

IN THE NINTH JUDICIAL DISTRICT COURT
AND
IN THE CIRCUIT COURT OF THE NINTH JUDICIAL DISTRICT
WITHIN AND FOR THE COUNTY OF SUBLETTE, STATE OF WYOMING

COVID- 19 OPERATING PLAN FOR JURY TRIALS

OBJECTIVE

The primary objective for the Sublette County District Court and the Sublette County Circuit Court in holding jury trials is, to the extent possible, promote and maintain the health and safety of the Public, Parties/ Litigants, Attorneys, Potential Jurors, Jurors, Witnesses, and Court personnel, while conducting Constitutional necessary, essential, and timely judicial functions.

PURPOSE

Due to the COVID-19 pandemic, much of our Nation and State have been brought to a standstill. It has affected nearly every aspect of all of our lives. This includes the Wyoming Court system -- especially jury trials. Generally, the Wyoming Supreme Court has recommended that no jury trials should be conducted unless an appropriate jury trial operating plan has been implemented, that current health conditions allow the trial to be done safely, and the Clerks of Courts can effectuate the appropriate confidentiality of juror health information. Therefore, the purpose of this plan is to help guard the health and safety of our community, while upholding the rights and privileges to a fair and impartial jury trial.

Although no person or government agency can guarantee that we will not be exposed to COVID-19, the court system can and will take all reasonable precautions for the safety of our communities, including all of those who serve on our juries and participate in the court system. Accordingly, this plan seeks to address what the Courts must do to reasonably address public safety while protecting the right and privilege to a jury trial. This plan is designed to impose safety considerations given the unique challenges faced by the District Court courtroom and other available rooms within the Sublette County Courthouse, including the Circuit Court courtroom and adjoining areas.¹

PROPOSED START DATE

If health and safety conditions in Sublette County permit, select in-person jury trials may begin sometime in May 2021.

¹ Because the Circuit Court courtroom is not large enough to accommodate any degree of social distancing, the Circuit Court will use the District Court courtroom and jury room or other areas in the Sublette County Courthouse for Circuit Court jury trials until such time as National, State, and Local health authorities determine that the COVID-19 Pandemic has been contained so as to permit a return to safe in-person operations. Accordingly, for the foreseeable future, all jury trials will be conducted in the District Court courtroom.

GENERALLY

1. District Court personnel, Circuit Court personnel, Clerk of the District Court personnel, Clerk of Circuit Court personnel, Court Security officers, counsel, parties, litigants, potential jurors, jurors, witnesses, and members of the public having business before the Courts and the Clerks' Offices must make all reasonable and necessary efforts to comply with the Orders and Guidance provided by the Wyoming Supreme Court; the Wyoming Department of Health; the Sublette County Public Health Department; and the United States Centers for Disease Control and Prevention.
2. This operating plan will be adjusted as necessary to address local health and safety concerns.
3. When setting and conducting jury trials, Court personnel will make reasonable efforts to mitigate the impact on vulnerable populations. Specifically,
 - a. Vulnerable individuals are those over age 65, and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, auto-immune disease, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy.
 - b. In any communications or Orders setting jury trials, there shall be some form of notification to individuals who are in vulnerable populations of that person's ability to contact the Court to receive reasonable accommodations, which the Court will endeavor to provide. Similar notices should be placed conspicuously.
4. Notices will be posted advising individuals experiencing COVID-19 related symptoms, or who have had recent exposure to an individual that has tested positive for COVID-19, not to enter the Court Security screening area. This notice should be posted in highly visible areas (*e.g.*, stairs and elevator ingress areas, Clerk's office door, and courtroom doors). The best way to prevent illness is to avoid being exposed to the virus.
5. The timing and duration of jury trials may deviate from traditional scheduling patterns to help accommodate for the changes set forth in this operating plan. The Circuit Court and the District Court are staggering the scheduling of jury trials. This guarantees that two jury trials will not occur at the same time. For reasons of adequate space and distancing for the jurors, each Court will use the other's courtroom (*e.g.*, for jury selection, jury breaks and meeting places, and for jury deliberations).
6. All Court personnel must comply with the current Operating Plan for District Court Personnel, which is incorporated herein by this reference. The Operating Plan for District Court Personnel is available for inspection or copying upon request, and it may be found on the Wyoming Judicial Branch website at <https://www.courts.state.wy.us/wp-content/uploads/2020/08/OPERATING-PLAN-FOR-DISTRICT-COURT->

[PERSONNEL-Sublette-7-2020.pdf](https://www.sublettewyo.com/DocumentCenter/View/3266/OPERATING-PLAN-FOR-DISTRICT-COURT-PERSONNEL-Sublette-7-2020) or on the Sublette County Official website at <https://www.sublettewyo.com/DocumentCenter/View/3266/OPERATING-PLAN-FOR-DISTRICT-COURT-PERSONNEL-Sublette-7-2020>

7. District Court Chambers will remain closed to the public/attorneys/parties/litigants/visitors except upon specific invitation or permission by Court personnel or Court Security officers.

ENTRY TO THE DISTRICT COURT COURTROOM – SCREENING & NOTICES – FOR EVERYONE

8. Anyone entering the District Court courtroom to attend court hearings or trials must enter through the Court Security screening area, and such person will be screened by Court Security prior to entry.

This includes, but is not limited to:

- a. Observation and questioning of those who enter to determine if they have any COVID-19 symptoms or have been in recent contact with anyone who is confirmed to have COVID-19. (See Attachment C). Anyone exhibiting the symptoms of COVID-19 or having recent contact with a confirmed case will not be allowed into the courtroom area beyond the Court Security screening area, and alternative arrangements will be made to address their needs.
- b. Court Security will have an infrared hand-held thermometer available to aid in determining the temperature of all individuals, and those with a temperature reading of 100 degrees Fahrenheit will not be allowed into the courtroom area beyond the Court Security screening area, and alternative arrangements will be made.
- c. Observation and questioning of those who enter the Court Security screening area will be regarding their status as a vulnerable individual, and they will be notified of their ability to make alternative arrangements to avoid having to enter the courtroom area beyond the Court Security screening area.
- d. Court Security will make reasonable efforts to maintain a log of those entering the Court Security screening area and the time they entered and left. (See Contract Tracing Log, attached hereto). This will be done in an effort to allow public health officials to conduct contact tracing if there is a positive COVID-19 case associated with a person entering the Court Security screening area or courtroom. **Providing any requested information needed for the log for purposes of contact tracing is mandatory.**

