
**ORDER APPROVING OPERATIONAL PLAN INCLUDING JURY TRIALS
IN TAYLOR 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 be continued and rescheduled by the assigned judge to a date after May 22, 2020;

WHEREAS: On March 22, 2020, and as amended on April 15, 2020, the Wisconsin Supreme Court suspended, until further order of the court, most in-person hearings in the circuit courts, subject to exceptions for certain matters, including those approved by the chief judge of each district;

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

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

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

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

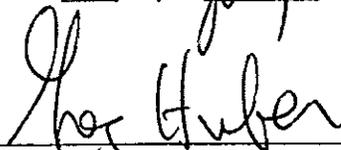
WHEREAS: The May 22, 2020 order requires the chief judge of the administrative district to "review the [operational] plan to ensure that it includes the requirements set forth above, reduces to the greatest extent possible the risk of transmission of the virus that causes COVID-19, and promotes the health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

WHEREAS: The judge of Taylor County has filed with the chief judge of the 9th Administrative District an operational plan (attached) incorporating the requirements of the May 22, 2020 order and considering the Task Force's final report;

WHEREAS: This operational plan will allow the resumption of in-person hearings and jury trials consistent with phases one, two and three of the Task Force Final Report. The judge along with the local health officials will continue to monitor the local health conditions;

THEREFORE: Pursuant to Wisconsin Supreme Court Rules 70.19(3)(f), 70.20(1), and the Supreme Court Orders of March 22, 2020, and as amended on April 15, 2020, Taylor County may resume in-person hearings and jury trials in accordance with the operational plan attached, as designated in the Task Force's final report for phases one, two, and three.

Dated this 29th day of July, 2020



Hon. Greg Huber
Chief Judge, 9th Judicial District

**STATE OF WISCONSIN
9TH JUDICIAL DISTRICT
TAYLOR COUNTY, WISCONSIN**

THE ATTACHED

COVID-19 CIRCUIT COURT SAFETY PLAN FOR TAYLOR COUNTY

DATED JUNE 22, 2020,

WHEN COMBINED WITH THE ATTACHED

**COVID-19 CIRCUIT COURT OPERATING PLAN FOR TAYLOR COUNTY:
ADDENDUM: JURY TRIAL PLAN**

DATED JULY 28, 2020,

CONSTITUTE THE

**OPERATIONAL PLAN FOR THE SAFE RESUMPTION
OF IN PERSON PROCEEDINGS AND JURY TRIALS IN
TAYLOR COUNTY, WISCONSIN.**

COVID-19 Circuit Court Safety Plan for Taylor County

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the courts of Taylor County will implement the following protective measures:

General

1. The county judiciary has established a stakeholder's committee to discuss and consider the recommendations outlined in the Wisconsin COVID- 19 Task Force report.
2. All judges and court commissioners will use all reasonable efforts to conduct proceedings remotely.
3. Before calendaring in-person hearings, the stakeholder's committee has addressed staffing needs and has procured any equipment and supplies deemed necessary.
4. The stakeholder's subcommittee will continue to meet regularly, maintain communication with the local health authority and the county office of risk management, and will adjust this operating plan as necessary with any changes in the public health conditions in the county.
5. Judges will begin setting non-essential in-person proceedings on a case by case basis to be determined by the judge.

Judge and Court Staff Health

1. Judges, commissioners and court staff who can perform the essential functions of their job remotely will continue to do so, whenever possible.
2. The following procedures have been implemented to monitor the health of Judge and Court Staff: The judges, commissioners and court staff will follow any protocol implemented by Taylor County, which are consistent with Taylor County's public health guidelines. They will self-report as directed under Taylor County's guidelines.
3. Judges, commissioners and court staff will be required to wear face coverings in the courtrooms, jury room and confined court related spaces, practice social distancing, and practice appropriate hand hygiene as recommended by the CDC.
4. Protective Measures: PPE and hand sanitizer are provided to judges, commissioners and court staff and cleaning of courtrooms and clerk of court offices are completed several times throughout the day.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Court officials, at their discretion, will continue to use remote means to conduct hearings to reduce courtroom occupancy, and hearings are scheduled further apart to reduce the number of people in the courtroom at one time. Public access to open hearings is provided by broadcast to YouTube.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Vulnerable populations will be accommodated, upon request, by using zoom video or telephone on a case by case basis.

