted via Zoom or telephone, as allowed by statute. The Subcommittee recommends continued use of audio/visual technology for probable cause hearings or for stipulated final hearings if needed to be put on the record. Audio/visual technology can also be used for contested final hearings unless an in-person hearing is demanded by the subject.

3. Guardianship proceedings:

The Subcommittee recommends that these proceedings be held in-person, but with the recognition that (1) testimony from experts be allowed by Zoom or phone and (2) in adult guardianship cases the ward may be a vulnerable individual.

4. Juvenile proceedings in juvenile delinquency (JV), juvenile CHIPS (JC), juvenile JIPS, and juvenile guardianship (JG) cases:

The Subcommittee recommends that the following hearings be in-person:

- temporary physical custody requests
- initial plea hearings
- subsequent hearings at which all parties will admit
- contested hearings
- dispositional hearings

Other hearings may be conducted by Zoom, though the Subcommittee recognizes that since these types of proceedings are closed, there must be strict control over who is attending any hearing conducted by use of Zoom.

5. Termination of parental rights cases:

The Subcommittee recommends that all hearings in Termination of Parental Rights cases be in-person hearings, with normal accommodations made for persons in custody to appear by audio/visual means.

6. Civil matters, in person, as follows:

- Restraining order proceedings under Ch. 813
- Contested evidentiary motion hearings

- Family - Temporary order hearings if placement is at issue under Wis. Stat. 767.225(1)(am)
- Family - Enforcement of physical placement orders under Wis. Stat. 767.471(5)
- Family - Relocation motions under Wis. Stat. 767.481(2)
- Contested family hearings
- Replevin and eviction small claims proceedings.

The Subcommittee recommends that hearings in all other civil matters, including stipulated final divorce hearings, be heard by way of Zoom or telephone

Phase Three: In-person processing of all cases, except jury trials. Phase Three includes all case categories from Phase Two, but would now allow all in-person hearings in all civil proceedings other than jury trials. All of the above-referenced **Safety Criteria for In-Person Appearances** must continue to be utilized. It is still recommended that audio/visual technology be utilized for non-evidentiary hearings.

The Subcommittee recommends the continued use of Zoom or telephone for:

- initial appearances in small claims court
- initial appearances in traffic court
- default divorces and status conferences in family court cases
- mediation hearings in small claims court and family court cases
- mandatory pretrial conferences in traffic court cases with the District Attorney's Office

Phase Four: In-person processing of all cases, including jury trials. Before reinstating jury trials, please review the specific guidance in the Jury Trials section of this report. All of the **Safety Criteria for In-Person Appearances** must continue to be utilized, in addition to any jury specific safety precautions that should be instituted. It is still recommended that audio/visual technology be utilized for non-evidentiary civil hearings.

Phase Five: Resumption of all cases on an in-person basis with no restrictions. If a public health announcement is made determining that COVID-19 has been suppressed in the state, the processing of all cases may be resumed on an in-person basis without reliance upon the **Safety Criteria for In-Person Appearances**.

IN-PERSON RE-ENGAGEMENT: ST. CROIX COUNTY COVID - 19 CIRCUIT COURT OPERATING PLAN:

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, circuit court commissioners, family court commissioners and other individuals entering the buildings housing the courts, the courts of St. Croix County do hereby adopt and will implement the following protective measures:

General:

1. On May 14, 2020, the Hon. Scott R. Needham, St. Croix County Presiding Judge, established the St. Croix County Courts COVID-19 Task Force, which was established to “to address facilities / equipment, reengaging in-person court appearances, and reengaging jury trials.” The St. Croix County Courts COVID-19 Task Force, as well as Subcommittees thereof, have met to discuss and consider the recommendations outlined in the Final Report of the Chief Justice’s Wisconsin Courts COVID-19 Task Force. The members of the St. Croix County Courts COVID-19 Task Force included:

Scott R. Needham	Circuit Court Judge
Edward F. Vlack	Circuit Court Judge
R. Michael Waterman	Circuit Court Judge
Scott J. Nordstrand	Circuit Court Judge
Stephen J. Dunlap	Family Court Commissioner
Timothy Heckmann	Court Commissioner
Ericka Nelson	Register in Probate
Kristi Severson	Clerk of Court
Patrick Thompson	County Administrator
Kenneth Witt	Assistant County Administrator
Fred Johnson	HHS Director
Jim Elsbury	Facilities Director
Mark Schwartz	Facilities Manager
Brent Standaert	Support Services Captain
Christopher Channing	District Court Administrator
Scott Knudson	Sheriff
Curtis Johnson	Court Services Sergeant
Scott Cox	Corporation Counsel
Elizabeth Rohl	Assistant Corporation Counsel
Heather Amos	Assistant Corporation Counsel
Michael Nieskes	District Attorney
Laurie Osberg	Regional Atty Manager PD
Samantha Richie	Public Defender
Allyson Moore	SCC Bar Association
Michael O’Keefe	CJCC Coordinator
Kelli Engen	Public Health Administrator
Nathasha Cardinal	Emergency Management Manager
Cathy Borgschatz	Chief Deputy
Justin Johnson	Lieutenant

2. All judges will use all reasonable efforts to conduct proceedings remotely by use of audio/visual technology.

3. The St. Croix County Courts COVID-19 Task Force has determined that as of the date hereof, staffing needs have been addressed and any equipment and supplies deemed necessary to begin in-person hearing are in place.
4. The St. Croix County Courts COVID-19 Task Force, or Subcommittees thereof, will continue to meet regularly, will maintain communication with the local health authorities and the county administration, and will modify this operating plan as necessary due to any changes in the public health conditions that may arise in St. Croix County.
5. Judges may now begin scheduling non-essential in-person hearings, but non-essential in-person proceedings may not begin until June 15, 2020, at 8 a.m.

Judge and Court Staff Health:

1. Judges and court staff who can perform the essential functions of their job remotely or by audio/visual technology will continue to do so, whenever possible.
2. Judges, the Circuit Court Commissioner, the Family Court Commissioner, and Court Staff will follow recommended public health guidelines to monitor their health.
3. Judges, the Circuit Court Commissioner, the Family Court Commissioner, and Court Staff will be required to wear face coverings in the Courtrooms, in the Circuit Court Commissioner hearing room, and in the Family Court Commissioner hearing room. Judges, the Circuit Court Commissioner, the Family Court Commissioner, and Court Staff will practice social distancing and practice appropriate hand hygiene recommendations at all times.
4. Protective Measures: Hand sanitizer must be used before entering a courtroom, entering the Circuit Court Commissioner hearing room, or entering the Family Court Commissioner hearing room. Wipes are provided in the Courtrooms, in the Circuit Court Commissioner hearing room, and in the Family Court Commissioner hearing room for wiping down surfaces at the conclusion of in-person hearings, by the persons who sat at counsel tables. Signs should be provided as a reminder. Persons who are not e-filers are required to use the fax machine located in the hallway outside the Clerk of Courts Office to file papers with the Clerk of Court or the Register of Probate.

