

**IN THE MATTER OF:  
SPECIAL ORDER RELATING TO THE SCHEDULING OF  
FAMILY DIVISION PROCEEDINGS**

---

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 Centers for Disease Control and other public health agencies have advised public and private entities to take precautions in order to reduce the spread of the virus; and

WHEREAS pursuant to Waukesha County Circuit Court Standing Order 20-SO-13 (67), the Waukesha County Judiciary has temporarily reduced the hours for the general public to physically access the Clerk of Circuit Court offices, Register in Probate offices, Juvenile Court, and Circuit Court to the hours of 10:00 am – 3:00 pm Monday through Friday; and

WHEREAS the Circuit Court Judges assigned to the 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 Circuit Court Judges assigned to the Family Division have prioritized certain cases to be addressed with the limited time and resources available during the current situation;

NOW THEREFORE IT IS ORDERED that the following Family Division cases will have priority 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 will also schedule stipulated divorce or legal separation hearings. Until further notice, all hearings will be conducted telephonically or by videoconference. Parties or their attorneys must provide the Clerk with the appropriate phone number to use for the hearing.

IT IS FURTHER ORDERED that effective the date of this Order and subject to further order of the Court, all scheduled first appearances, status conferences, pretrial hearings, and Court trials in the Family Division through and including **May 29, 2020**, are adjourned. No later than April 17, 2020, the parties in these adjourned cases must file a Joint Status Report. The petitioner is responsible for filing the Joint Status Report, unless a guardian ad litem (GAL) is appointed to the case, and in those cases, the GAL is responsible for filing the Joint Status Report. The parties must discuss between or among them and include in the Joint Status Report (1) the matters they have resolved, if any, (2) the matters currently in dispute, (3) a proposal regarding the future scheduling of the case (for example, "The parties have resolved all matters

and request a stipulated divorce hearing”), and (4) any request for interim relief, such as the appointment of a GAL to address the best interests of a child/children when the parents are unable to agree upon custody or physical placement, or an order requiring Waukesha Family Court Services to conduct a custody or placement study.

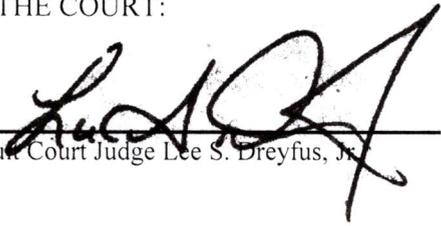
IT IS FURTHER ORDERED that any currently scheduled stipulated divorce or legal separation hearing will proceed as scheduled, so long as current financial disclosure statements are on file, and a signed marital settlement agreement is filed at least twenty-four (24) hours in advance of the hearing date and time. Parties not represented by counsel must also file Findings of Fact, Conclusions of Law and Judgment, approved by both parties, at least twenty-four (24) hours in advance of the hearing. These requirements also apply to any stipulated divorce or legal separation hearing scheduled between now and June 1, 2020.

IT IS FURTHER ORDERED that when both parties are represented by counsel they may proceed to a stipulated divorce or legal separation by affidavit and without a hearing. To proceed without a hearing, in addition to filing the marital settlement agreement and Findings of Fact, Conclusions of Law and Judgment, the attorneys must also file affidavits from each party. In the affidavits, the parties will testify to the jurisdictional facts, that they knowingly and voluntarily accept the terms in the marital settlement agreement, and that they waive their right for an in-person or telephonic hearing. If a GAL is appointed to the case, the GAL must also file a statement confirming that the terms of the marital settlement agreement are in the best interest of the child/children, and stating that proceeding without an in-person or telephonic hearing is appropriate. The Findings of Fact, Conclusions of Law, and Judgment should include a provision wherein the Court finds good cause due to the public health emergency caused by

COVID-19 to proceed with a judgment of divorce without a final hearing. The form of the affidavit and statement are attached to this Order and can be found on the Waukesha County Circuit Court website.

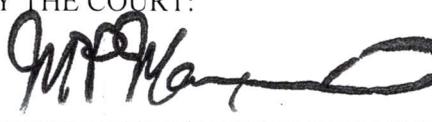
Dated this 27<sup>th</sup> day of March, 2020.

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