

ORDER APPROVING WALWORTH COUNTY OPERATIONAL PLAN ADDENDUM

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;

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 it's recommendations for consideration by the Circuit Courts.

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: 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: On June 3rd, 2020 the Walworth County safety plan incorporating

the requirements of the May 22, 2020 order was approved by the chief judge. The safety plan allowed the resumption of in person hearings consistent with phase one (1) and two (2) of the Task Force Final Report.

WHEREAS: June 25, 2020, the Walworth County Circuit Court Judges approved an addendum providing for jury trials starting on July 6, 2020. This addendum incorporates the requirements of the Supreme Court Orders, the prior safety plan, and establishes procedures for the safe resumption of jury trials and other in person appearances.

WHEREAS: On October 1, 2020, the Wisconsin Supreme Court entered an order amending the May 22, 2020 allowing for the withdrawal of the approval of the operational plan.

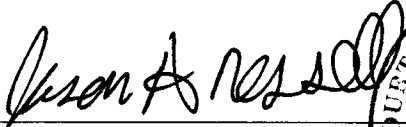
WHEREAS: On November 12, 2020, the Walworth County Judges requested that the operational plan be suspended due to the local Covid 19 conditions.

WHEREAS: On February 17, 2021, the Walworth County Judges requested that the prior filed plans be reinstated effective March 1, 2021. The Prior plans are attached hereto by reference.

THEREFORE Pursuant to Wisconsin Supreme Court Orders of May 22, 2020 and October 1, 2020, the prior approved plans of Walworth County are approved and reinstated effective March 1, 2021

FURTHERMORE: This order shall remain in effect until further order by the Supreme Court or the chief judge of this administrative district.

Dated this 18th day of February, 2021


Hon. Jason A. Rossell
Chief Judge
2nd District



***AMENDED* COVID-19 Circuit Court Operating Plan for WALWORTH 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 **Walworth** 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. Before calendaring in-person hearings, the stakeholder's committee has addressed staffing needs and has procured any equipment and supplies deemed necessary.
3. 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.
4. Judges/court commissioners will begin setting in-person proceedings no sooner than June 8, 2020

Judge, Court Commissioner, and Court Staff Health

1. Judges/court commissioners who can perform the essential functions of their job remotely may continue to do so.
2. The following procedures have been implemented to monitor the health of Judge, Court Commissioner, and Court Staff: Judges, court commissioners, and employees are expected to self-monitor. Supervisors may question employees on their health. Depending on employees' answers to screening questions regarding their health, they may be required to contact their medical provider for testing or self-isolate for 14 days.
3. Judges, court commissioners, and court staff will be required to wear face coverings in the courtroom, practice social distancing, and practice appropriate hand hygiene.
4. Protective Measures: Plexiglas shield installed at witness stand, hand sanitizing stations in each courtroom, regularly scheduled cleaning of courtroom throughout day, minimizing in-person staff meetings or conduct them remotely.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Each judge/court commissioner will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations.

The completed plan must be forwarded to the Chief Judge of the Judicial District for approval.

3. Vulnerable populations who are scheduled for court will be accommodated by rescheduling of hearing or allowed to appear remotely, if appropriate.

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. Only one individual 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. Public common areas, including breakrooms and snackrooms, have been closed 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 courtroom 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/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. Plexiglas shield installed between witness stand and court reporter box as needed.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrances to the building, outside of elevators on each floor, inside of each courtroom, and outside of bathrooms.
2. Disinfectant wipes or spray have been placed near the door of the courtroom, at counsel tables, at the witness stand, on the judges'/court commissioners' benches, and in the hallways.
3. CDC flyers outlining appropriate hygiene, social distancing, or public safety have been posted in multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building, two county-employed screeners will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19. 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.

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2. When individuals attempt to enter the court building, two county-employed screeners will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building.
- *3. Individuals refusing to be screened will be denied admittance to the court building. The Court may make an exception under extraordinary circumstances.
4. Inmates being transported from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 100.0°F will not be transported to the court building. Any court personnel that will be in contact with the inmate or in the same courtroom as the inmate will also be temperature screened to ensure their temperature is below 100.0°F.
5. Staff who are screening individuals entering the court building will be provided personal protective equipment, including mask, face shield, gloves.
6. Staff who are doing the screening will have a listing of contact information in order to notify the courts of individuals who may have been denied entrance.