Scheduling:

1. The following court scheduling is established to reduce occupancy in the court building:

Cases must be carefully calendared to avoid any overlap that may result in violation of social distancing requirements.

Vulnerable Individuals:

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 individuals..
2. Notices of hearing, notices of motions, orders to show cause, and other communications issued by the courts shall include information 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. The accommodations that will be provided to vulnerable individuals will include the ability to appear by Zoom video technology or by phone. Further accommodations will be considered on a case by case basis as needed.

Social Distancing:

General

1. All persons not from the same household who are permitted in the St. Croix County Government Center will be required to maintain adequate social distancing of at least 6 feet in all areas, including conference rooms on the second floor.
2. No more than two individuals not from the same household will be permitted in an elevator. If more than one individual from the same household is in an elevator, no other individuals will be permitted in the elevator.
3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
4. The St. Croix County Government Center does have a vending machine area on the first floor but has no breakrooms and snackrooms that are open to the public.

Gallery

5. The maximum number of persons permitted in the gallery of each courtroom, the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room has been determined and posted. The maximum capacity of the courtroom, the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room will be monitored and enforced by court staff.
6. The gallery of each courtroom, the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room has been marked to identify appropriate social distancing in the seating.

Well

7. In each courtroom, the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room, the counsel tables, witness stand, judge's/court commissioner'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 at the entrances to the courtrooms, the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room, and at other locations in the hallways. .
2. Disinfectant wipes have been placed at counsel tables in each courtroom as well as in the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room.
3. CDC flyers outlining appropriate hygiene, social distancing, or public safety have been posted in multiple locations on each floor of the St. Croix County Government Center.
4. Notices shall be posted regarding the availability of hand sanitizer and disinfecting wipes/spray in the court-related areas of the Government Center to include the courtrooms, jury rooms, hearing rooms, and other court-related confined spaces.

Screening:

1. St. Croix County has had the benefit of security screening at the main entrance to the St. Croix County Government Center for a number of years. The Subcommittee recommends that the most logical location for entry screening for health reasons is also at the main entrance to the St. Croix County Government Center. A person's body temperature is one of the symptoms of the COVID-19 virus. The Subcommittee has been advised that walk-through equipment has been ordered that will register the body temperature of any person walking through this equipment. Thus, an immediate, non-obtrusive means will be available to alert the screening staff to a potential carrier of the COVID-19 virus. The Subcommittee was advised that at this time, however, this will be used for jail inmates only.

Potential Screening Questions to be asked of persons entering the Government Center, include:

- Have you been confirmed with the Coronavirus in the past 14 days?
- Have you come in contact with someone with lab-confirmed Coronavirus in the past 21 days?
- Have you traveled outside of Wisconsin during the past 21 days? If so, where?
- Do you have a fever of greater than 100.3?
- Do you have a cough?
- Do you have shortness of breath?

**If the answer to #3 is Minnesota, there is no issue. If the answer to #3 is a "hot spot" for COVID-19, such as Sioux Falls, SD or areas of Florida and the person has COVID-19 symptoms, Court Services can request that the individual not enter the building and instead be provided with a phone number to make an appointment for Government Center departments (i.e. Register of Deeds, County Clerk, etc.). If the individual has a court hearing, Court Services can call the Judicial Assistant for the judge assigned to determine if the individual can appear telephonically or through Zoom.

2. Individuals who are performing screening at the entrance to the St. Croix County Government Center will have a listing of court official phone numbers in order to notify the courts of individuals who may have been denied entrance.

Face Coverings:

1. All individuals entering the St. Croix County Government Center will be required to wear cloth face coverings / masks at all times.
2. Based upon the Order of the Wisconsin Supreme Court and the St. Croix County Operations Plan for Employees, the wearing of a cloth face covering / mask is required at all locations in the St. Croix County Government Center, including all courtrooms as well as the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room. However, a judge may determine on the record that it is necessary for a witness not to wear a cloth face covering / mask during the witness's testimony in order for the judge or jury to weigh the witness's credibility. Notices shall be posted at the entrance of each courtroom, hearing room, jury room, and court-related confined space regarding the requirement. This requirement shall be enforced by the judges / commissioners.
3. Individuals will be encouraged to bring cloth face coverings / masks with them, but if the individual does not have a cloth face covering / mask, a disposable face mask will be provided.

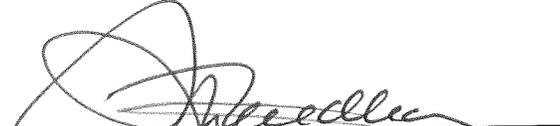
Cleaning:

1. Persons cleaning the St. Croix County Government Center shall clean the common areas of the court building so that common spaces are cleaned at least every day.
2. Persons cleaning the St. Croix County Government Center will clean and disinfect the courtrooms as well as the Circuit Court Commissioner Hearing Room and the Family Court Commissioner Hearing Room at the end of each day the courtroom is used.
3. Persons cleaning the St. Croix County Government Center have been provided cleaning supplies shown to be effective with this coronavirus.
4. Persons cleaning the St. Croix County Government Center have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
5. Anti-viral wipes have been placed on counsel tables in all courtrooms and in the hearing rooms. At the conclusion of each proceeding, all frequently-touched surfaces in the courtroom should be wiped-down with anti-viral wipes, by the persons who sat at counsel tables. Signs should be provided as a reminder.

Other:

I have conferred with all judges of courts with courtrooms in the St. Croix County Government Center, as well as our Circuit Court Commissioner and Family Court Commissioner who have hearing rooms in the St. Croix County Government Center, regarding this Operating Plan. In developing this plan, I consulted with the St. Croix County Courts COVID-19 Task Force. A list of members on the St. Croix County Courts COVID-19 Task Force is listed on the first page of this Operating Plan. The St. Croix County Courts COVID-19 Task Force will continue to meet as necessary. I will review staffing, public health, and facility conditions at least every fourteen (14) days to determine whether a change in phase is warranted. Depending on circumstances unique to St. Croix County, such as a sudden increase in COVID-19 cases, it may be necessary to revert to a previous phase until such time as expanded operations are once again warranted. I will ensure that the judges of St. Croix County, as well as our Family Court Commissioner and Circuit Court Commissioner who have hearing rooms in the St. Croix County Government Center covered by this Operating Plan, will conduct proceedings consistent with this Operating Plan.

