

Covid-19 Operating Plan For Jury Trials

Judicial District: Seventh Judicial District

Courthouse: Townsend Justice Center

Address: 115 North Center Street, Casper, WY 82601

Judges: Judge Brown, Patchen, Christensen

Proposed Start Date of Jury

Trials: *September 1, 2020*

Pre-Courthouse Screening

Courts should take efforts to ensure that vulnerable populations are not compelled to come to the courthouse and to educate potential jurors on the precautions each courtroom is taking to protect jurors' health and safety.

The Court will send supplemental information in advance of trial. It is important to have this information sent early to allow response time to pre-screen potential jurors with health conditions and/or concerns that may be addressed prior to trial or may allow for the potential juror being excused prior to the start of the trial.

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Health (Screening) The Court will conduct health screenings when jurors arrive at the courthouse. The screening will consist of:

Court screening personnel will take and record the temperature of all potential jurors before entering the courtroom.

Court personnel will provide a COVID-19 screening information sheet.

If a potential juror answers affirmative to any health screening question, the potential juror will not be admitted to the courtroom and will be asked to return to their vehicle and await further instructions from the Court.

The Court will remind jury panel members to notify the bailiff or the Court of any changes in their health condition.

Hygiene/Personal Protective Equipment (Screening)

The Court will remind each jury panel member to sanitize their hands before entering the courtroom. After hands are sanitized, court screening personnel will provide each jury panel member with a court provided face covering (mask or face screen) and gloves (if requested.)

Court and court screening personnel will instruct jury panel members how to put on, and take off, face coverings (i.e., masks or face screens) and gloves throughout the voir dire process. The Court will train court screening personnel on proper procedures for putting on/taking off PPE (masks and gloves).

Social Distancing Within the Courtroom

Once in the courtroom, the court will ensure social distancing, face coverings, or a combination of both. At a minimum, either social distancing or face coverings must be used.

The Court will only allow as many jury panel members in the courtroom as may maintain social distancing (minimum six feet apart) in the gallery. The Court has marked the courtroom with six feet spacing stickers and signs.

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Safety Precaution Information: The Court will post information on the county and supreme court websites and throughout the courthouse detailing the precautions taken by the Court.

Personal Protective Equipment (PPE), health screenings, and changes in facilities and operations can all help protect potential jurors and minimize the risk of exposure while at the courthouse. There are things within the courthouse/rooms that courts may need to adjust to help the facility protect jurors' health and safety.

When doors must be opened and closed, only bailiffs or court personnel, equipped with gloves and face coverings, will open and close doors.

□ VOIR DIRE

Voir dire poses special problems due to the number of people that will be congregating at the courthouse. In addition, voir dire is the first-time potential jurors will interact with court personnel so neither group may know what to expect.

Social Distancing – The gallery of the courtroom will be set up for seating six feet apart, that allows persons in the courtroom to socially distance.

When social distancing cannot be achieved (e.g., Defense Attorney talking privately to their client; potential juror walks past counsel's table, etc.) those participants will be encouraged to wear a mask.

Hygiene/Personal Protective Equipment in the Courtroom

Potential jurors shall wear masks while entering and leaving the courtroom. Jurors while at their seat may be provided with a face shield to wear instead of a mask for jury selection so the attorneys may better see the expressions and answers of potential jurors.

If it becomes necessary for a potential juror to address the Court, the Court will:

First, ask jury panel members to "speak up" and avoid use of a microphone to avoid another surface vector.

If it becomes necessary to use the microphone, the Court and bailiffs will instruct (and require) that each jury panel member wear a face covering when responding to questions during voir dire if using a microphone.

All persons entering and leaving the courtroom are reminded to sanitize their hands each time they re-enter the courtroom.

Court/ courthouse staff will clean the courtroom between voir dire and trial.

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Private Voir Dire

Any panel member that requests to have a private voir dire will have their name recorded. After the panel of jury selection is completed, the Court will call jurors who request private voir dire back into the courtroom or in a separate room, one at a time to be examined by the parties.

Bailiffs may return all jury panel members to the assigned area after examination by the parties.

Calling the Jury

After jury selection, the Court will notify the remainder of the jury panel members that they are free to go about their business as they have not been selected to serve on this jury.