- e. Court Security will conduct standard Court Security screening procedures such as questioning, observation and use of magnetometer to prevent contraband, weapons, etc. from being brought into the courtroom area beyond the Court Security screening area. (See Court Security Order (02/11/2021), attached hereto).
 - f. No person shall bring any non-essential or prohibited personal items into the Court Security screening area unless specifically needed for court proceedings or as may be specifically approved by the Court Security officers or the presiding Judge. (See Court Security Order (02/11/2021), attached hereto). All such non-essential or prohibited personal items must be left in a vehicle or residence – such items will not be permitted in the courtroom or in the anteroom to the courtroom. Any personal items not specifically required for court proceedings, but which are approved by the Court Security officers which require storage outside of the anteroom to the courtroom or courtroom, may be placed in transparent bags or wrapping and secured as directed by the Court Security officers.
9. The Court Security screening area has available for, or for use to, the public: tissues, face coverings, hand sanitizer, wipes and/or cleaning supplies, gloves, and a non-contact temperature probe.
10. Notices will be conspicuously posted along and near the stairway and near or in the elevator located on the North side of the Courthouse, and in the Court Security screening area notifying all those intending to enter the courtroom area that they **must comply with the following social distancing and hygiene guidelines and protocols:**
- a. Those NOT from the same household **must maintain social distance – six feet apart.** Consistent with social distancing guidelines, public access to hearings and jury trials may be limited to counsel, parties or litigants, potential jurors, jurors, witnesses, and select members of the public. Those not permitted to attend in person may be allowed to attend via video/telephone conferencing.
 - b. **Must wear face coverings.**² Those persons participating in or attending a court hearing or a jury trial should bring their own face covering; however, the Court will have a limited supply of face coverings for those who are unable to obtain a face covering. In the event that a person is prevented or prohibited for legitimate reasons from wearing a face covering, he/she must contact the Court to receive reasonable accommodations, which the Court will endeavor to provide. There is a general exception for individuals who have a medical condition, mental health condition, or disability that

² As used in this Covid-19 Jury Trial Operating Plan, “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.

prevents wearing a face covering. The Court may, in the Judge's discretion, accommodate such general exceptions by requiring the use of a face shield. The Court may likely require witnesses not to wear face covering only while testifying at the trial; however, the Court may, in the Judge's discretion, require witnesses to use clear face shields in lieu of face coverings. The Court may, in the Judge's discretion, permit attorneys to use face shields for certain specified purposes during trial.

IF ANY PERSON REFUSES TO WEAR A FACE COVERING (WITHOUT HAVING FIRST CONTACTED THE COURT FOR ACCOMMODATION IN ADVANCE OF THEIR APPEARANCE AT THE COURT SECURITY SCREENING AREA), THEN COURT SECURITY OFFICERS MUST IMMEDIATELY NOTIFY THE PRESIDING JUDGE TO OBTAIN INSTRUCTIONS AS TO HOW TO PROCEED.

THE WILLFUL FAILURE OR REFUSAL TO WEAR A FACE COVERING WITHOUT A MEDICAL CONDITION, MENTAL HEALTH CONDITION, OR DISABILITY THAT PREVENTS THAT PERSON FROM WEARING A FACE COVERING MAY RESULT IN THE OFFENDER BEING FOUND IN DIRECT CONTEMPT OF COURT, AND SUCH PERSON MAY BE IMMEDIATELY SANCTIONED. (W.R.CR.P. 42(a)(1)(A)).

- c. **Must sanitize hands** before entering the courtroom. A sanitizer station will be provided outside of the courtroom. Sanitizer, wipes, and tissues will be available inside the courtroom.
 - d. **Must comply with all signs, markings and barriers** located throughout the Court Security screening area and at the entrance to the courtroom, which will help notify entrants where to sit and stand to help ensure social distancing regarding seating in the courtroom. The Court Security officers will oversee compliance with social distancing.
11. Notices will be conspicuously posted along and near the stairway and near or in the elevator located on the North side of the Courthouse, and in the Court Security screening area notifying all those intending to enter the courtroom area that if they are or feel sick, they should not enter the courtroom area, and alternative arrangements will made. Specifically,

ANYONE feeling feverish or having measured temperatures equal to or greater than 100 degrees Fahrenheit, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 within the last 14 days, will

NOT be permitted to enter the courtroom and should seek immediate medical advice.

12. Consistent with social distancing guidelines, public access to in-person court hearings or jury trials may be limited to counsel, parties, potential jurors, jurors, witnesses, and select members of the public. Those not permitted to attend in person may be allowed to attend via video/telephone conferencing.
13. Counsel, parties, potential jurors, jurors, and select members of the public will not be allowed into the courtroom area until permitted to do so by Court Security Officers and/or by the Court's or Clerk's staff.
14. Witnesses should wait outside the Courthouse until they are called by counsel or a party to testify. To accommodate this requirement, the presiding Judge will allow counsel or a party to use the text/email function of their cellphones/laptops to communicate to the witness when it is time to enter the Courthouse. If waiting outside the Courthouse is not feasible, the Court may make arrangements (consistent with social distancing and this plan) to allow witnesses to wait at a designated location.
15. All counsel, parties, potential jurors, jurors, witnesses, and select members of the public shall leave the courtroom and Courthouse as soon as possible after the trial is complete each day, and they should avoid congregating in the Courthouse.
16. Prior to being transported or taken from the detention center to court for a hearing or trial, inmates shall be screened for symptoms of COVID-19, including taking their temperatures. Inmates with symptoms, including a temperature equal to or above 100 degrees Fahrenheit, or those having close contact with a known COVID-19 positive individual must not be transported to the Courthouse, and the Court must be notified as soon as possible.

JURY SELECTION

DISTRICT COURT PRE-SCREENING³

Juror Communications by the Clerk of the District Court

The Clerk of District Court's Office will contact members of the jury panel and inform them that they will be needed for a trial on a specific date and time. The members of the jury panel will also be informed that a supplemental juror letter and questionnaire providing further information and explanation will be provided to them in advance of the jury trial. The panel members will be instructed that if they are members of a vulnerable population, or if they have COVID-19 symptoms, or have otherwise been exposed to a lab confirmed case of COVID-19 case within 14 days prior to the trial date, that they should **not** come to the Courthouse, but should complete a written request to be excused from jury service.

³ The Circuit Court may follow its usual pre-screening procedures, which may vary somewhat from the District Court pre-screening procedures.

Supplemental Juror Letters/ Supplemental Questionnaires

Each member of the jury panel will be provided a letter regarding information as to what to expect regarding jury duty in the time of COVID-19 (*See Attachment A*).

Additionally, each member of the jury panel will be provided a supplemental questionnaire with appropriate instructions. The voluntary completion of the supplemental questionnaire will allow the Court to identify high risk individuals and/or those who may present a health and safety risk to others (*See Attachment B*).

Release of Jurors “For Cause” Prior to Trial

During this pre-screening process, prospective jurors who are identified as having COVID-19 or COVID-19 symptoms, or who have otherwise been exposed to a lab confirmed case of COVID-19 case within 14 days prior to the trial date shall be excused from jury service for that particular trial date, and shall be informed not to come to the Courthouse.

During this pre-screening process, those prospective jurors who are identified as: 1) members of a vulnerable population; 2) working in the health care field addressing COVID-19 or having exposure to COVID-19; or 3) those who may qualify for an exemption or excuse from jury service under Wyoming statutes may submit a written request to be excused from jury service, which the Court may grant prior to the start of trial.

VOIR DIRE - SOCIAL DISTANCING & PPE

Recognizing social distancing of approximately six feet, the District Courtroom can safely accommodate approximately 18 people in the gallery at one time - nine on the west side, nine on the east side. Additionally, five people can be placed into the jury box, with an additional two at the table nearest the jury box, all while maintaining a social distance of approximately six feet. Thus, a total of 25 potential jurors can be examined in a safe and orderly fashion at one time.

