

**JUDGE CONDER'S COURTROOM**  
**Public Proceedings Operating Plan**  
**Ninth Judicial District Court**  
**Lander, Fremont County Wyoming**  
**450 North 2<sup>nd</sup> Street Lander, WY 82520**  
**June 7, 2021**

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***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. This plan applies to Judge Conder's courtroom and is intended to provide a set of commonsense guidelines to help provide guidelines and procedures to help us all safely and effectively carry out our duties in response to the COVID-19 Pandemic.*

*Although no person or government agency can guarantee that we will not be exposed to COVID-19, the court system can and will take reasonable precautions to help ensure the safety of those participating in the court system. Accordingly, this plan has been developed in conjunction with the guidelines set forth by the State Public Health Officer, the Wyoming Department of Health, the Wyoming Supreme Court, and the United States Centers for Disease Control.*

***Proposed Start Date:***

\* Beginning June 7, 2021, the court will begin scheduling and conducting certain non-jury proceedings (as described below), to be held in person according to this protocol plan.<sup>1</sup> The court will indicate within the heading of the order setting the hearing whether the hearing will be in person or by video. Within a reasonable time prior to any scheduled hearing, any party may request that the hearing be conducted in an alternative fashion. In other words, if a hearing is set in person and a party would like it to be held via video, or if the hearing is set via video and the party would like it to be held in person, then a party may request a change in the manner that the hearing will be conducted. Any such motion should state the position of the opposing party.

\* 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; those living in a nursing home, long-term care facility, or other custodial setting (such as jail, prison, group home, etc.); those 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

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<sup>1</sup> Jury trials will be conducted in accordance with a separate Jury Trial Operating Plan.

receiving chemotherapy or other cancer treatment, bone marrow or organ transplants, or suffering from HIV, AIDS or other type of immunodeficiency disease.

Any party or court participant (including those vulnerable individuals) that receives an order setting an in-person hearing is hereby notified of their ability to motion the court to receive reasonable accommodations (such as appearing via video or telephone), which the court will, as permitted by law, provide.

Notices to vulnerable individuals will be conspicuously placed throughout the courthouse.

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

- \* The court will make reasonable efforts to stagger “back-to-back” in-person hearings so as to allow for cleaning and ensure social distancing.

- \* The following represents general guidance for in-person and video hearings before Judge Conder in District Court. However, the setting of each specific case will be determined on a case specific basis.

### ***In Person***

- \* In criminal hearings where the Defendant is **NOT** in custody, reasonable efforts will be made to conduct those hearings in person.

- \* In essential juvenile neglect/abuse and delinquency proceedings (such as initial appearances, adjudicatory and dispositional hearings or contested permanency hearings) where the parents or juveniles are **NOT** in custody, reasonable efforts will be made to conduct those hearings in person.

- \* In civil cases where testimonial evidence will be presented, and no essential participants are in a custodial setting, reasonable efforts will be made to conduct those hearings in person.

### ***Via Video Using Microsoft Teams***

- \* In criminal hearings where the Defendant IS in custody, reasonable efforts will be made to conduct these hearings via video.

- \* In neglect/abuse and delinquency proceedings where the parents or juveniles ARE in custody, or the hearings are simple review/status hearings, reasonable efforts will be made to conduct those hearings via video.

- \* In civil cases where evidence will not be presented and/or the hearing is simply to discuss the status of the proceedings, reasonable efforts will be made to conduct those hearings via video.

### ***Case-by-Case Basis***

\* Due to a host of variables, certain cases may be set outside of these general guidelines. This will be done to accommodate the specific needs of the case or the parties. Therefore, the court will consider the nature and circumstances of each case, as well as input from the parties and participants, before setting each hearing in accordance with these general guidelines.

### ***In Person Court Hearings***

\* Counsel, parties, and members of the public will not be allowed into the courtroom 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 courtroom (or courthouse if they would like) 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 courtroom or court building. If waiting outside the building is not feasible or desired, the witness (consistent with social distancing) will be allowed to wait at designated locations within the court building.

\* Those entering Judge Conder's courtroom must comply with the following *social distancing and hygiene guidelines*:

1. Those NOT from the same household should maintain social distance - six feet apart.
2. Face coverings are recommended for those who have not been vaccinated and those who cannot maintain a social distance. The court will provide face coverings for those entering the court building and courtroom who wish to use a face covering.
3. When social distancing cannot be maintained among the Court, Court Staff/Personnel, the Parties and/or Court Security, these individuals will wear face coverings during court proceedings.
4. 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.
5. 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.

\* 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.

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