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**IN THE MATTER OF:  
COVID-19 OPERATING PLAN FOR THE SCHEDULING OF  
FAMILY DIVISION PROCEEDINGS**

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WHEREAS the World Health Organization declared a global pandemic of COVID-19 due to widespread human infection worldwide, and Wisconsin Governor Tony Evers and Waukesha County Executive Paul Farrow have declared a public health emergency; and

WHEREAS the Circuit Court Judges assigned to the Family Division (Family Division) have collaborated to balance legally required access to our courts and service to the public, while protecting the health and safety of the litigants, judges, court staff and security, attorneys, and other participants in court proceedings, and all other persons in the courthouse complex in order to fulfill our constitutional obligations; and

WHEREAS, the Family Division issued Special Order Relating To The Scheduling Of Family Division Proceedings dated March 27, 2020 (Special Order). Pursuant to the Special Order, the following family division cases were prioritized on the Court's calendars: (1) motions to enforce physical placement; (2) motions for relocation; (3) motions to modify child support; (4) petitions for restraining orders and injunctive relief under Wis. Stat. Ch. 813; and (5) any other motion, including but not limited to motions to modify custody or physical placement and orders to show cause re: contempt, when a party specifically identifies good cause and emergent circumstances requiring prompt court involvement. Subject to availability, the Court also scheduled stipulated divorce or legal separation hearings, and put in place a procedure by which

parties could proceed to a stipulated divorce or legal separation hearing by affidavit. Various matters were adjourned and all subsequent hearings were conducted by telephone or videoconference; and

WHEREAS, in response to Wisconsin Supreme Court directives and requests from the Chief Judge of the Third Judicial Administrative District (Chief Judge), the Family Division met with family court commissioners, Waukesha County Corporation Counsel, family court services, court staff, and representatives of the local bar to discuss the current situation and to outline a plan for the scheduling of cases and expansion of court proceedings. In response to this information, as well as the information and guidelines provided by the Wisconsin Supreme Court and local guidelines, the Family Division adopted an operational plan for the scheduling of family division cases;

NOW THEREFORE IT IS ORDERED that beginning June 1, 2020, court operations will resume to normal staffing, with all three branches scheduling cases daily, and hearings expanded to normal hours of 8:30 am to 4:30 pm. The matters prioritized in the Special Order will continue to receive priority. **Until further notice, all three branches as well as family court commissioners will continue to conduct hearings by telephone or videoconference.** All status hearings, first appearances, and stipulated divorce or legal separation hearings scheduled for June, July, or August 2020 will occur by telephone or videoconference. Parties must include the attached *Notice to Appear Remotely* with any petition or motion filed in any family division proceeding.

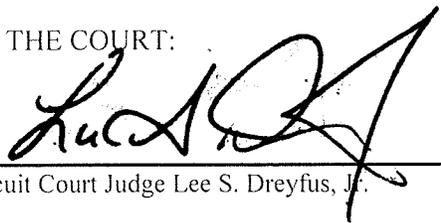
IT IS FURTHER ORDERED THAT no in-person hearings will occur in June, absent exceptional circumstances that each branch or family court commissioner will address on a case-

by-case basis and subject to the approval of the Chief Judge. The Family Division will continue to monitor the situation to address the scheduling of in-person hearings after June 2020.

IT IS FURTHER ORDERED that for any in-person hearing scheduled to occur prior to September 1, 2020, the specific branch or court commissioner holding the hearing will implement and follow a particularized protocol approved by the Chief Judge to protect the health and safety of all litigants, attorneys, court staff and security, and all other participants in the proceeding. The protocol will address, among other things, the handling of exhibits or use of court technology for the presentation of evidence; limiting the number of persons present in court by presenting certain testimony by videoconference; implementation of social distancing protocols specific to the courtroom in which the hearing will be held; the provision of hand sanitizer for court participants; and the use of protective shields and/or face masks.

Dated this 29th day of May, 2020.

BY THE COURT:



Circuit Court Judge Lee S. Dreyfus, Jr.

BY THE COURT:



Circuit Court Judge Michael P. Maxwell

BY THE COURT:



Circuit Court Judge Michael J. Aprahamian

## NOTICE TO APPEAR REMOTELY

YOU are a party to an action filed in the Waukesha County Circuit Court. Due to the public health emergency stemming from the COVID-19 (Corona) Virus, the Waukesha County Circuit Courts have established certain procedures in Family Court proceedings, including the hearing of most matters remotely, that is, by telephone or by videoconference, such as Zoom.

1. You are required to comply with the paperwork served upon you with this NOTICE.
2. Unless you are notified otherwise and until further notice, **you are required to appear remotely—by telephone or videoconference (Zoom)—on the scheduled date and time if you wish to be heard regarding the issues at hand.**
3. Instructions for How to Appear Remotely can be found at <https://www.waukeshacounty.gov/circuitcourts/>
4. If your hearing will be conducted by Zoom, you will receive your Meeting ID and Passcode via text message at least 24 hours in advance of your hearing.
5. If your hearing will be conducted by telephone, you will receive a text message at least 24 hours in advance of your hearing requesting that you confirm your telephone number with the Court. It is not necessary for a phone to receive or send text messages in order to participate in the hearing.
6. If you do not or cannot receive a text message reminder and have questions about how to participate in the hearing remotely, contact the Family Division office at 262-548-7544.

**IMPORTANT NOTICE: A Zoom hearing is a formal court proceeding.** Participants should dress appropriately and as if they were appearing in court. Special care should also be taken in selecting the location where you will participate to avoid background noise and distractions. When you first connect to the hearing, you may be placed in a virtual waiting room until the Court calls your case, so just be patient because sometimes other hearings may delay the start of your hearing. If you join the call and are in a breakout room with other participants awaiting a hearing, know that your conversations are not confidential and you may be heard by other parties, so use caution.