

First Amended COVID-19 Public Proceedings Operating Plan¹
Ninth Judicial District
Lander, Fremont County Wyoming
450 North 2nd Street Lander, WY 82520
District Court & Circuit Court
August 26, 2020
Judges-Denhardt, Conder, Tyler

Purpose:

The purpose of this operating plan is to help maintain and ensure the health and safety of our community, while providing quality and timely services. The plan applies to the “court side” or “court building” portion of the Fremont County Courthouse and is intended to provide a set of commonsense guidelines to help us all safely and effectively carry out our duties as the building reopens and in-person hearings resume.

Proposed Start Date:

If health and safety conditions in Fremont County permit, select in-person hearings may begin the week of June 15, 2020.

Scheduling:

* All reasonable efforts will be made to continue scheduling and conducting hearings (when permitted by law/rule) by video or telephone conferencing using Microsoft Teams.

* When setting and conducting hearings, the court and court staff will make reasonable efforts to mitigate the impact on vulnerable populations.

Vulnerable individuals include those who are: over the age of 65; living in a nursing home or long-term care facility; suffering from serious underlying health conditions, such as high blood pressure, chronic lung disease, liver disease, kidney disease undergoing dialysis, diabetes, obesity, asthma; and those whose with compromised immune systems, such as those receiving chemotherapy or other cancer treatment, bone marrow or organ transplants, or suffering from HIV, AIDS or other type of immunodeficiency disease.

In any communications or orders setting in-person hearings there will be some form of notification to individuals who are in vulnerable populations of the ability to contact the

¹ With one exception, this *First Amended COVID-19 Public Proceedings Operating Plan* is identical to the *Public Proceedings Operating Plan* previously submitted in June 2020. The sole difference being, a “fever” is now defined at 100.4 F. <https://www.cdc.gov/quarantine/air/reporting-deaths-illness/definitions-symptoms-reportable-illnesses.html> last visited August 26, 2020, at 9:00 a.m. MST.

court to receive reasonable accommodations (such as appearing via video or telephone), which the court will, as permitted by law, provide.

Also, notices to vulnerable individuals will be conspicuously placed throughout the court.

* The timing and duration of court hearings may deviate from traditional scheduling patterns to help accommodate changes set forth in this operating plan.

* The courts will make reasonable efforts to coordinate schedules in an attempt to avoid multiple in-person hearings at the same time. Each court will make reasonable efforts to avoid “back-to-back” in-person hearings.

* The Clerk of District Court and Circuit Court Clerk’s Office will continue to accept filings by appointment, as well as limited in-person filings subject to the schedule and conditions provided in this plan.

Social Distancing Court Staff:

* All courts and all court staff will continue to comply with the well-known guidelines concerning social distancing and hygiene, namely: a minimum of six feet between individuals; regular hand washing; avoid touching eyes, nose, mouth; and regular cleaning of frequently touched surfaces.

* District Court Staff will continue to work remotely when possible. When that is not possible, staff will attempt to stagger work schedules if practical.

* District Court and Circuit Court Chambers will remain closed to the public/attorneys.

* The Clerk of District Court’s Office and Circuit Court Clerk’s Office have full plexiglass windows at the counter and will allow limited in-person public access as set forth below, as well as continue to conduct business by appointment.

Social Distancing Among the Public:

Court Hearings

* Consistent with the terms and conditions of this operating plan, each court may develop and implement more detailed protocols for carrying out the general provisions set forth in this plan regarding in-person court hearings.

* Consistent with social distancing guidelines, and as limited by space constraints, public access to in-person court hearings may be limited to counsel, parties, witnesses and select members of the public. Those not permitted to attend in person will be allowed to attend via video/telephone conferencing.

* Counsel, parties, and select members of the public will not be allowed into the *court building* until 15 minutes prior their scheduled court hearing, or until the participants of any prior in-person hearing in that courtroom have left the building – whichever occurs nearer to the time of the scheduled hearing.

* Witnesses shall wait outside the building until they are called by counsel to testify. To accommodate this requirement, the court will allow counsel to use the text/email function of their cellphones/computer devices to communicate with the witness when it is time to enter the building. If waiting outside the building is not feasible the court will make arrangements (consistent with social distancing and this plan) to allow witnesses to wait at a designated location within the court building.

* All counsel, parties, witnesses, and select members of the public shall leave the courtroom and court building as soon as possible after their hearing is complete, and they must avoid congregating in the building.

* Inmates being transported from jail to court for a hearing shall be screened prior to transport for symptoms of COVID-19, including taking their temperatures. Inmates with symptoms, including a temperature equal to or above 100.4 degrees Fahrenheit, or those having close contact with a known COVID-19 positive individual shall not be transported to the court building, and the court and counsel shall be notified as soon as possible of this situation.

