



Jury Trial Resumption Plan
September 2020

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EIGHTH JUDICIAL DISTRICT JURY TRIAL PLAN

It is the District's intention to comply with all Kansas Supreme Court orders and recommendations, specifically, the District desires to comply with the provisions of Administrative Order 2020-PR-93, 2020-PR-99.

Part A: Communication with those summoned for Jury Duty

1. The judges and clerks of the District believe it will be necessary to summon larger pools of potential jurors because people will be concerned about their health. Judges and jury clerks will monitor the summons process and summon additional people when deemed necessary. The increase in the number of persons originally summoned will depend upon the circumstances surrounding the case itself, and the Court's recent experience in summoning juries. The judges and clerks of the Eighth Judicial District do anticipate the need to summon larger pools and are prepared to do so.
2. The floor plan, security requirements, and layout of the four courthouses vary dramatically. The District will provide jurors with information specific to each Court, which will advise those summoned for jury duty where they should report, and the process which has been designed to allow them to safely participate in jury selection. Our juror questionnaires always provide information about how to contact the Court if they have questions. In addition to each county's standard juror questionnaire and information on reporting, jurors will receive the "COVID letter" and graphic sheet prepared in the Jury Task Force Report. These are included in this plan as Attachment A, in two parts.

Part B: Jury Questionnaires

1. Information sent to prospective jurors will include a COVID-19 questionnaire designed to address conditions and circumstances likely to indicate the presence or likelihood of the virus in the potential juror. The questionnaire will be based upon the screening questionnaire located at page 51 of the Jury Task Force Report. The questionnaire will assure the potential juror that their information will not be made available to the general public, but will most likely be viewed by the judge, attorneys, and parties to the case.
2. The questionnaire will also include a section underlined, bold, or otherwise marked so as to attract their attention, advising the potential jurors of the phone number they may call, or email address they may contact, if their condition changes prior to their court appearance date.
3. A copy of the form which will be used by all counties in the District is included as Attachment B.

Part C: Juror Confidentiality

1. The judges of the Eighth Judicial District have very few district policies regarding excusal or deferral from jury service. Such policies as do exist include: a policy that persons over 80 years of age who are called for jury service may be excused if they contact the Court and ask to be excused; persons summoned for jury duty who have planned trips or vacations at the time of the requested jury service may be deferred; persons working in agriculture who are called for jury service during

times of harvest may be deferred. Policies of this type are seen as needed and appropriate and will be retained. However, the vast majority of requests for deferral or excusal are handled on an individualized basis. The judges of the Eighth Judicial District will continue to address such jury service requests on the merits, including those related to COVID-19.

2. The judges of the Eighth Judicial District will continue to advise potential jurors of their right to tell the Court of their desire to disclose sensitive information in a non-public fashion. The judges will advise potential jurors of their option of doing so by directing them to make the bailiff aware of their desire and the bailiff will inform the judge.

Part D: Physical Distancing

1. Court facilities in this District are currently marked encouraging physical distancing, and indicating designated seating which allows for appropriate separation. At this time, it is our intention to conduct trials in the courthouses of the District, and not utilize alternate facilities. In addition to currently existing signs, the Court will place markings on the floors of the courtrooms, and other areas of the courthouse, which will provide guidance to attorneys, staff and jurors, in maintaining appropriate social distance.

Part E: Cleaning Procedures

1. All courtrooms and other areas used for any part of a jury trial will be cleaned before, during and after each day's court session. Dickinson County has a contract with I-Serve Professional Cleaning to do mid-day cleaning, as well as in-depth cleaning in the evening. They will clean and sanitize all common areas in the courthouse as well as each courtroom between 12 and 1 p.m.

In Morris County, court personnel will clean all rooms where people will be located prior to being taken to the courtroom and after each group leaves. In addition, they will sanitize restroom areas after use.

Marion County plans to use Lysol disinfectant spray on surfaces and will sanitize high touch surfaces during the day as jurors move about and will also provide sanitizing wipes in rooms as well as hand sanitizer.

Geary County has a contract with a professional cleaning service. That service will thoroughly clean all surfaces each evening. In addition, Geary County will use Microban 24-hour disinfectant spray on surfaces sanitizing high touch areas, and will provide sanitizing wipes and hand sanitizer.

In addition to the plans of the clerk's as set forth above, the District has purchased five cordless electrostatic hand-held sprayers. The sprayers utilize a solution known as PURE. They emit a mist that takes about 30 seconds to dissolve. It is odorless and designed to kill viruses such as COVID-19. In all areas of our courthouses, court staff will use these devices to "fog" large areas such as courtrooms, hallways, stairwells, along with offices and bathrooms. This will be done periodically throughout the day during jury trials and other court proceedings in which substantial numbers of people may appear.

2. Only necessary items will remain in the courtrooms. Items deemed to be non-essential have already been removed.
3. When utilizing traditional disinfectant spray bottles or the sprayer/fogger described above, particular care will be taken to sanitize microphones and areas of frequent use. During trials, the Court will require attorneys to clean lecterns and microphones after they have used them, and in addition, the attorney calling a witness will be required to clean the witness stand before another witness is sworn.
4. The Court has purchased a large number of plastic drawstring bags which will be distributed to those who are chosen to serve as jurors. Each bag will contain hand sanitizer, bottled water, disinfectant wipes, a pen, a notepad, tissues, and other items, for the convenience of each juror. The jurors will be requested to write their names on the plastic bags in permanent marker. The bags will be collected at the end of each business day and returned the next morning. As sanitizer, water and other items are used, the Court will provide replacement.

Part F: Signage and Elevators

1. Court personnel have made contact with local county officials regarding elevator protocol. The Court will place signs outside elevators requiring that masks be worn while on the elevator, and suggesting a limitation on the number of persons who ride the elevator at any one time. In addition, the Court will have hand sanitizer stations outside each elevator door, with signs suggesting sanitizer be used if buttons or other services in the elevator were touched by riders. The reference signs will be in English and Spanish, and in compliance with the Americans with Disabilities Act.
2. Signs are posted on all doors to 8th Judicial District courthouses making the public aware of health requirements. All court-controlled areas display signs regarding social distancing, hygiene, mask requirements, elevator etiquette, stairway use and any local health requirements, in English and Spanish.