FELONY CRIMINAL CASES

*Jury panel members will be separated, by random jury number, into three separate groups of 25, and each group will be given its own separate/staggered arrival time and start time.

Group One should arrive in three stages, approximately 8:00; 8:10; and 8:20 a.m., with voir dire to start at approximately 8:30 a.m. More specifically eight jurors from Group One should arrive at 8:00; another eight jurors from Group One should arrive at 8:10; and the final nine jurors from Group One should arrive at 8:20 a.m.

Group Two should arrive in three stages, approximately 10:00; 10:10; and 10:20 p.m., with voir dire to start at 10:30 a.m. More specifically eight jurors from Group Two should arrive at 10:00; another eight jurors from Group Two should arrive at 10:10; and the final nine jurors from Group Two should arrive at 10:20 a.m.

Group Three should arrive in three stages, approximately 1:00; 1:10; and 1:20 p.m., with voir dire to start at 1:30 p.m. More specifically eight jurors from Group Three should arrive at 1:00; another eight jurors from Group Three should arrive at 1:10; and the final nine jurors from Group Three should arrive at 1:20 a.m.

This will allow sufficient time for all 25 prospective jurors in each group to be screened and checked in, and it will help ensure a proper social distance. Additionally, this will provide for approximately 30 minutes for: the Group One jury panel members to leave, avoid overlapping with Group Two's arrival; the Group Two jury panel members to leave, avoid overlapping with Group Three's arrival; and, allow for cleaning and disinfecting the courtroom.

*When members of the jury panel arrive at the Courthouse, they will be screened by Court Security as noted above. Once screened, members of the jury panel will be allowed into the Courthouse – they will be required to wear a face covering and use hand sanitizer. At that time panel members will be contacted by the Clerk of District Court staff. The panel members will be given a juror number to wear and will then be given an assigned seat within the courtroom.

*Once in the courtroom, members of the jury panel must remain in their assigned seats and must continue to wear their face coverings. Jurors will, upon request, be given gloves to wear if they wish.

*Each jury subpanel (Group One, Group Two, Group Three) will be questioned separately as outlined below. The process for each subpanel will be as follows: Once all questioning has occurred, and any member of the subpanel is released “for cause,” and the remainder of the subpanel is passed “for cause,” the remaining members of the subpanel will be required to provide a contact number and informed that they will be contacted as soon as possible, and informed whether or not they have been selected for the jury. All prospective jurors from each subpanel will be provided standard cautionary instructions during this recess, and these instructions will be reiterated to those selected to serve.

* Recognizing that each party is permitted eight peremptory challenges, plus one challenge for the alternate, a total of 31 prospective jurors (passed “for cause”) are needed to select a jury of 12 plus one alternate. In this process jurors “twenty-nine,” “thirty,” and “thirty-one” would be the potential alternates, with jurors “one” through “twenty-eight” being the potential jury of 12. This total of 31 jurors, passed “for cause”, will be selected first from Group One, then Group Two, and then Group Three based upon their (random) seating order in the courtroom. The following is the process by which the order/priority of jurors in obtaining the 31 passed “for cause” will be accomplished:

Specifically, for **Group One** the “first” juror would be sitting on the back row, south side (*i.e.*, left hand side of the jury box viewed from the Bench). Then proceeding to the right would be the “second,” and “third” jurors. The “fourth” juror would be on the bottom row, south side of the jury box (*i.e.*, left hand side of the jury box viewed from the Bench), with the “fifth” juror rounding out the bottom row. The “sixth” juror would be on south side of the table parallel to the jury box (*i.e.*, left hand side of the table viewed from the Bench), with the “seventh” juror at the north side, or right side, of the table parallel to the jury box.

Then moving to gallery, and the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench) the “eighth” juror would be sitting in the front pew, far left (wall) side, and would then proceed to the right for juror “nine.” The “tenth” juror would be sitting in the second row, far left side, and then proceed to the right for jurors “eleven,” and “twelve.” The “thirteenth” juror would be sitting in the third row, far left side, and then proceed to the right for juror “fourteen.” The “fifteenth” juror would be sitting in the fourth row, far left side, and then proceed to the right for juror “sixteen.”

On the east side (*i.e.*, right hand side of the nearest pew viewed from the Bench) the “seventeenth” juror would be sitting in the front pew, far right (aisle) side, and would then proceed to the right for jurors “eighteen” and “nineteen.” The “twentieth” juror would be sitting in the second row, far right (aisle) side, and then proceed to the right for juror “twenty-one.” The “twenty-second” juror would be sitting in the third row, far right (aisle) side, and then proceed to the right for juror “twenty-three.” The “twenty-fourth” juror would be sitting in the fourth row, far right (aisle) side, and then proceed to the right for juror “twenty-five.”

For **Group Two** this would repeat in the exact same fashion, except juror chair number one would hold juror number “twenty-six” and so on.

For **Group Three** this would repeat in the exact same fashion, except juror chair number one would hold juror number “fifty-one” and so on.

(See attached diagrams Group 1 Group 2 Group 3).

To obtain 31 prospective jurors that have been passed “for cause” the Court will take all of the remaining jurors from Group One, and then when questioning the prospective jurors in Group Two, the Court will determine the number of jurors needed to reach 31, and the “for cause” questioning by the Court and parties will focus on those jurors - starting with juror “twenty-six” in the back left seat of the jury box. If/when one of those jurors is excused “for cause,” the excused juror will be replaced by the first juror outside the number of jurors needed to achieve 31.⁴

*All prospective jurors that have been passed “for cause” from each subpanel will be given the standard instruction/admonition given to all jurors during breaks and evening recesses.

MISDEMEANOR CRIMINAL CASES

*Jury panel members will be separated by random jury number and given staggered arrival times and start time: six jurors should arrive at 8:00; another six jurors should arrive at 8:10; and

⁴ For example, if 20 jurors in Group One are passed for cause the juror examination for cause will focus on the next 11 jurors in Group Two. Specifically, jurors “twenty-six” through “thirty-seven.” If/when one of those jurors is excused, then juror “thirty-eight” will be called to take the excused juror’s place. If another juror excused then juror “thirty-nine” to take his/her place, so on and so forth until 31 jurors have been passed for cause (even if Group Three jurors will have to be included).

the final jurors should arrive at 8:20 a.m.⁵ Voir dire will start at approximately 8:30 a.m. This will allow sufficient time for all prospective jurors to be screened and checked in, and it will help ensure a proper social distance.

*When members of the jury panel arrive at the Courthouse, they will be screened by Court Security as noted above. Once screened, members of the jury panel will be allowed into the Courthouse – they will be required to wear a face covering and use hand sanitizer. At that time panel members will be contacted by the Clerk of Court staff. The panel members will be given a juror number/name tag/badge to wear and, will then be given an assigned seat within the courtroom.

*Once in the courtroom, members of the jury panel must remain in their assigned seats and must continue to wear their face coverings. Jurors will, upon request, be given gloves to wear if they wish.

