

CHECKLIST FOR RESUMING COURT OPERATIONS

District Number 3

Name of County Dickinson

1. Facility Status

The courthouse or other county facility where judicial operations take place is open to the public.

Yes No

*with expanded access
effective August 5, 2020*

2. Staffing Schedule

A staffing schedule has been prepared so that social distancing/PPE is maintained in all court controlled workspaces. For example, where desks or work stations cannot be reconfigured to maintain 6' or more of social distancing, a rotation schedule is in place so that only a certain number of employees are onsite at a given time and other employees work remotely until they are scheduled to work onsite.

Yes No

Shift start/stop times, break times, and lunchtimes are staggered to minimize the congregating of employees in any areas.

Yes No

3. Workspace/Work Environment Safety

Work stations and desks in office suites are configured so that 6' of social distancing is maintained or a staffing schedule addresses social distancing.

Yes No

Shared equipment such as conference phones, audiovisual equipment, copiers or file cabinets are spaced to allow social distancing during use, and PPE is available near shared equipment to wipe down touchpoints after use.

Yes No

4. Courtrooms/Overflow Rooms

Courtroom spaces are configured so that at least 6' of distance separates all participants in court proceedings and the gallery has been marked or cordoned off so that occupancy is limited to where people maintain 6' of distance between each other in all directions. ***No permanent physical changes shall be made without the approval of the county.***

Yes No

If overflow rooms are needed, an effort will be made to accommodate public viewing by discussing technology options with JBIT and implementing a plan with state court administration.

Yes No

5. Case Scheduling and Processing

There are limits on the number of hearings in a given time period.

Yes No

Cases are scheduled in such numbers so that 6' of social distancing is always being maintained by all occupants within the courtroom and for those queuing outside the courtroom.

Yes No

Other arrangements have been made to maintain the number of individuals present for court proceedings at any given time. Some examples include the following:

- Additional reporting locations within the facility for queuing
- Checking-in court participants and asking them to wait in their cars or locations nearby and then texting them to report to the courtroom when ready
- The use of larger auditorium type spaces within the community

Yes No

6. Public Terminal Kiosks

Public terminal kiosks are spaced to maintain 6' of social distancing.

Yes No

Keyboard protectors are in place for all public kiosks.

Yes No

Hand sanitizer and spray disinfectant or wipes are available for all public kiosks.

Yes No

Signage is posted instructing users how to appropriately wipe down the terminal after each use.

Yes No

7. Clerk of Court and District Court Services

A system has been developed to allow people to schedule an appointment to receive services in order to minimize the number of people congregating within or outside offices at any given time.

Yes No

8. PPE

There is an adequate supply of face masks on site so that every employee replaces mask daily.

Yes No

Face shields are available for all employees who requested one through the employee survey.

Yes No

Face shields are available for the use of every witness for the number of trials occurring within the facility at any given time, and procedures are in place for cleaning and storing the shields after each use.

Yes No

There is an adequate supply of hand sanitizer available on site for each office suite and courtroom.

Yes No

There is an adequate supply of disposable gloves for each office suite.

Yes No

There is an adequate supply of spray disinfectant or wipes in each courtroom to be used for cleaning counsel tables and witness areas after each use.

Yes No

A protocol is in place for employees to clean and disinfect their personal workstation at the beginning and the end of every shift.

Yes No

9. Signage

The following signs are posted at the entrances of courtrooms and court controlled spaces advising the public to abide by the following:

"Do NOT enter if any of the following apply:

- 1. You have recently been in close contact with someone who has COVID-19.*
- 2. You have tested positive for COVID-19 in the last 14 days.*
- 3. You are experiencing symptoms of Covid-19 per CDC Guidelines"*

Yes No

"Upon entering, please maintain 6' of distance in all directions between yourself and others."

Yes No

"A mask must be worn when entering this space."

Yes No

"The number of people permitted in the courtroom/office is (X)."