Part G: Details of the Jury Selection and Trial Process

1. A step by step plan for jury selection, trial, and jury deliberation has been prepared for each of the four counties of the District. They are attachment C to this document, (in four parts).
2. Before jury trials are conducted in the District, courtroom floors, hallways, elevators and adjacent court facilities will be marked to provide direction for the public to comply with six foot distancing requirements. All courtrooms in the District are equipped with microphones and electronic systems for voice amplification. Plexiglass shielding for jurors, witnesses, attorneys, and court personnel, may interfere with the ability to hear. Witnesses, attorneys and court personnel will be admonished to use the available microphones to ensure they are heard. All courtrooms have cordless headphone devices which are linked to the court sound and recording system. Persons having difficulty hearing will be provided this hearing assistance device.
3. The courtrooms of the District have television screens large enough, and located so as to allow easy viewing by jurors. Where appropriate, exhibits will be displayed electronically. A thumb

drive will be provided to the presiding juror to allow the jury to view exhibits during deliberations. Where electronic exhibits are not feasible, the Court will require that each juror be provided a separate copy of the admitted exhibit so that they do not have to pass it along, or share it with other jurors. Exhibits which cannot be copied (knives, guns, similar physical objects) will not be given to the jury for inspection until the jury begins its deliberations. If an attorney requests and justifies physical examination prior to deliberation, the Court will require the proffering attorney to sanitize the object using court provided sanitizing wipes or spray before handing it to a juror, and sanitizing it again before it is passed to the next juror, repeating this process until all jurors have made their inspection. If the object is not given to the jury for inspection until they begin deliberations, the presiding juror will be provided with the necessary tools for sanitation and directed to ensure that the object is sanitized between each juror's inspection.

4. The Courts of this District do not generally provide meals to juries other than during deliberations. When it is appropriate to provide meals, court staff will provide the jury with whatever options are determined appropriate by the judge. Jurors will be provided with menus or a list of choices from the selected vendor. Jurors will be allowed to make individual orders. The vendor will be instructed to package each juror's selection separately from all others. Court personnel will pick up the jurors' food orders and transport them to the jury room. While picking up, transporting and delivering juror food, court personnel will wear masks and gloves.
5. Depending upon the county in which a trial is held, the juries will deliberate in either the courtroom in which the trial is held, a separate courtroom which has been reserved for their use as a jury room for the entirety of the trial, or a large meeting room available in the courthouse and large enough to allow appropriate distancing. All of these options are appropriately ventilated. In all cases, court personnel will monitor the doors and hallways adjacent to the rooms to ensure confidentiality in juror deliberations. When necessary, the public and parties to the trial may be prohibited from entering portions of the courthouse which have been isolated for jury deliberations. When jurors move from the courtroom to jury deliberation areas and back, and are otherwise moved through court facilities by court staff, they will be required to wear masks and properly distance themselves. Management of the jury will likely require the Court to have more than one person serve in the role as bailiff during the trial. This will allow court staff to lead the jury from place to place, while other staff monitor the somewhat lengthy train of jurors.
6. Those summoned for jury duty will be asked to provide the COVID exposure information set out in Administrative 2020 PR 93, paragraph 13. The jury summons will include information on how jurors can report changes in their answers which might indicate the presence of the virus. When jurors report for the jury selection process, and for those selected to the jury for each day of the trial, they will be asked to complete a form with the COVID exposure questions, and will in addition, be checked with a temperature reading device. This portion of the reporting process will be accomplished in various ways, depending upon the location of the trial within the Eighth Judicial District. In some locations, temperature will be checked with court owned devices. In other locations, this process will utilize the assistance of the County Health Department. In all four counties, all parties reporting for jury service will be checked every day, and will further be advised who they can contact in the event they experience a change in their health during the course of their jury service.

The Court Administrator will establish specific procedures to implement the policy as set forth above in each county of the District, and will ensure that all court staff, attorneys, county and law enforcement personnel, are aware of the procedures.

7. In the event the presiding judge should learn that a juror or parties to the trial has become ill, either by their own report or reports of others, or that jurors or other parties to the trial have not complied with court safety protocol, the judge will immediately contact the county health officer for guidance, and then act as the judge deems appropriate, including but not limited to admonishing a party, dismissing a juror, placing limits on an individual's access to court proceedings if they are posing a health risk, or such other action as the judge seems appropriate.

The Court Administrator will consult with appropriate county health officials prior to the beginning of any jury trial. In addition to approving the health procedures and policies adopted by the Court in order to conduct the trial, the official will be asked to be "on stand-by" in the event the presiding judge should need health related guidance regarding a juror or court participant.

8. As a part of Jury Orientation in each case, the presiding judge will draw the prospective jurors' attention to the signage and information the Court has provided regarding safety procedures.

The judge will specifically address the cleaning procedures being employed by the Court. The judge will remind the panel of the need for physical distancing and frequent hand washing. They will also address the need to report symptoms of COVID-19 and how to do so.

9. All Courts of the District have multiple assisted hearing devices available for jurors, attorneys, and others associated with the case. These headphones pickup and amplify the sounds from the microphones located throughout the courtroom. An interpreter for a party or witness will be allowed to use this device, if necessary, to remain socially distant and still hear their client.

If sign language interpretation is needed, the Judges of the District will relax mask requirements to allow proper communication. Social distancing will remain in place.

10. If the social distancing required to conduct a jury trial makes it impossible to accommodate members of the public who may wish to watch the trial, YouTube or ZOOM will be used to allow public access.
11. All four counties of the District have rooms where attorneys and clients can visit privately. During jury trials, those spaces will be reserved for the use of the parties in the case. At the beginning of each trial, the Court will inform counsel for the Plaintiff/State and Defendant which space is assigned to them. If during the trial it is necessary for an attorney and client to visit privately, the Court will direct the requesting party to utilize "their" room. They will be advised to practice social distancing during the conversation. These rooms will be sanitized before and after use in the same fashion as described herein for other court spaces.

