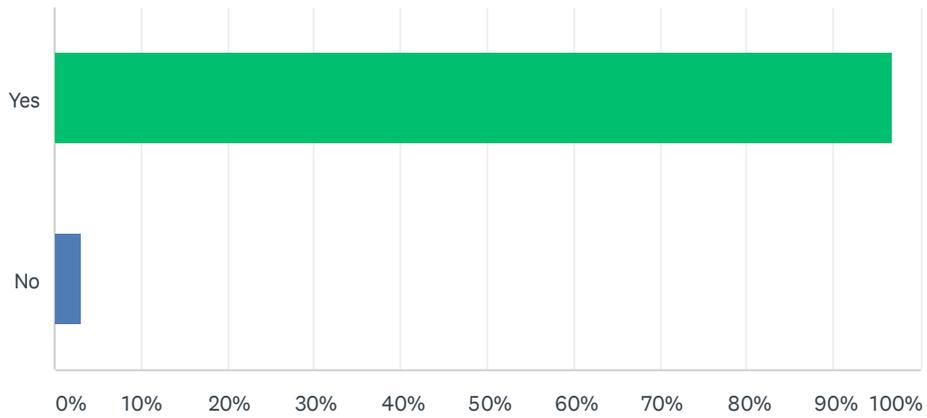


Q1 Some court proceedings should continue to be held remotely, even after the pandemic

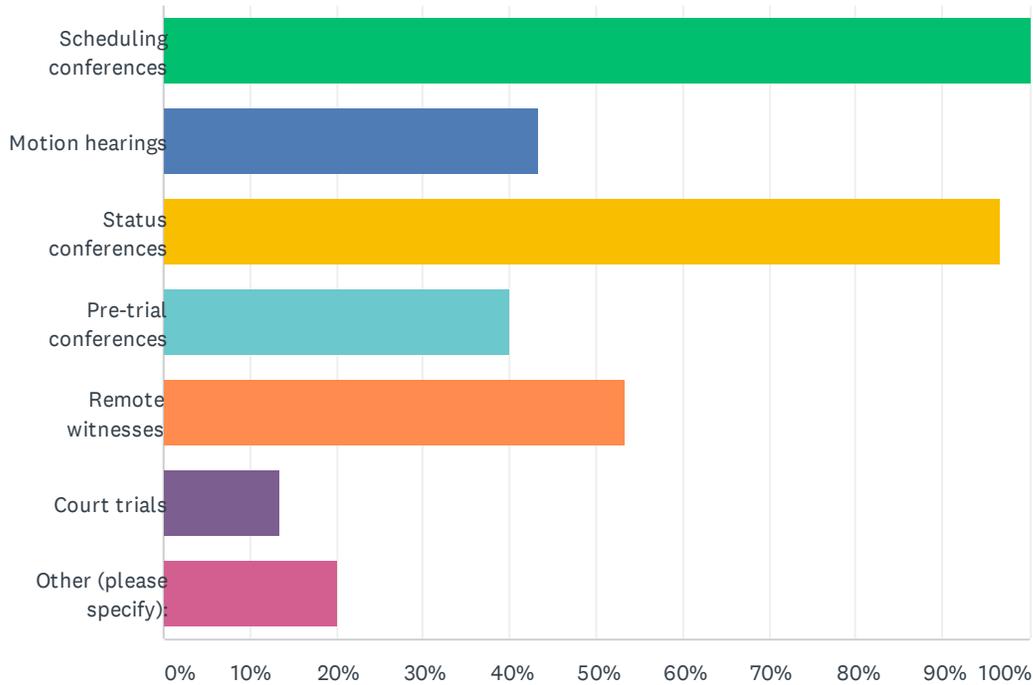
Answered: 62 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	96.77%	60
No	3.23%	2
TOTAL		62

Q2 If you answered yes to the previous question, please select all proceedings from the list below that should continue to be held remotely:

Answered: 60 Skipped: 3



ANSWER CHOICES	RESPONSES
Scheduling conferences	100.00% 60
Motion hearings	43.33% 26
Status conferences	96.67% 58
Pre-trial conferences	40.00% 24
Remote witnesses	53.33% 32
Court trials	13.33% 8
Other (please specify):	20.00% 12
Total Respondents: 60	

