SUPREME COURT OF WISCONSIN

IN RE THE MATTER OF THE EXTENSION OF ORDERS CONCERNING REMOTE ADMINISTRATION OF OATHS AT DEPOSITIONS, REMOTE HEARINGS IN APPELLATE COURTS, FILING OF DOCUMENTS IN APPELLATE COURTS, AND APPELLATE COURT OPERATIONS DURING THE COVID-19 PANDEMIC

FILED

MAY 22, 2020

Sheila T. Reiff
Clerk of Supreme Court
Madison, WI

You are hereby notified that the Court has issued the following order:

WHEREAS the COVID-19 pandemic continues to require certain mitigation procedures, including social distancing measures, meant to reduce the increase in person-to-person transmission of the virus that causes COVID-19; and

WHEREAS the Supreme Court has administrative and superintending authority over the courts and judicial system of this state and a duty to promote the efficient and effective operation of the state's judicial system, Wis. Const. Art. VII, § 3; In re Kading, 70 Wis. 2d 508, 519-20, 235 N.W.2d 409 (1976); and

WHEREAS, the Supreme Court has issued a number of orders intended to minimize in-person proceedings, including:

- April 2, 2020 order "In Re The Matter of Appellate Court Operations During the COVID-19 Pandemic," which tolled certain appellate deadlines, discouraged non-emergency appellate motions, provided limited physical access to the clerk of court's office, and encouraged the filing of documents by mail;
- April 8, 2020 order "In Re The Matter of Appellate Court Operations During the COVID-19 Pandemic: Supplemental Order Regarding Notices of Appearance, Motions, and Responses to Motions," which allowed notices of appearance,

motions, and responses to motions in the appellate courts to be filed electronically and allowed appellate orders to be served electronically;

- April 13, 2020 order "In Re the Matter of Filing of Court Documents in Circuit and Appellate Courts (Temporary Mailbox Rule)," which deemed documents to be filed as of the date of mailing;
- April 15, 2020 amended order "In Re The Matter of Remote Hearings During the COVID-19 Pandemic," which suspended most in-person proceedings in appellate and circuit courts;
- April 28, 2020 amended order "In Re The Matter of the Remote Administration of Oaths at Depositions Via Remote Audio-Visual Equipment During the COVID-19 Pandemic," which allowed court reporters to administer an oath to a witness at a deposition remotely; and

WHEREAS, the continuing public health emergency caused by COVID-19 requires that these orders remain in effect, in whole or in part;

NOW THEREFORE, IT IS HEREBY ORDERED that, pursuant to this court's administrative and superintending authority, the following orders are extended until further order of this court:

- April 8, 2020 order "In Re The Matter of Appellate Court Operations During the COVID-19 Pandemic: Supplemental Order Regarding Notices of Appearance, Motions, and Responses to Motions;"

- April 15, 2020 amended order "In Re The Matter of Remote Hearings During the COVID-19 Pandemic" to the extent that it applies to appellate court proceedings;[1]
- April 28, 2020 amended order "In Re the Matter of the Remote Administration of Oaths at Depositions Via Remote Audio-Visual Equipment During the COVID-19 Pandemic;" and

IT IS FURTHER ORDERED that the April 13, 2020 order "In Re the Matter of Filing of Court Documents in Circuit and Appellate Courts (Temporary Mailbox Rule)" is extended as to documents filed in the appellate courts until further order of this court;[2] and

IT IS FURTHER ORDERED that the following provisions of the April 2, 2020 order "In Re the Matter of Appellate Court Operations During the COVID-19 Pandemic," as modified below, are extended until further order of this court: The office of the Clerk of the Supreme Court and the Court of Appeals shall remain open to accept filings. The hours that the Clerk's office shall be open shall be modified, and the office shall be open to receive filings between 9:00 a.m. and 5:00 p.m. each business day. During this time period, parties are encouraged, if feasible, to file documents with the Clerk's office by mail using the post office box (P.O. Box 1688, Madison, WI 53701-1688). If necessary, parties may also physically file documents at the office of the

[1] The extension and termination of this April 15 amended order as it applies to the circuit courts is addressed in a separate order being issued simultaneously entitled "In re the Matter of the Extension of Orders and Interim Rule Concerning Continuation of Jury Trials, Suspension of Statutory Deadlines for Non-Criminal Jury Trials, and Remote Appearances During the COVID-19 Pandemic."

[2] The order identified in footnote 1 above that is being issued simultaneously also addresses the extension of this April 13, 2020 order as it applies to the circuit courts.

Clerk, which is located on the second floor of the Tenney Building, 110 E. Main St., Madison, WI. Because the Tenney Building is currently closed, if a person wishes to file a document in person, the person must call the Clerk's office at (608) 266-1880 when the person arrives and advise that the person has a document to file, at which time a staff member will come to the building door and accept the filing. When the Tenney Building reopens, in order to protect the public and the staff of the Clerk's office, only one person at a time shall be allowed to enter the physical office of the Clerk and the person shall follow the directions of the Clerk's staff as to the procedure for filing documents and obtaining file-stamped copies, if requested. If a person wishes to have in-person access to a court file that is currently in the possession of the Clerk of the Supreme Court and the Court of Appeals, the person shall submit a request for such access to the Clerk via email to clerk@wicourts.gov, via telephone call, or via written request physically filed with the Clerk's office in the same manner as set forth above. The Clerk shall then make reasonable arrangements for the person to receive or to view the requested document or file; and

IT IS FURTHER ORDERED that the provisions of the April 2, 2020 order regarding appellate court operations that address tolling deadlines, including tolling deadlines for filing petitions for review, and discouraging non-emergency motions in the Court of Appeals and the Supreme Court shall expire on May 22, 2020.

IT IS FURTHER ORDERED that the provisions of this order shall be subject to further modification or termination by future orders.

The State Bar of Wisconsin shall take all reasonable steps to notify its members of the contents of this order.