

THE BRIEF

JANUARY 2022

An electronic update for the legal community providing a brief look at news in Eau Claire County Courts

COVID-19 and the Eau Claire County Circuit Courts Status Update

The Wisconsin Supreme Court “no longer requires that personal masking, social distancing, and sanitizing court facilities be part of any plan for the circuit court and municipal court proceedings approved by the chief judge of the applicable judicial district. Instead, circuit courts and municipal courts, with the approval of the applicable chief judge, **shall make county-wide decisions about what is in the best interest of circuit court** and municipal court operations, respectively. This includes deciding whether or not to continue to require masking, social distancing, and sanitizing court facilities on a county by county basis.” (emphasis added)

The Eau Claire County Operating plan and Jury Plan filed with the State of Wisconsin have been rescinded. This is **NOT** to suggest that pandemic based rules and procedures have been abandoned. The judiciary of Eau Claire County intends to follow local, state, and national guidelines throughout the pandemic. Currently, the courts require masking, social distancing and sanitizing court facilities. Plexiglas is installed in all courtrooms. Steps will continue to be taken to best ensure the health and safety of litigants, witnesses, jurors, and court staff.

Restitution surcharges:

At sentencing hearings for which restitution is part of the case resolution, the Court may only reference the 10% surcharge as being added to the restitution figure. This 10% is routed to the county treasurer for use by the county. Please note for your clients that an additional surcharge of 5% is also applied when restitution is ordered, even though it may not be as emphasized as the 10% surcharge. This surcharge is 5% of the whole monetary judgment: fine, surcharges, restitution, costs, attorney fees, and even the 10% surcharge. Per Statute 973.20(11)(a), these amounts are forwarded to the agency collecting and distributing the restitution (either the Department of Corrections or Clerk of Court Office).

Spanish Interpreter Needs

If you have a client with a criminal case requiring a Spanish Interpreter, for scheduling purposes please remember that there is a Spanish interpreter scheduled every 2nd and 4th Thursday for 9:30 a.m. return hearings. Any need to reschedule a return hearing for a client that needs a Spanish interpreter, will follow these scheduling days.

New Courtroom Update

The technology and Digital Audio Recording (DAR) installations are now complete. There continue to be delays in delivery of required furniture and chairs due to supply chain issues.

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The Brief. Published monthly. To submit topics or questions: EauClaire.Info@wicourts.gov