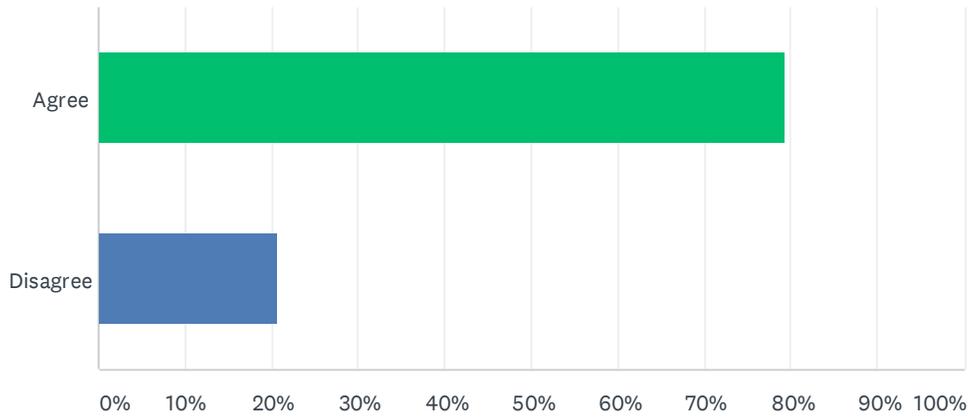
#	OTHER (PLEASE SPECIFY):
1	Any routine proceeding where there are no issues in contests. However, witnesses residing over X miles should be allowed to appear remotely (except expert witnesses)
2	All of the above if parties stipulate & Judge agrees.
3	Family court matters
4	Minor Child Settlement Hearings
5	Some hearings would be best in person, but many non-evidentiary hearings can be done remotely.

Please Share Your Feedback

6	All proceedings should be able to be handled remotely or as hybrid	
7	Most civil motion hearings can take place via Zoom. It may help to have some in person.	
8	Any of the above can be handled remotely. Some motions and of course trials would be preferred in person once the pandemic is safe.	
9	Traffic/forfeiture appearances	
10	Anything that does not including oral arguments.	
11	Especially for pro se individuals and for small claims	
12	Minor Child Settlement hearings	

Q3 Remote court proceedings that are scheduled and held via Zoom or some other video platform should require appearance by video, and not just audio

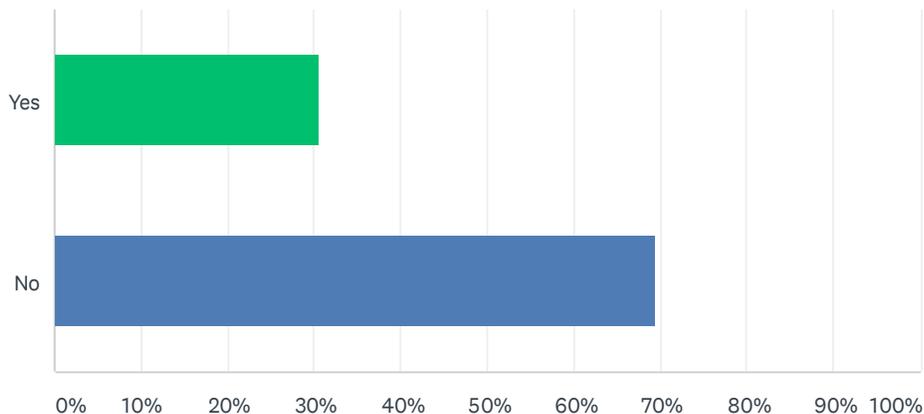
Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES	
Agree	79.37%	50
Disagree	20.63%	13
TOTAL		63

Q4 I have had an issue with a witness or opposing counsel when conducting remote depositions (do not include technical/internet issues)

Answered: 62 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	30.65%	19
No	69.35%	43
TOTAL		62

