

ORDER SUSPENDING RACINE COUNTY OPERATIONAL PLAN

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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: 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: 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: On June 16th, 2020 the Racine County safety plan incorporating

the requirements of the May 22, 2020 order was approved by the chief judge. The safety plan allowed the resumption of in person hearings consistent with phase one (1) of the Task Force Final Report.

WHEREAS: On August 14, 2020, the Racine County Circuit Court Judges approved an addendum providing for jury trials starting on August 25, 2020. This addendum incorporates the requirements of the Supreme Court Orders, the prior safety plan, and establishes procedures for the safe resumption of jury trials and other in person appearances.

WHEREAS: On August 21, 2020, the Racine County Operational Plan was approved and came into effect.

WHEREAS: On October 1, 2020, the Wisconsin Supreme Court entered an order amending the May 22, 2020 allowing for the withdrawal of the approval of the operational plan.

WHEREAS: The Circuit Court Judges of Racine have communicated with the Chief Judge through Deputy Chief Judge Tim Boyle, that the local COVID 19 conditions have gotten to a point where the operational plan needs to be suspended until conditions change.

THEREFORE Pursuant to Wisconsin Supreme Court Orders of October 1, 2020, the Approval of the Racine County jury trial plan is withdrawn.

FURTHERMORE, Effective immediately Racine County Circuit Court shall again be subject to the provisions of Supreme Court orders of April 15, 2020 and March 22, 2020 suspending jury trials, tolling time limits, and limiting in person appearances.

FURTHERMORE When conditions change, the Circuit Court Judges of Racine should file an amended jury trial plan with the chief judge to resume jury trials.

FURTHERMORE: The Racine Safety Plan approved on June 16, 2020 remains in effect.

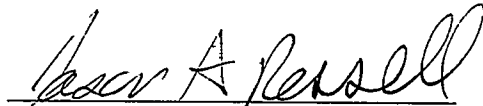
FURTHERMORE: Pursuant to Wisconsin Supreme Court Rules 70.19(3)(f), 70.20(1), and the Supreme Court Orders of March 22, 2020, and as amended on April 15, 2020, Racine County may continue in person hearings in accordance with the safety plan, as designated in the Task Force's final report for phase one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

FURTHERMORE: This order shall remain in effect until further order by the Supreme Court or the chief judge of this administrative district.

Dated this 30th day of October 2020



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