* Recognizing that each party is permitted four peremptory challenges, plus one challenge for the alternate, a total of 17 prospective jurors (passed “for cause”) are needed to select a jury of six plus one alternate. In this process jurors “fifteen,” “sixteen,” and “seventeen” would be the potential alternates, with jurors “one” through “fourteen” being the potential jury of “six.” The following is the process by which the order/priority of jurors in obtaining the 17 passed “for cause” will be accomplished:

Specifically, the “first” juror would be sitting on the back row, south side (*i.e.*, left hand side of the jury box viewed from the Bench). Then proceeding to the right would be the “second,” and “third” jurors. The “fourth” juror would be on the bottom row, south side of the jury box (*i.e.*, left hand side of the jury box viewed from the Bench), with the “fifth” juror rounding out the bottom row. The “sixth” juror would be on south side of the table parallel to the jury box (*i.e.*, left hand side of the table viewed from the Bench), with the “seventh” juror at the north side, or right side, of the table parallel to the jury box.

Then moving to gallery, and the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench) the “eighth” juror would be sitting in the front pew, far left (wall) side, and would then proceed to the right for juror “nine.” The “tenth” juror would be sitting in the second row, far left side, and then proceed to the right for jurors “eleven,” and “twelve.” The “thirteenth” juror would be sitting in the third row, far left side, and then proceed to the right for juror “fourteen.” The “fifteenth” juror would be sitting in the fourth row, far left side, and then proceed to the right for juror “sixteen.”

On the east side (*i.e.*, right hand side of the nearest pew viewed from the Bench) the “seventeenth” juror would be sitting in the front pew, far right (aisle) side, and would then proceed to the right for jurors “eighteen” and “nineteen.” The “twentieth” juror would be sitting in the second row, far right (aisle) side, and then proceed to the right for juror “twenty-one.” The “twenty-second” juror would be sitting in the third row, far right (aisle) side, and then proceed to

⁵ The Circuit Court usually calls a total of 20 jurors. This plan allows for calling up to 25 jurors, if necessary.

the right for juror “twenty-three.” The “twenty-fourth” juror would be sitting in the fourth row, far right (aisle) side, and then proceed to the right for juror “twenty-five.”

(See attached diagram Group 1).

CIVIL TWELVE-PERSON JURY CASES

*Jury panel members will be separated, by random jury number, into two separate groups of 25, and each group will be given its own separate/staggered arrival time and start time.

Group One should arrive in three stages, approximately 8:00; 8:10; and 8:20 a.m., with voir dire to start at approximately 8:30 a.m. More specifically eight jurors from Group One should arrive at 8:00; another eight jurors from Group One should arrive at 8:10; and the final nine jurors from Group One should arrive at 8:20 a.m.

Group Two should arrive in three stages, approximately 10:00; 10:10; and 10:20 p.m., with voir dire to start at 10:30 a.m. More specifically eight jurors from Group Two should arrive at 10:00; another eight jurors from Group Two should arrive at 10:10; and the final nine jurors from Group Two should arrive at 10:20 a.m.

This will allow sufficient time for all 25 prospective jurors in each group to be screened and checked in, and it will help ensure a proper social distance. Additionally, this will provide for approximately 30 minutes for the Group One jury panel members to leave, avoid overlapping with Group Two’s arrival, and allow for cleaning and disinfecting the courtroom.

*When members of the jury panel arrive at the Courthouse, they will be screened by Court Security as noted above. Once screened, members of the jury panel will be allowed into the Courthouse – they will be required to wear a face covering and use hand sanitizer. At that time panel members will be contacted by the Clerk of District Court staff. The panel members will be given a juror number to wear and will then be given an assigned seat within the courtroom.

*Once in the courtroom, members of the jury panel must remain in their assigned seats and must continue to wear their face coverings. Jurors will, upon request, be given gloves to wear if they wish.

*Each jury subpanel (Group One -- Group Two) will be questioned separately as outlined below. The process for each subpanel will be as follows: Once all questioning has occurred, and any member of the subpanel is released “for cause,” and the remainder of the subpanel is passed “for cause,” the remaining members of the subpanel will be required to provide a contact number and informed that they will be contacted as soon as possible, and informed whether or not they have been selected for the jury. All prospective jurors from each subpanel will be provided standard cautionary instructions during this recess, and these instructions will be reiterated to those selected to serve.

* Recognizing that each party is permitted three peremptory challenges, plus one challenge for the alternate, a total of 21 prospective jurors (passed “for cause”) are needed to select a jury of twelve plus one alternate. In this process jurors “nineteen,” “twenty,” and “twenty-one” would be

the potential alternates, with jurors “one” through “eighteen” being the potential jury of twelve. This total of 21 jurors, passed “for cause,” will be selected first from Group One and then Group Two based upon their (random) seating order in the courtroom. The following is the process by which the order/priority of jurors in obtaining the 21 passed “for cause” will be accomplished:

Specifically, for **Group One** the “first” juror would be sitting on the back row, south side (*i.e.*, left hand side of the jury box viewed from the Bench). Then proceeding to the right would be the “second,” and “third” jurors. The “fourth” juror would be on the bottom row, south side of the jury box (*i.e.*, left hand side of the jury box viewed from the Bench), with the “fifth” juror rounding out the bottom row. The “sixth” juror would be on south side of the table parallel to the jury box (*i.e.*, left hand side of the table viewed from the Bench), with the “seventh” juror at the north side, or right side, of the table parallel to the jury box.

Then moving to gallery, and the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench) the “eighth” juror would be sitting in the front pew, far left (wall) side, and would then proceed to the right for juror “nine.” The “tenth” juror would be sitting in the second row, far left side, and then proceed to the right for jurors “eleven,” and “twelve.” The “thirteenth” juror would be sitting in the third row, far left side, and then proceed to the right for juror “fourteen.” The “fifteenth” juror would be sitting in the fourth row, far left side, and then proceed to the right for juror “sixteen.”

On the east side (*i.e.*, right hand side of the nearest pew viewed from the Bench) the “seventeenth” juror would be sitting in the front pew, far right (aisle) side, and would then proceed to the right for jurors “eighteen” and “nineteen.” The “twentieth” juror would be sitting in the second row, far right (aisle) side, and then proceed to the right for juror “twenty-one.” The “twenty-second” juror would be sitting in the third row, far right (aisle) side, and then proceed to the right for juror “twenty-three.” The “twenty-fourth” juror would be sitting in the fourth row, far right (aisle) side, and then proceed to the right for juror “twenty-five.”

For **Group Two** this would repeat in the exact same fashion, except juror chair number one would hold juror number “twenty-six” and so on.

(See attached diagrams Group 1 Group 2).

To obtain 21 prospective jurors that have been passed “for cause” the Court will take all of the remaining jurors from Group One, and then when questioning the prospective jurors in Group Two, the Court will determine the number of jurors needed to reach 21, and the “for cause” questioning by the Court and parties will focus on those jurors - starting with juror “twenty-six” in the back left seat of the jury box. If/when one of those jurors is excused “for cause,” the excused juror will be replaced by the first juror outside the number of jurors needed to achieve 21.⁶

⁶ For example, if 15 jurors in Group One are passed “for cause” the juror examination “for cause” will focus on the next six jurors in Group Two. Specifically, jurors “twenty-six” through “thirty-two.” If/when one of those jurors is excused, then juror “thirty-three” will be called to take the excused juror’s place. If another juror excused then juror “thirty-four” to take his/her place, so on and so forth until 21 jurors have been passed for cause.