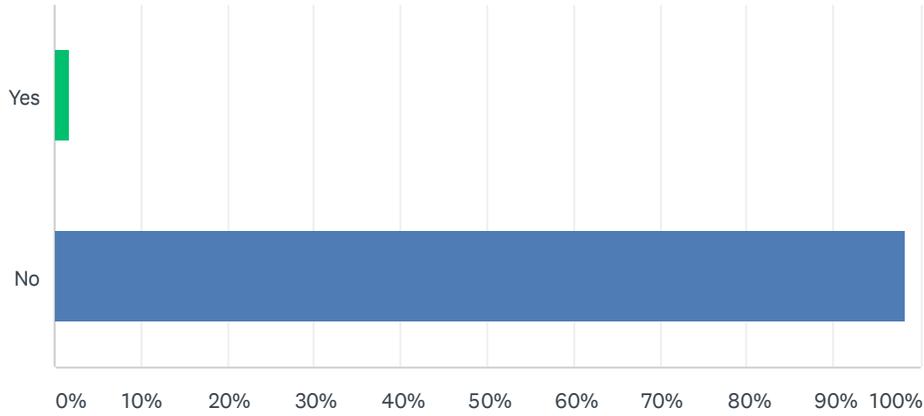
#	IF YOU ANSWERED YES, PLEASE EXPLAIN:
1	witness testifying from information not available to others present
2	Proof of emailing answers to witness during a remote deposition (filed motion for sanctions which was successful)
3	bad audio, witness not able to see exhibits, all parties not having access to exhibits.
4	Translation difficult and witnesses take them too casually and will appear in their car or other informal place.
5	Subpoena duces tecum document productions are complicated/easier to skate on
6	I have had difficulties with deponents not appearing, appearing in a location that would not be suitable for a deposition, and appearing with other individuals present.
7	Some witnesses refer to documents off screen, but such issues have resolved after notification that the witness should not refer to extrinsic documents or if they do, they need to share the document with the attorneys.
8	Tech
9	Decorum
10	I've always made sure that non-party unrepresented persons appearing for depositions appear with the court reporter to prevent major issues
11	failure to identify others in the room with witness
12	Unanticipated exhibits become a problem for witnesses and counsel.
13	Cannot see witness and attorneys at all times, can't tell who is in room and whether there is coaching
14	Subject of a case I decided.

Please Share Your Feedback

15	documents pose issues, especially on the fly
16	i have not had this issue during COVID, but it seems a "no" answer would imply endorsement of remote depositions which i would not want to be the norm (other than extraordinary situations of distant witnesses etc)
17	Certain depositions are difficult to do by zoom, creating conflicts with opposing counsel who refuse in-person attendance. For example, those requiring interpreters are especially difficult via zoom, as are those where a witness may need to mark exhibits, point to locations on maps, etc. Also, in one wrongful death case opposing counsel put on to the screen the image of the badly-burned corpse of the deceased while deposing a fact witness who had no reason to see this graphic image, and did so OVER THE OBJECTIONS OF COUNSEL, unfairly impacting the witness and causing her to become very upset and have difficulty answering further questions -- exactly the result the attorney was looking for. Rules should be established to avoid such outrageous conduct.
18	document heavy cases are time consuming