ATTACHMENT A

CourtCounty County District Court

Dear Prospective Juror,

We find ourselves living in extraordinary times due to the COVID-19 virus. Each of us has been affected in some way by this pandemic. There are many efforts underway within our court system, both locally and statewide. We have purposely implemented these efforts in an attempt to slow the spread of the COVID-19 virus. When you report for jury duty, you will notice significant changes in the daily operation of court functions. As demonstrated in this short video on the Kansas Judicial Branch website [Ad Hoc Jury Task Force page](#), your health and safety are our priority.

What we're doing to protect you:

- **Cleaning and sanitizing**
- **Physical distancing**
- **Symptom screening**
- **Requiring masks and providing hand sanitizer**

What we need you to do:

- **Wash your hands**
- **Wear a mask**
- **Tell us if you are sick**
- **Tell us if you are at high risk**

Certain health conditions, as well as contact with or travel to certain geographical areas, may result in the need to excuse or defer your jury services. Questions about the process and requests for excusals and/or deferrals should be directed to NeedPrompt Jury Clerk Name EndPrompt. Given the constant changes in health guidelines, there is a possibility your date to report for jury duty may change. **The evening before the jury trial, please call the jury trial recording phone line at NeedPrompt Jury Clerk Phone Number EndPrompt after 5:00 p.m.** The recorded message will inform you whether the trial is still proceeding and indicate whether you need to appear. If there is no answer or message, you should appear for jury duty as ordered.

We appreciate your participation in this important process and commend you for upholding your civic duty of jury service in these challenging times.

Thank you and stay safe,

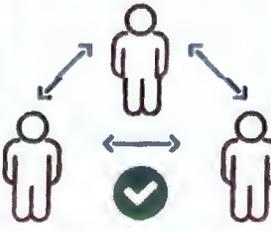
NeedPrompt Jury Clerk Name EndPrompt
Jury Clerk



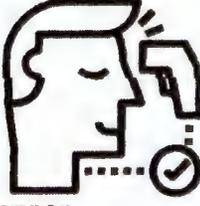
What we're doing to protect you:



Cleaning and sanitizing



Physical distancing



Symptom screening



Masks and hand sanitizer

What we need you to do:



Wash your hands



Wear a mask



Tell us if you are sick



Tell us if you are high risk

How to reach us:

Together, we're protecting justice!

Juror Name: _____

ATTACHMENT B

ADDITIONAL JUROR QUESTIONNAIRE REGARDING COVID-19

The following questions will assist the court to determine your eligibility as a prospective juror within the next four to six weeks. Kansas Supreme Court Rule 167 provides that juror questionnaires are not public records and are not subject to disclosure under the Kansas Open Records Act.

Please answer the following questions and return to the court within one week.

Please contact the jury coordinator immediately where any answers to the following questions change at **[jury e-mail]** or **[jury clerk's phone]**.

1. Have you been exposed to COVID-19?

YES NO

If yes, approximate date of exposure:

2. Have you tested positive for COVID-19?

YES NO

If yes, approximate date of exposure:

3. Are you currently experiencing any symptoms of COVID-19 (including fever, cough, sore throat, respiratory illness, or difficulty breathing) and been told to quarantine?

YES NO

If yes, what date were you instructed to quarantine?

4. Are you an employee who has been laid off due to COVID-19 and have recently returned to work?

YES NO

If yes, where are you employed, how long were you laid off, and when did you return to work?

5. Are you over age 60, or a person of any age with an underlying medical condition that puts you at a higher risk of developing serious health complications from COVID-19?

YES NO

If yes, please explain:

Juror Name: _____

6. Do you live with or provide direct care for a vulnerable person?

YES NO

If yes, please explain:

7. Do you have children at home who require your direct supervision due to school and/or daycare closings? Note: Only answer YES if there is NO ONE else in the household who can provide care during your jury service.

YES NO

If yes, please explain:

8. Have you done any of the following in the last 14-days:

a. Traveled internationally: YES NO
Location(s): _____

b. Traveled outside of Kansas: YES NO
Location(s): _____

c. Traveled on a river boat or cruise ship: YES NO
Location(s): _____

If you answer “yes” to any of the above questions, your jury service may be deferred. You will receive written confirmation of the court’s determination by electronic or postal mail. Jurors who are deferred will receive a new summons later this year or in early 2021.

Pursuant to Supreme Court Administrative Order 2020-PR-90, a face mask or face covering is required to be worn by everyone in the courtrooms, court offices, and common areas. A mask will be provided by the court if you do not have your own.

If your condition changes prior to your court appearance date, contact us by calling _____, or emailing _____.

I SWEAR OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE ABOVE STATEMENTS, REPRESENTATIONS, AND ANSWERS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNATURE OF JUROR

JUROR NAME

ATTACHMENT C

PART I: GEARY COUNTY PLAN

1. A person summoned for jury duty will enter the courthouse and go through the standard security precautions. All persons entering the courthouse are required to wear a mask. Masks will be available if any potential jurors do not have one. Once they have passed the security checkpoint, they will be directed to the third floor where Courtrooms II and III are located. Those wishing to use the elevator will be encouraged to limit the number of persons boarding the elevator. Hand sanitizer will be available outside of all elevator doors with signage encouraging its use. Those wishing to use the stairs will ascend the stairway indicating it is for those going up. Once they are on a higher floor, they may leave using a separate stairway marked for those going down.
2. Once potential jurors reach the third floor, they will be met by court personnel who will check them in, conduct the COVID-19 screening, if it has not already been done at the security station, and seat them in the courtroom in designated socially distance spots. Court personnel will also provide the potential jurors with an information sheet containing their name and jury number. The sheet will also provide a phone number and instructions to call this number if they have any questions about their jury service or their health. They will also have the option of contacting the bailiff, who will be introduced before voir dire.
3. The first day of every jury trial will start at 9:00 a.m. The first day of each trial will be devoted to voir dire. Jurors will be called at 60-minute intervals. The jury summons sent by the Court will instruct 10 jurors to appear at 9:00 a.m., and a like number at 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m., 3:00 p.m., and 4:00 p.m. Before all groups have appeared, if sufficient jurors have been passed for cause to allow the parties to proceed to exercise peremptory challenges, persons appearing for the later call times will be dismissed when they check in. Judges will have the discretion to increase the length of all times but should do so sparingly. For example, a two-week murder trial might necessitate voir dire taking two days, with 90 minutes between each group of potential jurors. In normal circumstances, the Court will limit each side to 15 minutes of voir dire per 10-person panel.

