

**ORDER APPROVING PLAN FOR THE SAFE RESUMPTION OF IN PERSON PROCEEDINGS IN RACINE COUNTY**

WHEREAS: The Wisconsin Supreme Court in light of the COVID 19 Statewide and National states of emergency has entered certain orders related to the operations of the Circuit Court regarding in person appearances and jury trials.

WHEREAS: Racine County is still experiencing significant person to person transmission of COVID 19. Local conditions make it currently unsafe for all proceedings and jury trials to resume in these counties.

WHEREAS: On March 22, 2020, the Wisconsin Supreme Court ordered that although the courts of the State of Wisconsin remain open, all civil and criminal jury trials scheduled to begin before May 22, 2020 are to continued and rescheduled by the assigned judge to a date after May 22, 2020;

WHEREAS: On March 22, 2020, and as amended on April 15, 2020, the Wisconsin Supreme Court suspended, until further order of the court, most in-person hearings in the circuit courts, subject to exceptions for certain matters, including those approved by the chief judges of each district;

WHEREAS: On March 31, 2020, the Wisconsin Supreme Court issued Interim Rule 20-02 which suspended statutory deadlines for conducting non-criminal jury trials until further order of the court:

WHEREAS: on May 22, 2020 the Wisconsin Supreme Court ordered the adoption of the Task Force's Final Report and it's recommendations for consideration by the Circuit Courts.

WHEREAS: The Task Force's Final Report at pages thirteen(13) and fourteen (14) recommends a four phased approach to the resumption of in person hearings and jury trials to protect the health and safety of public and litigants. The phased approach indicates that jury trials should begin in phase 3.

WHEREAS: On May 22, 2020, the Wisconsin Supreme Court ordered that March 22, 2020 order regarding the suspension of jury trials, that Interim Rule 20-02 regarding suspension of deadlines for non-criminal jury trials, and the April 15, 2020 amended order regarding remote hearings, are extended for each circuit court until that circuit shall have prepared an operational plan for the

safe resumption of in-person proceedings and jury trials and the plan shall have been approved by the chief judge of the applicable administrative district;

WHEREAS: The May 22, 2020 order requires the chief judge of the administrative district to “review the [operational] plan to ensure that it includes the requirements set forth above, reduces to the greatest extent possible the risk of transmission of the virus that causes COVID-19, and promotes the health and safety of all those present in the courtrooms, jury rooms, and other court-related confined spaces.”

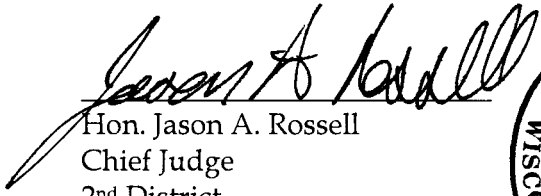
WHEREAS: The judges of Racine County have filed with the chief judge of the 2<sup>nd</sup> Administrative District a safety plan incorporating the requirements of the May 22, 2020 order and considering the Task Force’s final report. See attached safety plan.

WHEREAS: This safety plan will allow the resumption of in person hearings consistent with phase one (1) of the Task Force Final Report. The Judges along with the local health officials continue to monitor the local situation to determine when a move to further phases and the resumption of jury trials would be advisable considering the local health conditions.

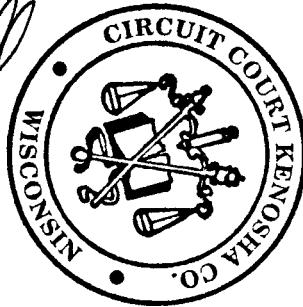
THEREFORE Pursuant to Wisconsin Supreme Court Rules 70.19(3)(f), 70.20(1), and the Supreme Court Orders of March 22, 2020, and as amended on April 15, 2020, Racine County may resume in person hearings in accordance with the safety plan attached, as designated in the Task Force’s final report for phase one as indicated below on June 17, 2020:

