

March 25, 2020

Dear Fellow Members of the Bar:

The Milwaukee County Family Division wanted to reach out and let you know that we are thinking of you, your families, and your clients during this very difficult time for us as a community. As you know, this is a very challenging time for us as a court system. We appreciate your patience, and want to update you on our status.

Although the courts are not open on 9<sup>th</sup> Street, as judges and commissioners, we are meeting remotely, and following the lead of the Chief Judge. Here is a brief summary:

The only hearings being held in the Family Division are requests for TRO and Injunctions. This is by order of the Chief.

CCAP is working to get each Judge either remote access to their dashboard, or a CCAP laptop. The demand is high and two of us are on a waiting list. All of the judges have Zoom accounts.

Similarly, the clerk's office is purchasing, or having donated, 105 laptops which they will distribute to available clerks. They are planning to have as many clerks as possible available remotely. Many clerks are on leave, and the number who will get sick is not known. Our ability to conduct hearings (either zoom or telephone) will be in large part determined by the availability of a clerk. We are assured that clerks will be available to monitor the filings of all in the courts, so they are available for review on the judges' dashboards. Currently, there is not a clerk assigned to work with each judge, resulting in an inability of the court to communicate with parties by telephone or email.

Please be patient and understand that these are very challenging times. There will likely be a delay in scheduling routine hearings, in part because we don't know how long we will be in quarantine.

As a way to help resolve cases, and resolve some of the backlog that we will face we are willing to grant judgments of divorce by written affidavit. This is only in situations where both parties are represented by counsel, and both parties agree to waive their statutory right to a hearing.

This will entail:

- A motion for judgment upon affidavit, filed by Petitioner, or a stipulation to same
- Affidavits sworn to and filed by both parties - we have, with your help, developed a form affidavit, which is attached.
- A written statement from the guardian ad litem with a recommendation and an agreement to waive an in-person hearing. A form with that language is also attached.

Please consider this option, which will provide prompt resolution for your clients who are ready to be divorced, and will help eliminate backlog and delays in the courts. While not mandatory, the judges would like to encourage you to use the form that has been developed, which contains

all of the necessary elements of a divorce hearing, and allows space at the end for anything additional you feel is important to include.

Your patience and cooperation are greatly appreciated. We wish you and your family good health and look forward to seeing you in court as soon as we safely can,.

Sincerely,

Judges Carroll, Fiorenza, McAdams, Sosnay and Stark