*All prospective jurors that have been passed “for cause” from each subpanel will be given the standard instruction/admonition given to all jurors during breaks and evening recesses.

CIVIL SIX PERSON CASES AND JUVENILE COURT CASES⁷

*Jury panel members will be separated by random jury number and given staggered arrival times and start time: 6 jurors should arrive at 8:00; another 6 jurors should arrive at 8:10; and the final jurors should arrive at 8:20 a.m. Voir dire will start at approximately 8:30 a.m. This will allow sufficient time for all prospective jurors to be screened and checked in, and it will help ensure a proper social distance.

*When members of the jury panel arrive at the Courthouse, they will be screened by Court Security as noted above. Once screened, members of the jury panel will be allowed into the Courthouse – they will be required to wear a face covering and use hand sanitizer. At that time panel members will be contacted by the Clerk of Court staff. The panel members will be given a juror number to wear and will then be given an assigned seat within the courtroom.

*Once in the courtroom, members of the jury panel must remain in their assigned seats and must continue to wear their face coverings. Jurors will, upon request, be given gloves to wear if they wish.

* Recognizing that each party is permitted three peremptory challenges, plus one challenge for the alternate, a total of 15 prospective jurors (passed “for cause”) are needed to select a jury of six plus one alternate. In this process jurors “thirteen,” “fourteen,” and “fifteen” would be the potential alternates, with jurors “one” through “twelve” being the potential jury of six. The following is the process by which the order/priority of jurors in obtaining the 15 passed “for cause” will be accomplished:

Specifically, the “first” juror would be sitting on the back row, south side (*i.e.*, left hand side of the jury box viewed from the Bench). Then proceeding to the right would be the “second,” and “third” jurors. The “fourth” juror would be on the bottom row, south side of the jury box (*i.e.*, left hand side of the jury box viewed from the Bench), with the “fifth” juror rounding out the bottom row. The “sixth” juror would be on south side of the table parallel to the jury box (*i.e.*, left hand side of the table viewed from the Bench), with the “seventh” juror at the north side, or right side, of the table parallel to the jury box.

Then moving to gallery, and the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench) the “eighth” juror would be sitting in the front pew, far left (wall) side, and would then proceed to the right for juror “nine.” The “tenth” juror would be sitting in the second row, far left side, and then proceed to the right for jurors “eleven,” and “twelve.” The “thirteenth” juror would be sitting in the third row, far left side, and then proceed to the right for juror “fourteen.” The “fifteenth” juror would be sitting in the fourth row, far left side, and then proceed to the right for juror “sixteen.”

⁷ This plan allows for calling up to 25 jurors, if necessary.

On the east side (*i.e.*, right hand side of the nearest pew viewed from the Bench) the “seventeenth” juror would be sitting in the front pew, far right (aisle) side, and would then proceed to the right for jurors “eighteen” and “nineteen.” The “twentieth” juror would be sitting in the second row, far right (aisle) side, and then proceed to the right for juror “twenty-one.” The “twenty-second” juror would be sitting in the third row, far right (aisle) side, and then proceed to the right for juror “twenty-three.” The “twenty-fourth” juror would be sitting in the fourth row, far right (aisle) side, and then proceed to the right for juror “twenty-five.”

(See attached diagram Group 1).

VOIR DIRE - QUESTIONING

Face Coverings

Every person present in the courtroom must wear face coverings. There is a general exception for individuals who have a medical condition, mental health condition, or disability that prevents wearing a face covering. The Court may, in the Judge’s discretion, accommodate such general exceptions by requiring the use of a face shield. The Court reserves the right to order additional precautions if one or more persons in the courtroom is excused from wearing a face covering. **WILLFUL FAILURE OR REFUSAL TO WEAR A FACE COVERING WITHOUT A MEDICAL CONDITION, MENTAL HEALTH CONDITION, OR DISABILITY THAT PREVENTS WEARING A FACE COVERING MAY RESULT IN THE OFFENDER BEING FOUND IN DIRECT CONTEMPT OF COURT, AND SUCH PERSON MAY BE IMMEDIATELY SANCTIONED. (W.R.CR.P. 42(A)(1)(A).**

Process

In advance of the jury trial, the presiding Judge will inform counsel and/or unrepresented litigants whether they will be permitted to use the podium or whether they must remain seated at counsel table for jury examination.

Members of the jury panel will be asked to “speak up” to avoid using a microphone. However, if a microphone is required, the panel member will be required to continue wearing a face covering, and the microphone will be cleaned and sanitized (by Court personnel) after each use.

The Court will make reasonable accommodations, such as relocating Court personnel within the courtroom, to accommodate and avoid the need/use of the microphone by the panel members. If needed and desired, the Court may also attempt to use coverings on the microphones.

Sidebars/Private Juror Examination

If a sidebar or private juror examination is necessary with a member of the jury panel, it will occur in the District Court jury room.⁸ All necessary participants will move into that room, where social distancing will occur and the side bar process or private juror examination will proceed as usual. If a participant is unable to relocate into this room, then the Court may utilize existing “white-noise” speakers and sidebar microphone.

All participants involved in the sidebar or private juror examination will be required to continue wearing their face coverings and may wear additional protective equipment if they wish.

COVID-19 Specific Voir Dire Questions – District Court Jury Trials⁹

* For District Court jury trials, parties are encouraged to submit proposed COVID-19 related voir dire questions to the Judge electronically on a memory storage device at P.O. Box 681, Pinedale, WY 82941, or by e-mail to pinedaleJA@courts.state.wy.us, in Word or WordPerfect format, due **ten (10) business days prior to trial**. The State or Plaintiff(s) shall use numbers and the Defendant(s) shall use letters, or an “alpha-numerical” combination.

It will be necessary to inquire of each jury panel separately:

1. Are you able, despite the COVID-19 Pandemic, to focus on the issues and evidence presented in this trial?

Are you able to set aside any concerns about the Pandemic and focus on duties as a juror, if selected?

If selected as a juror, would you be able to focus on the evidence as presented and not let any concerns about COVID 19 impact your deliberations and decisions in this case?

2. Except for certain limited situations, counsel, the parties (including the Defendant in a criminal case), and all Court personnel will be required to wear masks. Does anyone have any concerns as to their ability to be fair and impartial if all parties and counsel are required to wear a face masks or shields?
3. Witnesses will be allowed to testify behind the plexiglass window installed on the witness stand or with a clear mask or face shield so you can see their face while testifying. Does that cause you any concern?

* Depending upon responses, it may be necessary to ask follow-up questions and/or granting counsel additional time to follow up on any COVID-19 issues.

⁸ If/when technology is installed, sidebars may be conducted through the sidebar system in the courtroom.