Social Distancing

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet.
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 signage to ensure social distancing and will be cleaned regularly.
4. Taylor County does not have breakrooms or snack rooms available to the public.

Gallery

5. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
6. The gallery of the courtrooms has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

7. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and balliff 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 strategic locations throughout the courthouse.
2. Disinfectant wipes or spray and toweling have been placed at a cleaning station in each courtroom.
3. CDC flyers outlining appropriate hygiene and social distancing have been posted at multiple locations on each floor of the Taylor County Courthouse.

Screening

1. When individuals enter the Taylor County Courthouse they will be subject to Taylor County public health guidelines.

Face Coverings

1. All members of the public entering the Taylor County Courthouse are strongly encouraged to wear face coverings at all times.

2. All persons present in the courtroom and court-related confined spaces shall wear face coverings. Individuals may bring face coverings with them, but disposable face masks will be provided by the court upon request.
3. Any witness is exempted from the masking requirement if the court determines on the record that it is necessary that the witness not wear a face covering during the witness' testimony in order to evaluate the witness' credibility.
4. Notices regarding this requirement will be posted at the entrance of each courtroom and any other court-related confined space.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building at least every day.
2. Counsel table and common areas in the courtrooms will be cleaned and disinfected at least twice per day. If any party feels that additional cleaning or disinfecting is necessary, cleaning materials will be available at the cleaning station in the courtrooms for that purpose. It is recognized that, depending upon the level of use, the cleaning and disinfecting may need to be done more often.
3. Taylor County continuously runs the HVAC system.

Other

It is understood that public awareness of these measures is necessary. This information will be shared through press releases, county websites, social media, state and local bar associations, and any other appropriate public sources of information.

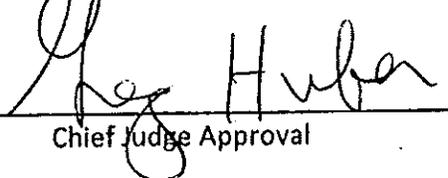
In developing the plan, I consulted with the stakeholder's committee. The committee members are listed on the attachment.

Date: 6/22/2020



Amy N. Knox-Bauer

Date: 6/22/2020



Chief Judge Approval

Stakeholder Committee Members

Ann Knox-Bauer – Circuit Court Judge

Colleen Handrick – Emergency Management Director

Patty Krug – Health Department Director

Marie Koerner – Human Resource Manager

Courtney Graff – Corporation Counsel

Corey Dassow – Chief Deputy, Taylor Co. Sheriff's Department

Lisa Kauffman – Court Security Officer

Rose Thums – Clerk of Court

Cindy Sommer – Judicial Assistant

Jim Metz – County Board Chairman

Kristi Tlusty – District Attorney

Nick Smith – State Public Defender

Karl Kelz – Court Commissioner

Joe Svejda – Buildings, Grounds & Parks Director

Michelle Hubbard – Department of Corrections Field Supervisor

COVID-19 Circuit Court Operating Plan for TAYLOR COUNTY

Addendum: Jury Trial Plan

As an addendum to the Safety Plan filed with the Chief Judge of the Judicial District on June 22, 2020, 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 **TAYLOR COUNTY** will implement the following additional protective measures related to jury trials:

Recovery Planning and General Education

1. A recovery planning, jury committee including the following stakeholders, has been established:
 - Ann Knox-Bauer – Circuit Court Judge
 - Colleen Handrick – Emergency Management Director
 - Patty Krug – Health Department Director
 - Marie Koerner – Human Resource Manager
 - Courtney Graff – Corporation Counsel
 - Corey Dassow – Chief Deputy, Taylor Co. Sheriff's Department
 - Lisa Kauffman – Court Security Officer
 - Rose Thums – Clerk of Court
 - Cindy Sommer – Judicial Assistant
 - Jim Metz – County Board Chairman
 - Kristi Tlusty – District Attorney
 - Nick Smith – State Public Defender
 - Karl Kelz – Court Commissioner
 - Joe Svejda – Buildings, Grounds & Parks Director
 - Michelle Hubbard – Department of Corrections Field Supervisor
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: letters of explanation from the Court, press releases and posted information.