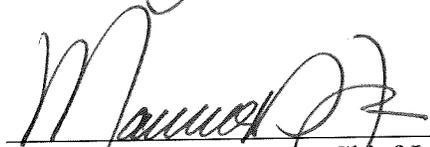
Date: June 8, 2020



Hon. Scott R. Needham, Presiding Judge

Approved:

Date: June 10, 2020



Hon. Maureen D. Boyle, Chief Judge
10th Judicial District

COVID-19 Circuit Court Operating Plan for St. Croix County Addendum: Jury Trial Plan

As an addendum to the Operating Plan filed with the Chief Judge of the Judicial District on [Click or tap to enter a date.](#), 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 St. Croix County will implement the following additional protective measures related to jury trials:

Recovery Planning and General Education

1. A jury reengagement subcommittee has been established and consists of the following:
 - Michael Waterman, circuit court judge
 - Michael Nieskes, District Attorney
 - Samantha Richie, Assistant Public Defender
 - Aaron Nelson, local bar association representative
 - Elizabeth Rohl, Assistant Corporation Counsel
 - Curtis Johnson, court services sergeant, sheriff's department
 - Kristi Severson, Clerk of Court
 - Rochelle Fox, Deputy Clerk of Court
 - Jim Elsbury, Facilities Director
2. The following efforts 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:
 - The clerk of court created an informational bulletin that describes jury service and the steps the Court has taken to guard against COVID-19 transmission. (A copy is attached). It includes information about health screening questions juror will be asked upon entering the government center; steps taken to ensure social distancing; notice that all persons must wear face masks; description of the cleaning and disinfecting measures; and information about deferring jury service.
 - The clerk will mail the informational bulletin to prospective jurors with a summons for jury duty.
 - The county will post the clerk's informational bulletin on its website.
 - The court will issue a news release that describes the precautions the court has implemented.
 - The judges have authored a letter to prospective jurors that stresses the importance of jury service and summarizes the COVID-19 precautions contained in the clerk's informational bulletin. (A copy is attached).

Summoning Jurors

1. Considerations have been made for the safety and wellbeing of jurors. The court will mail to each juror the clerk's informational bulletin and the judges' letter.
2. A policy has been developed for excusing jurors and deferring jury service. A copy of the policy is attached.

3. Protective measures have been added. All person entering the building must wear masks. To minimize congestion at the main entrance, jurors will be scheduled to arrive after employees report for work. The building uses a full air exchange system where fresh air from the outside is continuously circulated into the building. Social distance markers have been affixed to the floor and the seating benches. Jurors will assemble in the county boardroom, which permits social distancing. Hand sanitizer is available throughout the building. Clorox wipes are available in the courtrooms and deliberation rooms. Trained staff regularly clean and disinfect the building.
4. When jurors attempt to enter the building, uniformed security officers will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; have tested positive for COVID-19; have been in close contact with a person who is confirmed to have COVID-19; or have traveled outside Wisconsin in the past 21 days. Individuals who answer “yes” to any of these questions or who overtly show symptoms will be denied access to the building and the appropriate court official will be immediately notified.
5. When jurors attempt to enter the court building, trained personnel may use an infrared thermometer or other temperature screening equipment to determine the temperature of the individual. Individuals with a temperature of 100.0°F or above may not enter the building.

Juror Attendance and Safe Participation

1. The following personal protective equipment will be available to the jurors: masks, gloves, hand sanitizer, and Clorox wipes.
2. Social distancing of jurors will be enforced. The jury box in courtroom 1 will be enlarged and redesigned to accommodate 14 jurors, 6 feet apart. A Plexiglas partition will separate the jury from the gallery. Courtroom 1 will be designated the “Jury trial courtroom.”
3. The jury boxes in courtrooms 2–4 will be unchanged. No 12-person juries will be conducted in these courtrooms, but a 6-person jury may be conducted if alternating seats are used.
4. In all courtrooms, Plexiglas shields will be installed at the witness stand and the clerk’s desk. Counsel tables will be rearranged to accommodate social distance standards.
5. To reduce the number of people required to report for jury selection, the court may use questionnaires and “paper strikes” on a case-by-case basis. During voir dire, the reserve jurors will observe by video feed from the county boardroom. Reserve jurors will be brought to the courtroom only when needed.
6. Empaneled jurors will be able to fully observe the trial. The expanded jury box has three rows, two of which are elevated tiers. The judge, attorneys and witnesses will use microphones. All courtrooms have one large monitor so the jury can view evidence without touching it. Soon, courtroom 1 will have multiple monitors to enhance jurors’ ability to see evidence.
7. Social distancing consideration during trial breaks and deliberations. During court recesses, jurors will be divided into groups of 3 or 4 and assigned one of the jury rooms where they will have access to private restrooms. Meals and drinks will be individually packaged (e.g. boxed lunches, bottled water, etc.) Jury rooms have small refrigerators where jurors may store food

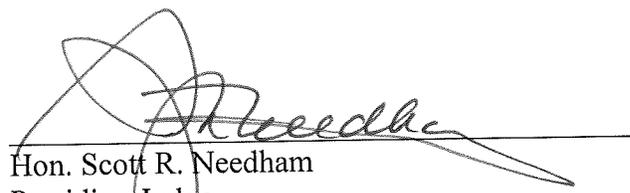
and drink, if they prefer to bring their own. The jury room and restrooms will be frequently cleaned, but Clorox wipes will also be available.

8. Jurors will deliberate in the courtroom where they will be able to maintain social distance.
9. Initially, only one jury trial will be conducted at a time. There may be circumstances where two jury trials can be conducted simultaneously, but it will depend on available space and resources. Jury trials will be prioritized, but the presiding judge has discretion to deviate from the list after considering the nature of the case, the liberty interest involved, the age of the case, the number of times trial had been scheduled, victim's interests, the need for immediate resolution, obstacles to rescheduling, etc. Absent such intervention by the presiding judge, jury trials will be prioritized in the following order:
 - Cases where jurisdiction is lost if trial is untimely – e.g. involuntary commitments, interstate detainers, guardianships
 - Speedy trial demands by persons in custody
 - Homicides, sex offenses and crimes endangering public safety
 - TPRs and CHIPS where timelines were demanded
 - Other criminal felonies for persons not in custody
 - Other criminal misdemeanors for persons not in custody
 - Civil
10. The gallery seats 18 persons, socially distanced 6 feet apart. Seating benches have been moved to maximize distance between rows. For most trials, seating capacity will not be a problem. For those cases where there is high public interest, the judge presiding over the trial will set aside a reasonable number of seats in the gallery for family and supporters of the litigants. The county boardroom will be used for overflow seating where observers can watch the trial by video.

I have conferred with all judges of St. Croix County, the Family Court Commissioner, Court Commissioner, and the St. Croix County COVID-19 Task Force regarding this Jury Trial Addendum to the Operating Plan. Judges will begin setting jury trials no sooner than July 1, 2020. I will ensure that the judges of courts with courtrooms in the court building covered by this Jury Trial Addendum will conduct proceedings consistent with the plan and the Addendum.

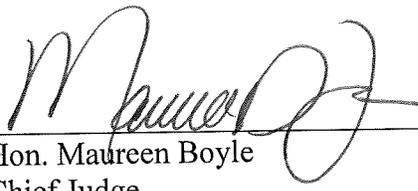
Date:

June 8, 2020


Hon. Scott R. Needham
Presiding Judge
St. Croix County Circuit Court

APPROVED:

Date: 6-10-2020



Hon. Maureen Boyle
Chief Judge
Tenth Judicial District

Jury Trial Reengagement Subcommittee Recommendations Summary

Subcommittee Objective: To accommodate jury practices to minimize exposure and infection of jurors, litigants, attorneys, witnesses, and court staff through interpersonal contact in a jury trial setting.