⁹ The Circuit Court may establish its separate procedures regarding COVID-19 specific voir dire questions, if any.

Standard Voir Dire Questions – District Court Jury Trials¹⁰

For District Court jury trials, at least **ten (10) business days prior to trial**, each party shall file and submit their respective proposed voir dire questions to the Judge electronically on a memory storage device at P.O. Box 681, Pinedale, WY 82941, or by e-mail to pinedaleJA@courts.state.wy.us, in Word or WordPerfect format. The State or Plaintiff(s) shall use numbers and the Defendant(s) shall use letters, or an “alpha-numerical” combination. These proposed questions may be used and relied upon by the Court in questioning the panel members in an effort to obtain a fair and impartial jury.

Recognizing that W.R.Cr.P. 24(c) and W.R.C.P. 47(c) provide that the examination of prospective jurors by the attorneys shall be *under the supervision and control of the Court*, and that *the Court may conduct such further examination as deemed appropriate*, the Court will conduct the primary questioning of the panel members. This questioning will be done for the sole purpose of selecting a fair and impartial jury. Once the Court has covered the standard topics, the parties will be allowed to question the panel members. It is anticipated that each party may be limited to approximately 20 minutes for each group.

TRIAL

JUROR SOCIAL DISTANCING

Juror Seating -- Twelve Person Jury with One Alternate Juror

In order to maintain appropriate social distancing of approximately six feet, the jury box can safely accommodate three jurors in the back row, two jurors in the front row, and two jurors placed just outside the box in front of the bottom row. In the gallery, two jurors can be seated on the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench) front pew, three jurors can be seated the east side (*i.e.*, right hand side of the nearest pew viewed from the Bench), and the remaining juror can be seated in the second pew on the west side (*i.e.*, left hand side of the nearest pew viewed from the Bench), next to the aisle.

(See attached diagram 13-Person Jury)

Jurors will be required to wear face coverings while in the courtroom. There is a general exception for individuals who have a medical condition, mental health condition, or disability that prevents wearing a face covering. The Court may, in the Judge’s discretion, accommodate such general exceptions by requiring the use of a face shield. The Court reserves the right to order additional precautions if one or more persons in the courtroom is excused from wearing a face covering. **WILLFUL FAILURE OR REFUSAL TO WEAR A FACE COVERING WITHOUT A MEDICAL CONDITION, MENTAL HEALTH CONDITION, OR DISABILITY THAT PREVENTS WEARING A FACE COVERING MAY RESULT IN THE OFFENDER BEING FOUND IN DIRECT CONTEMPT OF COURT, AND SUCH PERSON MAY BE IMMEDIATELY SANCTIONED. (W.R.CR.P. 42(A)(1)(A).**

¹⁰ The Circuit Court may establish its separate procedures regarding standard voir dire questions, if any.

Juror Seating -- Six Person Jury with One Alternate Juror

In order to maintain appropriate social distancing of approximately six feet, the jury box can safely accommodate three in the back row, two jurors in the front row, and two jurors placed just outside the box in front of the bottom row.

(See attached diagram 6-Person Jury)

Jurors will be required to wear face coverings while in the courtroom. There is a general exception for individuals who have a medical condition, mental health condition, or disability that prevents wearing a face covering. The Court may, in the Judge's discretion, accommodate such general exceptions by requiring the use of a face shield. The Court reserves the right to order additional precautions if one or more persons in the courtroom is excused from wearing a face covering. **WILLFUL FAILURE OR REFUSAL TO WEAR A FACE COVERING WITHOUT A MEDICAL CONDITION, MENTAL HEALTH CONDITION, OR DISABILITY THAT PREVENTS WEARING A FACE COVERING MAY RESULT IN THE OFFENDER BEING FOUND IN DIRECT CONTEMPT OF COURT, AND SUCH PERSON MAY BE IMMEDIATELY SANCTIONED. (W.R.CR.P. 42(A)(1)(A)).**

Jury Room – Meeting Place/Recesses/Deliberations

The current jury room is too small to accommodate social distancing of the jurors. Accordingly, the Circuit Court courtroom will be used as a jury room.¹¹ Jurors will exit the courtroom in the standard fashion. They will then be escorted by the Court personnel to the Circuit Court courtroom – the entire time making a reasonable effort to maintain a social distance.

Jurors will be required to wear face coverings while in the Circuit Court courtroom. There is a general exception for individuals who have a medical condition, mental health condition, or disability that prevents wearing a face covering. The Court may, in the Judge's discretion, accommodate such general exceptions by requiring the use of a face shield. The Court reserves the right to order additional precautions if one or more persons in the courtroom is excused from wearing a face covering. **WILLFUL FAILURE OR REFUSAL TO WEAR A FACE COVERING WITHOUT A MEDICAL CONDITION, MENTAL HEALTH CONDITION, OR DISABILITY THAT PREVENTS WEARING A FACE COVERING MAY RESULT IN THE OFFENDER BEING FOUND IN DIRECT CONTEMPT OF COURT, AND SUCH PERSON MAY BE IMMEDIATELY SANCTIONED. (W.R.CR.P. 42(A)(1)(A)).**

In addition to necessary PPE, jurors may be provided their own pens, notebooks, other office supply items, as well as water and snacks as appropriate. Jurors may bring a water container, if approved by Court Security Officers, and refill it at the Courthouse.

¹¹ If social distancing can be maintained, the Commissioners' Meeting room may be used instead of the Circuit Court courtroom.

Whenever a juror in the Circuit Court courtroom (or Commissioners' Meeting Room) needs to use a restroom, a Court Security Officer or Bailiff will escort the juror to the nearest available restroom.

During those times when the Jury is in the Circuit Court courtroom (or Commissioners' Meeting Room), the audio portion of audio-video security systems will be disengaged.

PARTIES SOCIAL DISTANCING

Courtroom

To accommodate social distancing of the jurors, counsel tables will be adjusted to be further back from the jury and so both tables face the jury, rather than the Court.

Recognizing that maintaining social distancing of six feet may not be possible for counsel and/or unrepresented litigants and those at counsel table, the Court will make reasonable accommodations (extra tables/chairs etc..) for counsel/unrepresented litigants/parties to maintain social distance at counsel table. However, if that is not possible all counsel/unrepresented litigants/parties must vigilantly wear their face masks, liberally use hand sanitizer and take steps to ensure their personal hygiene (avoid touching face and eyes) as well as the hygiene of counsel table.

As directed by the presiding Judge, counsel for each party and/or unrepresented litigants may use the microphone at each counsel table or the podium. If the podium is used, then counsel and/or unrepresented litigants shall wipe down the podium (supplies provided at the lectern) when their use of the podium is complete.

Efforts should be made to minimize the use of a "communal" microphone. However, if one microphone is used by more than one person, the microphone is to be cleaned and sanitized after each use by the party using it.

Counsel will be required to verify that none of the parties present are experiencing any COVID-19 symptoms nor have they been exposed to someone infected with COVID-19 or suffering from COVID-19 symptoms.