Q5 I have had to contact the court during a remote deposition

Answered: 63 Skipped: 0

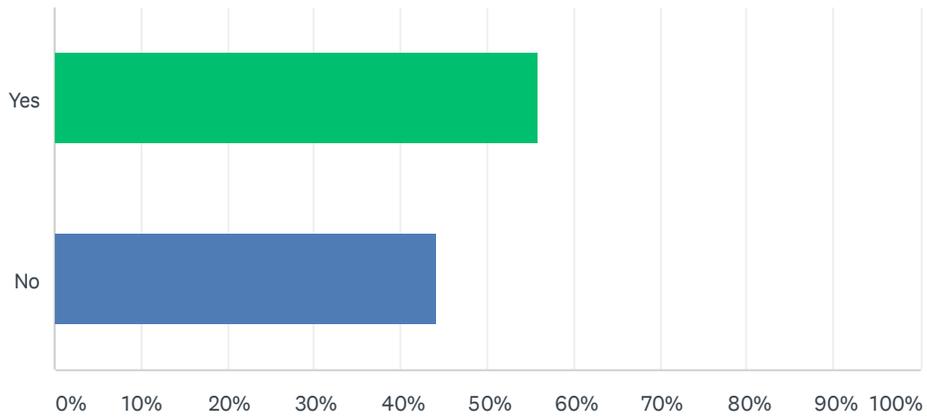


ANSWER CHOICES	RESPONSES
Yes	1.59% 1
No	98.41% 62
TOTAL	63

#	IF YOU ANSWERED YES, PLEASE EXPLAIN:
1	n/a
2	Parties have called me resolve objections

Q6 Remote mediations have been just as successful as in-person mediations

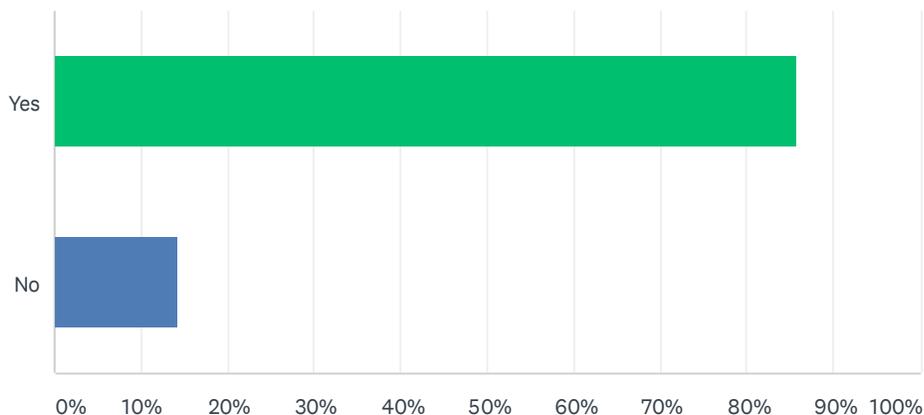
Answered: 59 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	55.93%	33
No	44.07%	26
TOTAL		59

Q7 I would like to see local rules developed for remote court proceedings

Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	85.71% 54
No	14.29% 9
TOTAL	63

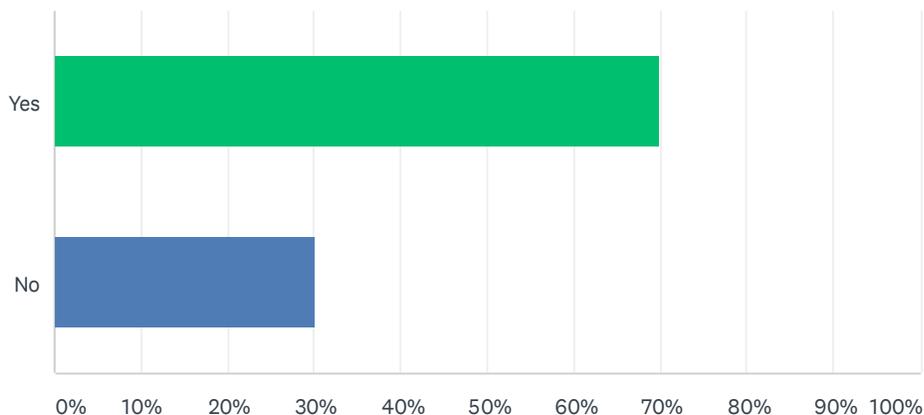
#	IF YOU ANSWERED YES, PLEASE PROVIDE YOUR SUGGESTIONS:
1	Need to format some rules, but generally any non-contested matter should be conducted remotely and certain witness over X miles away should be allowed to appear remotely.
2	The U.S. Bankruptcy Court for the Eastern District of Wisconsin has held telephonic hearings and is an excellent resource for procedures for managing electronic appearances.
3	Decorum standards
4	I would require video for all participants
5	they should be encouraged generally as the default, but depending on the circumstances may not work. However, one side or the other trying to get a procedural or other advantage should not drive the court's decisions.
6	Set forth the time to request/object, exchange witness lists & summary of testimony
7	Remote appearances have been very welcome for routine appearances. However, I have some concern about remote appearance for hearings with arguments or with witnesses present.
8	Allow remote court proceedings whenever practicable, so few courts want things like courtesy copies any more and remote proceedings have-in my experience-been more efficient and end up saving the clients money because there are less expenses like travel costs.
9	I have had no problems, but if others have, local rules should be created to address problems specific to the platform of a remote proceeding
10	Decorum
11	Standardization of notice for remote hearings and requirement to opt-out.
12	define when appropriate, procedure for exhibits if necessary
13	Just general guidance
14	A rule that everyone has video turned on.

