

FIFTH JUDICIAL DISTRICT COURT

BILL SIMPSON  
DISTRICT JUDGE

DENISE PADDOCK  
COURT REPORTER

TERESA VANBUTSEL-ROWAN  
JUDICIAL ASSISTANT

JAMES F. ( JIM ) DAVIS  
SENIOR LEGAL ADVISOR



PARK COUNTY COURTHOUSE  
1002 SHERIDAN AVENUE  
P.O. BOX 1868  
CODY, WYOMING 82414  
307-527-8670  
307-527-8676 FAX

March 18, 2020

Re: District Court/Clerk of District Court proceedings and protocols re: COVID19

Dear Counsel:

In an effort to address concerns regarding COVID19, PLEASE NOTE THE FOLLOWING:

**Electronic Filing**

- (1) The District Court Clerk's office strongly encourages filing by **fax and/or email** until further Notice. The Clerk's office will **waive** the page limits associated with fax/e-mail filing until further Notice. All other provisions of Wyoming Rule of Civil Procedure 5(e) continue to apply, for example, sending a hard copy by U.S. Mail along with the filing fee. Any fees, other than filing fees, associated with fax or email filing in accordance with the Rules for Fees and Costs for District Courts, are **waived**.

**Files**

- (2) The District Court Clerk will not allow counsel to remove files from the Clerk's office until further Notice. The Clerk will charge counsel \$0.10 per page for any necessary copying until further Notice.

**Hearings and Trials**

- (3) All hearings scheduled will remain scheduled until further Notice. However, the Court will be conducting all civil hearings by video conference or teleconference.

Where allowed, criminal proceedings will be conducted by video conference or teleconference in coordination with Park County Law Enforcement. Those criminal matters where parties are required to appear in person will be staggered in order to limit the number of people in court at any one time.

If a hearing can be delayed, please submit a joint or stipulated motion and order to reset the hearing.

Where in-person hearings are required, please practice recommended health and sanitation measures needed to prevent transmission of COVID19.

(4) 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, unless previously ordered otherwise. Failure to so provide any such exhibits may result in the preclusion of the exhibits.

Exhibits sent to the Court should be sent by email to the Court's Judicial Assistant and the Court's Staff Attorney at [trowan@courts.state.wy.us](mailto:trowan@courts.state.wy.us) and [jdavis@courts.state.wy.us](mailto:jdavis@courts.state.wy.us). Hard copies of exhibits will only be received with the Court's permission. Again, all exhibits tendered must be submitted via email in electronic format, unless determined otherwise by the Court.

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.

The exhibits that were provided to the Court, if admitted into evidence, shall be considered the original exhibits when video or telephonic 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.

- (5) Civil jury trials, and criminal trials where speedy trial has been waived, may be continued as necessary, depending on on-going circumstances. Seating a jury will create unique issues. The court will continue investigating best practices and will conference with counsel in that regard prior to trial. The Court strongly encourages counsel to confer and request a continuance for any scheduled jury trial. The Court may continue jury trials as necessary and within constitutional constraints.

Please contact the District Court if you have any questions.

 MARCH 18<sup>TH</sup>, 2020

Bill Simpson  
District Court Judge  
1002 Sheridan Avenue  
Cody, WY 82414

Teresa Rowan, Judicial Assistant  
trowan@courts.state.wy.us  
307-527-8670

Jim Davis, Legal Advisor  
jdavis@courts.state.wy.us