1. All criminal matters, except jury trials
2. Mental commitment and guardianship hearings with time limits
3. Juvenile proceedings in juvenile delinquency (JV), juvenile CHIPS (JC), juvenile guardianship (JG) cases and termination of parental rights cases with time limits
4. Civil matters as follows:
  - Restraining order proceedings under Ch. 813
  - Family - Temporary order hearings if placement is at issue under Wis. Stat. 767.225(1)(am)
  - Family - Enforcement of physical placement orders under Wis. Stat. 767.471(5)
  - Family - Relocation motions under Wis. Stat. 767.481(2) • Stipulated final divorce hearings
  - Time-sensitive small claims proceedings, with special consideration given to the social distancing and limited attendance guidelines as outlined below

Dated this 16<sup>th</sup> day of June 2020



Hon. Jason A. Rossell  
Chief Judge  
2<sup>nd</sup> District



## **COVID-19 Circuit Court Safety Plan for Racine County**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the courts of Racine County will implement the following protective measures:

### **General**

1. The county judiciary has established a stakeholder's committee including the Judiciary/Commissioners, County Executive, Corporation Counsel, District Attorney, Public Defender, County Sheriff, Clerk of Court, Buildings & Facilities Director, Human Services Director, County Health Officer, Department of Corrections and the County Bar President. The committee has met regularly to discuss and consider the recommendations outlined in the Wisconsin COVID- 19 Task Force report. The procedures and practices that follow were developed with the intent to be proactive, recognizing the need to provide all constitutional and statutory protections to the litigants and interested parties, as well as the public's right to access. It is understood that it is not possible to ensure absolute safety, but expected to take reasonable and necessary precautions to protect the health of all participants within the physical limitations of the facilities and resources of the courts and county.
2. In order to limit the number of persons in the courtrooms, it is the intent of the judiciary that every judge will use best efforts to continue to conduct all appropriate proceedings remotely.
3. Before calendaring in-person hearings, the stakeholder's committee has addressed staffing needs and has procured equipment and supplies deemed necessary. It is understood that the availability of equipment and supplies is fluid given ongoing supply and demand issues. The stakeholders will use best efforts to secure that which is necessary to satisfy the requirements of this plan.
4. The stakeholder's committee will continue to meet regularly, maintain communication with the local health authority and the county office of risk management, and will adjust this safety plan as necessary with any changes in the public health conditions in the county.
5. Judges will begin setting non-essential in-person proceedings no sooner than June 17, 2020.

### **Judge and Court Staff Health**

1. Judges and court staff who can perform the essential functions of their job remotely will continue to do so, whenever possible.
2. The health of the judge and court staff will be monitored daily with the use of Center for Disease Control (CDC) health screening guidelines. Tool kits will be made available to court staff, county employees and contractors which will include 1-2 masks, cleaning and disinfecting guidelines, health guidelines (including COVID-19 specific, general and mental health), and a direction to online resources regarding protective measures. A copy of the Racine County Return to Work Policy (including health screening protocols for court building staff, COVID-19 exposure and confirmed illness protocol, reporting transparency protocol, social distancing and health/safety protocols, and cleaning/disinfecting protocols) and summary handout, along with the May 20, 2020 memorandum from the Racine County Executive regarding face coverings, are attached hereto and incorporated by reference.

Additionally, individuals entering the court buildings will be subject to screening as set forth in the signage attached hereto and incorporated by reference. Signage as referred to herein shall be in English and Spanish.

3. In accordance with the Supreme Court Order dated May 22, 2020, judges and court staff and all individuals in the courtroom will be required to wear face coverings as specified therein, practice social distancing, and practice appropriate hygiene recommendations. Signage incorporating these requirements will be posted in appropriate locations to ensure notice and compliance. A copy of this signage is attached hereto and incorporated herein by reference.
4. Judges will use best efforts to handle cases remotely and will only schedule in person proceedings as determined by the Judge taking into consideration constitutional and statutory requirements, the nature of the proceeding and requests of the attorneys and litigants. The Court will use best efforts to stagger scheduling of all in person proceedings.

