

## **VERNON COUNTY ORDER REGARDING EMERGENCY TEMPORARY MEASURES**

The Vernon County Circuit Court is issuing the following temporary guidelines which will govern operations of the court until *May 1, 2020* or until further order of the court. In an effort to mitigate the spread of Covid-19, and create social distancing, effective Tuesday, March 17th at 4:30 pm the Vernon County Circuit Court building will be closed to the public, except by appointment. This court encourages people to conduct business with the court staff via phone and email. If you need to enter the courthouse, please call ahead 608-637-5340 and make an appointment.

These guidelines are in place to ensure the continuous performance of the court's essential functions and operations and yet seek to mitigate the risk that our employees, lawyers, litigants and jurors will be exposed. The guidelines incorporate use of videoconferencing and teleconferencing to minimize interpersonal contact; follow social distancing practices by reducing the number of persons in close proximity during court hearings, and temporarily suspend non-essential court functions. The Federal Government has recommended and Wisconsin's Governor Evers has ordered no groups of more than 10 persons congregate.

The concept of videoconferencing includes not only a video-equipped courtroom but also ZOOM technology approved by the Director of State Courts.

For specific information on a particular case, please call Vernon County Clerk of Court at 608-637-5540 or the Judicial Assistant at 608-637-5364 or [Kristi.Peterson@wicourts.gov](mailto:Kristi.Peterson@wicourts.gov).

We would like to encourage the public to pay fines via mail, online, or via phone. ([www.GovPayNow.com](http://www.GovPayNow.com) PLC (Pay Location Code) 3086 OR, ([www.wicourts.gov/services/public/payonline.htm](http://www.wicourts.gov/services/public/payonline.htm)). We also encourage the public to become familiar with efilings, available for most cases. ([www.wicourts.gov/ecourts](http://www.wicourts.gov/ecourts))

### **CRIMINAL INTAKE**

1. **In-custody Initial Appearances:** Initial appearances for in-custody defendants will be conducted by video conferencing.
2. **Initial Appearances/Pleas/Statuses:** Initial appearances, pleas and statuses in misdemeanor cases will be adjourned until after May 1, 2020. The use of written authorizations to enter pleas is encouraged.
3. **Preliminary Hearings:** Preliminary hearings will be held according to statutory time limits. For individuals held in custody, the courts will observe the 10 day

statutory time limits except when a defendant waives time limits or the court finds good cause to go beyond time limits for reasons other than the current pandemic. For individuals not being held in custody, the court may find good cause to go beyond statutory time limits and adjourn the preliminary hearing until after May 1, 2020.

4. **Bond Decisions:** Bond decisions will reflect the heightened risk to large numbers of offenders confined in small spaces, jail staff, and first responders including law enforcement. These policies are designed to maintain public safety with respect to offenders who pose the most serious risk to the community while limiting contact with offenders who do not pose a serious risk.
  - The court has issued a separate order expanding the authority of law enforcement to issue signature bonds for individuals arrested for misdemeanor and non-violent felony offense.

### **SMALL CLAIMS CASES**

1. **Return Dates:** All initial intakes will be adjourned until after May 1, 2020. The contested cases will be subsequently scheduled.
2. **Contested Garnishment and Contempt Hearings:** Contested garnishment and contempt hearings will be continued by the clerk until a date after May 1, 2020 unless the court agrees to conduct a hearing prior to that date. No contested garnishments will be approved or contempt findings made without hearing.
3. **Eviction Actions:** Once an eviction action is filed, the small claims mediator will send the parties a notice of mediation which will be conducted via teleconference. If the mediation is successful, the mediator will prepare a summary of the agreement along with an order for the court. If no agreement is reached, the matter will be scheduled for trial after May 1, 2020. The court acknowledges time limits for eviction, but in light of the unique public health dangers and economic impact on persons will make a finding of good cause to extend any trial until after May 1, 2020.

### **TRAFFIC CASES**

1. **Initial Appearances:** Initial appearances will be rescheduled by the Clerk of Court for an initial appearance calendar after May 1, 2020. New citations will be issued with the court appearance date of June 2, 2020.
2. **Entry of pleas by authorization or phone:** The court will accept entry of pleas of not guilty by written plea or authorization in criminal traffic matters and by authorization or phone in forfeiture matters.

3. **Misdemeanor Guilty Pleas:** The court may conduct guilty plea hearings in person after May 1, 2020 or by phone in the court's discretion.
4. **Forfeiture Guilty Pleas:** Guilty pleas in forfeiture matters shall be entered by phone or stipulation.