The Chief Justice's COVID-19 Task Force Final Report identified 12 areas for consideration when reengaging jury trials.

1. Notice regarding public health precautions. "It is of the utmost importance that each juror who receives a jury summons be provided with information regarding what efforts the county has taken to provide for the safety and well-being of jurors." (Final Report p. 15).

Recommendations:

- Along with the jury summons, the clerk of court should send a letter that describes the public need for jury trials and the precautions that the county has taken to keep jurors safe. A proposed letter is attached.
- The substance of the letter should be posted on the county's website.
- Jurors should be notified about the screening questions that will need to answer and notified about the requirement to wear masks at the government center. Persons who fail the screening or refuse to wear a mask will not be allowed in the government center.
- Attorneys should be encouraged to contact the judge and/or clerk of court after-hours in the event they, a party, or a witness have developed symptoms requiring an adjournment of the trial. This will allow jurors to be called off before they arrive at the government center.
- The Court should consider posting a short video to help jurors visualize the cleaning and safety precautions being used. For an example, visit <https://youtu.be/9IC9mnTDNdE> for a video done by Pima County Superior Court, Arizona.

2. Deferral and excusal policies when summoning jurors. "Each county should develop a standard deferral and excusal policy or review the existing policies in light of the COVID-19 pandemic." (Final Report p. 15).

Recommendations:

- The clerk of court should have authority to defer jury service for the following people:
- Persons who refuse to wear a mask;

- Persons who have been lab confirmed with COVID-19 within the past 14 days, and persons who have recently exposed to COVID-19 or are experiencing symptoms;
- Persons who are actively caring for a family member or loved one who has tested positive for COVID-19;
- Persons who are in self-quarantine;
- Healthcare workers;
- Elderly/at-risk individuals and persons caring for the elderly/at-risk;
- Persons caring for/educating school-age children at home;
- Persons who are uncomfortable with jury service despite the county's safety precautions.

3. **Juror assembling and reporting.** "Each county should take into consideration its ability to accommodate social distancing with respect to the number of jurors that are summoned." (Final Report p. 15).

Recommendations:

- Court services officers should encourage jurors to maintain social distancing at the security station at the main entrance.
- To minimize interaction with the county workforce, juries should be summoned to arrive no sooner than 8:30 a.m. with voir dire starting at 9:15 a.m.
- Judges and litigants should consider conducting jury selection the afternoon before the start of trial.
- Jurors will assemble in the county boardroom, which can accommodate social distancing.
- No shared food or drink should be available in the assembly area.

4. **Health screening of potential jurors.** "It is recommended that each county work in conjunction with the county health department to determine whether COVID-19 health screens via noninvasive body temperature checks and/or health questions should be used for all summoned jurors. If a county decides to implement health screening of jurors, any juror identified as being at high risk of having COVID-19 should be excused." (Final Report p. 16).

Recommendations:

- Court security will ask all jurors six screening questions. Jurors answering in the affirmative will be excused.
- Jurors' temperatures may be taken before entering the assembly area.
- Symptomatic jurors will be excused.

5. **Juror Personal Protective Equipment.** "Personal protective equipment (PPE) is equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses." (Final Report p. 16).

Recommendations:

- Jurors will be masked per county building policy.
- Gloves should be made available.
- Hand sanitizer and disinfecting wipes should be available.

6. **Social distancing in courtroom.** “The court in each county should make all reasonable efforts to comply with state, federal, and local recommendations and orders regarding social distancing and group functions. With respect to jurors, it is recommended that every effort be made to enforce social distancing in the courtroom between jurors and all other participants in a jury trial.” (Final Report p. 16).

Recommendations:

- Judges should inquire whether the litigants would opt for a 6-person jury. The Court can socially distance six jurors with fewer changes to the courtroom.
- Twelve-person jury trials will be held in Courtroom 1, which will be the designated “jury trial courtroom.” The county will expand the jury box to accommodate social distancing for 14 juror seats. A Plexiglas shield should divide the jury box and the gallery.
- The seating benches in the gallery will be repositioned in every courtroom to maximize distance between rows.
- A Plexiglas shield should be installed at the witness stand and clerk’s desk where social distancing is difficult to achieve.

7. **Safely conducting voir dire.** “It is recommended that the court consider... strategies to reduce the number of people required to report for jury selection.” (Final Report p. 17).

Recommendations:

- The courtroom cannot safely accommodate the entire jury panel. Some potential jurors will sit socially distanced in the jury box. A few reserve jurors will participate from the gallery. The rest of the jury panel will observe voir dire by video from the assembly area. When jurors are excused and all of the reserves in the courtroom have been exhausted, a small group of jurors will be summoned from the assembly area.
- Juror questionnaires should be considered on a case-by-case basis.
- Judges and litigants should consider reducing the number of peremptory strikes to reduce the number of jurors needed for voir dire. To compensate for fewer peremptory strikes, Judges may allow attorneys to strike jurors based on answers to the questionnaires.

8. Juror attendance and participation during trial. “After the jury has been empaneled, every effort should be made to accommodate social distancing between jurors and all trial participants, including seating jurors outside the confines of the jury box.” (Final Report p. 17).

Recommendations:

- See recommendations for item #6

9. Jury trial breaks and deliberations. “During breaks in the jury trial and during deliberations, every effort should be made to accommodate social distancing between the jurors.” (Final Report p. 18).

Recommendations:

- The jury rooms can accommodate a 6-person jury.
- Twelve-person juries will deliberate in the courtroom. For breaks and restrooms, the jury should be divided into small groups and assigned a deliberation room.
- No dining out. Boxed lunches and individualized meals should be provided. No shared food, like pizza, pastry plates, and fruit bowls.
- Single-use bottled water should be supplied.
- Sanitizing wipes should be available for jurors throughout their service.

10. Prioritizing jury trials. “The presiding judge (or chief judge designee), after consultation with the county’s judges, should issue an order stating which jury trials will be given priority when scheduling.” (Final Report p. 18).

Recommendations:

- The following priority is recommended:
 - Cases where jurisdiction is lost if trial is untimely – e.g. involuntary commitments, interstate detainers, guardianships
 - Speedy trial demands by persons in custody
 - Homicides, sex offenses and crimes endangering public safety
 - TPRs and CHIPS where timelines were demanded
 - Other criminal felonies for persons not in custody
 - Other criminal misdemeanors for persons not in custody
 - Civil
- The presiding judge should have discretion to deviate from this list after considering the nature of the case, the liberty interest involved, the age of the case, the number of times trial had been scheduled,

victim's interests, the need for immediate resolution, obstacles to rescheduling, etc.