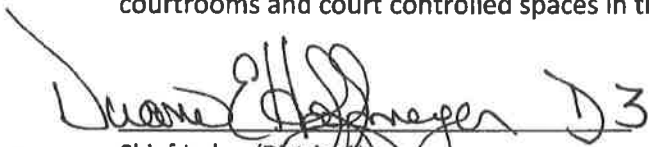
Yes No

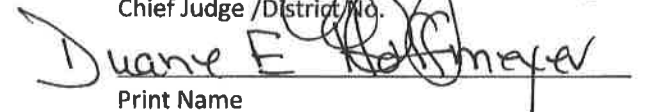
10. Contact Tracing

The Judicial Branch's policy on contact tracing has been reviewed and will be followed should the need arise.

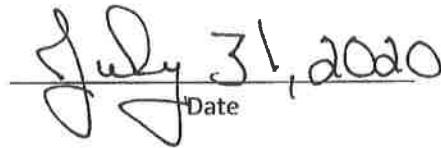
Yes No

The responses above accurately reflect the preparations that have been taken for reopening courtrooms and court controlled spaces in the above noted county.



Chief Judge / District No.


Print Name



Date

APPROVED BY:



Todd Nuccio
State Court Administrator

July 31, 2020

Date



Dickinson County Resumption of Services Plan

Duane Hoffmeyer to: David Lester, David Larson, Marcia Eckerman, Amy Zenor

07/31/2020 08:37 AM

JB protocol has changed over time and is now governed by Supreme Court Supervisory Order. To eliminate any misunderstanding masks or face coverings are MANDATORY in courtrooms and court controlled spaces. Encouraging is not compliant.

Judicial Officers must wear a mask or face shield at ALL times in the courtroom. It can not be removed when speaking or by agreement. Social distancing is more effective than shields or barriers.

I will add this email to the resumption plan.

Contact if any questions.

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ATTACHMENT TO DICKINSON COUNTY CHECKLIST FOR RESUMING COURT OPERATIONS

Prepared by Judge David A. Lester

Presiding District Court Judge for Dickinson County in Judicial District 3A

Question 1. The Dickinson County Courthouse will open to the public on August 5, 2020.

Pursuant to what is being called a "modified Phase III" directive passed by the Board of Supervisors, all members of the public entering the courthouse will be required to wear a mask. There will also be a temperature scanning device at the entry door that will not be monitored.

If a member of the public arrives without a mask, one will be offered to them by the personnel of the office where they are conducting business. If they refuse to comply or become belligerent, the office personnel are to contact the Sheriff's office who will then escort the person from the premises.

In addition, the Dickinson County Emergency Management Director Mike Ehret has hung signs from the ceilings in the halls of the entire courthouse reminding visitors of the 6 foot social distancing requirement throughout the entire courthouse.

Question 2. See the response prepared by Dickinson County Clerk of Court Marcia Eckerman attached to this email.

Question 3. See the response prepared by Dickinson County Clerk of Court Marcia Eckerman attached to this email.

Questions 4. On July 30, 2020, a meeting was held with the Dickinson County Maintenance Engineer, the Emergency Management Director, Clerk of Court Marcia Eckerman, DAJ David Larson, County Attorney Amy Zenor, Court Reporter Stephanie Early, and the undersigned during which the following plans were developed.

Dickinson County has three (3) separate courtrooms.

Courtroom A is the largest, has a separate jury room, and is capable of seating up to 100 people.

Courtroom B is the next largest, has a separate jury room, and is capable of seating 50 to 60 people.

Courtroom C is the smallest, is only used for non-jury proceedings, and has a capacity of 10 to 12 people.

Our plan is to use Courtroom A for all jury proceedings with Courtroom B to be used as an over-flow area for jury proceedings. A Community Room located on the lower level

of the courthouse is also available, if needed. Arrangements will be made with JBIT or our county IT personnel to provide the technology necessary to make this work.

The use of Courtrooms B and C will be limited to non-jury proceedings by both the district court, district associate court, and the magistrate court.

Before opening on Wednesday, the gallery areas in Courtrooms A and B will be marked with both tape and signage to limit the seating capacity in each courtroom and to ensure at least 6 feet of distance between each person seated in the gallery in all directions.

Both of the jury rooms, as well as Courtroom C will be configured to limit seating capacity and to ensure compliance with the 6-foot social distancing requirement by removing a number of the chairs in these rooms.