As jury panels are questioned, it is possible the Court might fall behind its schedule, or persons appearing for a later time may arrive early. Those arriving for jury duty early will be met by court personnel to check them in. Once they have completed this process, they will be directed to designated seating on the second and third floors of the courthouse, which will be spaced to allow social distancing. If this seating is filled, the jurors will be advised they must wait outside the building or in their car and return at their designated time.

Alternate jurors will be selected for all jury trials conducted under the provisions of this plan. The number selected will depend upon the anticipated length of the trial and jury size. A six-person misdemeanor trial likely to have one day of evidence, might only need one alternate juror. A twelve-person felony jury will require two or more alternates.

4. As persons are excused from the jury panel, they will be directed to leave the courthouse and will be required to wear a mask while doing so.

5. Between each panel, the court staff and county custodians will clean common surfaces, including benches and the jury box. Electrostatic handheld sprayers containing disinfectant solution will be utilized along with paper towels and Lysol, or similar disinfectant spray.
6. The District is in the process of having three-sided plexiglass shields set up to provide individual "compartments" within the west side of the gallery. If this is accepted by the Supreme Court as a substitute for a six-foot separation, voir dire will be conducted with the potential jurors sitting within the protective shielding in the west side gallery. If a plexiglass barrier is not considered acceptable, voir dire will be conducted with some jurors in the jury box and others in the gallery using assigned seats, six feet apart. The process will take place in Courtroom II, utilizing the west side gallery and jury box. Challenges for cause will be made as normal. Once a sufficient number of potential jurors have been passed for cause, peremptory challenges will be exercised.
7. The information sheet given to those appearing for jury duty when they first check in, will advise them that the list of those needing to report for duty the following day, will be posted on the Eighth Judicial District website, at a specific time listed on the sheet. They will also be given the address of the District website. In addition, they will be advised that court personnel will either call or text them at the phone number they have listed on their jury questionnaire, or any other number they might want to provide. They will receive a text or phone call at approximately the same time at which the information is posted on the District website. The information sheet will also make the parties aware it is their obligation to check the website, even if they do not believe they received a text. If their juror number is on the website, they will be expected to appear for jury duty the next day.
8. The process to re-enter the courthouse will be the same on the second day, and all subsequent days, as it was on the first day. Jurors will enter the court area in the same fashion. Court personnel will meet them, do a health check, and escort them to Courtroom III, which will serve as a jury room where they may wait until called into court. After jurors exit Courtroom III, court staff will sanitize that room. Jurors will hear the case from the west side gallery and jury box (unless the plexiglass shielding is in place and approved by the Supreme Court). Counsel will use the podium to speak to the jury and the podium will be set up in the courtroom so that it faces both those in the jury box and those in the gallery. It will also be sufficient distance so there is no health threat to the jurors.
9. Unless permitted by the presiding judge, all jurors and persons in the courtroom must wear masks. The Court will provide masks for those who do not have them.
10. Jurors will leave and enter the courtroom utilizing the west door to the hallway. Maintaining social distance, jurors will proceed to Courtroom III where they will deliberate.
11. When there is jury a trial in session, the only courtroom where in-person hearings can occur, is Courtroom I. Other judges may still utilize Courtroom IV, but because Courtroom IV is on the same floor as Courtrooms II and III, the only hearings allowed in Courtroom IV, when a jury trial is in session, are remote hearings.
12. If attorneys need to consult with the Court outside the presence of the jury, the jurors will leave Courtroom II and go to Courtroom III. If attorneys feel there is a need for private conversation with the judge, the jury may be removed to Courtroom III or the attorneys, judge and court reporter may exit to the jury room immediately behind Courtroom III. If this procedure is utilized, all parties will wear masks,

even if the presiding judge has permitted masks to be removed in the courtroom. The Court will not permit attorneys to approach the bench for sidebars.

13. To the extent possible, litigants will utilize digital evidence. The litigants will provide a thumb drive to the Court with the exhibits on the thumb drive. The Court will have a computer in the courtroom with the exhibits loaded. The thumb drive will have all possible exhibits on them. After the presentation of evidence, but before deliberation, the Court, with the assistance of counsel, will on the record, examine each thumb drive and delete those exhibits which were not admitted. Only admitted exhibits will go to the jury on a thumb drive.
14. If a litigant cannot provide a digital copy of their evidence, for example, alleged contraband, then all members of the Court, to include jurors, who handle the exhibit, must do so with gloves. The Court will provide gloves for the use of the jurors when deliberating.
15. The public women's restroom located outside Courtroom III will be converted to a unisex restroom when a jury trial is in session. Inside the restroom the Court will provide cleaning wipes for the jurors use in wiping down the toilets and sink handles, before and after use of the facility. Toilet seat liners will be provided. The Court will have a sign in the restroom encouraging use of the wipes and asking that the wipes be placed in the trash can (and not to flush them down the toilet).
16. During jury deliberation, the entire second floor will be closed to everyone except bailiffs and any judge or judge's assistant who is involved in conducting court in Courtroom IV. Again, only remote hearings are allowed in Courtroom IV so the only persons who will be in Courtroom IV are the judge and judges assistant.
17. If during deliberation the jurors need to consult with the Court on the record (for example, a jury question), the Court will instruct the bailiff to tell the jury to halt deliberations. The court personnel, judge, and parties to the action, will then go to Courtroom II. When the jury is brought in to Courtroom II to deal with the jury question or other issue, the process will be the same as it has been as the jury entered and left the courtroom and jury room throughout the trial.
18. During jury deliberation, the prosecution "team" will be given use of the judicial conference room located on the second floor. The defense "team" will be given use of the jury waiting room located across the hall on the second floor. Both rooms are of sufficient size to allow social distancing for several people. Each room will have masks, along with cleaning materials, available for use by the attorneys and parties. In addition, both rooms will be fogged before court each day, during the lunch break, and after the Court recesses for the day.