Sidebar Conferences/Private Conferences

If a sidebar or a private consultation conference is necessary, it will occur in the District Court jury room.¹² All necessary participants will move into that room, where social distancing will occur, and the side bar process or private consultation conference will proceed as usual. If a participant to a sidebar conference is unable to relocate into this room, then the Court may utilize existing "white-noise" speakers and sidebar microphone.

¹² If/when technology is installed, sidebars may be conducted through the sidebar system in the courtroom.

All participants involved in the sidebar conference or private consultation conference will be required to continue wearing their face coverings and may wear additional protective equipment if they wish.

Exhibits & Documents

When presenting any exhibit or document to a witness, counsel must wear gloves and a face covering, and the receiving witness must wear gloves and a clear mask or face shield.

Whenever possible, exhibits shall be published to the jury by using available technology. If necessary, exhibits may be shown to jurors by the Court personnel, who must be wearing a face covering and gloves.

Actual exhibits will be placed in a container on the exhibit table and they will be collected by the Court or Court Clerk at the end of the court session in which the exhibits were admitted. Jurors must wear face coverings and sanitize their hands before and after touching any tangible exhibits.

At the conclusion of trial, the retention and return of the exhibits will be addressed by the presiding Judge.

Witnesses

Unless witnesses are a party to the case and would otherwise be allowed to remain in the courtroom during the proceedings, witnesses shall wait outside the building until they are called by counsel to testify. To accommodate this requirement, the Court will allow counsel and/or unrepresented litigants to use the text/email function of their cellphones/computer devices to communicate with the witness when it is time to enter the building (counsel and/or unrepresented litigants shall ensure that their phones are on silent or vibrate so they do not disrupt the proceedings). No other use of such electronic devices are allowed. If waiting outside the building is not feasible, the Court will make arrangements (consistent with social distancing and this plan) to allow witnesses to wait at a designated location within the Courthouse.

As noted, each witness will wear a clear mask or face shield, and wear gloves when handling exhibits.

Each party is responsible for ensuring that their respective witnesses are properly screened before entry into the Courthouse, and that they remain sequestered as required by law.

PUBLIC SOCIAL DISTANCING

Consistent with social distancing guidelines, and as determined by space constraints, public access to jury trials may be limited. In other words, all those who would otherwise be permitted to attend the court hearing may attend in person, as long as there is space within the courtroom to allow for all necessary social distancing. Accordingly, designated public seating will be clearly

marked and members of the public will be required to wear face coverings and remain in the assigned seating location.

When the capacity for the courtroom, in recognition of social distancing, has been reached, those not permitted to attend in-person will be allowed to attend via video/telephone conferencing. To ensure that the jury trial and other Court proceedings are open to the public without personally appearing in the courtroom, any member of the public may request an “invite” to witness the proceedings remotely using the Microsoft “Teams” application. Requests for an “invite” may be made as follows:

District Court: (307) 367-3801 (telephone) or pinedaleJA@courts.state.wy.us

Circuit Court: (307) 367-2556

OTHERS SOCIAL DISTANCING

Anyone being transported to Court for a hearing/trial shall be screened prior to transport for symptoms of COVID-19, including taking such person’s temperature. Anyone with symptoms, including a temperature equal to or above 100 degrees Fahrenheit, or those having close contact with a known COVID-19 positive individual within 14 days or one exhibiting COVID-19 symptoms shall NOT be transported to the Courthouse, and the Court and counsel and/or unrepresented litigants shall be notified as soon as possible of this situation.

OVERALL SOCIAL DISTANCING & HYGEINE

Screening/Self-Assessment

Prior to trial commencing each day, all non-Court personnel, allowed into the courtroom (parties, public and jurors) will be subject to screening process as outlined above.

Prior to trial commencing each day all Court personnel shall conduct a self-screening process using the same standards as applied by Court Security.

In addition to these screening procedures, prior to trial commencing each day EVERY PERSON entering the courtroom shall assure and verify by their presence in the courtroom that they have NOT had close contact with a person who has a lab-confirmed case of COVID-19 within 14 days AND they are NOT experiencing any COVID-19 symptoms, such as:

1. Fever of 100F or above;
2. Fever like symptoms (alternating chills and sweating);
3. Cough;
4. Trouble breathing, shortness of breath or severe wheezing;
5. Fatigue;
6. Muscle or body aches;
7. Sore throat;

8. New loss of smell or taste, or a change in taste;
9. Nausea, vomiting or diarrhea;
10. Headache;
11. Congestion or runny nose;
12. Loss of hearing.

If anyone is experiencing any of these symptoms, they shall notify the Clerk of Court and/or Court Security.

Additionally, all those entering the courtroom will be given the opportunity to complete a daily symptom screening questionnaire (*See Attachment C*).

Cleaning

In addition to the daily cleaning provided by the Sublette County Maintenance staff, the frequently touched surfaces in the courtroom (witness stand, counsel tables, lectern/podium, jury box, etc.), jury room, and Circuit Court courtroom will be cleaned by Court personnel with approved sanitizers and cleaners before and after each use.

Removable butcher paper will be placed on the frequently touched surfaces in the courtroom (witness stand, counsel tables, lectern, etc.) prior to each hearing or trial, and it will be replaced as needed. Other high-touch surface areas will be routinely cleaned and disinfected.

Hygiene

*Hand sanitizer, disinfectant wipes, tissues, and other cleaning products will be placed throughout the courtroom and jury room.

*Hand sanitizer, disinfectant wipes, gloves, tissues, masks, and other cleaning products will be made available to all prospective jurors and jurors in the screening process, in the courtrooms, and the jury room.

*Anyone entering or remaining in the Courthouse should comply with the well-known guidelines concerning social distancing and hygiene, namely: a minimum of six feet between individuals; regular hand washing; and avoid touching eyes, nose, and mouth.

*All counsel, parties, witnesses, and select members of the public shall leave the courtroom and as soon as possible after the day's session is complete, and they must avoid congregating in the building.

*Anyone entering the Courthouse should make reasonable efforts to comply with the Orders and Guidance provided by the Wyoming Department of Health; and the United States Centers for Disease Control and Prevention. This information can be found at:

<https://health.wyo.gov/publichealth/infectious-disease-epidemiology-unit/disease/novel-coronavirus/covid-19-orders-and-guidance/>

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

INFECTION EVENT PROTOCOL

Log

Court Security will make reasonable efforts to maintain a log of those entering the Court Security screening area and the time they entered and left. This will be done in an effort to allow public health officials to conduct contact tracing if there is a positive COVID-19 case associated with a person entering the courtroom area.

Pre-Screening Event

Jurors will be instructed that if within 14 days prior to the trial date if they have any COVID-19 symptoms or they affirmatively answer any questions on the supplemental questionnaire, they should NOT come to the Courthouse, and that they should notify the Clerk of Court of their situation.

Screening Event

If a member of the jury panel or any participant attempting to enter the Court Security screening area answers any health screening question in the affirmative or otherwise indicates a condition on the supplemental questionnaire before entering the Courthouse that indicates they are experiencing COVID-19 symptoms, have been exposed to someone who is confirmed to have COVID-19 or experiencing COVID-19 symptoms, Court Security will:

1. Obtain a cell phone number;
2. Instruct the person to return to their vehicle;
3. Encourage the person to contact their health care professional or obtain any necessary medical treatment;
4. Instruct the person to await contact from the Court by telephone.

