

PLAN TO PREVENT THE SPREAD OF COVID-19
PER THE ADMINISTRATIVE ORDER OF THE CHIEF JUSTICE SIGNED 08/09/2021
August 11, 2021

In accordance with the Administrative Order of the Chief Justice of the Nebraska Supreme Court signed on August 9, 2021, the Nebraska Workers' Compensation Court confirms the following Written Plan outlining minimum measures to prevent the transmission of COVID-19:

1. All participants in an in-person trial or in-person legal proceeding that have not been fully vaccinated against COVID-19 are asked to wear a face covering over their nose and mouth (cloth mask or plastic shield) while in any court office or courtroom. During a trial or legal proceeding, the attorney or self-represented litigant asking questions of a witness and the witness who is testifying are permitted to remove their face covering while asking questions or testifying. Those participants that have been fully vaccinated against COVID-19 are not required to wear a face covering.
2. Social distancing is required. No person will sit closer than 6 feet to another person except for the plaintiff and their attorney and defense counsel and their company representative/client.
3. Any witness other than clients waiting to testify will wait outside the courtroom.
4. Any people watching a trial that have not been vaccinated against COVID-19 are asked to wear a face covering at all times and sit at least six feet apart.
5. No person who falls into any of the below categories shall appear for or participate in any in-person hearing, in-person trial, in-person conference, in-person deposition or other in-person proceeding:
 - a) tested positive for COVID-19 disease within 14 days of any scheduled in-person court proceeding;
 - b) despite a person's vaccination status, has had contact with anyone who has tested positive for COVID-19, as contact is defined by current CDC guidelines for COVID-19 disease, within 14 days of any scheduled in-person court proceeding;
 - c) has been asked to isolate or self-quarantine by any health care provider or public official; or
 - d) Is exhibiting the symptoms of an infectious respiratory illness, which include a fever of 100.4 degrees Fahrenheit or above, cough, shortness of breath, loss of taste or smell, body aches, or any other symptoms as identified by the CDC guidelines for the COVID-19 disease.

6. Before each trial, each courtroom will be wiped down with Clorox wipes or other similar product. The areas that will be wiped down include counsel tables, counsel chairs, court reporter chair, court reporter table, the Judge's chair, Judge's table, and spectator seating area.
7. Hand sanitizer will be available in every courtroom and will be placed at each counsel table and at the witness box.
8. Clorox wipes or another similar product will be present in the courtroom to allow for the wiping of surfaces as needed during the course of the live proceeding.
9. Masks and gloves will be available upon request to any participant or spectator.
10. For trials or legal proceedings venued to take place outside of Lancaster and Douglas Counties, those proceedings will only take place in a courtroom large enough to allow for social distancing. The trial judge will arrive in sufficient time to wipe down the courtroom with Clorox wipes or other similar product. In the alternative, the Clerk of the Nebraska Workers' Compensation Court (or her designee) will arrange for an employee of the courthouse where the trial or legal proceeding is being held to wipe down counsel tables, counsel chairs, the court report chair, the court reporter table, the Judge's chair, Judge's table, and spectator seating area. Should a courtroom not be available in the county in which a trial or legal proceeding is scheduled, the venue of the trial or legal proceeding can be transferred to another venue or the trial or legal proceeding can be conducted by video-conference or by telephone as allowed by Neb. Rev. Stat. § 48-177(3). If the parties cannot agree upon the manner in which a trial or legal proceeding can take place, the Court may continue the trial or legal proceeding to a later date.
11. Any party may request an in-person trial or in-person motion be held by video-conference or by telephone as allowed by Neb. Rev. Stat. § 48-177(3). If the parties cannot agree upon the manner in which a trial or motion can take place, the Court may continue a proceeding to a later date.



Daniel R. Fridrich
Presiding Judge
Nebraska Workers' Compensation Court