- It is anticipated that multiple trials will be scheduled for the same day. To promote efficiency and fairness to the attorneys and litigants, a judge or court commissioner should conduct a pretrial 14 days before the trial, ideally with all of the attorneys for all of the cases scheduled for trial. Everyone needs a clear understanding which case will be tried so that the others can be rescheduled and trial preparations can be postponed.

11. **Scheduling jury trials.** "In counties with multiple branches, the presiding judge (or chief judge designee), after consultation with all the judges in the county, should establish by order a jury trial schedule." (Final Report p. 18).

Recommendations:

- The enlarged jury box in courtroom 1 should be finished by end of June.
- Only one jury trial should be conducted at a time. Once the new system is perfected, then additional, 6-person jury trials can be added, if space and resources permit.
- Judges should maintain a master trial list. Trials should be stacked according to priority. Judges will need to strictly enforce settlement deadlines so that the trial dates are used efficiently and so that participants in the backup trials can be timely notified if their status changes.
- Despite the Court's best efforts, some attorneys and litigants will be uncomfortable conducting jury trials while COVID-19 is active. When exercising scheduling discretion, judges should take such attitudes into consideration and attempt to accommodate them, when possible.

12. **Public and victim access to jury trials.** "The public has the right to view open public court proceedings that are not otherwise closed or confidential according to law. If restrictions and recommendations for social distancing are in effect during a jury trial, there may not be any room in the courtroom for the public to attend in-person." (Final Report p. 19).

Recommendations:

- Courtroom 1 can safely accommodate 18 persons in the gallery. A Plexiglas partition should be installed between the jury box and the gallery. To supplement public access, the Court should provide a video option, especially for trials garnering high public interest. The Court is capable of providing direct access by Zoom or livestreaming by YouTube. These options can be distributed to the public, or limited to

an alternative viewing location, such as an unused courtroom or county boardroom.

ST. CROIX COUNTY JUROR DEFERRMENT POLICY

The clerk of court may defer jury service for no more than 1 year when a potential juror:

- Refuses to wear a mask or face shield.
- Has been lab confirmed with Coronavirus in the past 14 days.
- Has been in contact with someone with lab-confirmed Coronavirus in the past 21 days.
- Has traveled outside Wisconsin (not including Minnesota for essential purposes) in the past 21 days.
- Has shortness of breath, a cough, or a fever greater than 100.0.
- Is currently ill.
- Is actively caring for a family member or loved one who has tested positive for Coronavirus.
- Is in self-quarantine status during the period of jury service.
- Is a health care professional working in an environment where COVID-19 is likely present or where the potential juror's services are required due to the pandemic.
- Elderly/at-risk individuals and persons caring for the elderly/at-risk;
- Persons caring for/educating school-age children at home;

All other requests for deferment must be approved by the presiding judge.

ST. CROIX COUNTY JUROR INFORMATION

Welcome to Jury Duty

Please read the following information and note your panel member number located on your summons letter. You will need your panel member number to determine if you are included in the selected range of panel members expected to report. The Circuit Courts are taking every reasonable precaution to maintain the health and safety of jurors, parties, attorneys, and court staff during jury selection and jury trials.

1. **REPORTING INSTRUCTIONS:** If you have provided phone and e-mail contact information, you will receive regular, automated, pre-recorded voice messages, text messages, and/or e-mail messages regarding the status of trials. If you do not receive the automated message, please call 715-386-4629 or 1-800-640-8524, any time after 4:30 p.m., but prior to 8:00 a.m. Please listen carefully to the message; it will give you the panel member numbers expected to report and specific instructions for reporting. Trials typically begin between 8:00 a.m. and 9:00 a.m.
2. **COVID-19 PRECAUTIONS:** All persons entering the St. Croix County Government Center will be subject to security screening and asked COVID-19 related health screening questions. Persons who fail the screening will not be allowed in the Government Center.
 - Masks are required to be worn by everyone entering the Government Center. Please bring your own mask or face covering with you. If you don't have a mask, one will be provided to you.
 - Gloves and hand sanitizer will be available to jurors.
 - Courtrooms and public spaces are regularly cleaned and disinfected
 - Sufficient space will be provided in order for jurors to be able to avoid close proximity with one another and safely practice social distancing.
 - If you are experiencing any COVID-19 related symptoms, prior to or during your month of service, immediately notify the Clerk of Court office at 715-386-4642. You may be asked to furnish documentation from your health care provider.
 - HEALTH SCREENING QUESTIONS MAY INCLUDE:
 - Have you been lab confirmed with Coronavirus in the past 14 days?
 - Have you come into contact with someone with lab-confirmed Coronavirus in the past 21 days?
 - Have you traveled anywhere outside of Wisconsin (not including Minnesota for essential purposes) in the past 21 days?
 - Do you have shortness of breath, a cough, and/or a fever greater than 100.3?
3. **AVAILABILITY:** If any of the following apply, contact the Clerk of Court office by phone or in writing immediately:
 - You are actively caring for a family member or loved one who has tested positive for Coronavirus
 - You are now in self-quarantine status and that status will continue in to July 2020
 - You are a health care professional presently working in an environment where COVID-19 is more likely or your services are required due to the pandemic
 - You are no longer a St. Croix County resident
 - You are on probation or parole for a Felony
4. **ATTENDANCE:** Please report to the Government Center at 1101 Carmichael Road, Hudson, WI as directed and sign-in with the bailiff at the designated assembly location.
 - DO NOT report the morning of a jury trial and indicate that there is a conflict. Please notify the Clerk of Court in advance of any scheduling conflicts. If you wait until the last minute and ask to be excused for an appointment after your panel member number has been called for a trial, your request to be excused may be denied.

- **ILLNESS OR EMERGENCY:** If you are unable to report for jury duty on a day that you have been called in to report because of illness or an emergency, please call the Clerk of Court office shortly after 8:00 a.m. at 715-386-4629 or 715-386-4642. **You will be required to submit a doctor's note indicating the reason for your illness and absence.** If you are unable to complete your month of service, you will be rescheduled to another month.
5. **BREAKS:** Periodic 10-15 minute breaks during a trial will be announced. **JURORS ARE NOT PERMITTED TO LEAVE THE JURY ROOM, EXCEPT WHEN RELEASED BY THE JUDGE.** Smoking is not permitted in the Government Center, but the bailiff may make accommodations to take you out of the building during a break in court proceedings.
 6. **LUNCH BREAK:** Lunch is provided by the County. Due to the COVID-19 pandemic, boxed lunches, bottled water, and soda will be provided in order to minimize any travel in and out of the courthouse and to minimize jurors' interaction with others outside of the courthouse. Please inform the bailiff of any dietary restrictions.
 7. **EMPLOYER VERIFICATION:** If your employer requires verification of your jury duty attendance, the Clerk of Court office will provide a letter showing the days served. You may inquire at the Clerk of Court office for this verification letter. We **DO NOT** mail letters directly to your employer.
 8. **JUROR PAY:** You will be paid a juror per diem of \$20.00 for a half day of service and \$40.00 for a full day of service, plus round trip mileage at .51 cents per mile. You will receive a check approximately the 15th day of the month following your month of service. **If your address has changed since you were summoned, please inform the Clerk of Court office immediately to ensure receipt of payment.**
 9. **TERM OF SERVICE:** Wisconsin law limits you to no more than five days of service, unless you are selected to serve on a trial that will last longer. You are exempt from jury duty for four years after your month of service is complete. Most jurors only report once or twice during a month of service.

