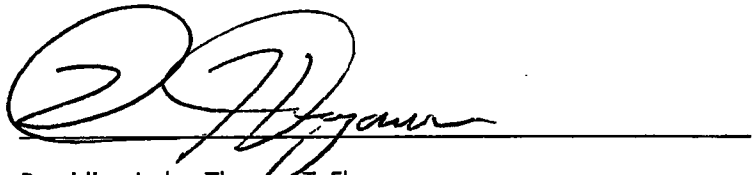
Dated in Stevens Point, Wisconsin this 16th day of March, 2020.



Presiding Judge Thomas T. Flugaur

Portage County Circuit Court

STATE OF WISCONSIN CIRCUIT COURT PORTAGE COUNTY

ORDER REGARDING EMERGENCY TEMPORARY MEASURE

Recognizing that crimes will continue to be committed; children will continue to be abused and neglected and removed from their parents; and mental illness with commitments hearings will continue to occur; the Courts, along with Law Enforcement and Human Services, are essential in maintaining order in a civilized society. Therefore, the Courthouse will always be open during regular business hours.

In response to the Presidential Declaration of a National Health Emergency, and in *an effort to minimize large gatherings of people having close physical contact in the building*, the Portage County Courts are issuing the following measures, effective immediately, regarding court hearings and other proceedings for the next 60 days or until further order of the Court.

1. All Jury Trials, except when required by the Constitution and Wisconsin Statutes, will be adjourned;

2. All defendants who are represented by attorneys are excused from attending their scheduled pre-trial conferences on Monday mornings (this also excuses them from any Day Report Requirement on that day);
3. All attorneys are excused from attending Monday morning pre-trial conferences in person as long as they have pre-trialed the cases(s) with the assigned prosecutor by phone or email prior to the pre-trial date or on that morning. Attorneys must be in telephone contact with their clients at the time the case is being pre-trialed.
4. All pro se defendants and attorneys who have not responded to the prosecutor's pre-trial offers, must appear in person in the courtroom at the scheduled pre-trial time. The courtrooms will be arranged to keep people at a safe six foot social interaction distance; the prosecutors are responsible for forwarding all pre-trial reports to the assigned branch for further scheduling. This must be completed by Wednesday of that week. If the attorneys need a trial date or motion hearing date, they must contact the assigned judge the morning of, or prior to, the pre-trial conference.
5. Intake Court will continue to be held as scheduled, with the understanding that non-violent cases that are currently scheduled in the next 30 – 60 days will be rescheduled to a later date. *The District Attorney's Office is responsible for this measure*. At Intake Court the bailiffs will assist in keeping everyone assembled at a safe distance from one another.
6. Written waivers of preliminary hearings in advance of the hearing relieves the attorneys and defendants from appearing in Court.
7. Small Claims Intake Court will be scheduled at 7:30 a.m. and 8:00 a.m. to avoid one large group, and the bailiff will utilize unused courtrooms as a waiting room if necessary.
8. Juvenile Court hearings will be scheduled in 30 minute intervals to avoid the accumulation of large groups of people;

9. All currently scheduled hearings in civil, family and criminal court involving only a handful of people including court trials, motion hearings and plea and sentencing hearings, etc. will continue as scheduled, **however;**
10. **The Court will freely allow requests for continuances in all matters currently scheduled for Court in the next 60 days, with prior approval by the assigned judge in that case.**
11. The Courts will allow telephone and video appearances by attorneys, litigants and witness with prior approval by the assigned judge in that case.

This is a dynamic and fluid health emergency which could change tomorrow. If necessary, the Courts may be required to cancel all currently scheduled hearings indefinitely, with the exception of statutory and constitutionally mandated proceedings. For future reference, these would include:

1. Bail hearings for criminal cases within 48 hours of arrest.
2. Search warrants.
3. Juvenile detention hearings within 24-48 hours after detention.
4. Mental and alcohol commitments hearings within 72 hours after detention . Final hearing within 14 days.
5. Guardianship and protective placement.
6. Criminal jury trials with speedy trial request and defendant in custody.
7. Pandemic related actions, such as quarantine and isolation cases.
8. Restraining order cases within 14 days, excluding weekends.
9. Habeas Corpus forthwith.
10. Termination of Parental Rights jury trials.
11. Adoption within 90 days.

Thank you everyone for your anticipated cooperation and patience during these extraordinary times.