

## **State Court of Bibb County**

### **Pandemic Six-Person Jury Trial Plan<sup>1</sup>**

#### **Summons**

1. A limited number of jurors will be summoned for each day of the trial week. In other words, jurors will be summoned 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.
2. The Juror Summons will direct the potential jurors to a website for information about jury service. The website includes the Guidelines implemented for all courts at the Bibb County Courthouse, as well as additional information about the protections being taken in State Court for jurors. Information about these precautions will also be sent with the Juror Summons.
3. The website also includes a juror questionnaire to be completed by each juror to expedite voir dire.
4. Potential jurors who contact the Court with a legitimate COVID-19 related request for excusal will be deferred or excused.

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

1. Pursuant to the Guidelines, everyone entering the courthouse will be screened (temperature check and questions) 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 on the 5<sup>th</sup> Floor, a bailiff will greet potential jurors and provide hand sanitizer.
3. Potential jurors will check in at a window with a plexiglass barrier. Single direction traffic flow will be utilized to promote social distancing, and spacing is marked on the floor, if there is a line. The flow is directed one-way from the elevators to the check-in and then to the courtroom.
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 27 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. Based on the limited number summoned and the likely high rates of excuses and no-shows, the risk of having too few jurors is greater than the risk of too many.
5. Potential jurors will be directed into the large courtroom and will sit in a marked seat on one of the pews. (The pews and other surfaces are cleaned between each use of the courtroom.) This seat is their assigned seat for the duration, until they are selected or dismissed.

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<sup>1</sup> This plan was prepared after representatives of the North Central District Health Office inspected the State Court facilities and provided their guidance on measures which should be taken to protect all participants. This plan follows the recommendations of the North Central District Health Office, the CDC, and the Georgia Court Reopening Guide.

### Voir Dire

1. During voir dire, everyone in the courtroom, except the Defendant in a criminal case, will be required to wear masks. 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 courtroom. During the trial, they will be able to observe from assigned seating in the courtroom.
3. The Court 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. The parties will be instructed to utilize information from the juror questionnaires so they can focus their questioning of potential jurors. In misdemeanor cases, voir dire generally takes about 20 minutes per side.
6. After voir dire and before the striking of the jury, the potential jurors will be given an opportunity to use the restroom. The number of jurors in the restroom will be limited. Social distancing will continue to be mandatory. Whenever jurors exit or enter the courtroom, a bailiff will offer hand sanitizer.

## Trial

1. After the parties exercise their strikes, the Clerk will call the names of the 6 trial jurors. Alternates will not be selected. These trial jurors will remain seated. When selection is complete, the jurors who were not selected will be dismissed.
2. The trial jurors will be taken to the deliberation room. The deliberation room is an unfinished courtroom, which presently is a wide open, carpeted room with wooden chairs which will be socially distanced to accommodate 6 people. Another available deliberation room is a large conference room in the Judges' Chambers.
3. In the courtroom during trial, three jurors will sit on each row of the jury box, with two empty seats between them. The seat they take when they enter the box will be their assigned seat for the duration of their service. Plexiglass barriers have been installed to separate the jurors. No parties, witness, lawyers, or court personnel will be within 6 feet of the jurors. The jurors will wear facial coverings during the trial.
4. Everyone in the courtroom, excluding the defendant in a criminal case, will be required to wear facial coverings during the trial. Witnesses will wear facial coverings, 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. Documents will be presented by computer or Elmo on monitors installed for the Judge, the jury, the witness, the parties, and any observers.
5. Separate waiting areas, with space for social distancing, will be available for the State/Plaintiff's witnesses and the Defendant's witnesses.
6. The witness stand and microphone will be cleaned with sanitizing wipes between each witness.
7. The parties will be provided a notepad and pen for communication with counsel. Additionally, the Court will take frequent breaks, and additional breaks upon request, to accommodate attorney-client communication.
8. Hand sanitizer will be provided during all breaks.

## Deliberations

The deliberation room is an unfinished courtroom, which presently is a wide open, carpeted room with wooden chairs which will be socially distanced to accommodate 6 people. Another available deliberation room is a large conference room in the Judges' Chambers. Jurors will wear facial coverings during deliberations. They will be provided frequent opportunities to use the restrooms and to sanitize. They will be instructed to maintain social distances during deliberations.

### **COVID Exposure**

The Court will obtain the names, addresses, and phone numbers of all participants in every trial, including parties, lawyers and their support personnel, court staff, jurors, and witnesses. All participants will be instructed to notify the Clerk of Court and the Judge, if:

1. They experience COVID symptoms during the trial or within 7 days after trial;
2. They learn during the trial or within 7 days after the trial that they are positive for COVID; or
3. They have been exposed to a person confirmed to be positive for COVID during the trial or within 7 days before the trial.