Please Share Your Feedback

15	Should be conducted by Zoom
16	I think courts should at a minimum provide the contact info in a link that can be copied to calendar and should have the clerk advise as to status when we are stuck in a waiting room.
17	appearance, cost of proceeding, if someone says cannot appear via zoom then provide affidavit why, rules regarding expert depositions
18	Clearly, all parties may appear in person. If one chooses not to, then we need the technology that would allow it.
19	Allow all status and scheduling conferences to be held remotely, and judges allowed to use their discretion in deciding whether other motions can be held remotely.
20	I would like to see local rules that any deposition or witness to a trial can be done via Zoom or other remote platform. I think the current local rules apply to Zoom video court appearances. Maybe a local rule to draw a distinction of what is allowed via phone vs Zoom as far as the hearing. But the rules should make technology the preference not the exception. It saves litigants and the system time and money that can be better used elsewhere.
21	State wide would be preferable
22	timing rules for court uploading documents, clear time lines for parties uploading things. uniform rules for use of exhibits whether by screen share or all parties and witnesses having conformed copies at hand as examples. evidentiary hearings requiring credibility determination and cross examination should not be remote
23	Standardize the availability of remote appearances
24	Do scheduling hearings and status hearings remotely. Also motions without the need for witness testimony could be remote.
25	Requiring video attendance; rules regarding introduction and marking of exhibits during the hearing, and submission to the court to be added to the record after the hearing; etc.
26	Decorum - where you can appear remotely, what dress is appropriate, who can accompany you in the remote setting; presentation of exhibits; manner of objections - can you submit a comment or raise your hand--something that wont interrupt the audio feed; break-out rooms as a resource for conferencing with co-counsel or the client or perhaps even a side-bar during a proceeding
27	Decorum standards/opt out procedures
28	Scheduling and status conferences should be set as remote court proceedings by default.

Q8 I would like to see local rules developed for remote depositions

Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	69.84% 44
No	30.16% 19
TOTAL	63

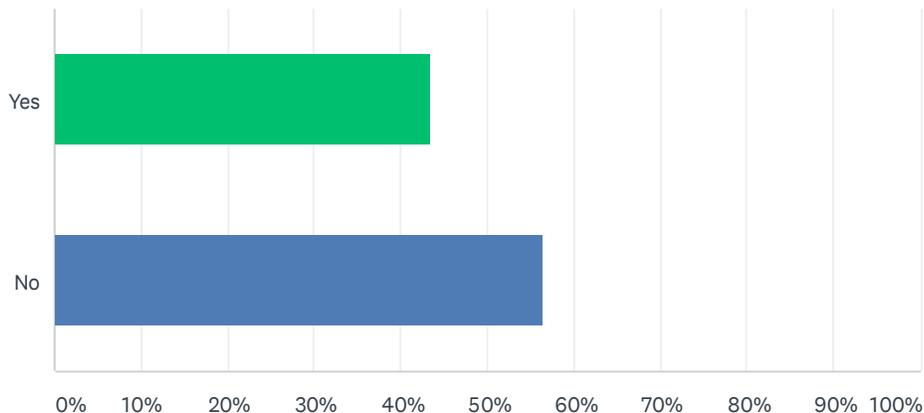
#	IF YOU ANSWERED YES, PLEASE PROVIDE YOUR SUGGESTIONS:
1	I would not allow the deponent and his/her atty to be in the same room
2	Witness cannot Zoom from their phone, sanctions for failure to produce documents when appearing remotely in response to subpoena duces tecum
3	it depends on how important the deposition is and the costs.
4	I have really appreciated the convenience and flexibility of remote depositions and would like that to continue to be an option. However, I have concerns about allowing one (of multiple parties) to opt-out of an in person deposition.
5	Allow them with proper notice or agreement of parties because this is a huge cost saver for clients.
6	Direct access by the court
7	same as #7
8	Swearing in witness, locations and effect of technical malfunctions.
9	Again just general guidance and procedures
10	Should be conducted by Zoom.
11	Add a rule that witness affirms by appearing that witness does not have another device active during the deposition.
12	everyone should be viewed and I have no idea how to make that work.
13	see response to #7
14	Make sure there are instructions about the propriety of discussions in other devices while deposition is being taken. A simple instruction could suffice.
15	All exhibits to be marked for use during the deposition to be provided to the attorneys conducting the deposition at least 24 hours prior to the deposition.

