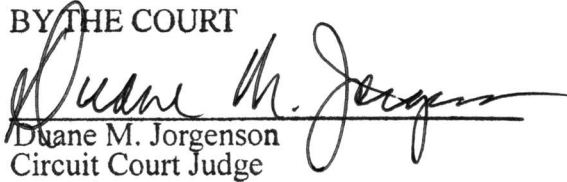


BY THE COURT


Duane M. Jorgenson
Circuit Court Judge

Date: 3/25/2020

STATE OF WISCONSIN

CIRCUIT COURT

LAFAYETTE COUNTY

AMENDED ORDER REGARDING EMERGENCY TEMPORARY MEASURES

WHEREAS, the Wisconsin State Supreme Court having issued emergency orders regarding suspending in person hearings, and directing the full use of technology to conduct court proceedings in light of the world wide pandemic of COVID-19. (Copies of the Wisconsin State Supreme Court Orders are attached.)

WHEREAS, the World Health Organization declared a global pandemic of COVID-19 due to widespread infection worldwide. The Governor of Wisconsin has declared a State of Emergency and the President of the United States has declared a State of Emergency .

IT IS HEREBY ORDERED All in person hearings are cancelled with very limited exceptions, to the extent possible essential hearings shall be handled by teleconferencing or by video. All non-essential hearings are suspended until further order of the Court. Guidelines are provided regarding specific matters, those guidelines accompany this Order, any questions or clarifications required due to a specific case, questions may be directed to the Clerk and handled on a case by case basis.

The Lafayette County Circuit Court is amending and extending its Orders of March 16, 2020 to June 15, 2020, effective immediately. At this time, the Lafayette County Courthouse shall be open only during those times of scheduled Court hearings, there shall be only one point of access for the public, said point of access being the Washington Street entrance on the west side of the Courthouse. Doors to the Courthouse shall be open 15 minutes prior to any scheduled Court hearing and shall be locked 15 minutes after the conclusion of any scheduled Court hearing.

Limited Access to the Clerk of the Circuit Court: All filing will continue to be processed in all cases via the Wisconsin Court's efilng System and by mail, or by the use of a drop box located at the Lafayette County Sheriff's Department dispatch and reception area. The Clerk's service counters shall be closed for the duration of the Supreme Court's suspension of in person court. Paper documents will NOT be accepted in person. Persons may file documents using a drop box at the Lafayette County Sheriff's Department Dispatch and reception area, by mail or by efilng, until further Order of the Court. Payments to the Clerk of Courts will be processed using Wisconsin Court's payment system (available on the www.wicourts.gov). Payments by check or money order will be accepted by mail or in the drop box located at the Sheriff's Department Dispatch and reception area.

WHEREAS, The Director of Wisconsin State Courts and CCAP has provided to each Circuit Court video conferencing capabilities by the video service ZOOM. ZOOM Conferencing is recognized by the Court to be widely known, used and available, the Director of the Wisconsin Circuit Court has made available to the Circuit Court of this County free access to ZOOM. **Effective March 30, 2020. All video conferencing, shall for the duration of this Emergency, be held using the ZOOM video conferencing**

system. All attorneys practicing and having cases before the Lafayette County Circuit Court shall to the extent possible utilize the ZOOM Conference system and shall provide an email address to the Clerk of Court to receive notification of any scheduled ZOOM Conferences to be scheduled by the Court. The Clerk will not give technical advice but will direct any caller to the ZOOM web site, or be directed to CCAP for technical assistance. The Court recommends that an internet search be done for ZOOM.com or use Google to locate ZOOM on your computer.

THEREFORE, to comply with the Supreme Court Order of March 22, 2020, **all court hearings that are open to the general public shall be done by the use of ZOOM, according to the guidelines now established by the Wisconsin Supreme Court and the attached guidelines.** Attached to this Order are Guidelines setting forth Instructions for How to Appear Remotely.

FOR THOSE HEARING WHICH ARE CONFIDENTIAL and not open to the general public the Court will permit appearances by telephone or the use of ZOOM. Because Lafayette County Circuit Court does NOT have the technical ability to do teleconferencing without the use of a teleconferencing service, and the Court can NOT be assured an accurate record of a proceeding can be made when appearances are by telephone, unless a telephone conferencing service is used, all telephone appearances not using ZOOM must be done using a teleconference service.

THEREFORE, to comply with the Supreme Court Order of March 22, 2020, for confidential matters for the duration of the Emergency Order of the Supreme Court and the State of Emergency declared by the Governor all telephone appearances may be by a telephone conference service or ZOOM. The Petitioner or Plaintiff, or moving party (if hearing is brought by a party other than the Petitioner/Plaintiff) shall set a conference call utilizing Free Conference Call.com, other conference call service, or ZOOM and each participant shall be provided a conference call telephone number to call and a Passcode, and the conference call number and Passcode shall be provided to the Clerk and Court. The conference call telephone number and Passcode number shall be provided at the same time as Notice of hearing is generated.

The Lafayette County Circuit Court is issuing the attached amended guidelines to provide procedures and directions for proceedings and essential functions in the Court during the next several weeks.

The Court will continue to monitor this situation and is committed to open access to our courts and service to the public, and to protect the health and safety of the litigants, judges, court staff, court security, attorneys, jurors, other participants in court proceedings, and all other person in the 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, lawyers, litigants, and jurors will be exposed. The guidelines incorporate use of video conferencing and teleconferencing to minimize contact, when appropriate; follow social distancing practices; and suspend non-essential court functions.