Court Filings & Other Business with Clerks' Offices

* The Clerks' Offices for the District & Circuit Court will be open to the public for in-person business Monday through Friday from 9:00a.m. to 12:00p.m., and 1:15p.m. to 3:30p.m.

* The Clerks' Offices will continue to conduct business during normal business hours by appointment, and in the same fashion as they have for the past two months.

* Those conducting in-person business with the Clerks' Offices should enter individually and should not bring family, friends or others unless necessary.

* There will a limited number of people allowed to wait in line at the Clerks' Offices.

Entry to Court Building – Screening & Notices – For Everyone

* Anyone entering the “court side” or “court building” of the Fremont County Courthouse to attend court hearings or to conduct business with the Courts or Clerks' Offices must enter through the main doors on the west side of the building and will be screened by Court Security prior to entry. This screening includes, but is not limited to:

1. Observation and questioning of those who enter to determine if they have any COVID-19 symptoms or have been in contact with anyone who is confirmed to have COVID-19. Anyone exhibiting the symptoms of COVID-19 or having recent contact with a

confirmed case will not be allowed into the court building, and alternative arrangements will be made to address their needs at the court building.

2. Court security will have an infrared hand-held thermometer available to aid in determining the temperature of an individual, and those with a temperature reading of 100.4 degrees Fahrenheit will not be allowed into the court building, and alternative arrangements will be made to address their needs at the court building.
3. Observation and questioning of those who enter the building will be made regarding their status as a vulnerable individual, and they will be notified of their ability to make alternative arrangements to avoid having to enter the court building.
4. Conducting standard Court Security screening procedures such as questioning, observation and use of magnetometer to prevent contraband, weapons, or other inappropriate items from being brought into the court building.

* All individuals allowed access to the building must leave as soon as possible after their business is concluded.

* Notices will be conspicuously posted throughout the court building reminding everyone of the now well-known and commonsense social distancing and hygiene guidelines and protocols.

* Notices will be conspicuously posted on entry doors, courtroom doors, and throughout the court building notifying all those entering the court building that they must comply with the following *social distancing and hygiene guidelines*:

1. Those NOT from the same household must maintain social distance - six feet apart.
2. Must wear face coverings, and they should bring their own. The court will have a limited supply of facemasks for those participating in court hearings who are unable to obtain a face covering. Court Security, the Court, and Court Staff/Personnel will wear masks during court proceedings.
3. Must sanitize hands before entering the courtroom. A sanitizer station will be provided outside of the courtroom. Sanitizer, bleach wipes and tissues will be provided inside the courtroom.
4. Must comply with all signs, markings and barriers located throughout the court building and courtrooms, which will help notify entrants where to sit and stand to help ensure social distancing regarding seating in the courtroom and waiting in line at clerks' offices. The Courts and Clerks' Offices will mark and close certain areas to comply with social distancing.

*Notices will be conspicuously posted on entry doors, courtroom doors, and throughout the court building notifying all those entering the court building that if they are or feel sick, they must not enter the building, and alternative arrangements will be made to file documents or appear in court. Specifically,

ANYONE feeling feverish or having measured temperatures equal to or greater than 100.4°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19, will NOT be permitted to enter the building and should seek immediate medical advice.

* Notices will be conspicuously posted on or near entry doors, courtroom doors, and throughout the court building notifying members of vulnerable populations that they should not enter the court building and they will be provided directions to make alternative arrangements to conduct their business.

* Vulnerable individuals include, but are not limited to, those who are:

Over the age of 65; living in a nursing home or long-term care facility; suffering from serious underlying health conditions, such as high blood pressure, chronic lung disease, liver disease, kidney disease undergoing dialysis, diabetes, obesity, asthma; and those whose with compromised immune systems, such as those receiving chemotherapy or other cancer treatment, bone marrow or organ transplants, or suffering from HIV, AIDS or other type of immunodeficiency disease.

Other:

* The Courts, Courts' staff, Clerks' Offices, Court Security, counsel, parties, witnesses and members of the public having business before the courts and Clerks' Offices should make reasonable efforts to comply with the Orders and Guidance provided by the Wyoming Supreme Court; the Wyoming Department of Health; the Fremont County Public Health Department; and the United States Centers for Disease Control and Prevention.

a. This information can be found at:

<https://www.courts.state.wy.us/coronavirus-covid-19-updates/>

<https://health.wyo.gov/publichealth/infectious-disease-epidemiology-unit/disease/novel-coronavirus/covid-19-orders-and-guidance/>

<http://fremontcountyywy.org/public-health/>

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

* Court Security will make reasonable efforts to maintain a log of those entering the building and the time they entered and left. This will be done in an effort to allow public health officials to conduct contact tracing if there is a positive COVID-19 case associated with a person entering the building.

Cleaning:

* In addition to the daily cleaning provided Fremont County Maintenance staff, the frequently touched surfaces in the courtroom (witness stand, counsel tables, lectern etc.) will be cleaned before and after each hearing/use by the court/court staff.