
ORDER REGARDING EMERGENCY TEMPORARY MEASURES

The Sauk County Circuit Court is issuing the attached guidelines to provide procedures and directions for proceedings in the Court during the next several weeks. **The attached guidelines are Emergency and Temporary Measures ONLY effective from March 17, 2020 through April 17, 2020, or upon further Order of the Court.** The Sauk County courthouse remains open and any change in status will be noticed on the Sauk County Circuit Court website at <https://www.co.sauk.wi.us/circuitcourts> and the Wisconsin Court system website, www.wicourts.gov

The World Health Organization declared a global pandemic of COVID-19 due to widespread human infection worldwide. We are monitoring this situation and are committed to open access to our courts and service to the public, and to protect the health and safety of the litigants, attorneys, court staff and security personnel, jurors, other participants in court proceedings, and all other persons 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 court personnel, attorneys, litigants, and jurors will be exposed. The guidelines incorporate use of videoconferencing and teleconferencing, when appropriate, to minimize contact, follow current guidance on social distancing practices, and temporarily suspend some court activities that are

not of the highest priority. The court will endeavor to give priority to matters necessary to protect health, safety, and liberty of individuals, including the following matters: (1) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available; (2) criminal court search warrants, arrest warrants, in-custody initial appearances, and bond reviews; (3) temporary restraining orders and injunctions; (4) juvenile delinquency detention hearings; and (5) mental health commitment hearings.

Cases will proceed as currently scheduled unless otherwise notified by the court. Please note that injunction hearings, criminal preliminary hearings, and mental commitment hearings should be presumed to be proceeding as originally scheduled UNLESS the parties have specifically been informed otherwise by the court.

For more information on any specific case, please call the Branch office to which the case is assigned. A link to the Branch offices can be found at:

<https://www.co.sauk.wi.us/circuitcourts/circuit-courts-contact-information>

For information related to jury service please call the juror clerk at (608) 355-3287.

Dated this 17th day of March, 2020.



**PRESIDING JUDGE MICHAEL P. SCRENOCK
SAUK COUNTY CIRCUIT COURT**

**TEMPORARY AND EMERGENCY GUIDELINES FOR
PROCEEDINGS ASSIGNED TO JUVENILE BRANCHES**

1. Initial Custody and Plea hearings shall be by video or telephone if a youth is detained in a facility. All other youths shall appear in person, with telephone appearances allowed at the discretion of the judge. Attorneys and Social Workers should contact the appropriate branch for permission to appear by telephone.

2. Emergency custody and Plea hearings in CHIPS cases will be handled the same as paragraph 1, above.

3. Custody reviews will be done case-by-case at the judge's discretion for scheduling, location and phone appearances.

4. Hearings before a judge for a plea or disposition are at the discretion of the judge. Please contact the individual branch for direction as to the branch policy. The court will find good cause if it decides to set over the matter.

5. Revisions of disposition orders may be by telephone appearances, unless the youth is in Detention or at Shelter Home and then they will appear by video with their attorney, if technologically possible. Others can be by phone.

6. Requests for extensions of disposition orders will be granted for up to 30 days without a hearing and rescheduled during the 30-day extension period.

7. Hearings for changes in placement will be set over unless the court directs otherwise. Telephone appearances may be granted.

8. Hearings for sanctions will be set over, unless the judge directs otherwise. Telephone appearances may be granted.

9. Permanency hearings will be done by telephone appearances as directed by the court.

10. Jury trials in termination of parental rights (TPR) cases will be at the discretion of the judge. Please contact the individual branch for direction as to the branch policy. The court will find good cause if it decides to set over the matter.

11. Court trials will be set over unless otherwise ordered by the court.

TEMPORARY AND EMERGENCY GUIDELINES FOR PROCEEDINGS FOR CIVIL, SMALL CLAIMS 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. Individual branches will schedule these proceedings as the court's calendar permits, including the possibility that individual matters may be scheduled with the consent of all parties prior to the expiration of the court's Order Regarding Emergency Temporary Measures. Contact the individual branch for direction if parties wish to have evidentiary hearings by phone.