ATTACHMENT C

PART II: DICKINSON COUNTY PLAN

Dickinson County Courthouse

1. A person summoned for jury duty will enter the courthouse and go through the standard security precautions. All persons entering the courthouse are required to wear a mask. Masks will be available if any potential jurors do not have one. Once they have passed the security checkpoint, they will be directed to where District Court offices and courtrooms are located. Those wishing to use the elevator will be encouraged to limit the number of persons boarding the elevator. Hand sanitizer will be available outside of all elevator doors with signage encouraging its use. Signs will be posted encouraging those who wish to use the stairs to maintain social distancing while doing so.
2. Once potential jurors reach the court floor, they will be met by court personnel who will check them in, conduct the COVID-19 screening, if it has not already been done at the security station, and seat them in the courtroom in designated socially distant spots. Court personnel will also provide the potential jurors with an information sheet containing their name and jury number. The sheet will also provide a phone number and instructions to call this number if they have any questions about their jury service or their health. They will also have the option of contacting the bailiff, who will be introduced before voir dire.
3. Dickinson Courtroom I has an extremely large gallery area. Utilizing the courtroom and parts of the gallery, court staff will mark 20 seats separated by at least six feet of distance (if the Dickinson County proposal for 20-person panels is not approved, a jury will be called in panels of 12).

The first day of every jury trial will start at 9:00 a.m. The first day of each trial will be devoted to voir dire. Jurors will be called at 60-minute intervals. The jury summons sent by the Court will instruct 20 jurors to appear at 9:00 a.m., and a like number at 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m., 3:00 p.m., and 4:00 p.m. Before all groups have appeared, if sufficient jurors have been passed for cause to allow the parties to proceed to exercise peremptory challenges, persons appearing for the later call times will be dismissed when they check in. Judges will have the discretion to increase the length of all times but should do so sparingly. For example, a two-week murder trial might necessitate voir dire taking two days, with 90 minutes between each group of potential jurors. In normal circumstances, the Court will limit each side to 15 minutes of voir dire per 20-person panel.

As jury panels are questioned, it is possible the Court might fall behind its schedule, or persons appearing for a later time may arrive early. Those arriving for jury duty early will be met by court personnel to check them in. Once they have completed this process, they will be directed to designated seating in the court hallways and other areas of the courthouse, which will be spaced to allow social distancing. If this seating is filled, the jurors will be advised they must wait outside the building or in their car and return at their designated time.

Alternate jurors will be selected for all jury trials conducted under the provisions of this plan. The number selected will depend upon the anticipated length of the trial and jury size. A six-person misdemeanor trial likely to have one day of evidence, might only need one alternate juror. A twelve-person felony jury will require two or more alternates.

4. As persons are excused from the jury panel, they will be directed to leave the courthouse and will be required to wear a mask while doing so.
5. Between each panel, the court staff and county custodians will clean common surfaces, including benches and the jury box. Electrostatic handheld sprayers containing disinfectant solution will be utilized along with paper towels and Lysol, or similar disinfectant spray.
6. Voir Dire will be conducted with some jurors in the jury box and others in the gallery in assigned seats, six feet apart. Jurors will be placed six feet apart and wearing masks. The process will take place in the courtroom. The challenges for cause will be made as normal. Once a sufficient number of jurors have been passed for cause, peremptory challenges will be exercised.
7. The information sheet given to those appearing for jury duty when they first check in, will advise them that the list of those needing to report for duty the following day, will be posted on the Eighth Judicial District website, at a specific time listed on the sheet. They will also be given the address of the District website. In addition, they will be advised that court personnel will either call or text them at the phone number they have listed on their jury questionnaire, or any other number they might want to provide. They will receive the call or text at approximately the same time at which the information is posted on the District website. The information sheet will also make the parties aware it is their obligation to check the website, even if they do not believe they received a text. If their juror number is on the website, they will be expected to appear for jury duty the next day.
8. The process to re-enter the courthouse will be the same on second, and all subsequent days, as it was on the first. Jurors will enter the court area in the same fashion. Court personnel will meet them, conduct a health check, and escort them to the courtroom where they will be seated in designated chairs and in the jury box and gallery until court begins. Counsel will use the podium to speak to the jury, and the podium will be set up in the courtroom so that it faces both those in the jury box and the gallery. There will also be a sufficient distance so there is no health threat to the jurors.
9. Unless permitted by the presiding judge, all jurors and persons in the courtroom must wear masks. The Court will provide masks for those who do not have them.
10. Jurors seated in the jury box and those seated in the gallery will be given specific direction by the presiding judge as to how they are to enter and leave the courtroom. They will be required to use appropriate social distancing and other persons will be required to remain seated until the jurors have entered or exited.
11. If attorneys need to consult with the Court outside the presence of the jury, the jurors will remain in the courtroom while the judge, attorneys, parties, and court reporter go to the jury room. If this procedure is utilized, all parties in the jury room will wear masks, even if the presiding judge has permitted masks to be removed in the courtroom. The Court will not permit attorneys to approach the bench for sidebars.
12. To the extent possible, litigants will utilize digital evidence. The litigants will provide a thumb drive to the Court with the exhibits on the thumb drive. The Court will have a computer in the courtroom with the exhibits loaded. The thumb drive will have all possible exhibits on them. After the presentation of evidence, but before deliberation, the Court, with the assistance of counsel, will on the record, examine each thumb drive and delete those exhibits which were not admitted. Only admitted exhibits will go to the jury on a thumb drive.