### **Scheduling**

1. Judges will use best efforts to conduct proceedings remotely and will only schedule in person proceedings as determined by the Judge taking into consideration constitutional and statutory requirements, the nature of the proceeding and requests of the attorneys and litigants.
2. Court staff will use staggered scheduling of in person proceedings and other appropriate methods to reduce the number of individuals in a courtroom at one time. If necessary, courts will use live streaming for public access in viewing rooms located within the court buildings.

### **Vulnerable Populations**

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Each judge will include information on orders setting hearings, dockets notices, or in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations.
3. Judges will use best efforts to accommodate vulnerable populations who are scheduled for court by offering remote access via Zoom video and phone conferencing, staggering scheduling to limit the number of individuals in the courtroom and sequestering of individuals from the courtroom as appropriate. If such accommodations cannot be met, reasonable adjournments will be made.

### **Social Distancing**

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet. Signage reminders will be displayed throughout the facilities in appropriate locations to ensure notice and compliance.
2. Elevator capacities will be limited and marked to maintain social distancing.

3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
4. Public common areas, including breakrooms and snack rooms, have been closed to the public.

### **Gallery**

5. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by the judge and court staff.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

### **Well**

7. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space. Additionally, plexiglass barriers will be placed as needed in those areas where the 6 foot social distancing can not be met.

### **Hygiene**

1. Hand sanitizer dispensers have been placed at strategic locations throughout the court buildings.
2. Hand sanitizer, disinfectant wipes, disinfectant spray and paper towels will be placed in a "cleaning station" set up in the courtroom. Signage regarding the availability of hand sanitizer and disinfecting wipes/spray will be posted at the entrance of each courtroom, jury room, and court-related confined space.
3. Signage outlining CDC hygiene, social distancing, and public safety guidelines and recommendations will be posted throughout the court buildings.

### **Screening**

1. Signage posted at public entrances of the court buildings will encourage individuals to wear a mask and give notice that they are to immediately exit the building if they have any of the following (per CDC guidelines): Fever of 100.4 degrees F or higher, shortness of breath, cough, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell, or contact with ill COVID-19 patient. County staff will confirm that individuals have read and addressed the notice. If an individual must leave and was required to appear in court, the judge will grant a reasonable adjournment upon being notified and after consideration of the circumstances. A copy of the signage is attached hereto and incorporated herein for reference.
2. In accordance with the Supreme Court Order dated May 22, 2020, judges and court staff and all individuals in the courtroom will be required to wear face coverings as specified therein, practice social distancing, and practice appropriate hygiene recommendations. Signage incorporating these requirements will be posted in appropriate locations to ensure notice and

compliance. Noncompliance will be enforced by the judge. However, in the event an individual does not have a face covering, one will be provided by the county as set forth herein under Face Coverings.

3. Inmates being transported from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°F will not be transported to the court building.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including face covering and gloves as needed.

### **Face Coverings**

1. Since court buildings include more than the courts only, individuals entering the court building will be encouraged to wear a face covering and a limited supply of face masks will be made available. Signage will be posted as stated herein. Security staff will use reasonable efforts to prompt individuals entering the court building to wear face coverings while inside non-court related areas.
2. In accordance with the Supreme Court Order dated May 22, 2020, judges and court staff and all individuals in the courtroom will be required to wear face coverings as specified therein. Signage incorporating these requirements will be displayed in appropriate locations to ensure notice and compliance. Noncompliance will be enforced by the judge.
3. Individuals coming to court will be strongly encouraged to bring their own face covering with them. For individuals required to appear in court, orders to appear and docket notices will include the notice of the requirement of face coverings in accordance with the Supreme Court Order dated May 22, 2020. In the event an individual required to appear in court and whose matter can only be heard in person fails to bring or have a face covering, one will be provided by the county at designated locations in the court buildings. Signage will be posted as to the availability of a face covering.