All of the benches for seating outside of the courtrooms will be removed with the signs referenced above stating that all persons in the area are to stand at least 6 feet apart. However, the plan is to not allow people to stand or wait in the hallway for any court proceedings. Instead, they will be directed by court personnel to wait in one of the courtrooms, one of the jury rooms, one of four conference rooms, or in their cars outside the courthouse until called by the court attendant or their attorney.

“Clean/Dirty” Signage will be placed on the doors to each of the conference rooms so courthouse maintenance personnel can be called to disinfect each room after it is used.

Arrangements have also been made to use a secure hallway between Courtrooms A and B, normally used by the Sheriff to bring defendants up from the jail, as a passage between the courtrooms so people waiting to be called as jurors or waiting for their court proceeding to start can enter either courtroom from the other without using the hallway outside the courtrooms.

Finally, we agreed to work with Dickinson County IT personnel so Courtrooms A and B can be connected during jury trials for the purpose of conducting such procedures as viewing the juror video and voir dire.

Question 5.

Dickinson County Attorney. I have attached to this email the response prepared by Dickinson County Attorney Amy E. Zenor to this question.

District Associate Court and Magistrate Court: I have attached to this email the response prepared by District Associate David C. Larson to this question.

District Court: For district court motion days, the plan developed by the five - 3A district court judges includes contacting the county attorney, as well as attorneys involved in civil cases the week prior to a scheduled motion day to ascertain which cases will actually require a hearing.

We will then further inquire whether the hearing can be conducted by a telephone/video conference call, which will be encouraged. The continued use of paper guilty pleas and conducting sentencing hearings by conference call will also be encouraged.

If in-person hearings are required, the expected motion day schedule would be as follows:

- 8:30 - Arraignments where a defendant is pro se.
- 9:00 – Domestic Abuse hearings
- 9:30 a.m. to Noon - Criminal hearings requiring in court participation.
- 1 p.m. to 4:30 p.m. - Civil hearing requiring court participation.

With but few exceptions, pretrial conferences will no longer be allowed on motion days, and will be conducted telephonically pursuant to an order developed but Judge Charles K. Borth, which requires the county attorney to initiate a telephone pretrial conference, and then provide an order to the court within 48 hours setting for the result of the conference.

In regard to the conducting of in-person hearings on motion days, the following plans were developed:

- 1) No more than two cases will be scheduled per each one-hour time slot.
- 2) Parties and attorneys will check in with the Clerk of Court who will then direct them to an available waiting area until called. If there are no available waiting areas, they will be asked to leave a phone number and told to wait in their car.
- 4) Masks will be worn in hallways and common areas of the courthouse.
- 5) Participants will be required to wear a mask in the courtroom unless testifying on the stand. Witnesses will be seated in the witness box and will be provided face shields while testifying per the plan developed by the court reporters.
- 6) Court reporter and/or judge and/or clerk staff to disinfect surfaces between hearings, including counsel tables, chairs and the witness stand.

Concerning Item 6 above, Dickinson County Maintenance Engineer Chris McNabb will provide a disinfecting spray product called Triple Quick, which can be sprayed on hard surfaces, allowed to remain for 3 minutes, and then wiped off with paper toweling. He will provide us with the necessary paper toweling, as well as latex gloves that can be worn by court personnel while conducting the cleaning procedures.

Chris will also provide us with a disinfecting spray to be used on the foam covers on the microphones in the courtroom. This product is both expensive and hard to get so its use will be limited to the microphones.

Chris will also provide plexi-glass shields for the front of each courtroom bench for the presiding judge to sit behind. These shields will not only serve as a protective barrier for the judge and the court reporter seated below them in front of the bench but will also allow the judge to remove their mask when speaking to be heard more easily.

All of the cleaning products, disinfecting sprays, and the plexi-glass shields are being provided at county expense.

Items 2 – 6 will also apply to civil in-person bench trials.

Questions 6, 7, 8, and 9. See the response prepared by Dickinson County Clerk of Court Marcia Eckerman attached to this email.

Contact Tracing. The contract tracing policy from State Court Administration has been received and reviewed.

