

## **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 22, 2020, or further order of the court. In an effort to mitigate the spread of Covid-19, and create social distancing, the Vernon County Circuit Court building will remain closed to the public, except by appointment. The court continues to hold hearings, however, through the use of Zoom technology. The daily docket is posted on the south-facing courthouse and annex doors and includes the information required to access the zoom hearing to observe the court proceeding or, if a party or witness, to participate in the hearing. 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 to our employees, lawyers, litigants and jurors. 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 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 a video-equipped courtroom and ZOOM videoconferencing technology approved by the Director of State Courts.

For specific information on a particular case, please call Vernon County Clerk of Court at 608-637-5340 or the Judicial Assistant at 608-637-5364 or by email at [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 efiling, 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 Zoom video conferencing.
- 2. Initial Appearances/Pleas/Statuses:** Initial appearances, pleas and statuses in misdemeanor cases will be adjourned until after May 22, 2020, or further order of this court. 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 and who do not wish to proceed with a hearing by Zoom, the court may find good cause to go beyond statutory time limits and adjourn the preliminary hearing until after May 22, 2020, or further order of this court.

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 22, 2020, or further order of this court. 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 22, 2020, or further order of this court, 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:** Eviction cases are suspended until after May 22, 2020, or further order of this court. 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 suspend cases until after May 22, 2020, or further order of this court.

### **TRAFFIC CASES**

1. **Initial Appearances:** Initial appearances will be rescheduled by the Clerk of Court for an initial appearance calendar after May 22, 2020, or further order of this court. 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 22, 2020, or further order of this court or by Zoom in the court's discretion.
4. **Forfeiture Guilty Pleas:** Guilty pleas in forfeiture matters shall be entered by Zoom 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 Zoom 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 by Zoom.

### **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.

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

1. **WATTS Reviews:** WATTS reviews will be deferred until after May 22, 2020, or further order of this court. 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. **Guardianships and protective placements:** Hearings will be held whenever possible by Zoom videoconferencing.
3. **Mental Commitments:** Time limits to be honored and hearings in mental commitment cases will continue to be held in accordance with statutory time limits.

Hearings will be held via video or teleconferencing whenever feasible. Similarly, other hearings such as final hearings will be held via video or teleconferencing to the greatest extent possible. Counsel may be present by telephone or by Zoom.

### **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 22, 2020, or further order of this court. The court will reschedule such matters for a date after May 22, 2020, or further order of this court.
- 2. Non-evidentiary Hearings:** Any non-evidentiary hearing that can be done by phone or Zoom 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 22, 2020, or further order of this court, 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 Zoom or 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 22, 2020, or further order of this court. 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.

## JURY TRIALS

1. **Nonessential trials:** All nonessential jury trials will be rescheduled to a date after May 22, 2020, or further order of this court.
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 conducted by Zoom.
2. **Coordination/supervision:** Monitoring of offenders will continue to take place with a strong preference for phone or Zoom contacts.
3. **Team meetings:** The team will continue to meet to consider participant progress and potential sanctions by Zoom or group messaging.

Dated this 30<sup>th</sup> day of April, 2020.



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Honorable Daryl J. Rood  
Vernon County Circuit Court