**TEMPORARY AND EMERGENCY GUIDELINES FOR
PROCEEDINGS FOR CRIMINAL CASES**

This coronavirus health situation constitutes good cause for all non-essential proceedings involving any defendant to be rescheduled until after June 15, 2020. All essential hearings shall be held by telephone or videoconference. **ALL JURY TRIALS BETWEEN MARCH 24, 2020 AND JUNE 15, 2020 ARE SUSPENDED, and this Order may be extended as long as the State of Emergency Continues, the Court will continue to monitor the situation, and the Court may modify or vacate this Order as needed .**

The Clerk of Court will contact counsel of record to reschedule at such time as this Order or any subsequent Orders have expired or the State of Emergency is ended. Any party may request a hearing to determine the mode and schedule for any proceedings, but in no event will any Order entered that is contrary to the Wisconsin Supreme Court Order of March 22, 2020. Any such HEARINGS SHALL be by **TELEPHONE AND /OR VIDEO CONFERENCING, AND THE USE OF TELEPHONE CONFERENCE SERVICES IS REQUIRED. THE USE OF TELEPHONE CONFERENCE SERVICES ASSURES A CLEAR RECORD OF THE PROCEEDING.**

Essential court hearings shall be proceedings involving in-custody hearings for purposes of setting bail where the defendant, who is not being held on any basis other than the case-at-bar. Preliminary Hearings for an In-custody defendant who is not being held on any basis other than the case at bar, and there has not been a waiver of time limits for conducting the preliminary hearing shall be held consistent with the time limits. Every effort shall be made to hold such hearings by telephone or ZOOM video conference, but at the Court's discretion these matters may be in person. Any judge assigned to a case may at the judge's discretion deviate from these guidelines, and each party may request a specific hearing for a ruling on the case schedule.

For all Plea Hearings, the Plea Questionnaire and Waiver Right shall be completed prior to any Court hearing and submitted electronically prior to the Court hearing. If a Defendant is pleading to more than two criminal counts, whether in separate cases or multiple counts in a single case, any plea agreement should be reduced to a written plea agreement, or a letter detailing the specific terms of any plea agreement. Every plea questionnaire shall be accompanied by either an elements of the crime sheet or a copy of the jury instruction for each crime being plead to by the Defendant. Any plea hearing where a plea agreement has been reached on the day of hearing shall be set for a plea hearing at a future date so that all documents may be electronically filed at least 24 hours in advance of the hearing.

**TEMPORARY AND EMERGENCY GUIDELINES FOR
CIVIL, SMALL CLAIMS, TRAFFIC AND CIVIL FORFEITURE ACTION**

AND FAMILY CASES

1. All contested matters requiring in-person appearances including jury trials, civil court trials, small claims, contested custody and placement hearings, and any hearing where evidence will be taken by other than telephonic means (including all de novo hearings) are suspended, and shall be rescheduled. The Clerk of the Circuit Court shall schedule these matters as the court calendar permits after the expiration of the Temporary and Emergency Order.
2. Any hearing that can be done by using the guidelines set forth above regarding telephone and/or ZOOM video conferencing may proceed as scheduled at the discretion of the Court, including but not limited to stipulated divorces, name changes, scheduling conferences, status conferences, and non-evidentiary motion hearings. Stipulated divorce hearings may be done telephonically or ZOOM video conference if a Marital Settlement Agreement has been filed with the court at least 24 hours in advance of any hearing, along with Financial Disclosures from each party, and for those divorces with children the Certificate of Attendance of the mandatory parenting class shall be filed as well.
3. Pleas entered by Defendants in Traffic and Forfeiture matters shall be entered by Defendants by mail, electronic efilng, or by telephone or the use of the clerk drop box at Sheriff's Department dispatch/reception area at least 1 business prior to any scheduled hearing. Any plea entered by telephone shall be memorialized in writing by the Clerk and recorded in the clerk minutes. NO PLEAS WILL BE ACCEPTED IN PERSON IN THE CLERK OF COURTS OFFICE. The Clerk shall set traffic and forfeiture matters where a not guilty plea has been entered for a scheduling conference as the Court calendar permits after the expiration of the Temporary and Emergency Order. Any matter currently scheduled is hereby suspended until after the expiration or vacation of this Temporary and Emergency Order or any subsequent Amended Temporary and Emergency Order.
4. Domestic Abuse, Harassment and Child Abuse Injunction Hearings shall be by telephone. Upon the filing of Petitions in this paragraph, the Clerk shall at the time of the schedule make arrangement for a hearing using ZOOM consistent with the guidelines that are attached. Each party and any witness shall use the meeting ID number and call the telephone number indicated on the guidelines for remote appearances. Any Petitioner failing to appear using the ID number and telephone number provided by the Court shall have their matter dismissed. Any respondent failing to appear using the meeting ID and phone number provided by the Court may be subject to having the injunction being granted without any further notice.

Instructions for How to Appear Remotely

Parties may appear at the hearing either by video or by phone using Zoom, a remote conferencing service provided for free. Parties are not required to download any software application to use Zoom.

Instructions to Appear by Video

1. Copy and paste the following link into your web browser: <https://zoom.us/j/2372219163> _____
2. Enter meeting ID: _____

Note: To appear by video, you will need a web camera and microphone connected to your computer. If you do not have a microphone connected to your computer, follow the directions to appear by phone provided below. If you have a microphone connected to your computer, do not also call in by phone. Doing so will create audio feedback during the session.

Instructions to Appear by Telephone

1. Call the following number: 1-312-626-6799
2. Enter meeting ID: _____
3. If that phone number listed in Step 1 does not work, try one of the following numbers by location:
 - a. 1-646-558-8656 US (New York)
 - b. 1-301-715-8592 US
 - c. 1-346-248-7799 US (Houston)
 - d. 1-669-900-9128 US (San Jose)
 - e. 1-253-215-8782 US