### **JUVENILE DELINQUENCY CASES**

1. **Time limits to be honored:** Hearings in juvenile delinquency cases will continue to be held in accordance with statutory time limits.
2. **Video and Teleconferencing:** Hearings for juveniles held in secure or non-secure custody will be held via video or teleconferencing whenever feasible. Similarly, other hearings such as plea hearings, status calls, motion hearings will be held via video or teleconferencing to the greatest extent possible.
3. **Presence of Counsel:** Defense counsel may be present either in the secure or non-secure facility, by telephone or in the courtroom.

### **CHIPS CASES**

4. **Permanency Reviews—presentation of child's wishes:** The requirement that children be brought to court to consult with the judge for permanency reviews is suspended during the time covered by this order. The juvenile's wishes shall be presented by the Guardian ad Litem.
5. **Preference for Video and Teleconferencing:** CHIPS proceedings including temporary physical custody hearings will be conducted by videoconferencing or teleconferencing whenever feasible.

### **LARGE CLAIM CIVIL AND PROBATE CASES**

1. **In-person Hearings Suspended:** All matters requiring in-person appearances including jury trials, court trials, or other contested or potentially contested evidentiary hearings requiring the taking of evidence other than by telephonic or videoconferencing means are suspended until after May 1, 2020. The court will reschedule such matters for a date after May 1, 2020.
2. **Non-evidentiary Hearings:** Any non-evidentiary hearing that can be done by phone will proceed as scheduled, including but not limited to scheduling conferences, status conferences, pretrial conferences, motion hearings, oral decisions, and name change proceedings; intake court matters, including but not limited to requests for amendments to birth, marriage and death certificates, shall be submitted in writing, either via e-filing or mail. However, any matter may be rescheduled at the discretion of the court official assigned to such matter if the court official believes an in-person appearance should be required.

3. **Injunctions:** Hearings on requests for domestic abuse, harassment, child abuse and vulnerable adult injunctions have an impact on safety and are governed by statutory time limits. These hearings will continue to be held as required by law. Consideration shall be given by the responsible court official to the use of teleconferencing and other alternatives to in-person hearings.

### **FAMILY CASES**

1. **In Person and Evidentiary Hearings:** Any hearing requiring in-person hearing or testimony will be deferred until after May 1, 2020 unless in the judgment of the assigned court official, the requirements of the case demand the hearing be held.
2. **Default Divorces:** Default divorces will be held via videoconferencing and teleconferencing whenever feasible. Required documents including but not limited, to signed marital settlement agreements, current financial documents, parenting plans, etc. shall be filed no less than two business days prior to the hearing.
3. **Child Support:** All child support cases will be scheduled after May 1, 2020. Those under a pay or appear order who fail to pay their monthly support will be directed to contact the child support agency to explain why they failed to pay.

### **COMMITMENTS, GUARDIANSHIPS AND PROTECTIVE PLACEMENTS**

1. **WATTS Reviews:** WATTS reviews will be deferred until after May 1, 2020. This decision reflects the need for contact between the GAL and ward, recognition that a majority of wards are among the vulnerable population, and recognition that many facilities have adopted substantial restrictions on interpersonal contact with residents.
2. **Video and Teleconference:** Hearings for Guardianships and protective placements will be held whenever possible by teleconferencing or videoconferencing.

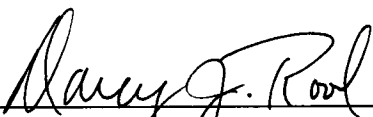
### **JURY TRIALS**

1. **Nonessential trials:** All nonessential jury trials will be rescheduled to a date after May 1, 2020.
2. **Essential trials:** Any trials deemed essential by the court, after conferring with counsel, will be held as scheduled in the discretion of the court.
3. **Juror Deferments:** Any juror requests for deferment based on concerns about exposure to COVID-19 will be liberally granted.

## TREATMENT COURTS

1. **Regular sessions:** Regular treatment court sessions will be suspended until after May 1, 2020. Participation via teleconferencing or videoconferencing may be adopted in the discretion of the specific court.
2. **Coordination/supervision:** Monitoring of offenders will continue to take place with a strong preference for phone contacts.
3. **Limited court sessions:** Individual offenders, in the discretion of the team, may be called into court at the regular time to address significant issues.
4. **Team meetings:** The team will continue to meet to consider participant progress and potential sanctions by teleconferencing, videoconferencing or group messaging. The jury room will be utilized for in-person participation if necessary.
5. **Testing:** Testing of participants will continue to take place with the least intensive frequency deemed appropriate by the team.

Dated this 19<sup>th</sup> day of March, 2020.

  
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Honorable Darcy J. Rood  
Vernon County Circuit Court