

THE STATE OF WYOMING
NINTH JUDICIAL DISTRICT

JASON M. CONDER
DISTRICT JUDGE



450 NORTH 2ND STREET
FREMONT COUNTY COURTHOUSE
LANDER, WYOMING
82520
307 332-4592

March 17, 2020

Dear Fremont County Bar Association Members & Fremont County Attorneys,

At this difficult time, we are all called upon to help protect the health and safety of our community, while ensuring that we uphold the Constitutional guarantees afforded to all citizens. Accordingly, I am committed to keeping the court "as open" as possible to ensure justice for all, while also being cognizant of obvious health concerns. At this time, there is a great deal of uncertainty and unknown. Things will likely change on a daily or even hourly basis. I will do my best to inform you of any changes as to the District Court as they arise. Overall, the District Court's plan is to be as flexible and responsive as possible, and to address issues as they arise or are otherwise necessary.

As you know, the President and Governor have declared a state of emergency. Several court systems across the nation have limited non-essential operations, delayed certain matters, or suspended operations all together. The Wyoming Supreme Court has implemented the Judicial Branch: Respiratory Disease Pandemic Plan, which will guide the District Court going forward. There have been several confirmed cases of COVID 19 in Fremont County, and the Fremont County Courthouse/County building has been closed to the public by the County Commissioners.

Nonetheless, Constitutional dictates, including due process, require the court address certain issues in a timely fashion. Accordingly, the following types of proceedings will take priority and should, to the greatest extent practical and consistent with protecting public health, continue to take place in accordance with existing timeframes:

- 1) *Criminal matters that involve:*
 - a. Initial appearances;
 - b. Arraignments;
 - c. Bond revocations;
 - d. Preliminary hearings;
 - e. Probation revocations, when the defendant has been arrested;
 - f. Criminal Trials if Speedy Trial issues cannot be otherwise addressed.
- 2) *Title 25 Involuntary Hospitalization Proceedings*
- 3) *Child Protection/Neglect/Juvenile matters that involve:*

- a. Shelter care hearings;
- b. Detention hearings;
- c. Adjudicatory hearings;
- d. Dispositional hearings.

When addressing these issues, the District Court will consider whether these proceedings will require the parties, their attorneys, or members of the public to act inconsistent with current recommendations from public health officials. Additionally, when allowed by governing rules, statutes and Constitutional principles, the use of electronic communication participation (video/telephone) will be considered and utilized.

The court will work with all parties and court participants to conduct hearings via telephone or video conference when Constitutionally permissible or otherwise acceptable to the parties. If the parties believe these measures are appropriate and acceptable, they should contact the court at 332-4592 to set up the necessary telephone/video appearance. However, some open court/in person hearings will be necessary. In that event, the court or court security will escort the parties and participants into the building, and then into the courtroom. At the conclusion of the hearing the parties will be escorted from the courtroom and the building.

At any hearing held in open court/in person only those parties and persons necessary and required to be present will be allowed in the courtroom. No one will be allowed entry if they have: i) been diagnosed with COVID 19; ii) if they have had contact with anyone who has been diagnosed with COVID 19; iii) if they have apparent symptoms of COVID 19; or iv) if they have been directed to quarantine, isolate, or self-monitor. Furthermore, any party or person who believes they are unable to appear in court due to any health concern should notify the court as soon as possible and arrangements will be made to address each unique situation.

As long as the state of emergency remains in effect, all other court proceedings (civil and criminal) will be considered non-critical. Accordingly, the district court will, to the greatest extent practical, utilize the following alternatives to address these pending matters: 1) Use electronic communication (telephone conferencing or videoconferencing) whenever possible; or 2) Continue non-critical matters consistent with the due administration of justice and updated information from public health professionals.

In all matters before the District Court, while a state of emergency exists, parties are encouraged and may file pleadings via fax (Clerk of District Court (307) 332- 1143) or email with a PDF attachment sent to ALL OF THE FOLLOWING individuals:

Kristi Green kristi.green@fremontcountywy.gov

Cora Gist cora.gist@fremontcountywy.gov

Sherry Oler soler@courts.state.wy.us

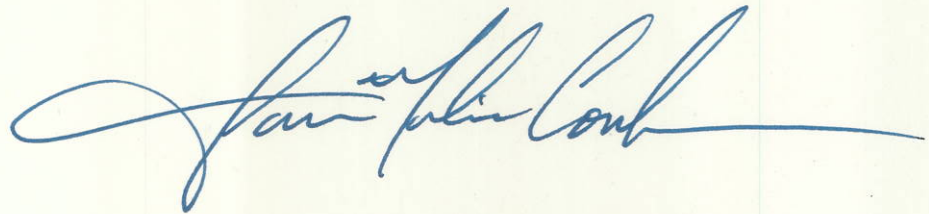
Rachelle Fontaine rfontaine@courts.state.wy.us

Jason Conder jmc@courts.state.wy.us

All fees for such filings will be waived, and when the crisis is over the signed and printed original copies shall be submitted and placed in the original court file. If a party must or prefers to file something in person an appointment may be made with the Clerk of District Court to accomplish such a filing.

Finally, any party that has a hearing scheduled before the District Court within the next three weeks shall file: 1) a notice of intent to proceed as scheduled via telephone; or 2) if parties deem it appropriate, a motion to continue with a proposed order.

Take care of yourself and your families. Be safe. Thank you!!!

A handwritten signature in blue ink, appearing to read "Samuel Cook", with a long horizontal flourish extending to the right.