

## **Restatement of Guidelines for In-Person Proceedings in the State Court of Tift County (Jury Trials)**

The Court will balance the needs of public safety, the protection of victims, the rights and health of individual defendants, and the health and safety of lawyers and Court staff for all in-person proceedings.

### **State Court of Tift County Pandemic Six-Person Jury Trial Plan**

The following additional measures are being implemented to protect citizens appearing for jury duty:

#### **Summons**

1. A limited number of jurors will be summonsed for each day of the trial week. In other words, jurors will be summonsed for each trial, not for the entire trial week, therefore staggering sessions. (Misdemeanor trials can typically be completed in one day.) The Court expects 20 to 25 potential jurors to be present at one time. This number can be easily accommodated in the courtroom while social distance of six feet is maintained between potential jurors. A misdemeanor criminal trial only requires six jurors.
2. The Juror Summons and additional documents will be mailed to the potential jurors and will provide information about protection being taken in State Court for jurors.
3. Questionnaires will be provided to the jurors which should be returned no later than the date provided for in the summons.
4. Potential jurors who wish to be excused from jury duty should fill out the request referred to on the summons and return it to the court no later than November 12, 2020. There are only a few statutory reasons to be excused from jury duty, but the Court will consider all requests and exercise its discretion to determine whether or not to grant the request.

#### **Arrival for Jury Service**

1. Pursuant to the Guidelines, everyone entering the courtroom will be screened and required to wear a facial covering. Any potential jurors who do not have a facial covering will be provided a mask.
2. Upon arrival, a bailiff will greet potential jurors and provide hand sanitizer.
3. Potential jurors will check in to the courtroom. Single direction traffic flow will be utilized to promote social distancing.
4. The Court has a large courtroom that seats approximately 130 people in normal times. With social distancing of 6 feet in all directions between each potential juror, this courtroom can accommodate 26 potential jurors. Generally, panels of 15 to 17 are used to pick a 6-person jury. Twelve is enough if there are no strikes for cause.

## Voir Dire

1. Plexiglass has been installed in front of the bench; therefore, the Judge and Court Reporter will not wear facial coverings while behind the plexiglass. During voir dire, all others in the courtroom, except the Defendant, will wear masks, unless they are separated from the jury panel by plexiglass. The Defendant will be socially distanced from others.
2. Voir Dire will be conducted with the potential jurors seated throughout the gallery of the courtroom. If there are spectators who cannot be accommodated in the back of the courtroom with appropriate social distancing during voir dire, they will be able to observe on a monitor in another room. During the trial, they will be able to observe from assigned seating in the courtroom or from another room designated for this purpose.
3. The Clerk will call the roll of jurors in attendance, so the parties can identify the jurors and prepare a seating chart, if desired.
4. The Court will qualify the jurors. Any who are disqualified will be dismissed and will leave.
5. Attorneys for each party typically conducts voir dire of the jurors; however, the Court has decided that it will conduct the voir dire of the jurors in the interest of time. It will ask the jurors questions which will be provided to it by the parties and then the attorneys for each party will be allowed to follow up on any areas they feel necessary.
6. After voir dire and before the striking of the jury, the potential jurors will be given an opportunity to use the restroom. Whenever they exit or enter the courtroom, a bailiff will offer hand sanitizer.

## Trial

1. After the parties have exercised their strikes, the Clerk will call the names of the 6 trial jurors. Alternates will/will not be selected. These trial jurors will remain seated. When selection is complete, the jurors who were not selected will be dismissed.
2. A short recess will be taken after the jury has been selected in order for the courtroom to be sanitized.
3. In the courtroom during trial, the jurors will be seated per instructions of Court staff.
4. The lawyers and bailiffs will wear masks during the trial. The defendant will not wear a mask. Witnesses will wear masks, except when they are on the stand testifying. The lawyers will question witnesses from their tables, which will be more than 6 feet from the witness and jurors. Documents will be prepared and exchanged in advance to avoid the need to approach witnesses.
5. Separate waiting areas, with space for social distancing, will be available for the State's witnesses and the Defendant's witnesses.
6. The witness stand will be cleaned between each witness.
7. The Defendant will be provided a notepad and pen for communication with counsel. Additionally, the Court will take frequent breaks and breaks upon request to accommodate attorney-client communication.
8. Hand sanitizer will be provided during all breaks.