13. If a litigant cannot provide a digital copy of their evidence, for example, alleged contraband, then all members of the Court, to include jurors, who handle the exhibit, must do so with gloves. The Court will provide gloves for the use of the jurors when deliberating.
14. The public restroom located immediately outside the jury room will be reserved for use by the jury. The public will be directed to utilize restrooms on other floors of the courthouse. Inside the restroom designated for use by the jury, the Court will provide cleaning wipes for use in wiping down the toilets and sink handles before and after use of the facility. The Court will have signs in the restrooms encouraging use of the wipes and asking that the wipes be placed in the trash can (and not to flush them down the toilet).
15. When deliberating, the jury will remain in the courtroom so that they may socially distance. Court personnel will monitor the doors to the courtroom to ensure no one is eavesdropping on the jury deliberations. Attorneys, parties to the trial and members of the public will not be allowed to linger near the doors to the courtroom while the jury is in deliberation.
16. If during deliberations, the jurors need to consult with the Court on the record (for example, a jury question), the Court will instruct the bailiff to tell the jury to halt deliberations and return to their assigned seats. The judge, other court personnel and parties to the action will then enter the courtroom. Prior to leaving the courtroom, the attorneys will be instructed to utilize court supplied cleaning products to clean the areas where they and other persons associated with their case have been sitting.

Temporary Court Facility

17. In January, 2021, all Dickinson County court staff and facilities will move to a temporary location while the courthouse is remodeled. When that move occurs, jury trials will be conducted in a smaller space.

Jurors will enter the temporary court facility through a single front door. They will be subject to the same security checks referenced in paragraph 1. Court staff will meet them and conduct the same health checks and provide the jurors the same information as set forth previously. Jurors will be called in panels of 12 on the same, or a slightly altered schedule as set forth hereinabove.

All procedures regarding cleaning and the conduct of court will remain the same as set forth previously, except the Court will utilize 14 self-contained plastic protective pods for use by the members of the jury and two alternates. These pods can be totally encapsulating. It is anticipated the Court will allow the jurors to keep the front entry port unzipped and open. Since the pods will provide coverage on three sides, as well as across the top and partly down the front, it is our intent to not require the jurors to wear masks while inside the pods.

The pods will be situated at least three feet apart in a single line. If the space available in the courtroom does not accommodate 14 pods spaced three feet apart in a single line, the jurors will be divided into two lines of seven, one on each side of the courtroom. By aligning the pods in this fashion, jurors will be protected from sneezing, coughing, and the like, as they will have no one behind them.

18. Men's and women's restrooms are available off the lobby of the temporary court location. During jury trials, the women's restroom will be converted to a unisex restroom for use of the jurors. Inside the

restroom, the court will provide cleaning wipes for jurors use in wiping down the toilets and sink handles, before and after use of the facility. The court will have a sign in the restroom encouraging use of the wipes and asking that the wipes be placed in the trash can (and not to flush them down the toilet). The men's restroom and handicapped accessible restroom in the facility will be converted to unisex public use during the trial and cleaning materials will be available as set forth previously.

When deliberating, the jury will remain in the courtroom so they may socially distance. Court personnel will monitor the doors of the courtroom to ensure no one is eavesdropping on jury deliberations. All other components of the "Dickinson County Plan" as set forth in paragraphs 1 through 16 above will be implemented.

ATTACHMENT C

PART III: MARION COUNTY PLAN

1. When entering the Marion County courthouse, persons summoned for jury duty will be met with signs advising that masks are required on the third floor where District Court offices are located. Signs will also advise that masks are available if any potential jurors do not have one. Signs will be posted outside the elevator encouraging potential jurors to limit the number of persons boarding at any one time. Hand sanitizer will be available outside of all elevator doors with signage encouraging its use. Those wishing to use the stairs will ascend the stairway indicating it is for those going up. Once they are on the third floor, and wish to leave, they will use a separate stairway marked for those going down.
2. Once potential jurors reach the third floor, they will be met by court personnel who will check them in, conduct the COVID-19 screening, and seat them in the courtroom in designated spots. Court personnel will also provide the potential jurors with an information sheet containing their name and jury number. The sheet will also provide a phone number and instructions to call this number if they have any questions about their jury service or their health. They will also have the option of contacting the bailiff, who will be introduced before voir dire.
3. The first day of every jury trial will start at 9:00 a.m. The first day of each trial will be devoted to voir dire. Jurors will be called at 45-minute intervals. The jury summons sent by the Court will instruct 12 jurors to appear at 9:00 a.m., and a like number at 9:45 a.m., 10:30 a.m., 11:15 a.m., 1:00 p.m., 1:45 p.m., 2:30 p.m., 3:15 p.m., 4:00 p.m. Before all the groups have appeared, if sufficient jurors have been passed for cause to allow the parties to proceed to exercise peremptory challenges, persons appearing for the later call times will be dismissed when they check in. Judges will have the discretion to increase the length of all times but should do so sparingly. For example, a two-week murder trial might necessitate voir dire taking two days, with 90 minutes between each group of potential jurors. In normal circumstances, the Court will limit each side to 15 minutes of voir dire per 12-person panel.

As jury panels are questioned, it is possible the Court might fall behind its schedule, or persons appearing for a later time may arrive early. Those arriving for jury duty early will be met by court personnel to check them in. Once they have completed this process, they will be directed to designated seating on the second and third floors of the courthouse, which will be spaced to allow social distancing. If this seating is filled, the jurors will be advised they must wait outside the building or in their car and return at their designated time.

Alternate jurors will be selected for all jury trials conducted under the provisions of this plan. The number selected will depend upon the anticipated length of the trial and jury size. A six-person misdemeanor trial likely to have one day of evidence, might only need one alternate juror. A twelve-person felony jury will require two or more alternates.

4. As persons are excused from the jury panel, they will be directed to leave the courthouse and will be required to wear a mask while doing so.
5. Between each panel, the court staff and county custodians will clean common surfaces, including benches and the jury box. Electrostatic handheld sprayers containing disinfectant solution will be utilized along with paper towels and Lysol, or similar disinfectant spray.