**FAILURE TO APPEAR FOR JURY DUTY MAY RESULT
IN A WARRANT FOR YOUR ARREST.**

10. **GENERAL INFORMATION:**

- Jurors are strictly prohibited from discussing any case with their fellow jurors or anyone while a case is pending.
- Dress to your level of comfort. There is no formal dress code; however, business casual is preferred.
- Use of cell phones, pagers, electronic devices and/or computers in the courtrooms and deliberation rooms is prohibited without prior consent of the Judge.
- You may not visit any courtrooms prior to your service, as you may get the wrong impression of cases being heard. Trials may seem alike, but each case must be judged individually.
- **BE ON TIME** – once you are selected on a panel, the court cannot proceed unless all jurors are present.
- Please let the Jury Bailiff or Court Staff know if you have any special needs.

On behalf of Kristi Severson, Clerk of Circuit Court, and Judge Scott R. Needham, Judge Edward F. Vlack, Judge R. Michael Waterman and Judge Scott J. Nordstrand, we would like to thank you for serving and look forward to working with you.

To All Prospective Jurors

RE: Jury Service and Precautions against COVID-19

Dear Prospective Jurors:

Attached to this letter is a summons, directing you to appear for jury service. I want to assure you that every reasonable precaution will be taken to enhance the health and safety of the jury, the parties, the lawyers, and the Court staff.

All persons entering the government center are required to wear masks. You may bring your own or we will supply one for you. All persons will also be screened for COVID-19. The screening questions are attached. Please review them now, and if you would answer any of these questions "yes," please call Kristi Severson at (715) 386-xxxx to discuss your options.

After clearing security, you will be escorted to the county boardroom for orientation. Jurors will be socially distanced more than six feet apart. When the trial is ready to begin, a bailiff will bring small groups of jurors to the courtroom for jury selection. There too, jurors will be seated at least six feet apart.

The government center has many features to mitigate COVID-19 transmission. All employees and guests are required to wear masks. The building has a full air exchange system where fresh air from the outside is continuously circulated into the building. Alcohol-based hand sanitizers are available at multiple locations. The courtrooms, jury rooms, restrooms, elevators and all other public areas of the building are frequently cleaned and disinfected.

Your comfort during the trial is important to us. Court will recess to give you periodic breaks. Although we will not supply communal snacks, we will provide individually packaged meals for lunch and bottled water and soft drinks throughout the day. If you prefer to bring your own meal or drinks, we have refrigerators and microwaves that you may use.

The right to trial by jury is one of the cornerstones of our democracy. We strongly believe that jury service is the second highest form of public service that any American can perform (second only to service in the Armed Forces). It is vital that you appear and present yourself for jury service; however, we are mindful of these challenging times and we will take every reasonable precaution to maintain your health as well as that of the parties, lawyers and staff during the trial.

Thank you and we look forward to seeing you.

ST. CROIX COUNTY CIRCUIT COURTS COVID-19 TASK FORCE

Report by Facilities/Equipment Subcommittee

INTRODUCTION

Subcommittee Objective: To identify facilities and equipment necessary for the resumption of in-person court activities, including court hearings, jury trials and activities of the clerk of courts.

The Chief Justice's COVID-19 Task Force Final Report ("COVID-19 Report") identified 12 areas for consideration regarding facilities and equipment. They are set out below in bold, followed by the Subcommittee responses and recommendations.

Recommendations of the Subcommittee that do not specifically relate to the 12 areas identified in the COVID-19 Report are addressed at the end of this memorandum.

SUBCOMMITTEE RESPONSES AND RECOMMENDATIONS RELATED TO THE COVID-19 REPORT

1. **Signage and floor markings.** Signage should be posted around the courthouse to remind individuals to maintain proper social distancing. Floor markings in queuing areas should indicate where individuals should stand in order to maintain physical distancing.
 - Signs regarding social distancing and use of County-provided hand sanitizer stations have been placed in the public spaces throughout the St. Croix County Government Center ("Government Center").
 - These signs are on the benches, floors, walls and doors.
 - Free-standing signs should be added at the doors entering each of the courtrooms and hearing rooms to remind employees and visitors to maintain social distancing and utilize hand sanitizer stations.
2. **Enhanced barriers.** Courthouses should erect plexiglass (or similar material) dividers between the public and court staff, as well as between individuals participating in in-person courtroom proceedings, where acceptable social distancing cannot be maintained. This includes customer service counters in the clerk's office, as well as throughout the courtrooms/hearing rooms to protect judges/commissioners, court clerks, testifying witnesses, court reporters, parties at counsel tables, and jurors.
 - Plexiglas barriers have been installed at service windows in the clerk of courts' office.

- Plexiglas barriers should be installed in the courtrooms and hearing rooms to shield the witness stand and clerk's desk.
 - Given the distance of the judges/commissioners from other courtroom/hearing room participants, no barriers for the benches are recommended.
 - Barriers between and on litigant tables are not recommended.
3. **Air purifying equipment.** In consultation with local public health officials and building facilities staff, consider strategic placement of portable air purifiers (HEPA grade) in courtrooms, offices, conference rooms, and wherever people are required to congregate. The size and number of units should be based upon the placement and location to divert air away from people. Attendant to this will be the procurement of replacement filters, as such filters typically last between six to eighteen months, depending upon the size of the space and the overall air quality. Some courthouses report having HVAC systems that incorporate ultraviolet light air treatment systems. Although this may be helpful, public health experts consulting the Task Force indicated that localized (in-room) air filtration/purification may be more effective.
- The Government Center HVAC system has been adjusted to provide 100% outside air into the building, including courtrooms, hearing rooms and jury rooms. As such, all air in each space is replaced 4.5 times per hour, in an effort to diminish virus contamination in the building. No air is recirculated in the building.
 - The use of portable air purifiers will diminish the effectiveness of this air circulation and replacement process and are, therefore, not recommended.
4. **Health screening equipment.** Public health experts recommend health screening upon entry to the courthouse. This includes asking simple questions regarding symptoms and prior contacts with exposed individuals, as well as the utilization of no-touch infrared thermometers to assess individuals for fever (as recommended by OSHA and the CDC).
- Employees and visitors enter the Government Center through the main front doors where security screening has historically been conducted by Sheriff's Department staff.
 - All entrants are currently screened with questions regarding symptoms, contacts and travel related to COVID-19.
 - Temperature screening devices may be added to the screening protocol at the main entrance.
 - Any person evidencing symptoms or exposure to COVID-19 as the result of the screening should be prevented from entering the Government Center. If the affected person is required to be in court, they should be directed to call a court staff person after leaving the Government Center to inform the applicable court official.
5. **Personal Protective Equipment.** Court staff and court officials should be provided with surgical grade facemasks, as well as gloves if it is necessary to handle exhibits. Litigants who are attending proceedings where their presence is mandatory should be provided with a surgical mask if they do not have one (this would include jurors).