1. Juvenile Court Docket.

- a. Schedule cases one-half hour apart as much as possible.
- b. Encourage telephone testimony from nonparty witnesses.
- c. Parties and attorneys to check in with the clerk of court who will direct them where to go.
- d. Tape off every other row of seats in the spectator area of the courtroom to promote social distancing.
- e. Masks to be worn in hallways and common areas of the courthouse.
- f. Encourage participants to wear a mask in the courtroom unless testifying or asking questions of the witness on the stand.
- g. Court reporter and/or judge and/or county cleaning crew to wipe down high-traffic area surfaces between hearings, including counsel tables, chairs and the witness stand.

2. Criminal Docket (Non-Jury).

- a. Schedule cases 15 minutes apart and do not double-book unless fairly certain a case will not go.
- b. Parties and attorneys to check in with the clerk of court who will direct them where to go.
- c. Tape off every other row of seats in the spectator area of the courtroom to promote social distancing.
- d. Masks to be worn in hallways and common areas of the courthouse.
- e. Encourage participants to wear a mask in the courtroom unless testifying or asking questions of the witness on the stand.
- f. Court reporter and/or judge and/or county cleaning crew to wipe down high-traffic area surfaces between hearings, including counsel tables, chairs and the witness stand.

3. Small Claims Docket (Forcible Entry and Detainers)

- a. Schedule hearings at least one-half hour apart.
- b. Encourage telephone testimony from nonparty witnesses.
- c. Parties and attorneys to check in with the clerk of court who will direct them where to go.
- d. Tape off every other row of seats in the spectator area of the courtroom to promote social distancing.
- e. Masks to be worn in hallways and common areas of the courthouse.
- f. Encourage participants to wear a mask in the courtroom unless testifying or asking questions of the witness on the stand.

- g. Judge and/or county cleaning crew to wipe down high-traffic area surfaces between hearings, including counsel tables, chairs and the witness stand.

4. Criminal Docket (Initial Appearances)

Initial Appearances in Dickinson County are scheduled for 9:00 a.m. on each Thursday morning. The Initial Appearance proceedings are scheduled by several different entities so it is difficult to control numbers. The plan will be to have the Defendant check in with the clerk of court, be directed to have anyone with the Defendant to wait in their vehicle rather than coming into the courtroom and have the Defendant practice social distancing in the courtroom spectator area (Every other row will be taped off). Masks to be worn at all times in the courthouse. Defendants will be called to the front of the courtroom one at a time and they will be instructed to exit the courthouse once their Initial Appearance is completed. The court reporter and/or judge will wipe down surfaces at the front of the room, including any pen used by the Defendant if a written plea of guilty is signed. Notify the Dickinson County cleaning crew when Initial Appearances are completed for the morning in order to allow for a thorough cleaning of the courtroom before hearings or trials start.

5. PPE supply

My best estimate for PPE supplies for Dickinson County DAJ proceedings is to have between 100 and 200 facemasks per month available for court users that don't have PPE with them.

CHECKLIST FOR RESUMING COURT OPERATIONS

District Number _____

Name of County _____

1. Facility Status

The courthouse or other county facility where judicial operations take place is open to the public.

Yes No

2. Staffing Schedule

A staffing schedule has been prepared so that social distancing/PPE is maintained in all court controlled workspaces. For example, where desks or work stations cannot be reconfigured to maintain 6' or more of social distancing, a rotation schedule is in place so that only a certain number of employees are onsite at a given time and other employees work remotely until they are scheduled to work onsite.

Yes No

Shift start/stop times, break times, and lunchtimes are staggered to minimize the congregating of employees in any areas.

Yes No

3. Workspace/Work Environment Safety

Work stations and desks in office suites are configured so that 6' of social distancing is maintained or a staffing schedule addresses social distancing.

Yes No

Shared equipment such as conference phones, audiovisual equipment, copiers or file cabinets are spaced to allow social distancing during use, and PPE is available near shared equipment to wipe down touchpoints after use.

Yes No

4. Courtrooms/Overflow Rooms

Courtroom spaces are configured so that at least 6' of distance separates all participants in court proceedings and the gallery has been marked or cordoned off so that occupancy is limited to where people maintain 6' of distance between each other in all directions. ***No permanent physical changes shall be made without the approval of the county.***

Yes No

If overflow rooms are needed, an effort will be made to accommodate public viewing by discussing technology options with JBIT and implementing a plan with state court administration.

Yes No

5. Case Scheduling and Processing

There are limits on the number of hearings in a given time period.