2. Any hearing that can be done by phone will proceed as scheduled, including but not limited scheduling conferences, status conferences, and certain motion hearings. Some branches will allow name changes and stipulated divorces to be done by phone; check with the branch for their individual policies. For those branches that intend to do name changes and stipulated divorces by phone:

- a. Name changes: Notices of publication must be on file with the court at or before the date of the hearing on the name change.
- b. Stipulated divorces: Stipulated divorces may be done telephonically only if current financial disclosure statements and marital settlement agreements are filed at least twenty-four (24) hours in advance of the hearing date and time.

3. Small claims pre-trial conferences will be by telephone only; no in-person conferences will be held after March 17, 2020.

4. Matters that require timely hearings, such as eviction and injunction proceedings, will be scheduled by the individual branch. Telephone appearances will be allowed at the branch's discretion.

5. Judges will still officiate weddings in the courthouse, provided that no out-of-county guests are present, the participants provide their own witnesses (the court will not provide witnesses), and the total wedding party (participants and guests) is less than ten persons.

6. These are guidelines only; if any party or attorney has questions regarding scheduling with a particular branch, they should contact that branch directly for guidance.

TEMPORARY AND EMERGENCY GUIDELINES FOR PROCEEDINGS FOR CRIMINAL CASES

This coronavirus health situation constitutes good cause for all proceedings involving out-of-custody defendants to be rescheduled until after April 17, 2020, or held by telephone or video-conference. Individual branches will be contacting case parties if proceedings will be rescheduled or handled by phone or in writing. **If not rescheduled or advised of an alternative appearance mode, parties are required to appear for their proceedings as scheduled.**

Each judge has discretion to deviate from these guidelines as deemed appropriate, and any party may request a telephone hearing to determine the mode and schedule for any proceeding. These guidelines apply to all criminal proceedings, including: initial appearances; preliminary hearings; return hearings; status conferences; arraignments; final pretrial conferences; bail/bond hearings; motion or other hearings; plea hearings; trials; sentencing hearings; and restitution hearings.

Proceedings involving in-custody defendants, who are not being held on any basis other than an open Sauk County case(s), will presumptively proceed as timely scheduled. The court may *sua sponte* modify bond for any defendant being held on a \$1000 or lower cash bond. Such determinations will be made on a case-by-case basis.

The following principles will apply to proceedings involving other defendants:

- Proceedings in cases not deemed high priority may be rescheduled by the court on its own initiative.
- In-person initial appearances scheduled after March 20, 2020 will be rescheduled; booking services will not be available in the courthouse after March 18, 2020.
- Rescheduled proceedings will be delayed until after May 15, 2020.
- Stipulated requests for continuances will be granted liberally.
- Requests for time-to-report of up to 60 days will be liberally granted for jail sentences and for the commencement of conditional jail in probation cases. This applies to sentencing hearings that occur during the time these guidelines are in force.
- Approval will be liberally granted for attorneys to appear on behalf of defendants in all case types, provided the attorney represents that he or she has had recent contact with the

defendant and that the defendant waives his or her personal appearance.

- Attorneys are encouraged to enter written pleas in misdemeanor cases, if an authorization is on file or submitted with the written plea.
- If a plea is entered in a criminal case while these guidelines are in force, the jury trial in that matter will be scheduled at least 75 days out.

Individual branches will be contacting case parties if proceedings will be rescheduled or handled by phone. **If not rescheduled or advised of an alternative appearance mode, parties are required to appear for their proceedings as scheduled.**

**TEMPORARY AND EMERGENCY GUIDELINES FOR
PROCEEDINGS BEFORE THE CIRCUIT COURT COMMISSIONER**

1. For juvenile matters, please refer to the guidelines above.
2. For Family and Paternity Cases, only cases that can be handled by phone will proceed. No personal appearances will be allowed. For all cases that can not be possible by phone, they will be rescheduled. Parties are to contact the Court Commissioners' Office at (608) 355-3246 with a telephone number.
3. Criminal and Traffic Matters. Initial appearances scheduled after March 20, 2020 will be rescheduled until after May 15, 2020.
4. Bench warrant hearings will be held on an individual basis.
5. Injunction hearings will be held on an individual basis.
6. Small Claims Matters – Non-eviction. If a defendant has not filed a written answer by the deadline noted in the summons, the initial appearance will be rescheduled. All new summonses issued during this time will require written answers.
7. Small Claims Matters – Eviction. If a defendant has not filed a written answer by the deadline noted in the summons, a denial will be entered in the record at the scheduled initial appearance and a trial will be scheduled in the assigned branch.