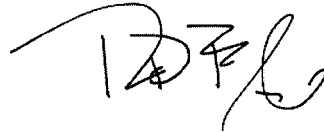
### **Cleaning**

1. County cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 24 hours.
2. Each courtroom will have a "cleaning station" supplied with hand sanitizer, disinfectant wipes, disinfectant spray, paper towels and disposable gloves. Court staff will spray and wipe the counsel tables and audio equipment with Ecolab disinfectant between every hearing and will spray the gallery area with Virex disinfectant between morning and afternoon proceedings.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

**Other**

1. It is understood that public awareness of these measures is necessary. This information will be shared through press releases, county websites, social media, state and local bar associations and any other appropriate public sources of information.
2. It is further understood that a phased approach as set forth in the Supreme Court Task Force Report will be taken for returning to full in person court operations and that the Chief Judge will enter specific orders authorizing the phasing and those types of in person proceedings allowed in each phase. It is understood that based on updated health data being monitored regularly, it may be necessary to revert to an earlier phase or to suspend all in person proceedings altogether.

I have conferred with all judges of courts with courtrooms in the court building regarding this Safety Plan. In developing the plan, I consulted with the stakeholders committee. A list of members on the committee is attached to this plan. I will ensure that the judges of courts with courtrooms in the court building covered by this Safety Plan will conduct proceedings consistent with the plan.



Date: 6/11/2020

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Timothy D. Boyle, Presiding Judge

Date: \_\_\_\_\_

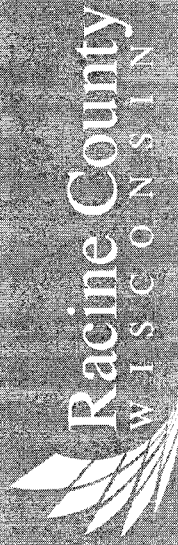
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Jason Rossell, Chief Judge Approval



**NOTICE: By Order of the Supreme Court of Wisconsin, Face Coverings Are Required By All Individuals Present in a Courtroom, Jury Room, and/or Other Court-Related Confined Spaces.**

INDIVIDUALS REQUIRED TO BE PRESENT IN ANY OF THESE AREAS AND WHO DO NOT HAVE A FACE COVERING, SHALL NOTIFY COURT PERSONNEL AND ONE WILL BE PROVIDED BY THE COURT.

IN ACCORDANCE WITH THE SUPREME COURT'S ORDER, DATED MAY 22, 2020, THIS REQUIREMENT WILL BE ENFORCED BY THE JUDGE(S) OF THE CIRCUIT COURT



# Returning to Work during COVID-19

*Follow these important guidelines on how to stay safe and handle COVID-19 exposure and illness when returning to work at Racine County.*

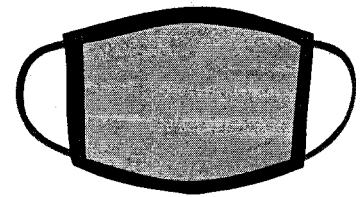
## Social Distance

Stay six feet away from others, avoiding direct contact whenever possible.



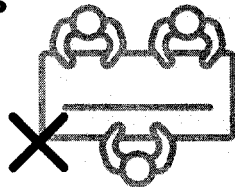
## Wear a Face Covering

Wear a cloth face mask covering in common area County facilities and workspaces.



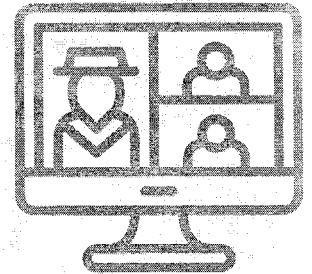
## Avoid Common Areas

Minimize use of common areas such as entrances, conference rooms, and break rooms.



## Meet Virtually

Use audio and visual platforms such as Microsoft Teams instead of face-to-face meetings.

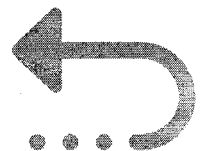


## Testing Positive for COVID-19 or Experiencing Symptoms

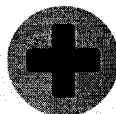
Do not return to work. Notify your supervisor or HR immediately. Work remotely, take PTO, or request FMLA.



