

## **Middle Judicial Circuit Jury Trial Plan**

This submission represents the effort of the Local Committees on Resuming Jury Trials in the Middle Judicial Circuit which includes Candler, Emanuel, Jefferson, Toombs, and Washington Counties. The committee in each county was represented by each class of court, the district attorney and solicitor general, the circuit public defender and experienced criminal and civil defense attorneys, representatives of the local bar association, attorneys experienced with jury trials, the sheriff or designee, each clerk of court, the information technology staff, and the local health department. Each committee's plan is tailored to meet the individual demands, unique characteristics, and available facilities and services of each county within the circuit. Each committee's plan considered:

### **1. Identification of facilities for jury assembly, orientation, voir dire and jury trials:**

Candler County - Does not have the capacity to hold large jury assembly and voir dire. Assembly will have to be in groups of 25 or less, with multiple voir dire sessions. Otherwise, a larger facility will have to be located and designated for assembly and voir dire. Does have the capacity to conduct one jury trial at the time after jury selection. The jury room is large enough to accommodate deliberations. This submission will be amended if a remote location for jury selection is selected and designated.

Emanuel County - Emanuel County has the capacity to select juries in the large courtroom. Jury selection will be live streamed to the small courtroom for public viewing. After voir dire and jury selection, it has the capacity to conduct two trials at the same time. Plexiglass shields will be utilized in the smaller courtroom as necessary to isolate witnesses, the jury, and participants. Emanuel has one jury room large enough to accommodate deliberations. If a second trial is in progress deliberation will take place in the small courtroom, with the attorneys and staff removing all files, law books and computers.

Jefferson County - Jefferson County has the capacity to seat 38 jurors in the large courtroom. If sufficient jurors cannot be seated after voir dire of this number an additional session will have to be held. Only one trial can be held at the time. The small courtroom is large enough to accommodate jury breaks and deliberation. Jury selection and trials will be live streamed and a viewing room will be available in the courthouse.

Toombs County - Toombs County has a large courtroom which can accommodate sufficient jurors for assembly and voir dire of fifty jurors at a time. After jury selection two trials can be held simultaneously. Plexiglass shields will be used in each of the courtrooms. Jury deliberation will be held in the courtrooms, with the staff

and attorneys removing all files, law books and computers.

Washington County - Washington County can accommodate 34 jurors for assembly and voir dire in the large courtroom. Multiple voir dire sessions will most likely be required for criminal cases. Civil cases may be able to seat enough jurors after one session. Only one trial will be able to be held at a time. Jury deliberations can be held in the large conference room usually used for jury breaks and deliberation. The small courtroom will be available for live streaming jury selection for the public and for overflow if large audiences wish to attend.

## **2. Development of written public health and safety guidelines:**

Each county is operating under a Standing Order for Court Proceedings. This order was developed consistent with public health guidance which includes sanitization procedures, face covering requirements, and social distancing protocols. Personal protective equipment will be required for jury duty and, where none is visible, it will be provided. Rooms utilized by potential and actual jurors will be sanitized daily.

## **3. Development of notification procedures for alerting stakeholders of positive tests for COVID-19:**

Each court and county will issue an email statement notifying stakeholders and courthouse personnel of positive tests for COVID-19. Local health departments will serve as a point of contact to direct affected persons to available testing and direct isolation or quarantine as the situation dictates. Affected areas will be closed to the public and sanitized. Security video, where available, will be reviewed for contact tracing and persons will be notified. The public will be turned away from the affected areas.

## **4. Protection of constitutional and statutory rights for litigants, witnesses, victims and observers:**

Candler County: Jury selection and voir dire will be conducted in small enough numbers to allow for the public to attend each session. If assembly and voir dire is done at a remote location sufficient space will be provided for public attendance.

Emanuel County: Emanuel County will live stream jury selection to the small courtroom to accommodate public viewing at the courthouse.

Jefferson County: Jefferson County will live stream jury selection to another room in the court house for public viewing.

Toombs County: Toombs County will live stream jury selection to the small

courtroom.

Washington County: Washington County will live stream jury selection to the small courtroom.

Where live streaming is done it will also be available to the public in general wherever internet access is available. The link for the live feed will be provided on the circuit web page.

**5. Notification to potential jurors, the public, and parties of public health precautions being taken by the court:**

The court is taking a multifaceted approach to notify all participants of the precautions taken by the court. For jurors, a notice will be included with their summons outlining the safety procedures, including that all entrants will be screened, temperatures taken, social distancing practiced, and masks provided for those who do not have one. See attachment A. A questionnaire will also be included with each summons, asking the juror to complete it and bring it with them when they come. See attachment B. Signage is being prepared for posting at the entrance of each courthouse, where all entrants will be screened, etc.