Yes No

Cases are scheduled in such numbers so that 6' of social distancing is always being maintained by all occupants within the courtroom and for those queuing outside the courtroom.

Yes No

Other arrangements have been made to maintain the number of individuals present for court proceedings at any given time. Some examples include the following:

- Additional reporting locations within the facility for queuing
- Checking-in court participants and asking them to wait in their cars or locations nearby and then texting them to report to the courtroom when ready
- The use of larger auditorium type spaces within the community

Yes No

6. Public Terminal Kiosks

Public terminal kiosks are spaced to maintain 6' of social distancing.

Yes No

Keyboard protectors are in place for all public kiosks.

Yes No

Hand sanitizer and spray disinfectant or wipes are available for all public kiosks.

Yes No

Signage is posted instructing users how to appropriately wipe down the terminal after each use.

Yes No

7. Clerk of Court and District Court Services

A system has been developed to allow people to schedule an appointment to receive services in order to minimize the number of people congregating within or outside offices at any given time.

Yes No

8. PPE

There is an adequate supply of face masks on site so that every employee replaces mask daily.

Yes No

Face shields are available for all employees who requested one through the employee survey.

Yes No

Face shields are available for the use of every witness for the number of trials occurring within the facility at any given time, and procedures are in place for cleaning and storing the shields after each use.

Yes No

There is an adequate supply of hand sanitizer available on site for each office suite and courtroom.

Yes No

There is an adequate supply of disposable gloves for each office suite.

Yes No

There is an adequate supply of spray disinfectant or wipes in each courtroom to be used for cleaning counsel tables and witness areas after each use.

Yes No

A protocol is in place for employees to clean and disinfect their personal workstation at the beginning and the end of every shift.

Yes No

9. Signage

The following signs are posted at the entrances of courtrooms and court controlled spaces advising the public to abide by the following:

"Do NOT enter if any of the following apply:

- 1. You have recently been in close contact with someone who has COVID-19.*
- 2. You have tested positive for COVID-19 in the last 14 days.*
- 3. You are experiencing symptoms of Covid-19 per CDC Guidelines"*

Yes No

"Upon entering, please maintain 6' of distance in all directions between yourself and others."

Yes No

"A mask must be worn when entering this space."

Yes No

"The number of people permitted in the courtroom/office is (X)."

Yes No

10. Contact Tracing

The Judicial Branch’s policy on contact tracing has been reviewed and will be followed should the need arise.

Yes No

The responses above accurately reflect the preparations that have been taken for reopening courtrooms and court controlled spaces in the above noted county.

Chief Judge /District No.

Date

Print Name

APPROVED BY:

Todd Nuccio
State Court Administrator

Date

CHECKLIST FOR RESUMING COURT OPERATIONS

District Number 3A

Name of County Dickinson

1. Facility Status

The courthouse or other county facility where judicial operations take place is open to the public.

Yes No

2. Staffing Schedule

A staffing schedule has been prepared so that social distancing/PPE is maintained in all court controlled workspaces. For example, where desks or work stations cannot be reconfigured to maintain 6' or more of social distancing, a rotation schedule is in place so that only a certain number of employees are onsite at a given time and other employees work remotely until they are scheduled to work onsite.

Yes No

Shift start/stop times, break times, and lunchtimes are staggered to minimize the congregating of employees in any areas.

Yes No

3. Workspace/Work Environment Safety

Work stations and desks in office suites are configured so that 6' of social distancing is maintained or a staffing schedule addresses social distancing.

Yes No

Shared equipment such as conference phones, audiovisual equipment, copiers or file cabinets are spaced to allow social distancing during use, and PPE is available near shared equipment to wipe down touchpoints after use.

Yes No

4. Courtrooms/Overflow Rooms

Courtroom spaces are configured so that at least 6' of distance separates all participants in court proceedings and the gallery has been marked or cordoned off so that occupancy is limited to where people maintain 6' of distance between each other in all directions. ***No permanent physical changes shall be made without the approval of the county.***

Yes No

If overflow rooms are needed, an effort will be made to accommodate public viewing by discussing technology options with JBIT and implementing a plan with state court administration.

Yes No

5. Case Scheduling and Processing

There are limits on the number of hearings in a given time period.