During a trial, if a person participating in a trial exhibits COVID symptoms or discloses that they are positive for COVID or that they have recently been exposed to someone who has tested positive, the Court will suspend activities and make a further inquiry into the situation. The Court will decide the appropriate action on a case by case and will not hesitate to declare a mistrial if necessary. The Court will direct the individual to get medical care or testing as appropriate and will notify the District Health Office.

After a trial, if a person who participated in the trial notifies the Court that they are exhibiting COVID symptoms, that they have been confirmed positive for COVID, or that they were exposed to a person with COVID before or during the trial, the Court will make a further inquiry, will consult with health officials, and will make a determination as to who should be notified of potential exposure, if anyone.



# State Court of Bibb County

POST OFFICE BOX 5086  
MACON, GEORGIA 31213-7199

JEFF HANSON, CHIEF JUDGE  
CHAMBERS: ROOM 505  
J. TAYLOR PHILLIPS COURTHOUSE

SHARELL F. LEWIS, JUDGE  
CHAMBERS: ROOM 505  
J. TAYLOR PHILLIPS COURTHOUSE

March 4, 2021

Dear Prospective Juror:

As a result of the COVID pandemic, we have had no jury trials for a year. As stated by the Chief Justice of the Supreme Court of Georgia, "Justice needs jurors."

Based on declining COVID numbers in Macon-Bibb County, the distribution of vaccines, and guidance from the Department of Public Health, we are resuming misdemeanor criminal jury trials in the State Court of Bibb County. Your safety is our top priority.

A summons for jury duty is enclosed, but jury service is going to be very different. **You will not be waiting for hours with a large group of people in a crowded room.** For more information about the changes implemented to protect you and to give you peace of mind, please review the enclosed flier and go to our website ([www.maconbibb.us/state-court/](http://www.maconbibb.us/state-court/)).

When you receive this letter, go to our website ([www.maconbibb.us/state-court/](http://www.maconbibb.us/state-court/)) and click on the link for "Jury Duty." You will complete a questionnaire, which will reduce the time you have to be at the courthouse. Check the website regularly and again **on the day before you are scheduled to report** because we will be posting updates about the status of the trial week.

We are monitoring the COVID-19 numbers, and we may adjust our plans for trials as we get closer to the trial week. If we cancel the trials or make any other changes, we will post that information on our website. Please read the enclosed material for important, additional instructions related to your jury service during the pandemic.

If you have any questions or concerns about jury service, COVID related or otherwise, please call (478) 621-6441. Thank you in advance for your jury service.

Jeff Hanson  
Chief Judge,  
State Court of Bibb County

Sharell F. Lewis  
Judge,  
State Court of Bibb County

**State Court of Bibb County**  
**Comparison of Jury Service from the “Old” Way to the Pandemic Way**

	<b>The “Old” Way</b>	<b>The Pandemic Way</b>
Number of People Reporting	<b>90 to 100</b>	<b>20 to 25</b> (in a large courtroom with a high ceiling)
Entering the Courthouse	Crowd lined up waiting for security clearance.	There should be no crowd, and social distancing is required in the line.
Dress Code	Appropriate attire for Court.	Appropriate attire and a facial covering.
Getting to the Fifth Floor	Full elevators	Use steps if able or use reduced capacity elevator, with facial coverings.
Sanitizing	None offered	Offered upon arrival to Fifth Floor and any time you exit the Courtroom.
Activity on Arrival	Extended waits for large group to check in and to be called for trial.	As soon as the small group is checked in, the case for the day will be called.
Number of Days to Serve	Arrive on Monday to be used at least one other day in the week.	Most people will be finished in 2 or 3 hours. If selected, you will serve the day you arrive and likely finish your service that day.
Seating Arrangements during Jury Selection	Six people per pew; every pew.	Three people per pew; every other pew (6 feet of separation in all directions).
Length of Jury Selection	Approximately 1.5 to 2 hours to complete questioning and selection.	You will complete a juror questionnaire online, in advance, and jury selection should be 15 to 20 minutes per side, followed by a break, and then selection will take 10 to 15 minutes.
Activity after Jury Selection for those who are not selected	If you were not selected, you would be returned to the pool for possible selection in another case.	If you are not selected, you will be discharged from service and dismissed.
Seating Arrangements in the Jury Box	Six or Seven people would sit side by side on one row of the jury box.	Three people will sit on each row, separated by two empty chairs and a plexiglass barrier. All jurors will wear facial coverings.
Space for Deliberations	Small room behind the jury box.	An open space with a high ceiling and chairs separated by six feet.
Discharge from Service	If you are not selected or you finish a case, you will be discharged and compensation for your service will be uploaded to a debit card issued to you when you arrived.	Same.