

MAR 24 2020

State of Wyoming, County of Johnson JONSON COUNTY, WYOMING
In the District Court of the Fourth Judicial District CLERK OF DISTRICT COURT

**ORDER ADOPTING PROTOCOLS FOR TELEPHONE OR VIDEO HEARINGS,
FILING REQUIREMENTS DURING COVID-19, AND IN-PERSON APPEARANCES**

THIS MATTER, came before the Court on its own motion, Pursuant to the *Order Adopting Temporary Plan to Address Health Risks Posed by the COVID-19 Pandemic* issued by the Wyoming Supreme Court on March 18, 2020, and the closure of the Johnson County Judicial Center to the public, the following procedures and protocol will govern until further notice;

FILINGS IN THE DISTRICT COURT

1. Pursuant to the order issued by the Wyoming Supreme Court, fax filing fees will be suspended pending further notice. However, fax filings or email filings will only be accepted in cases where time is of the essence, and a deadline is less than 24 hours away.
2. In all other cases, parties are requested and required to file pleadings and motions, etc. via USPS or the equivalent. Please note that the Clerk of District Court's Office will be closed to public access, absent a few exceptions per the Clerk of District Court's Notice attached hereto, meaning local attorneys will need to mail all filings too.
3. The Clerk's Office will remain open for business Monday – Friday 8:00 am to 5:00 pm, and may be reached via (307) 624-7271

TELEPHONE AND/OR VIDEO HEARINGS

1. Effective immediately, the Court will be using teleconferencing and videoconferencing for most hearings until further notice.

2. **Appearing by Phone.** If the hearing can be accomplished strictly through teleconferencing, the Judicial Assistant will create a conference number and email that number to counsel for the parties, or to a pro se party, if that party's email address is of record. Counsel or the pro se party will then be responsible for disseminating that phone number to any clients or witnesses who need to participate in the hearing.
3. **Appearing through Microsoft Teams.** The courtroom is equipped with a Microsoft HUB which allows for, among other things, appearances by video conference. The videoconferencing platform used by the Court is Microsoft Teams.
4. Counsel are responsible for contacting the Court's Judicial Assistant to provide an email address for the parties and any witnesses who will appear by video at the hearing. Counsel should contact the Judicial Assistant by calling (307) 425-6090 or by email at mmcCorkle@courts.state.wy.us, not later than 12:00 noon the day before the hearing.
5. The Court will then send counsel, the parties, and the witnesses a Teams invitation to facilitate their appearance at the hearing. The invite will arrive by email.
6. That invite includes a link to click on a few minutes before the hearing begins. The link will connect the participant to the conference. Note that the invite may identify a period of time longer than the hearing. That does not indicate the amount of time set aside for the hearing has been extended.
7. All parties, counsel, and witnesses shall use the video feature for appearance at the hearing (not the audio-only feature). Note that the Court's Staff Attorney may appear as a conference participant on your screen but without video.
8. All participants should mute their microphone, through the mute icon on the Teams screen, until they need to speak.

9. **Technical Requirements.** All parties, counsel, and witnesses in the conference will need to be using a device with a camera and a microphone, such as a laptop computer, desktop computer with those features, an iPad or other tablet, a smart phone, or other similarly equipped device. An internet connection will be required. We recommend using an internet connection as opposed to wireless data. Some jurisdictions have identified connectivity issues when using cellular data for the connection. An email address is also required to obtain the Team invitation.
10. Conference participants should be indoors in a quiet location, preferably without others present. If that is not possible, others in that location may not speak or coach or otherwise assist a witness or party in their testimony. Participants should also observe ordinary courtroom decorum while appearing by video.
11. **Exhibits.** Prior to the hearing, any exhibits that counsel wish to introduce at the hearing shall be furnished to (1) the witness to be used for that evidence, (2) opposing counsel, and (3) to the Court. Each exhibit shall be clearly marked according to an exhibit list that is to be provided to opposing counsel and the Court not later than 12:00 noon the day before the hearing. Failure to provide any such exhibits may result in the preclusion of the exhibits.
12. Exhibits sent to the Court should be sent by email to the Court's Staff Attorney at costberg@courts.state.wy.us.
13. As with in-person hearings, counsel should be prepared to review the exhibits that were admitted into evidence with the Court Reporter at the end of the hearing, before disconnecting from the video conference.
14. The exhibits that were provided to the Court, if admitted into evidence, shall be considered the original exhibits when video hearings are held, unless a substitution is required and approved by the Court such as for certified copies, maps, high quality photographs, or similar documents

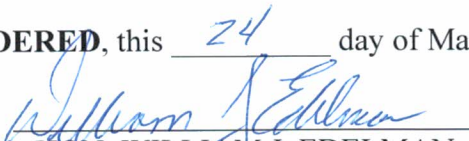
where an electronic copy is not appropriate. In the event such originals are to be provided to the Court, counsel should contact the Court's Judicial Assistant for appropriate protocols such as sending the envelope(s) of exhibits by U.S. Mail or by some other means of physical delivery. Witnesses shall not alter or amend exhibits during their testimony without Court permission.

15. **Motion to Continue.** The Wyoming Supreme Court's order stated that all civil trials, hearings, and motions that cannot be held through telephonic or video means should be postponed or rescheduled for a later date. If Counsel believes that a scheduled hearing or trial cannot be handled through telephonic or video means, a motion to continue and proposed order should be filed. Requests for continuances will readily be granted.

HEARINGS TO BE HELD IN-PERSON

1. Due to constitutional implications, the following hearings will be conducted according to normal proceedings, to the greatest extent possible;
 - a. Arraignment and bond revocations;
 - b. Probation revocations when the defendant has been arrested;
 - c. Title 25 involuntary hospitalization proceedings; and
 - d. Juvenile proceedings (shelter care hearings, detention hearing, dispositional hearings and bench trials).
2. Counsel and parties are required to communicate with the Court prior to these proceedings, and if anyone expected to appear have symptoms of COVID-19, or has been in contact with a symptomatic person, proper measures will be taken, and addressed on a case by case basis.

SO ORDERED, this 24 day of March, 2020.


HON. WILLIAM J. EDELMAN
DISTRICT COURT JUDGE