Yes No

Cases are scheduled in such numbers so that 6' of social distancing is always being maintained by all occupants within the courtroom and for those queuing outside the courtroom.

Yes No

Other arrangements have been made to maintain the number of individuals present for court proceedings at any given time. Some examples include the following:

- Additional reporting locations within the facility for queuing
- Checking-in court participants and asking them to wait in their cars or locations nearby and then texting them to report to the courtroom when ready
 - The use of larger auditorium type spaces within the community

Yes No

6. Public Terminal Kiosks

Public terminal kiosks are spaced to maintain 6' of social distancing.

Yes No We will control how many people are allowed in the public access room.

Keyboard protectors are in place for all public kiosks.

Yes No

Hand sanitizer and spray disinfectant or wipes are available for all public kiosks.

Yes No

Signage is posted instructing users how to appropriately wipe down the terminal after each use.

Yes No

7. Clerk of Court and District Court Services

A system has been developed to allow people to schedule an appointment to receive services in order to minimize the number of people congregating within or outside offices at any given time.

Yes No Phone numbers are posted on the front door of the Courthouse entrance.

8. PPE

There is an adequate supply of face masks on site so that every employee replaces mask daily.

Yes No

Face shields are available for all employees who requested one through the employee survey.

Yes No

Face shields are available for the use of every witness for the number of trials occurring within the facility at any given time, and procedures are in place for cleaning and storing the shields after each use.

Yes No

There is an adequate supply of hand sanitizer available on site for each office suite and courtroom.

Yes No

There is an adequate supply of disposable gloves for each office suite.

Yes No We have enough gloves, and more on order

There is an adequate supply of spray disinfectant or wipes in each courtroom to be used for cleaning counsel tables and witness areas after each use.

Yes No

A protocol is in place for employees to clean and disinfect their personal workstation at the beginning and the end of every shift.

Yes No

9. Signage

The following signs are posted at the entrances of courtrooms and court controlled spaces advising the public to abide by the following:

"Do NOT enter if any of the following apply:

- 1. You have recently been in close contact with someone who has COVID-19.*
- 2. You have tested positive for COVID-19 in the last 14 days.*
- 3. You are experiencing symptoms of Covid-19 per CDC Guidelines"*

Yes No

"Upon entering, please maintain 6' of distance in all directions between yourself and others."

Yes No

"A mask must be worn when entering this space."

Yes No

"The number of people permitted in the courtroom/office is (X)."

Yes No

The signs are made by our Custodian and Emergency Management office.

Contact Tracing

The Judicial Branch's policy on contact tracing has been reviewed and will be followed should the need arise.

Yes No

The responses above accurately reflect the preparations that have been taken for reopening courtrooms and court controlled spaces in the above noted county.

Chief Judge /District No.

Date

Print Name

APPROVED BY:

Todd Nuccio
State Court Administrator

Date

By Marcia Eckerman
Clerk of Court
Dickinson Co.

July 30, 2020

AMY E. ZENOR
COUNTY ATTORNEY

LONNIE B. SAUNDERS
ASSISTANT COUNTY ATTORNEY

MATTHEW DEJONG
ASSISTANT COUNTY ATTORNEY



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Dickinson County Attorney

June 19, 2020

Dickinson County Attorney Efforts to Resume Court Proceedings

1. Encourage resolution without the need for court intervention.
2. Encourage telephonic or video hearings whenever possible.
3. Stagger hearings that cannot otherwise be resolved at least ½ hour apart.
4. Use “hall monitor” at front entrance as well as upstairs to regulate traffic.
5. Take temperature at front door and sign-in sheets.
6. Only use stairway and/or elevator immediately adjacent to front entry.
7. Cordon off every other bench in Courtroom A galley.
8. Eliminate every two chairs in Courtroom A jury box.
9. Use brightly colored tape to indicate 6 foot spacing on Courtroom A floor.
10. Use Courtroom B for sequestered witnesses and/or private consultation during hearings.
11. Promote social distancing for witnesses and/or private consultation in Courtroom B.
12. Prohibit unnecessary travel and gathering in hallways.
13. Provide Triple Quick spray for disinfecting after each hearing.
14. Provide hand sanitizer for both courtrooms.
15. Wear masks (unless testifying).