

TEMPORARY ORDER SUSPENDING JURY TRIALS AND IN-PERSON COURT APPEARANCES IN EAU CLAIRE COUNTY

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 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, if remote technology is not practicable or adequate to protect constitutional rights of the citizens of Wisconsin;

WHEREAS: On May 22, 2020, the Wisconsin Supreme Court ordered that the 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: On May 22, 2020, the Wisconsin Supreme Court outlined the specific criteria required in each circuit court operational plan as to how that circuit court will conduct in-person proceedings and jury trials so as to reduce to the greatest extent possible the risk of transmission of the virus that causes COVID-19 and that promotes the health and safety of all those present in the courtrooms, jury rooms, and other court related confined spaces of that circuit court;

WHEREAS: On July 16, 2020 the Circuit Judges of Eau Claire County, submitted an operational plan which contains a statement regarding communication with local justice partners regarding the safe resumption of in-person proceedings and jury trials in that circuit court; a requirement that all persons who are present in the courtrooms, jury rooms, and other court-related confined spaces shall wear face coverings, except as authorized on the record

by said judge; outlines practices for appropriate sanitation/ hygiene of frequently touched surfaces and the hands of participants; specifies that notices regarding face coverings and availability of hand sanitizer and disinfecting wipes/ sprays in court-related areas will be appropriately posted and noticed; and incorporates many recommendations made in the Final Report of the Chief Justice's Task Force;

WHEREAS: On July 20, 2020 Tenth District Chief Judge Maureen Boyle approved the Eau Claire County Circuit Court Operational Plan;

WHEREAS, Eau Claire County has gone from 21 known cases on April 11; to 82 on May 11; to 126 on June 11; to 332 on July 11; to 596 on August 11; to 1098 on September 11; to 2414 on October 11; to 5356 on November 11;

WHEREAS, Governor Tony Evers issued Executive Order #94 on November 10, 2020 strongly encouraging people, not requiring them, to stay home as the state recorded another record day in new COVID-19 cases, deaths and hospitalizations;

WHEREAS, it is reported that as of November 11, 2020 all Mayo and Marshfield health system hospital beds are full in northwestern Wisconsin;

WHEREAS the Eau Claire County judiciary has unanimously agreed to the following order;

NOW, THEREFORE, IT IS HEREBY ORDERED, that all jury trials and all in-person court appearances are cancelled through January 15, 2021, or until further order of the court. Jury trials will be rescheduled as necessary. In-person court appearances may proceed only with specific approval of the presiding court given on or after November 13, 2020. Absent approval of the presiding court for an in-person hearing, all hearings will be held remotely by telephone or video by Zoom or similar application.

Dated this 13th day of November, 2020.

Michael A. Schumacher

Presiding Judge
Eau Claire County Circuit Courts