Seating the Jury

Once the Court has completed the jury selection process, the Court must determine how to safely seat the jury during trial. The Jurors will be socially distanced at least six feet and are encouraged to wear a mask or face shield throughout the trial. Each juror will have an assigned seat for the duration of the trial.

Jurors will be provided a clipboard with paper for notetaking throughout the trial. The jurors will take their clipboards with them throughout the trial to ensure that no one has access to the juror's materials.

Social Distancing

The Court may seat the Jury in the gallery maintaining social distancing and put plastic coverings on any microphones used by multiple individuals (i.e. witness and podium microphones). The plastic coverings will be changed periodically.

Recesses

If the jury room is not large enough to accommodate social distancing, the Court will utilize two jury rooms connected by a surface hub in each room for three (3) jurors to be able to deliberate with the other three (3) jurors in real time. This will allow all six (6) jurors to deliberate with each other in a socially distanced manner without access by anyone else. The Court will ensure that jury deliberations are not recorded.

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Conducting the Trial.

Hygiene

The Court will ensure that the courtroom is cleaned and disinfected with an EPA approved disinfectant following morning and afternoon session.

Exhibits & Documents

Although there is not much evidence supporting surface transmission of COVID-19. Still, the Court will use the following procedures for admitting and publishing documents and physical evidence.

Any person handling the exhibits during the trial must sanitize their hands.

If a party seeks to have an exhibit published, the party may use available technology to publish the exhibit. Each party is expected to bring a laptop that can join onto the display screens in the courtroom.

Sidebars

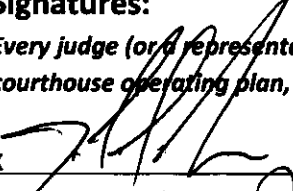
If an attorney wishes to have a sidebar conversation, the attorneys will if possible, utilize recently installed white noise to allow the attorneys to remain at their assigned tables and speak without the jury being able to hear the conversation. Otherwise, the attorneys will approach the bench, shall wear masks and maintain social distancing if possible.

Jury Deliberation

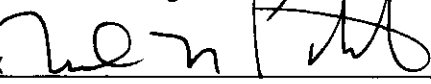
During jury deliberation, the jury will be instructed that they will be responsible for enforcing the Court's face covering and social distancing rules themselves. If any Juror has concerns about any of the jurors not following instructions, they may report those concerns to the Judge.

Signatures:

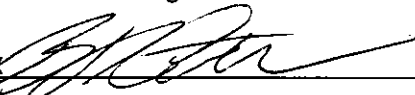
Every judge (or a representative if multiple judges) regularly conducting business in the courthouse must approve and sign the courthouse operating plan, as well the city or county health official.

X 

Circuit Court Judge

X 

Circuit Court Judge

X 

Circuit Court Judge

 AUG 26 2020
Date

 26 AUG 2020
Date

 8/26/20
Date

Eastin, Heather

From: Ruth Heald <rheald@cnchd.org>
Sent: Tuesday, August 25, 2020 10:34 AM
To: Eastin, Heather
Subject: Re: FW: COVID Jury Trial Plans

Hello Heather,
Sorry for the slow response, I had forwarded it to the Director for her review and I had not gotten back with her until this morning.

We do not have any concerns or recommendations regarding the plan as written. Please let me know if you have any further questions.

On Tue, Aug 18, 2020 at 10:49 AM Eastin, Heather <heastin@courts.state.wy.us> wrote:

Good Morning Ruth,

I was just wondering if you were able to look over the above Jury Plan yet?

Heather Eastin

Chief Clerk Natrona Circuit Court

115 N. Center Ste# 400

Casper, WY 82601

(307)235-9266

From: Eastin, Heather
Sent: Wednesday, August 12, 2020 11:36 AM
To: Ruth Heald <rheald@cnchd.org>
Subject: COVID Jury Trial Plans

Good Morning Ruth,

I am asking for your help again with a new Jury Trial plan for Natrona County Circuit Court, we really appreciate your input on the last COVID Courts Opening Outline. I have attached the COVID-19 Jury Plan that is required of the Circuit Court for conducting Jury Trials at the courthouse. Could you please review and attach any suggestions that you think the Circuit Court should add? The only signatures required for this plan are the judges. I will also attach the suggestions that you put with the original plan.

Heather Eastin

Chief Clerk Natrona Circuit Court

115 N. Center Ste# 400

Casper, WY 82601

(307)235-9266

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