

November 30, 2020

RE: District Court COVID-19 Update

Dear Teton County Bar Association and Other Attorneys:

As we near the ninth month of the pandemic, I want to take the opportunity to update you on court operations and to thank you for your cooperation and for your adaptability in this time of remarkable change in the practice of law. Your collaboration with the District Court and the District Court Clerk in implementing COVID-19 operational changes has allowed your clients' cases and the work of the Court to move forward efficiently and effectively.

This Court quickly converted to remote operations in March, thanks to court staff and the support of the Clerk of District Court's office. We had a pause of only about two days in mid-March. Evidentiary hearings were held remotely the same week. This was a fairly easy shift for us, and some sister courts used our protocols orders as they made a similar shift. Court operations have largely remained remote. No in-person hearings have been held in this Court except for one criminal sentencing. The District Court holds multi-day bench trials, evidentiary hearings, motion hearings and all other hearings through remote means. There have been many positive aspects to these remote hearings—they are easier to schedule, more convenient for participants, exhibits are more visible, and participants can speak without face coverings. We continue to look for opportunities to effectively employ technology, including the possibilities for piloting remote civil jury trials or remote jury selection.

I would like to highlight the efforts of the Clerk of District Court, Anne Comeaux Sutton, for her efforts throughout the pandemic and, in particular, in developing a permanent e-mail filing rule. This initiative was launched after e-mail filing became an option statewide during the pandemic. The new permanent e-mail filing option in W.R.C.P. 5 is a silver lining of the pandemic and serves as a valuable interim measure until statewide e-filing launches. While many stakeholders and the Civil Rules Committee were involved in the rule change, Anne was a leader in its development. She consistently works to advance court technology and we appreciate her efforts.

With the support of the Teton County Facilities Department, many physical changes to the courtroom were accomplished to enhance safety for in-person hearings including ventilation upgrades and modification to the gallery, pit, and witness box. Before the most recent moratorium on jury trials announced in November, the Court called a few juries pursuant to this Court's Covid jury trial plan. Each trial was later vacated for various reasons before voir dire. However, the backlog of jury trials in this Court remains small and manageable. As it was pre-pandemic, this Court's docket remains remarkably full with motions hearings, family law cases, juvenile matters, criminal arraignments and sentencings, and bench trials. The Court is as busy this year as in any other year. Fortunately, due to the efficiencies of remote operations, orders and final dispositions are being issued faster in many cases. Attached is a short fact sheet of things to anticipate in your cases moving forward.

I continue to admire your resilience and adaptability in support of your clients during the Covid-19 pandemic. Thank you again for your cooperation with the Court in these challenging times. I

ask for your continuing support in our mission to keep the Court open to all and its business moving forward. Thank you and stay well.

Sincerely,

*Timothy C. Day
District Judge
9th Judicial District Court
180 S. King Street
P.O. Box 1036
Jackson, WY 83001
307.733.1461*