6. The District is in the process of having three-sided plexiglass shields set up to provide individual compartments within the jury box. If this is accepted by the Supreme Court as a substitute for a six-foot separation, voir dire will be conducted with the potential jurors in the jury box. If a plexiglass barrier is not considered acceptable, voir dire will be conducted with some jurors in the jury box, and others in the gallery using assigned seats, six feet apart. The process will take place in the courtroom, utilizing the jury box, east and middle sections of the gallery using assigned seats, six feet apart. Challenges for cause will be made as normal. Once a sufficient number of jurors have been passed for cause, peremptory challenges will be exercised.
7. The information sheet given to those appearing for jury duty when they first check in, will advise them that the list of those needing to report for duty the following day, will be posted on the Eighth Judicial District website, at a specific time listed on the sheet. They will also be given the address of the District website. In addition, they will be advised that court personnel will text them at the phone number they have listed on their jury questionnaire, or any other number they might want to provide. They will receive the text at approximately the same time at which the information is posted on the District website. The information sheet will also make the parties aware it is their obligation to check the website, even if they do not believe they received a text. If their juror number is on the website, they will be expected to appear for jury duty the next day.
8. The process to re-enter the courthouse will be the same on the second, and all subsequent days, as it was on the first. Jurors will ascend to the court area in the same fashion. Court personnel will meet them, conduct a health check, and escort them to the courtroom where they will be seated until court begins. If plexiglass shielding is in place and approved by the Supreme Court, the jurors will be seated in the jury box. Otherwise, they will be seated in designated chairs in the jury box and gallery. Counsel will use the podium to speak to the jury, and the podium will be set up in the courtroom so that it faces both those in the jury box and those in the gallery. There will also be a sufficient distance so there is no health threat to the jurors.
9. Unless permitted by the presiding judge, all jurors and persons in the courtroom must wear masks. The Court will provide masks for those who do not have them.
10. If plexiglass shielding is in place and being utilized, jurors will enter and leave the courtroom utilizing the west door to the hallway. They will be reminded to maintain social distancing. If plexiglass shielding is not in place or not allowed, jurors seated in the gallery will enter and leave the courtroom utilizing the northeast door to the hallway. Jurors seated in the jury box will enter and leave the courtroom utilizing the west door to the hallway.
11. If attorneys need to consult with the Court outside the presence of the jury, the jurors will remain in the courtroom while the judge, attorneys, parties, and court reporter go to the jury room. If this procedure is utilized, all parties in the jury room will wear masks, even if the presiding judge has permitted masks to be removed in the courtroom. The Court will not permit attorneys to approach the bench for sidebars.
12. To the extent possible, litigants will utilize digital evidence. The litigants will provide a thumb drive to the Court with the exhibits on the thumb drive. The Court will have a computer in the courtroom with the exhibits loaded. The thumb drive will have all possible exhibits on them. After the presentation of evidence, but before deliberation, the Court, with the assistance of counsel, will on the record, examine

each thumb drive and delete those exhibits which were not admitted. Only admitted exhibits will go to the jury on a thumb drive.

13. If a litigant cannot provide a digital copy of their evidence, for example, alleged contraband, then all members of the Court, to include jurors, who handle the exhibit, must do so with gloves. The Court will provide gloves for the use of the jurors when deliberating.
14. The public restroom located immediately outside the jury room and the restroom inside the jury room, will be reserved for use by the jury and court personnel. The public will be directed to utilize restrooms on the second and first floors of the courthouse. Inside the restrooms designated for use by the jury, the Court will provide cleaning wipes for use in wiping down the toilets and sink handles before and after use of the facility. The Court will have signs in the restrooms encouraging use of the wipes and asking that the wipes be placed in the trash can (and not to flush them down the toilet).
15. When deliberating, the jury will remain in the courtroom so that they may socially distance. Court personnel will monitor the doors to the courtroom to ensure no one is eavesdropping on the jury deliberations. Prosecutors will be instructed to await the jury's decision in their office, or such other locations of the courthouse as they may wish. Defense counsel and defendants will be instructed to utilize one of the two conference rooms available on the third floor. Cleaning materials will be made available in both conference rooms. Rooms utilized by the parties during the trial, including during deliberations, will be cleaned by county staff, in addition to being fogged at the end of each day by court personnel.
16. If during deliberations, the jurors need to consult with the Court on the record (for example, a jury question), the Court will instruct the bailiff to tell the jury to halt deliberations and return to their assigned seats, either in the jury box if plexiglass shielding is in place and permitted, or within the jury box and gallery as assigned for social distancing. The court personnel, judge, and parties to the action, will then enter the courtroom. Prior to leaving the courtroom, the attorneys will be instructed to utilize court supplied cleaning products to clean the areas where they and other persons associated with their case have been setting.

ATTACHMENT C

PART IV: MORRIS COUNTY PLAN

1. When entering the Morris County Courthouse, persons summoned for jury duty will be met with signs advising that masks are required on the west end of the ground floor where District Court offices are located. Signs will also advise that masks are available if any potential jurors do not have one. Those entering the building through the lower level will see similar signs regarding the mask requirement. Signs will be posted outside the elevator on the lower level, encouraging jurors to limit the number of persons boarding at any one time. Hand sanitizer will be available outside of all elevator doors with signage encouraging its use. Signs will be posted so that those wishing to use the stairs will be encouraged to maintain social distancing while doing so.
2. Once potential jurors reach the lobby area in the center of the courthouse, they will be met by court personnel who will check them in, conduct a COVID-19 screening, and seat them in the courtroom in designated spots. Court personnel will also provide the potential jurors with an information sheet containing their name and juror number. The sheet will also provide a phone number and instructions to call this number if they have any questions about their jury service or health. They will also have the option of contacting the bailiff, who will be introduced before voir dire.
3. The first day of every jury trial will start at 9:00 a.m. The first day of each trial will be devoted to voir dire. Jurors will be called at 45-minute intervals. The jury summons sent by the Court will instruct 12 jurors to appear at 9:00 a.m., and a like number at 9:45 a.m., 10:30 a.m., 11:15 a.m., 1:00 p.m., 1:45 p.m., 2:30 p.m., 3:15 p.m., 4:00 p.m. Before all the groups have appeared, if sufficient jurors have been passed for cause to allow the parties to proceed to exercise peremptory challenges, persons appearing for the later call times will be dismissed when they check in. Judges will have the discretion to increase the length of all times but should do so sparingly. For example, a two-week murder trial might necessitate voir dire taking two days, with 90 minutes between each group of potential jurors. In normal circumstances, the Court will limit each side to 15 minutes of voir dire per 12-person panel.