Face Coverings

1. All individuals who are present in courtrooms, jury rooms, and other court-related confined spaces shall be required to wear face coverings at all times unless a judge/court commissioner 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/court commissioner or jury to weigh the witness's credibility.
2. Individuals will be encouraged to bring face coverings with them, but if the individual does not have a face covering, a disposable face mask will be provided.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least twice during business hours and then again during the evening.
2. Court staff will clean the courtrooms every 2 hours during business hours. Court building cleaning staff will clean the courtrooms every evening.
3. Court building cleaning staff and court staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Court building cleaning staff and court staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

Walworth County's Phase I¹ will begin June 8, 2020. In-person appearances will be allowed for all evidentiary hearings, change of plea hearings, sentencing hearings, bond hearings, and all small

¹ Phase I and II as described in the Chief Justice's Wisconsin Courts COVID-19 Task Force's Final Report have been combined as Walworth County's Phase I.

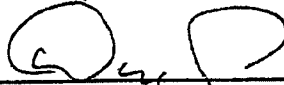
The completed plan must be forwarded to the Chief Judge of the Judicial District for approval.

claims hearings, unless otherwise authorized by the Court. Stipulated divorce hearings will continue to be heard by telephone. Telephone conferences will continue for all other appearances.

Walworth County's Phase II² and is planned to begin July 6, 2020. Appearances will continue as in Phase I with the addition of Jury Trials. The beginning date of Walworth County's Phase II may change if deemed appropriate by the Walworth County Circuit Court Judges and Planning Committee based on the status of the COVID-19 pandemic.

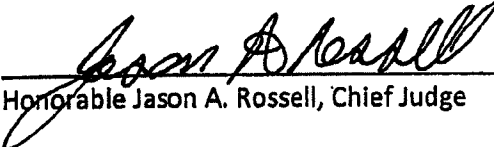
I have conferred with all judges of courts with courtrooms and court commissioners with hearing rooms in the court building regarding this Operating Plan. In developing the plan, I consulted with the stakeholders committee. A list of members on the committee and the frequency in which they will continue to meet is attached to this plan. I will ensure that the judges of courts with courtrooms and court commissioners with hearing rooms in the court building covered by this Operating Plan will conduct proceedings consistent with the plan.

Date: June 22, 2020



Honorable David M. Reddy, Presiding Judge

Date: June 25, 2020



Honorable Jason A. Rossell, Chief Judge



² Phase III as described in the Chief Justice's Wisconsin Courts COVID-19 Task Force's Final Report is Walworth County's Phase II.

The completed plan must be forwarded to the Chief Judge of the Judicial District for approval.

Walworth County COVID-19 Planning Committee Members

Honorable David M. Reddy, Presiding Judge

Honorable Phillip A. Koss

Honorable Daniel S. Johnson

Honorable Kristine E. Drettwan

Commissioner Kelly Iselin

Commissioner Gerad Dougvillo

Kristina Secord

Louis Moore

Nancy Russell

Mark Luberda

Michael Cotter

Liz Aldred

Carlo Nevicosi

Erica Bergstrom

Sheriff Kurt Picknell

Lieutenant John Ennis

Captain Scott McClory

Zeke Wiedenfeld

Richard Hough

Matthew Mortwedt

Penny Vogt

Mackenzie Renner

Haley Johnson

Chad Pollard

Estee Scholtz

Frequency of continued meetings: As needed, but at least quarterly.

The completed plan must be forwarded to the Chief Judge of the Judicial District for approval.