Summoning Jurors

1. Considerations have been made for the safety and wellbeing of jurors. The attached letter was developed and will be sent with the juror summons to each juror.

2. A policy has been developed regarding deferral and excusal of jurors due to the pandemic. This information has been clearly outlined so court staff and jurors are aware of these policies for consistent application.
3. The following protective measures, including expedited entrance into the courthouse, check-in that minimizes physical contact with documents, posting notice regarding hygiene and distancing practices, are in place for jurors who report to court.
4. When jurors attempt to enter the court building, staff will ask the individuals the screening questions developed by the Taylor County Health Department. Individuals who indicate yes to any of these questions will be refused admittance to the court building. If required to appear in court, the appropriate court office will be immediately notified.

Juror Attendance and Safe Participation

1. The following personal protective equipment will be available to the jurors: masks, and individual hand sanitizer. Each prospective juror will be distanced from other people and directed to a designated area.
2. Social distancing of jurors will be enforced through the following strategies: limiting the capacity in the courtroom, marking off spaces 6 ft. apart within the courtroom and jury box, and use of plexiglass barriers, reconfiguring placement of counsel tables, court reporter, witness stand, and using an alternate courtroom and hearing room for additional capacity. Jurors will be seated six feet apart in the jury box, outside the jury box, in the gallery and in the alternate courtroom and hearing room.
3. The following strategies will be used to reduce the number of people required to report for jury selection: Utilize preselection questionnaires, conduct voir dire in the courtroom, with appropriate social distancing, and with potential jurors in the alternate courtroom and hearing room, conducting in-person and virtual voir dire simultaneously, with use of audio-visual equipment and zoom technology. In order to limit or eliminate spectators in the courtroom, the court will broadcast the proceedings on You Tube if it is an open case, and use zoom technology for remote viewing if it is a closed case; Use 6-person juries upon stipulation, and give priority to "strikes for cause" based on juror health and safety concerns.
4. After the jury has been empaneled, the following efforts have been made to accommodate social distancing, but ensure that each juror has adequate sight lines to the witness stand and can hear and see all proceedings. Examples of such accommodations include: rearranging the courtroom to distance jurors, turning counsel tables, using technology to display exhibits, and moving the witness stand for better viewing, and installation of plexiglass barriers.
5. Social distancing consideration during trial breaks and deliberations include everyone leaving the courtroom so the jurors are by themselves, jurors will have designated seats that are either covered or sanitized, jurors will be divided between the courtroom, hearing room and jury deliberation rooms with social distancing so they can remove their masks to eat. Food and refreshments will be packaged in individual containers. Hand sanitizer will be provided and bathroom capacity will be handled by the jury bailiffs to ensure social distancing. For notetaking, the jurors will be given a notepad and sanitized pen, which they will retain during the trial.

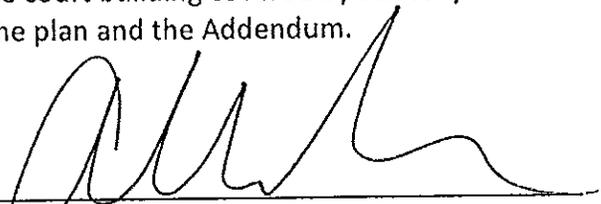
6. After consultation with the judge, the district attorney, clerk of court, and applicable counsel involved with case in the county, jury trials with time limits will be prioritized. All other jury trials will be scheduled according to usual practices. However, jury selection will take place the day prior to the trial's commencement to allow additional time.
7. Due to capacity issues within the courtroom, the following accommodations will be given for public view of the proceedings: Zoom participation for those eligible to view closed trials, and You Tube streaming for public trials.

Other

Conferences and motions outside the presence of the jury will be held with the parties, attorneys, judge and staff leaving the courtroom, exercising social distancing and holding the matter in the hearing room.