As jury panels are questioned, it is possible the Court might fall behind its schedule, or persons appearing for a later time may arrive early. Those arriving for jury duty early will be met by court personnel to check them in. Once they have completed this process, they will be directed to the meeting room on the lowest level of the courthouse, which will be spaced to allow social distancing. If this seating is filled, the jurors will be advised they must wait outside the building or in their car and return at their designated time.

Alternate jurors will be selected for all jury trials conducted under the provisions of this plan. The number selected will depend upon the anticipated length of the trial and jury size. A six-person misdemeanor trial likely to have one day of evidence, might only need one alternate juror. A twelve-person felony jury will require two or more alternates.

4. As persons are excused from the jury panel, they will be directed to leave the courthouse and will be required to wear a mask while doing so.
5. Between each panel, the court staff and county custodians will clean common surfaces, including benches and the jury box. Electrostatic handheld sprayers containing disinfectant solution will be utilized along with paper towels and Lysol, or similar disinfectant spray.

6. Voir Dire will be conducted with some jurors in the jury box and others in the gallery. The process will take place in the courtroom utilizing the jury box and south section of the gallery with jurors in assigned seats, six feet apart. Challenges for cause will be made as normal. Once a sufficient number of jurors have been passed for cause, peremptory challenges will be exercised.
7. The information sheet given to those appearing for jury duty when they first check in, will advise them that the list of those needing to report for duty the following day, will be posted on the Eighth Judicial District website, at a specific time listed on the sheet. They will also be given the address of the District website. In addition, they will be advised that court personnel will text them at the phone number they have listed on their jury questionnaire, or any other number they might want to provide. They will receive the text at approximately the same time at which the information is posted on the District website. The information sheet will also make the parties aware it is their obligation to check the website, even if they do not believe they received a text. If their juror number is on the website, they will be expected to appear for jury duty the next day.
8. When those summoned to be part of the jury arrive at the courthouse on the second day of the trial, and all subsequent days, they will be directed to go to the meeting room on the lower level. Court personnel will meet them in the lower level lobby, conduct a health check, and escort them to the meeting room, which will serve as a jury room, where they may wait until called into court. After jurors exit the meeting room, court staff will sanitize that room. Jurors will hear the case from the jury box and south side gallery. Counsel will use the podium to speak to the jury and the podium will be set up in the courtroom so that it faces both those in the jury box and those in the gallery. It will also be sufficiently distanced so there is no health threat to the jurors.
9. Unless permitted by the presiding judge, all jurors and persons in the courtroom must wear masks. The Court will provide masks for those persons who do not have them.
10. Jurors assigned to sit in the gallery will enter and exit the courtroom through the main doors on the east side of the courtroom. Jurors designated to sit in the jury box will enter and exit the courtroom through the door in the hallway on the south wall of the courtroom.
11. If attorneys need to consult with the Court outside the presence of the jury, the jurors will leave the courtroom and go to the county meeting room. If the attorneys feel there is a need for private conversation with the judge, the jury may be removed to the meeting room, or the attorneys, judge and court reporter may exit to the jury room located off the hallway south of the courtroom. If this procedure is utilized, all parties will wear masks even if the presiding judge has permitted masks to be removed in the courtroom. The Court will not permit attorneys to approach the bench for side bars.
12. To the extent possible, litigants will utilize digital evidence. The litigants will provide a thumb drive to the Court with the exhibits on the thumb drive. The Court will have a computer in the courtroom with the exhibits loaded. The thumb drive will have all possible exhibits on them. After the presentation of evidence, but before deliberation, the Court, with the assistance of counsel, will on the record, examine each thumb drive and delete those exhibits which were not admitted. Only admitted exhibits will go to the jury on a thumb drive.

13. If a litigant cannot provide a digital copy of their evidence, for example, alleged contraband, then all members of the Court, to include jurors, who handle the exhibit, must do so with gloves. The Court will provide gloves for the use of the jurors when deliberating.
14. The traditional jury room located near the courtroom has separate restrooms for men and women. The meeting room which will be used as a jury room during the pandemic, is located on the floor below. During deliberations, any jurors needing to use the restroom will advise the bailiff. Jurors will be required to maintain social distancing during the short walk to the restrooms. Inside each restroom the court will provide cleaning wipes for the jurors use in wiping down the toilets and sink handles before and after use of the facility. The Court will have a sign in the restroom encouraging use of the wipes and asking that the wipes be placed in the trash can (and not to flush them down the toilet).
15. The Morris County meeting room is a large open room containing a sink and refrigerator. The Court will place tables and chairs in the room at least six feet apart. There will be no problem accommodating up to sixteen jurors and alternates in the room. When the jury is deliberating, court personnel will monitor the doors to the meeting room to ensure no one is eavesdropping. Prosecutors will be instructed to await the jurors' decision in their office or such other locations of the courthouse they may wish. Defense counsel and defendants will be instructed to utilize the county law library. Cleaning materials will be made available in both rooms. Rooms utilized by the parties during the trial, including during deliberations, will be cleaned by county staff, in addition to being fogged at the end of each day by court personnel.
16. If during deliberation the jurors need to consult with the Court on the record (for example, a jury question), the Court will instruct the bailiff to tell the jury to halt deliberations. The court personnel, judge, and parties to the action, will then go into the courtroom. If the jury is brought into the courtroom to deal with the jury question or other issue, the process of social distancing and cleaning will be utilized in the same fashion as it has been as the jury entered and left the courtroom and jury room throughout the trial.