

REVISED ORDER REGARDING EMERGENCY TEMPORARY MEASURES

Iowa County Circuit Court is issuing the attached Temporary Order to provide procedures and directions for proceedings and essential functions of the Court from March 18, 2020 through May 15, 2020, or upon further order of the Court to be extended as needed. The Iowa County Courtroom remains open and any changes in status will be noticed on the Iowa County Website at www.iowacounty.org; and the Wisconsin Court System website at www.wicourts.gov.

The World Health Organization (WHO) has declared a global pandemic of COVID-19 due to widespread human infection worldwide. In order to slow the spread of the virus, the Federal Government has recommended limiting gatherings to groups of less than ten (10) people and to maintain a distance of not less than six (6) feet from others. The information provided to date appears to indicate that it may take 4 days or longer after exposure to the virus before symptoms fully develop. These temporary orders show commitment by the Iowa County Circuit Court to open access to our courts and service to the public; to promote public safety; and to protect the health and safety of litigants, court staff and security, judges, attorneys, jurors, other participants in court proceedings, and all other persons in court facilities.

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, attorneys, litigants and jurors will be exposed. The guidelines incorporate and encourage the use of teleconferencing and videoconferencing to minimize contact when appropriate; follow social distancing practices; and suspend some non-essential court functions. For specific information on a specific case, please call the Iowa County Clerk of Circuit Court office at 608/935-0395. For child support cases, please call the Iowa County Child Support office at 608/935-0390.

The Iowa County Circuit Court hereby orders the attached to be in effect from March 18, 2020 to at least May 15, 2020.

REVISED TEMPORARY ORDER

CRIMINAL INTAKE

1. Initial Appearances: In-custody initial appearances will not be rescheduled, but the courtroom personnel will make great effort to have the appearance by telephone or videoconferencing. Initial appearances for defendants not in custody will be rescheduled to a time after May 15, 2020. If the initial appearance cannot be rescheduled, the Courtroom personnel will make great effort to have the appearance telephonically or via videoconferencing. The use of written authorization to enter pleas is encouraged and if a written authorization is filed, the case will be removed from the Initial Appearance calendar and placed on a status calendar by the intake judge at the time of the scheduled initial appearance.

Defense attorneys shall contact the District Attorney's office at least 10 days prior to the status conference for a pretrial conference.

For defendants who are in custody, Preliminary Hearings may be conducted by videoconferencing.

As to defense counsel, use of written authorizations to enter pleas in misdemeanor cases is encouraged. Written authorizations are also encouraged for misdemeanor status conferences. Further, defense counsel shall be encouraged to appear via telephone as much as possible. As to status conferences in felony cases, the defendant shall appear either in person or by telephone.

2. Preliminary Hearings: Preliminary hearings will be held according to statutory time limitations. For individuals held in custody, a preliminary hearing shall be conducted within 10 days of the initial appearance except upon waiver of that time limit by the defendant or upon motion and cause to extend the time limit. For all individuals not being held in custody, the Court hereby finds good cause to extend the time limit for holding a preliminary hearing and on that basis will adjourn preliminary hearings for those not in custody until after May 15, 2020.
3. Bond Decisions: Bond decisions will reflect the heightened risk to large numbers of offenders confined in small spaces, jail staff, first responders, including law enforcement, and other support staff responsible for bail monitoring.

For those offenders who do not pose a serious risk, the following measures will be considered as conditions of signature bonds:

- a. Release of the offender to a responsible party.
- b. Testing requirements for alcohol or drugs will be monitored for compliance.
- c. The courts will issue a separate order expanding the authority of law enforcement to issue signature bonds for individuals arrested for misdemeanor and non-violent felony offenses.

At present, these measures will be implemented for new arrests.

For offenders who are picked up on bench warrants or violent misdemeanor and/or felony offenses, these will be addressed on a case-by-case basis as to the request for a cash bond.

4. Trials: All trials that are not time sensitive shall be rescheduled until after May 15, 2020. All time sensitive trials shall follow statutory guidelines, but attorneys and defendants are encouraged to waive guideline/time limits until after May 15, 2020.

CHILD SUPPORT CASES

1. Those persons ordered to appear on Child Support days shall be allowed to appear telephonically as opposed to a personal appearance. Any person who wishes to call in shall contact the Child Support office by telephone and advise the Child Support Officer of his/her intent to appear via telephone.
2. The Child Support office shall, if possible, send out notices of rescheduling of these matters until after May 15, 2020.
3. Initial Paternity Appearances: These shall continue to be conducted on an in-person basis, but shall be rescheduled until after May 15, 2020. In addition, the Child Support office shall, as much as possible, conduct initial appearances in paternity actions by videoconferencing if the respondent is incarcerated.