Please Share Your Feedback

16	The rules are there - same as if at trial. But obviously there is room for abuse if counsel for instance is off camera in same room as her or his deponent.
17	see above re 7
18	Standard rules that the parties can stipulate to or avoid.
19	See my comments above. A party should not be allowed to refuse in-person deposition if not agreed to by counsel, particularly when a reasonable basis for having the deposition in-person exists.
20	Handling of exhibits and objections (see other suggestions to #7)

Q9 I would like to see local rules developed for remote mediations

Answered: 62 Skipped: 1

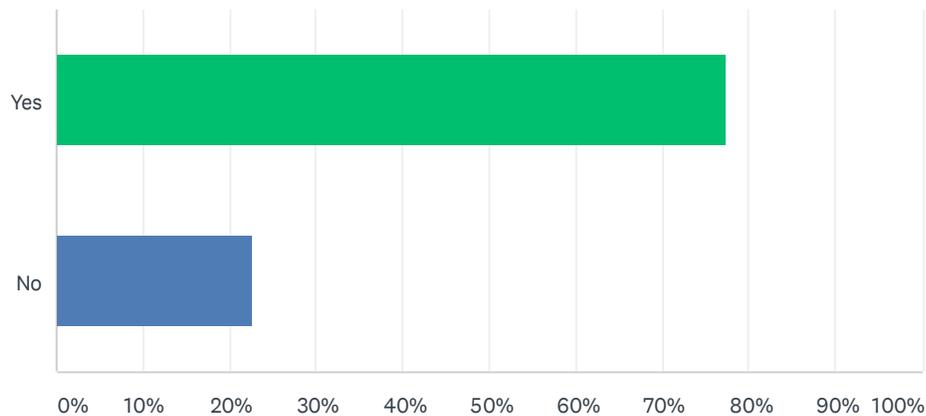


ANSWER CHOICES	RESPONSES
Yes	43.55% 27
No	56.45% 35
TOTAL	62

#	IF YOU ANSWERED YES, PLEASE PROVIDE YOUR SUGGESTIONS:
1	Are rules necessary?
2	again; question is if the game is worth the candle, and it may make more sense for smaller cases or where it would otherwise be a hardship for certain people to participate. Also a way of bringing in people to the conversation who would otherwise try to avoid it.
3	I think agreement on a remote mediation among parties would be an excellent thing. In Wisconsin, it provide access to mediators where or near the case is pending without the associated costs of extensive travel.
4	They should be allowed based on dual consent of the parties.
5	Provide for a platform that allows multi-parties
6	same as #7
7	Requiring adjustors to appear remotely
8	All Counsel need to attend including Lien holder attorneys and the party who has the checkbook!
9	defense should have to pay for full mediation costs when they essentially participate in bad faith (Allstate, State Farm, etc.)
10	require all parties (not just counsel) to attend mediation
11	While Milwaukee courts require mediation, the method of mediation has long been simply agreed to by the parties. I don't think the court should impose rules unless and until a dispute arises on a case-by-case basis.
12	Use of breakout rooms in particular but otherwise see suggestion to #7

Q10 I would like to see local rules developed for remote witnesses appearing for hearings or trials

Answered: 62 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	77.42%	48
No	22.58%	14
TOTAL		62

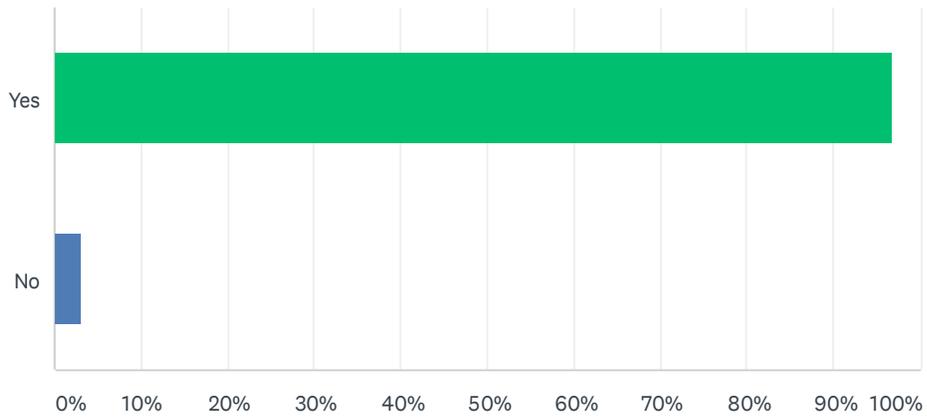
#	IF YOU ANSWERED YES, PLEASE PROVIDE YOUR SUGGESTIONS:	
1	less significant witnesses perhaps. or those with real problems in participating live. yes by stipulation but this won't be a way to get around a court's subpoena powers and limitations.	
2	Assuming non-party witness and distance or other need to accomodate.	
3	Some access to remote witness appearances would be greatly benefit for civil trials, especially for expert witnesses. I believe it could assist with painful nature of videotaped depositions being played at trial or transcripts being read to the jury.	
4	Witnesses should allowed to appear remotely if they reside more than (50)(75)(100) miles from the trial location.	
5	same as #7	
6	Must be alone in room, cannot consult documents not provided by counsel.	
7	parameters for appearance and tendering of exhibits	
8	Video must be turned on.	
9	Need to be conducted by Zoom	
10	See depositions above.	
11	same thing - are they being coached by others not on the screen.	
12	see all of above responses	
13	Notice to be provided to all parties in advance so they know whether a party will appear live or remotely, and respond accordingly, noting whether they oppose a remote appearance or ensuring exhibits are available to a remote witness.	
14	Same as depositions.	