## Returning to Work after Testing Positive or Experiencing Symptoms



## Reporting and Transparency



Employees that test positive or experience symptoms may be asked to help with contact tracing. Racine County will notify employees that were potentially impacted by a confirmed case in the workplace. Cases will be tracked separately from personnel records.

**If you tested positive:** Return to work after 14 days of quarantine, a consultation with your physician, and no symptoms.

**If you experienced symptoms:** Return to work after seven days have passed since your first symptom and no symptoms.



# **IMPORTANT: Before Entering...**

**Please wear a face covering and exit the building immediately if you have any of the following:**

- Fever (100.4 degrees F or higher)**
- Shortness of breath**
- Cough**
- Chills**
- Repeated shaking with chills**
- Muscle pain**
- Headache**
- Sore throat**
- New loss of taste or smell**
- Contact with ill COVID-19 patient**

**If you are required to appear in court and must leave, please leave your name with the deputy who will advise the court accordingly.**



Jonathan Delagrave, County Executive

**MEMORANDUM FOR RACINE COUNTY EMPLOYEES AND CONTRACTORS**

**FROM:** Jonathan Delagrave, County Executive  
**DATE:** May 20, 2020  
**SUBJECT:** Use of Face Coverings in Racine County Facilities/Workplaces

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As noted in previous guidelines and directives, the health and safety of our personnel are of paramount importance. To that end, the Centers for Disease Control and Prevention (CDC) currently recommends wearing cloth face coverings in public settings, especially in areas of significant community-based transmission of COVID-19 (but not to use facemasks meant for healthcare workers). The use of face coverings may help to slow the spread of COVID-19 by limiting the spread of potentially infectious particles and stopping seemingly healthy people from infecting others if they're asymptomatic. Please think of this not as forced conformity, but as a necessary act of solidarity.

Consistent with this recommendation, effective as promptly as possible, all individuals are to wear cloth facemasks or coverings to the extent practicable within common area County facilities and workspaces – particularly in traditional office-like settings. We are working to acquire and issue face coverings for employees, while prioritizing the acquisition and issuance of personal protective equipment (PPE) for high-need organizations such as law enforcement and fire services, emergency medical services, hospitals, long-term care facilities, and for employees whose duties involve face-to-face contact with the public. Employees who have not been issued or do not have their own PPE should fashion face coverings from common materials, such as clean t-shirts or bandanas, that can cover the nose and mouth area. Individuals may remove a face covering when working in a private office, cubicle or workspace where at least six feet of social distance can be maintained. In the event an individual enters another person's office, cubicle or workspace, each person should utilize a face covering for the duration of the interaction. Individuals may also need to lower their face covering in order to pass through security checkpoints.

This memorandum is not intended to alter or supersede any component-specific guidance or policy applicable to workplaces that are not a traditional office setting, such as courts, detention facilities, and law enforcement operations. I thank you for your compliance with this memorandum and again offer my gratitude for your continued commitment to the important work of Racine County. Let's all continue to work to keep each other, and the public, safe.

# RACINE COUNTY COVID-19 CIRCUIT COURT SAFETY PLAN COMMITTEE

## STAKEHOLDERS LIST

### **Judiciary:**

Hon. Timothy D. Boyle, Presiding Judge  
Hon. Faye M. Flancher  
Hon. Jon E. Fredrickson  
Hon. Eugene A. Gasiorkiewicz  
Hon. Wynne P. Laufenberg  
Hon. Mark F. Nielsen  
Family Court Commissioner - Lorene Mozinski  
Judicial Court Commissioner –Alice Rudebusch

### **Other:**

County Executive – Jonathan Delagrave  
Corporation Counsel – Michael Lanzdorf  
Clerk of Court – Samuel Christensen  
District Attorney – Patricia Hanson  
Public Defender – Adrienne Moore  
Racine County Sheriff – Captain Daniel Adams and Sgt. William Mattke  
Buildings and Facilities Director – Liam Doherty  
Human Services Director – Hope Otto  
County Health Officer – Margaret Gesner  
Department of Corrections – Laurie Bauer  
County Bar President – Jennifer Hemmer