TRAFFIC CASES

1. Initial Appearances: The Clerk of Circuit Courts' Office as well as the website for Iowa County Circuit Court will encourage people who wish to plead not guilty to send in written pleas prior to the initial appearance. In the alternative, defendants in traffic cases who wish to enter not guilty pleas may call in for the initial appearance. Defendants shall contact the Iowa County Clerk of Circuit Court office for a time for call in.

2. Status Conferences: The Iowa County Circuit Court website will advise defendants that they can call in for a status conference. Defendants shall contact the Iowa County Clerk of Circuit Court office for a time for call in.

3. Prior to the status conference, the defendant shall have contact with the prosecuting attorney for a pretrial conference.

SMALL CLAIMS CASES

1. Initial Appearances: All respondents who intend to enter a plea of denial shall be encouraged to send in written denials to the Court prior to the date of initial appearance. Once the denial is received, these matters will be set for a status conference to be scheduled after May 15, 2020.

2. Contested Garnishment and Contempt Hearings: As much as possible, these matters will be set for telephonic hearings for both plaintiff and defendant until after May 15, 2020.

3. Eviction Actions: Although the Court acknowledges the time limits for eviction actions, eviction orders shall be suspended for 30 days, in light of the unique public health dangers and economic impact on persons which will allow the Court to make a finding of good cause to extend. That practice shall be in effect until May 15, 2020.

4. Appearance via telephone: Plaintiff and Respondent are encouraged to appear by telephone for Small Claims matters that have been scheduled before May 15, 2020. The parties are encouraged to call the Iowa County Clerk of Circuit Court office on the date and time of the hearing. There may be delays in having the phone call picked up by the Courtroom, but all telephone calls will be addressed.

JUVENILE DELINQUENCY CASES

1. Time limits will be honored. Hearings in juvenile delinquency cases will continue to be held in accordance with statutory time limits.

2. Videoconferencing: Hearings for juveniles held in secure or nonsecure custody will be held via video conferencing whenever feasible. Similarly, other hearings such as status conferences shall be held via video conferencing to the greatest extent possible

CHIPS CASES

1. 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 until May 15, 2020. The juvenile's wishes shall be presented by the Guardian ad Litem.
2. Initial Appearances: Time limits will be honored for Initial Appearances. Status conferences shall be set as much as possible after May 15 2020 and may be extended for good cause by the Court.

FAMILY CASES

1. Any hearing requiring in person hearing or testimony will be deferred until after May 15, 2020, unless in the judgment of the assigned court official, the requirement of the case demand the hearing be held.
2. Default Divorces: Default divorces will remain on the calendar. The Court will make arrangements for keeping the parties at a distance at least 6 feet apart.

COMMITMENTS, GUARDIANSHIPS, PROTECTIVE PLACEMENTS AND WATTS REVIEWS

1. WATTS Reviews: WATTS Reviews will remain on the calendar but will be done as much as possible by teleconferencing.
2. Guardianships and Protective Placements: Hearings for guardianships and protective placements will be held whenever possible by teleconferencing or videoconferencing.
3. Commitments: Hearings for civil commitments will be held whenever possible by teleconferencing or videoconferencing.

JURY TRIALS

1. All non-essential jury trials will be rescheduled to a date after May 15, 2020.
2. Any trial deemed essential by the Court after conferencing with counsel will be held as scheduled in discretion with the Court.
3. Jury deferments: Any juror requesting for deferment based on concerns about exposure to COVID-19 will be liberally granted.

LARGE CLAIM CIVIL AND PROBATE CASES

1. Status/Scheduling Conferences: Until May 15, 2020, all Status and Scheduling Conferences shall be held via telephone or videoconferencing.
2. Non-evidentiary Hearings: Any non-evidentiary hearing until May 15, 2020 shall be conducted via telephone.
3. Trial: There shall be a suspension of trials until after May 15, 2020; this includes trials to the Court and jury trials.

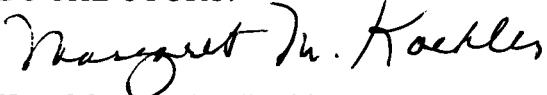
TREATMENT COURTS

1. Regular sessions: Regular treatment court sessions will be conducted by videoconferencing if defendant is in jail, or via telephone if not in jail. Participants shall be instructed by the treatment court coordinator to call in to the Court. This shall be in effect until May 15, 2020.
2. Coordination/supervision: Monitoring of offenders will continue to take place with a strong preference for phone contacts until May 15, 2020.
3. Team Meetings: Team meetings shall continue but shall be conducted by telephone conferencing until May 15, 2020
4. Testing: Testing of participants will continue to take place with the least intensive frequency deemed appropriate by the team.

These orders are in effect until May 15, 2020. However, that date is subject to extension based on developments on the COVID 19 Pandemic.

Dated this 20 day of March, 2020.

BY THE COURT:


Hon. Margaret M. Koehler
Iowa County Circuit Court Judge