***AMENDED* COVID-19 Circuit Court Operating Plan for WALWORTH Addendum: Jury Trial Plan**

As an addendum to the Operating Plan filed with the Chief Judge of the Judicial District on June 3, 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 **Walworth County** will implement the following additional protective measures related to jury trials:

Recovery Planning and General Education

1. Planning for reopening Walworth County Circuit Court began in May. Judges Reddy, Koss, Johnson, Drettwan and Clerk of Court Secord discussed almost daily ideas and strategies to safely resume in-person appearances. They also began ordering facemasks and sanitary supplies so that they were available for a June start date. The stakeholder's committee established to create the Circuit Court Operating Plan for Walworth County included the following justice partners:

Honorable David M. Reddy, Presiding Judge	Erica Bergstrom,
Honorable Phillip A. Koss	Sheriff Kurt Picknell
Honorable Daniel S. Johnson	Lieutenant John Ennis
Honorable Kristine E. Drettwan	Captain Scott McClory
Court Commissioner Kelly Iselin	Zeke Wiedenfeld, District Attorney
Court Commissioner Gerad Dougvillo	Richard Hough, Director of Public Works
Kristina Secord, Clerk of Circuit Court	Matthew Mortwedt, Public Works
Louis Moore, District Court Administrator	Penny Vogt, DOC Supervisor
Nancy Russell, County Board Chair	Mackenzie Renner, SPD Manager
Mark Luberda, County Administrator	Haley Johnson, President Co. Bar Assn.
Michael Cotter, Corporation Counsel	Chad Pollard, VP Co. Bar Assn.
Liz Aldred, Director of DHHS	Estee Scholtz, Co. Bar Assn. Board Member
Carlo Nevicosi, Deputy Director of DHHS	

- * 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: Notice sent with Juror Summons outlining safety procedures and screening questions; the Plan will be released to all media contacts and it will be posted on the Walworth County website; no group jury orientation; individual notepads and pens will be given to jurors to keep; no communal food or drink will be provided; lunches will be delivered in individual containers when provided; trials will be held in the Branch IV courtroom which has been fitted with Plexiglas throughout the jury box, at counsel tables, witness stand, bench, counsel tables,

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and throughout the gallery; jury selection will be conducted in the Branch IV courtroom and Jury Assembly Room (via live feed from the Branch IV courtroom); jury deliberations will be held in the courtroom or the expansion area on the 3rd floor which will allow for social distancing of jurors.

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. All Judges are liberally allowing deferrals and excusals of jurors upon request.
3. The following protective measures are in place for jurors who report to court: check-in that minimizes physical contact with documents, posting notice regarding hygiene and distancing practices.
4. When jurors attempt to enter the court building, two county-employed screeners will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the court building. The jury clerk will be immediately notified.
5. When jurors attempt to enter the court building, two county-employed screeners will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building. The jury clerk will be immediately notified.

Juror Attendance and Safe Participation

1. All individuals who are present in courtrooms, jury rooms, and other court-related confined spaces shall be required to wear face coverings at all times 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.
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, reconfiguring placement of counsel tables, court reporter, witness stand, and/or bench, using an alternate courtroom/space for additional capacity.
3. The following strategies may be used to reduce the number of people required to report for jury selection: Utilize preselection questionnaires, conduct voir dire in sessions based on the capacity of the court room that will allow appropriate social distancing, limit spectators in the courtroom, and utilize 6-person juries upon stipulation.
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: use of technology and video monitors to increase site lines, and handling of exhibits.
- *5. Social distancing consideration during trial breaks and deliberations include reconfiguration of the deliberation room, using an alternate room for deliberations, hand sanitizing and bathroom capacity, availability of refreshments. During breaks and deliberation, the jurors will use the courtroom or 3rd floor expansion area which will allow for social distancing or use the jury


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deliberation rooms. Jurors will be taken back into jury deliberation room areas by the jury bailiff to utilize bathrooms when needed.

6. The court will attempt to prioritize jury trials during the COVID-19 public health emergency and as usual will take into consideration the nature of the cases, the extent to which the cases involve liberty interests, cases with time limitations, victims' rights and input, and the length of time a case has been pending.
7. Walworth County can only accommodate one jury trial per day, so there is no need to enter an order in regard to scheduling.
8. Due to capacity issues within the courtroom/Jury Assembly Room, if members of the public wish to view jury selection, the Court will attempt to accommodate. Once the jury is empaneled, if members of the public wish to view proceedings, there will be limited seating within the courtroom, and the proceedings can be fed into the Jury Assembly Room for viewing via live feed.

