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**CHIEF JUDGE
DIRECTIVE
21-03**

Date: April 26, 2021

To: All Judges, All Court Commissioners, District Court Administrator, County Executive, Clerk of Circuit Court, Corporation Counsel, Sheriff, District Attorney, City Attorney, Public Defender, DAS, Fiscal Affairs, Court Coordinators, Delinquency and Court Services Division, Division of Milwaukee Child Protective Services, Legal Aid Society, JusticePoint, WCS, Court Reporting Services, IMSD, Legal Resource Center, CCAP, Facilities Management, Press

From: Chief Judge Mary E. Triggiano

Subject: **PHASE III PLAN FOR RESUMING IN-PERSON HEARINGS AND JURY TRIALS**

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 be 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 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 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 the circuit court;

WHEREAS: On October 1, 2020, the Wisconsin Supreme Court issued an order extending the above referenced interim rules and orders;

WHEREAS: On June 25, 2020, Mary E. Triggiano, Chief Judge of the 1st Judicial District, approved operational plans for a phased resumption of in-person proceedings;

WHEREAS: On July 17, 2020, Mary E. Triggiano, Chief Judge of the 1st Judicial District, approved operational plans for a phased resumption of jury trials;

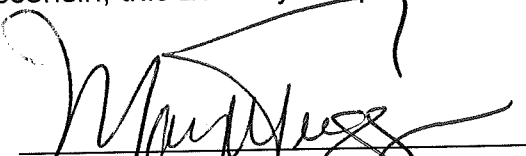
WHEREAS: Operational planning for the safe resumption of in-person and jury trial proceedings in the 1st Judicial District are ongoing and are the culmination of months of collaboration and consultation with numerous local justice system, Milwaukee County partners and public health experts to: develop protocols for the safe resumption of in-person and jury trial proceedings in the 1st Judicial District; modify and prepare court buildings, courtrooms, jury assembly and deliberation space in order to avoid exposure and infection of jurors, litigants, attorneys, witnesses, court staff and other members of the public visiting the courts conducting in-person hearings and jury trials; re-design processes and procedures related to jury management, and incorporate many recommendations made in the Final Report of the Chief Justice's COVID-19 Task Force;

THEREFORE, IT IS ORDERED:

The operational plan of the 1st Judicial District regarding procedures and practices for conducting in-person and jury trial proceedings during the 2020-2021 public health emergency and COVID-19 pandemic are hereby amended and approved and are effective May 3, 2021. The circuit court shall follow the attached operational plan as approved by the Chief Judge.

IT IS FURTHER ORDERED that the provisions of this order shall be subject to further modification or termination by future orders.

Dated at Milwaukee, Wisconsin, this 26th day of April, 2021



Hon. Mary E. Triggiano, Chief Judge
1st Judicial District of Wisconsin