It is recommended that members of the public entering the courthouse on a voluntary basis should provide their own face coverings; the court would not provide this equipment to them. This recommendation should be addressed by a larger county committee based on the occupancy of building (e.g., what functions and offices are located within the courthouse or county building).

- Masks are required for entry to the Government Center and must be worn in all public areas.
 - Employees and visitors may use their own cloth or paper surgical masks. Alternatively, the masks are provided at no cost at the main entrance screening area.
 - Masks should be required during all court proceedings for judges, clerks, court reporters, attorneys, parties and spectators. The mask requirement should be suspended for witnesses at the direction of a judge or commissioner, if the court finds that it is necessary to assess the credibility of a witness and the Plexiglas barrier for the witness stand is in place.
 - Gloves should be provided to judges, clerks, litigants for handling exhibits.
6. **Cleaning/sanitizing agents. Court officials and staff should have sufficient hand and surface sanitization products to ensure that their hands are clean and that surfaces that have been touched during one transaction or proceeding can be wiped down before the next transaction/proceeding. The emphasis between hearings should be to quickly wipe down surfaces that are likely to have been touched during the proceeding (e.g., counsel tables, the witness stand, etc.). A deeper cleaning of courtrooms should be performed after hours. Additionally, wall-mounted or free-standing hand sanitizing dispensers should be located throughout the courthouse for use by the public.**
- Clorox Wipes or the equivalent should be placed on the litigant tables in each courtroom/hearing room.
 - A sign should be affixed to each litigant table requesting that each litigant use the wipes to clean the table before leaving the courtroom/hearing room.
 - The County cleaning staff should regularly clean all commonly touched surfaces (door handles, tables, witness stand and Plexiglas, chairs, etc.) throughout the day.
 - The County cleaning staff should conduct a deeper cleaning of the courtrooms, hearing rooms, jury rooms/bathrooms (if in use) at the end of each day.
 - Hand sanitizer stations are located throughout the Government Center, including outside the entrance to each courtroom.
7. **CCAP-provided touchscreen kiosk. If use of the touchscreen kiosk is a priority, consider placing sanitizing wipes at the kiosk and adding signage requiring users to wipe the screen before and after use. Provide a trash receptacle to collect used wipes. If staff and supplies are not available to clean the screen after each use, it may be advisable to temporarily prevent access to kiosks.**
- The CCAP-provide touchscreen kiosk should be regularly cleaned by clerk of courts staff.

- Computer monitor wipes should be made available next to kiosk for use by members of the public between cleanings by staff.
 - A sign requesting that the kiosk be cleaned by the public after use should be affixed to the wall adjacent to the kiosk.
8. **Install keyboard protector on public access computers. These devices are necessary for required records inspection. Staff should ensure they are disinfected between uses (either by spray or anti-viral wipes). This equipment may be seen as a CCAP responsibility.**
- Keyboard protectors should be installed on the public access computers in the law library and ensure that the protectors are regularly cleaned by clerk of courts staff.
 - Clorox Wipes or equivalent should be made available next to the computers for use by members of the public between cleanings by staff.
 - Signs requesting that the keyboard protectors be cleaned by the public after use should be affixed to the wall adjacent to the computers.
9. **Drop box / Fax machine. Many clerk's offices have installed drop boxes to allow litigants to file documents with the clerk's office without entering the courthouse. Use of such drop boxes will continue to be encouraged in order to minimize the number of people who need to physically enter the courthouse. Some clerk's offices have installed fax machines for public use. If an individual appears at the clerk's office and would like to file paper documents, they are given directions on use of the fax machine so as to avoid transmittal of the virus on the surface of said documents.**
- A drop box for court filings has been installed outside the clerk of courts' office.
 - A fax machine for court filings has been installed outside the clerk of courts' office.
10. **Elevator protocols. Staff will have to be allocated to control traffic at elevators, as physical distancing is not possible in that enclosed space. Public health officials will have to advise on how many people, if masked, can ride an elevator at once. Staff may have to press the summoning and floor buttons for riders. Staff will have to frequently disinfect button panels.**
- It is not practical to post staff to operate the two elevators in the Government Center.
 - The County should install stickers in the corners of each elevator advising passengers of a four-person limit and to maintain social distancing by standing in the corners of the elevators.
11. **Seating. Fabric-upholstered chairs are difficult to clean/disinfect. Consider replacing such seating with plastic or other hard chairs that can be disinfected more easily.**
- The seating in the courtrooms and hallway waiting areas do not have fabric coverings.

12. **Doors.** To minimize the need for sanitizing frequently-touched door handles, doors should be propped open or even removed, to the extent that this does not disrupt courthouse security.

- During non-confidential hearings and trials, one side of the double-doors entering the courtrooms should be propped open with door stops.

OTHER SUBCOMMITTEE RECOMMENDATIONS

1. Jury Box.

- The jury box in a single courtroom should be redesigned and reconstructed to allow for 6-foot social distancing between jurors while seated in the box (see attached drawing).
- Given the necessary dimensions of the new jury box, (1) the existing jury box walls should be removed, (2) the two existing elevated levels in the jury box should be extended to the gallery bar, (3) the gallery bar should be extended to the wall behind the jury box, (4) a new third row of juror seating should be established in front of the existing seating and (5) a new wall should be constructed along the front of the jury box.
- The Subcommittee recommends that the jury box be designed with 13 fixed seats and an additional moveable seat.
- Given the Subcommittee recommendation to modify the jury box in a single courtroom, only one jury trial could be conducted at a time in the Government Center.
- The Subcommittee elected not to address facilities and equipment issues related to other jury trial options (use of the County Board Room and courtroom gallery), as the consensus in the Subcommittee favored the jury box expansion option.

2. Jury Rooms and Deliberations.

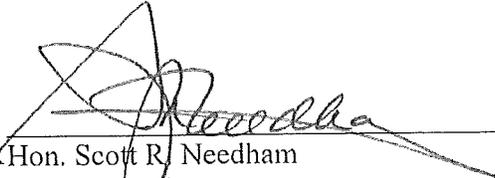
- To maintain social distancing, jurors should use 2 to 3 jury rooms for breaks, lunch, and court hearings out of presence of jury.
- The use of multiple jury rooms will also allow juror access to more private restrooms (2 per jury room).
- Two bailiffs will likely be necessary to monitor multiple jury rooms.
- During jury trials, County cleaning staff should regularly clean all commonly touched surfaces (door handles, tables, bathroom facilities, etc.) throughout the day.
- Clorox Wipes or equivalent should be provided in each jury room and bathrooms for use by the jurors to clean surfaces between County staff cleanings.
- Given space limitations, jury deliberations must be held in the courtroom.
- During jury deliberations, the judge must meet with attorneys and litigants (if necessary) in chambers or another courtroom.