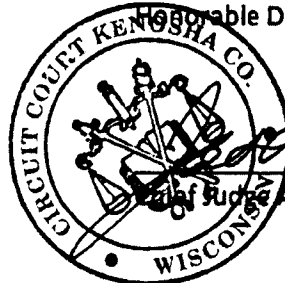
I have conferred with all judges of courts with courtrooms in the court building regarding this Jury Trial Addendum to the Operating Plan. Judges will begin setting jury trials no sooner than August 25, 2020. I will ensure that the judges of courts with courtrooms in the court building covered by this Jury Trial Addendum will conduct proceedings consistent with the plan and the Addendum.

Date: September 15, 2020



Honorable David M. Reddy, Presiding Judge

Date: September 18, 2020



Chief Judge Approval

The completed addendum must be forwarded to the Chief Judge of the Judicial District for approval.



Clerk of Circuit Court

June 4, 2020

Kristina M. Secord
Clerk of Circuit Court

Hon. Phillip A. Koss
Circuit Court Judge
Branch I

Hon. Daniel S. Johnson
Circuit Court Judge
Branch II

Hon. Kristine E. Drettwan
Circuit Court Judge
Branch III

Hon. David M. Reddy
Circuit Court Judge
Branch IV

To All Prospective Jurors
Summoned to Appear for
Jury Selection at the
Walworth County Judicial
Center on Monday,
July 6, 2020

RE: Your Upcoming Jury Service in the Era of Coronavirus

Dear Prospective Jurors:

This letter accompanies a Summons directing you to appear for Jury Service for the week of July 6, 2020, at the Walworth County Judicial Center at 1800 County Road NN, Elkhorn, WI.

These will be the first jury trials which we have undertaken since the advent of the Coronavirus pandemic. 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 during jury selection and the jury trial to follow.

So that you won't be surprised when you arrive, please be aware of the following:

1. Each prospective juror will have their temperature taken via a hand-held thermometer as they enter the Judicial Center to ensure that no one with a fever or an elevated temperature is admitted;
2. Once you enter the building and pass through the initial security screening, you will be separately directed by Court staff to the assembly area and seated to achieve the maximum distancing possible;

1800 County Road NN
PO Box 1001
Elkhorn, WI 53121
262.741.7012 tel
262.741.7002 fax
262.741.7080 fax

3. Masks will be distributed, or you may wear your own, when you enter the assembly area. Until the jury is actually selected, seated, and sworn, everyone appearing as a prospective juror will be required to wear a mask;
4. Hand sanitizer will be available to you at multiple locations inside the Judicial Center;
5. Those selected for a jury should know that the jurors will be spaced in the courtroom to achieve maximum distancing between jurors during the trial;
6. The entire Judicial Center, including but not limited to, courtrooms and jury rooms, will be deep cleaned each evening when the Court recesses, and this will continue throughout the trial;
7. Lunch will be provided to the selected jurors during the trial (excluding day one) to minimize any travel in and out of the Judicial Center and to minimize juror's interaction at local restaurants.

If any of the following apply to you or a member of your family or household, please advise the Jury Clerk at 262-741-7044:

- Have been diagnosed by a licensed physician as having Coronavirus anytime within the past 30 days;
- Are actively caring for a family member or loved one who has tested positive for the Coronavirus;
- Are now in self-quarantine status and that status will continue on July 6.

Please be aware that the right to trial by jury is one of the cornerstones of our democracy, and jury trials necessarily involve sacrifice from those citizens called upon to serve. This has always been true, but it is especially true during these unique and trying times. The right to trial by jury has been enshrined within the Seventh Amendment to our U.S. Constitution since 1791, and it was one of the stated principles in the Declaration of Independence which fueled our struggle to become an independent nation. Only those with extreme hardships should seek to be excused based on pre-existing obligations.

It is vital that you appear and present yourself for jury service as required during the week of July 6; however, the Court wants you to know that 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 Court staff during this time.

Respectfully,

Honorable David M. Reddy
Presiding Judge
Walworth County, Branch IV

Honorable Phillip A. Koss
Circuit Court Judge
Walworth County, Branch I

Honorable Daniel S. Johnson
Circuit Court Judge
Walworth County, Branch II

Honorable Kristine E. Drettwan
Circuit Court Judge
Walworth County, Branch III