Please Share Your Feedback

15	these should be not too strict however, because poor clients may not have access to best technology	
16	Yes, but only if a witness truly cannot appear.	
17	Mileage guidelines	
18	Emphasizing the already-established basic rules of decorum may be fine, but I'm not sure what additional rules would be necessary or valuable.	
19	What can the witness have available to them, what criteria taken into account when deciding whether or not to allow a witness to appear remotely, how and when may the witness communicate with counsel	
20	Decorum standards	

Q11 I have received the coronavirus vaccine or plan to get the vaccine when it is available to me

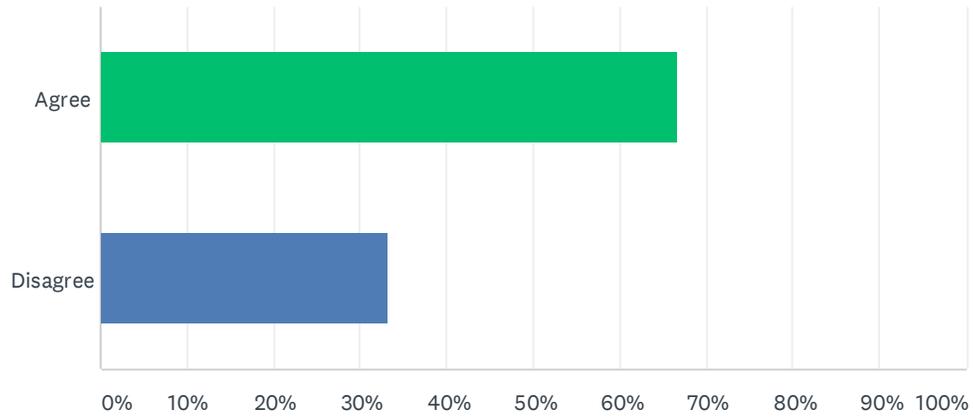
Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	96.83%	61
No	3.17%	2
TOTAL		63

Q12 I am not comfortable going back to court until I have been vaccinated

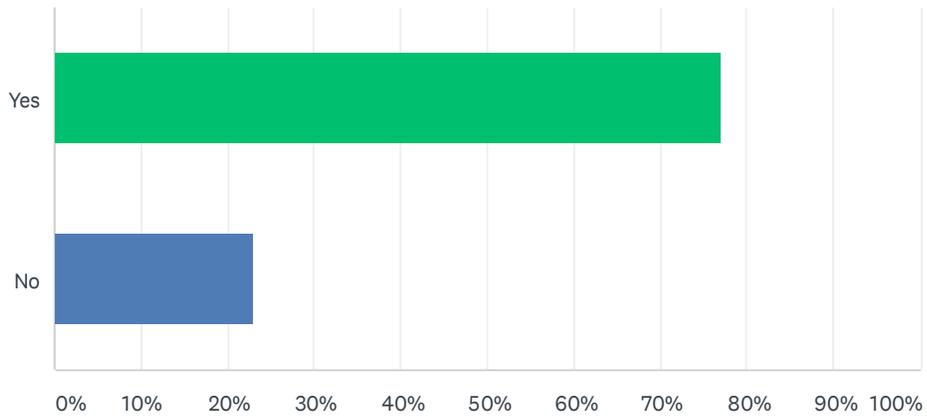
Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES	
Agree	66.67%	42
Disagree	33.33%	21
TOTAL		63

Q13 I would like to be included in future emails about the MBA's Civil Bench-Bar Committee Meetings

Answered: 61 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	77.05%	47
No	22.95%	14
TOTAL		61