3. Courtroom Gallery.

- To maintain social distancing, the existing four gallery rows should be reduced to three.
- The judge should limit seating on each of the remaining 6 benches in the gallery to 3 persons per bench (18 persons total), unless family groups not requiring social distancing allow the total to be increased.
- The removed benches should be placed in front of the gallery bar to provide supplemental seating for use at the discretion of the judge.
- In the courtroom with the new jury box, the removed gallery bench on the jury box side of the courtroom should be placed in hall outside the courtroom to provide supplemental seating.

I have conferred with all the judges of St. Croix County and the St. Croix County COVID-19 Task Force regarding this Facilities / Equipment / Jury Box Redesign Plan (Addendum A). I have also reviewed the architectural drawings for the redesign of the jury box in Courtroom 1 and recommend its approval.

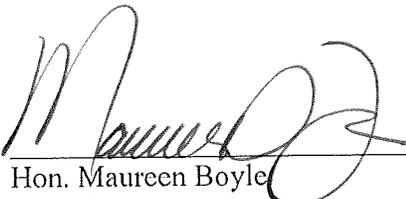
Dated this 8th day of June, 2020.



Hon. Scott R. Needham
Presiding Judge
St. Croix County Circuit Courts

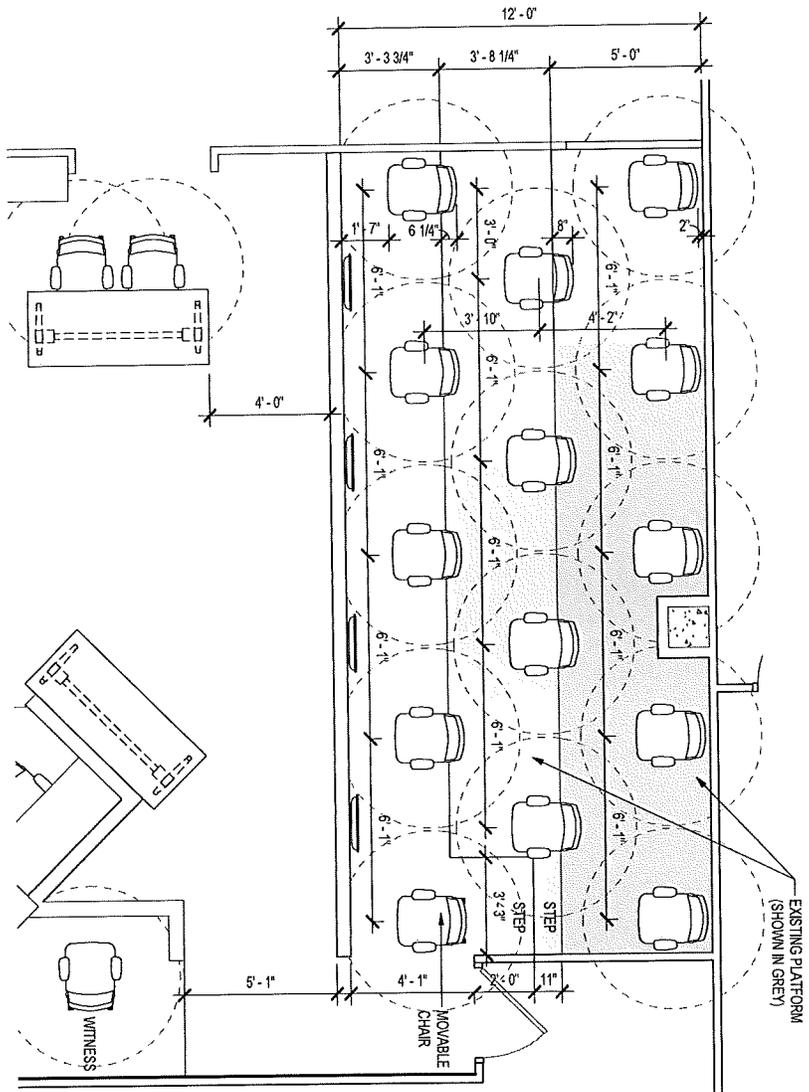
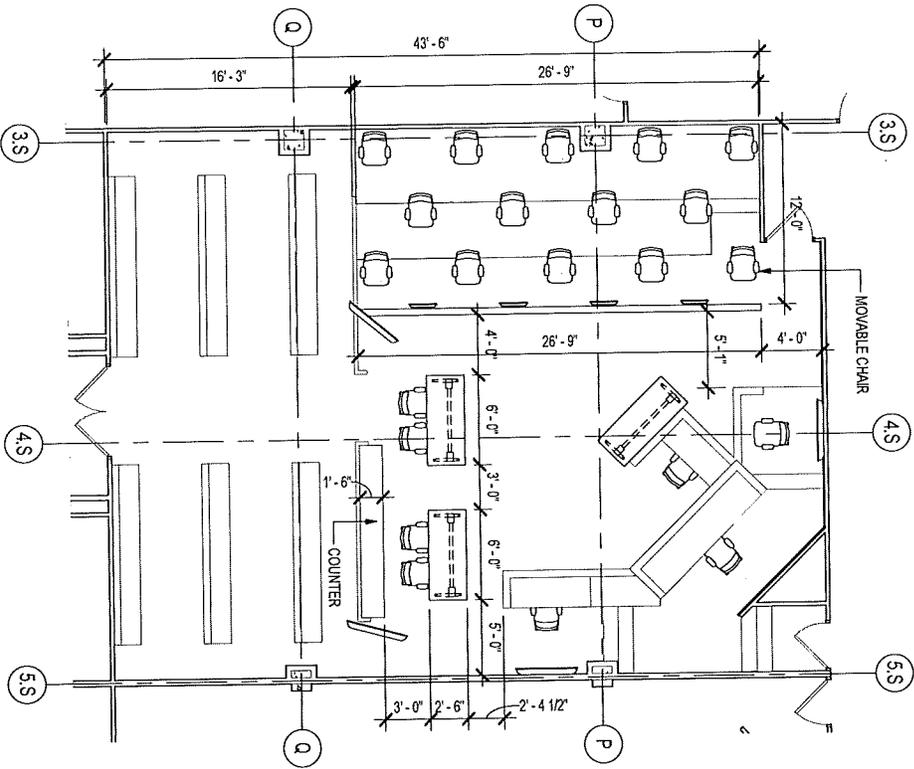
APPROVED:

Dated this 10th day of June, 2020.



Hon. Maureen Boyle
Chief Judge
10th Judicial District

COVID-19 COURTROOM JURY BOX RE-DESIGN



ADDENDUM A