Taylor County is a single judge county. Jury trials will be held no sooner than August 17, 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: 7/28/2020



(Presiding Judge or stakeholder committee chair)

Re: Jury Procedures

Dear Prospective Juror,

In anticipation of your jury service scheduled for the month of August, I am writing to provide information on the adapted procedure for serving on jury duty. Our goal in creating this procedure is to provide you and all those involved in the jury process with protective safety measures.

Within 5 days of receiving this letter, call the Clerk of Court (715) 748-1425 and provide your cellphone number.

Courthouse Safety Measures:

- Face masks are required at all times in the courthouse;
- Face masks, hand sanitizer and cleaners are available throughout the courthouse;
- Social distancing of 6 feet will be enforced-
 - assigned seating, maximum capacity for restrooms, markers on the floor, etc;
 - potential jurors are separated into different rooms for the selection process to minimize contact between people
- Courtrooms, jury rooms, elevators, bathrooms, and other commonly touched areas will be cleaned and sanitized at least once daily;

Check-in Process:

- Park in the "Juror Only" designated parking spot;
- Stay in your vehicle until court personnel have contacted you (either by phone or in-person);
- You will be asked health screening questions (attached);
- You will be directed by court personnel to your assigned location in the courthouse;

Jury Selection:

- The jury selection process will be broadcasted to the various juror locations;
- All jurors will be sworn in and then asked questions as part of the jury selection process;
- If you are selected, you will be directed by court personnel to your seat;
- If you are not selected, you may exit the building and are excused from jury duty for that day (you are still required to check in on the other days to see if you have been selected)

Not Allowed:

- Smartphones, iPads, or similar electronic devices, books, food/beverages, and all other personal items
 - Bailiff will collect your phone and hold during your juror service

Provided at the Courthouse:

- Hand sanitizer
 - Masks
 - Notepad/pen
 - Individual beverages, snacks, and lunch
- *Call the Clerk of Court if you have special dietary needs

Checklist for Day of Jury Trial:

Did you:

1. Bring a mask? (also available at check-in)
2. Provide your cellphone number to the Clerk of Court (715-748-1425)?
3. Review attached health screening questions?
 - a. Exhibiting symptoms? call the Clerk of Court (715-748-1425)

Contact the Clerk of Court (715-748-1433) the day before each scheduled jury trial to see if you must appear the following day for jury duty. If you are not selected for one of the days, you are still required to check and see if you have been selected to appear for the other dates listed.

If you require assistance, or special accommodations, please contact the Clerk of Court immediately. During the hearing, if you require a hearing assistance device, one will be provided.

If you have experienced any symptoms identified by the CDC of the Coronavirus, have begun caring for a family member or loved one who has tested positive for the Coronavirus, or are now in self-quarantine status which would continue on August 1, 2020, please contact the Clerk of Court immediately.

The current state of this health pandemic has necessitated major adjustments and adaptations to the way that we all live. It is of the utmost importance that the right to a trial by jury be available to our citizens to promote the continuation of an impartial justice system. Taylor County continues to be dedicated to finding the balance between providing this right with also protecting the health of all involved in the process.

Thank you for your time and attention to these matters.

Screening Questions for the Court System: Potential Jurors Only

1. Have you been tested in the past 30 days for COVID?
2. Have you been told by a healthcare professional you are positive for COVID in the past 30 days?
3. Have you been notified by a health department you were a close contact to a positive case in the past 30 days? If yes, Did you stay home for the 14 days requirement?
4. Have you actively cared for or shared the same living space with someone who has tested positive for COVID in the past 30 days?
5. Are you currently experiencing any of the following symptoms?
 - a. Fever (100.4)
 - b. Cough
 - c. Sore Throat
 - d. Runny nose
 - e. Shortness of breath
 - f. Headache
 - g. Chills
 - h. Muscle Aches
 - i. Abdominal Pain
 - j. Nausea
 - k. Vomiting
 - l. Diarrhea
 - m. Loss of taste
 - n. Loss of smell
 - o. Fatigue

If answer Yes to any of these questions, they should not be considered for jury duty