A copy of these guidelines will be provided to all attorneys in the circuit and all attorneys who have cases on active trial calendars.

Last, the court and all members of the committees have reviewed the Guidance for Resuming Jury Trials provided by the COVID-19 Task Force. We have addressed or considered each of these recommendations and hereby incorporate them into our protocol and share with the appropriate stakeholders.

Submitted on behalf of the Middle Judicial Circuit this 24<sup>th</sup> day of November, 2020.



Robert S. Reeves, Chief Judge  
Middle Judicial Circuit

## Jury Procedures

Please find enclosed a summons for Jury service. As you may know, the criminal justice system has been largely shut down since March 13, 2020 due to COVID-19. Our Supreme Court, in an order dated September 10, 2020, announced that jury trials may resume so long as specific steps are in place to ensure the safety of our citizens.

On behalf of the entire court system, we are grateful that you are willing to sacrifice your time to meet this civic obligation. We take your safety and physical health seriously. The following are some of the guidelines put in place that will assist in keeping you safe while serving on the jury.

1. Upon receipt of your summons, please call the Clerk of Superior Court at XXXXXXXXXXXX and provide your phone number to the Clerk. This way we will be able to contact you directly should something change between the day you received your notice and the scheduled day of jury duty.
2. Please call the clerk's office again the night before you are scheduled for court to see if you still need to appear.
3. Please fill out the COVID health survey and bring it with you to court.
4. Please note your scheduled time to appear and arrive early to allow for screening at the security check point.
5. For the safety of all involved, everyone will be asked a series of questions to ensure that no one is suffering from any symptoms of the COVID-19 virus and to determine whether anyone has been exposed to anyone with the COVID-19 virus.
6. Everyone's temperature will be taken.
7. Everyone will be required to wear a mask. If you do not have one, the county will provide one for you.
8. Individuals will be taken into the courtroom in small groups to allow for social distancing. There are marked areas in the courtroom that meet the requirements as set out by the Supreme Court, Middle Judicial Circuit and the CDC. Please sit in the marked areas.
9. The courtroom will be sanitized prior to the Jury meeting. Also, there are hand sanitizing stations located throughout the courthouse for your use.

The criminal justice system cannot function without the involvement of our citizens. We need you. We recognize that there may be reasons why you believe that you cannot serve; however, the legal reasons to be excused from jury service are limited. If you have any concerns, please do not hesitate to contact your Clerk of Court at XXXXXXXXXXXX.

## EXHIBIT A

# COVID-19 HEALTH SURVEY – please fill out and bring to court

NAME \_\_\_\_\_

CELL PHONE # \_\_\_\_\_ CONSENT TO RECEIVE UPDATES VIA TEXT \_\_\_ YES \_\_\_ NO

EMAIL ADDRESS \_\_\_\_\_ RECEIVE UPDATES VIA EMAIL \_\_\_ YES \_\_\_ NO

QUESTIONS	YES	NO
1. DO YOU CURRENTLY HAVE ANY SIGNS/SYMPTOMS OF A RESPIRATORY INFECTION SUCH AS FEVER, COUGH, SHORTNESS OF BREATH, BODY ACHES, OR SORE THROAT?		
2. HAVE YOU HAD ANY SYMPTOMS OF RESPIRATORY ILLNESS (COUGH, NASAL CONGESTION) IN THE PAST 14 DAYS?		
3. HAVE YOU TRAVELED WITHIN THE LAST 14 DAYS TO A STATE OR COUNTRY WITH SUBSTANTIAL COMMUNITY TRANSMISSION, OR HAVE YOU BEEN IN A LOCATION WHERE CROWDS ARE RESTRICTED TO A COMMON LOCATION (E.G., CRUISE SHIP/AIR PLANE)?		
4. HAVE YOU COME INTO CLOSE CONTACT (WITHIN 6 FEET) WITH SOMEONE WHO HAS A LABORATORY-CONFIRMED COVID-19 DIAGNOSIS WITHIN THE LAST 14 DAYS?		
5. DO YOU HAVE A FEVER (MORE THAN 100.4 F) ?		

ISSUES WEARING A MASK? \_\_\_ YES \_\_\_ NO

IF YES, PLEASE EXPLAIN

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EXHIBIT B