The Court will then contact and notify the local public health official, and the Court and prospective juror will follow the health officer's guidance on testing, quarantining, and contact tracing.

Trial Event

If anyone entering the courtroom (participant, juror, counsel, witness, Court personnel, or public) answers any health screening question in the affirmative or otherwise indicates a condition

on the supplemental questionnaire or daily symptom screening questionnaire (*i.e.*, has a symptom of COVID-19 or close contact with a person having COVID-19 within 14 days or COVID-19 symptoms), the Court will, if necessary recess the proceedings, and:

1. If the individual has not left home, or has not arrived at the Courthouse, inform the individual to stay at home, seek any medical care or treatment they deem appropriate, and to be available by telephone to be contacted by the Court or a public health official;
2. If the individual is at the Courthouse, but they have not entered the building, they will be instructed to return their vehicle, to seek out any medical care or treatment they deem appropriate, and to be available by telephone to be contacted by the Court or a public health official;
3. If the individual is inside the Courthouse that person will be instructed to continue to wear a face cover, strictly maintain social distance from others, and will be escorted by the Bailiff or Court Security to their vehicle or other outside location.
 - i. The juror would be encouraged to seek out medical care or treatment that they deem appropriate, and to be available by telephone to be contacted by the Court or a public health official.
 - ii. Public health will then be immediately contacted, and the Court and prospective juror/participant will be encouraged to follow the public health officer's recommendations and guidance, which may include testing, quarantining, and contact tracing.
 - iii. Other trial participants will continue to wear face coverings, maintain a social distance, and will be allowed to access a secure outdoor facility while awaiting word and guidance from the public health officer on how to proceed.

*If anyone entering the courtroom begins feeling ill (COVID symptoms) for no reason, trial will be recessed until the Health Department is contacted, at which time the Court will follow the guidance of the Health Department regarding testing, quarantine and contact tracing.

If a positive test is reported by anyone entering the courtroom during trial, public health officials will contact the person with COVID-19 to conduct and complete an investigation, which includes a case interview and contact tracing. Public health officials will assess if there have been "close contacts" to the infected person and determine if quarantine is necessary for those individuals ("Close Contacts" are those that had close, prolonged contact with the infected person - that is six feet or closer for ten minutes or more).

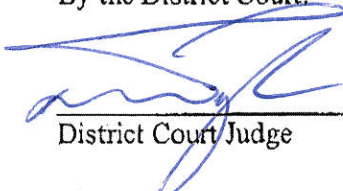
Additional decisions will be based upon recommendations of the public health officer, and guidance provided by the Wyoming Department of Health and the United States Centers for Disease Control (CDC).

OTHER:

Except to the extent that this Operating Plan for Jury Trials specifically modifies or changes the Court Security Order (02/11/2021), all provisions in the Court Security Order (02/11/2021) still apply.

Dated May 17, 2021. Effective immediately.

By the District Court:



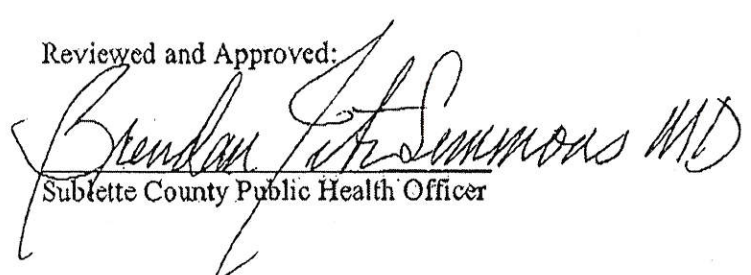
District Court Judge

By the Circuit Court:



Circuit Court Judge

Reviewed and Approved:



Sublette County Public Health Officer

COURT SECURITY ORDER (02/11/2021)

THIS COURT finds that it should adopt a Court Security policy for the Sublette County District Court. IT IS HEREBY ORDERED:

None of these items may be brought into the Court without prior approval of the Judge, Court Commissioner, or Court Security Officers:

- ☒ Cell phones, smart phones, tablets, or computers.
- ☒ Personal electronic or digital audio or video recording or playing devices.
- ☒ Any device capable of receiving, capturing, storing, playing, displaying, transmitting, receiving, saving, or downloading any visual and/or audio depiction, recording, transmission, signal, or message.

None of these items may be brought into the Court without prior approval of the Judge or Court Commissioner, and all such items may be immediately confiscated and disposed of in the discretion of Court Security Officers:

1. Destructive devices.
2. Stun devices / items, including, stun guns, tasers, sprays, chemicals, or other items which are capable of intimidating, stunning, rendering unconscious, or retarding the reaction of any person or other living thing.
3. Firearms, including, any device capable of discharging, firing, or propelling any item from such device, or ammunition for firearms.
4. Dangerous or deadly weapons or other prohibited items, including: *any item deemed by Court Security Officers to constitute a deadly or dangerous weapon or item*; knives of any size or blade length; knitting/crochet needles; or any device, instrument, item, chemical, or spray which is capable of inflicting serious injury or death to any person or other living thing or which in the manner it may be used or is intended to be used is capable of producing death or serious injury to any person or other living thing.
5. Alcoholic beverages or malt beverages.
6. Tobacco products, smokeless tobacco products, e-cigarettes, or vapor devices.
7. Chewing gum, any liquids (except water in approved containers), or food.
8. Controlled substances, narcotics, illegal substances, illicit substances, toxic substances, or mood altering substances (which are not prescribed) or paraphernalia associated with the use of any such substances (which are not prescribed).

Prohibition of electronic devices and paragraphs numbered 2, 3, and 4 do not apply this Court's Security Officers. *Unless Court Security Officers determine otherwise*, paragraphs numbered 2, 3, or 4 do not apply to any "Peace Officer" (as defined and authorized by Wyoming law) who is acting in an official capacity and who is not a party to the case currently before the Court. Such "Peace Officers" are required to certify and disclose to this Court's Security Officers the nature of any and all prohibited items which are in their possession, however.

Any person not authorized to bring/carry prohibited items may be held in custody, and may be subject to sanctions for contempt of court (jail and/or fines), as well as civil and criminal penalties

Any person who is, or who appears to be, under the influence, to any degree, of any alcoholic beverage; malt beverage; controlled substance; narcotic; illegal substance; illicit substance; toxic substance; or, mood altering substance:

- ⊗ Will not be permitted entry upon the premises of Court;
- ⊗ May be taken into immediate custody by Court Security Officers and/or law enforcement officers and be held until such time as he/she can be brought before the presiding Judge or Court Commissioner;
- ⊗ May be required to submit to testing of his/her breath or urine at the request of Court Security Officers and/or law enforcement officers; and,
- ⊗ May be subject to sanctions for contempt of Court (including jail and/or fines), as well as civil and criminal penalties.

Exceptions to this Court Security Order may be granted on an individual basis by the Court Security Officers, the Judge, or Court Commissioner.

Dated February 11, 2021.

By the Court:


District Court Judge



Attachment A – District Court

Dear Potential Jurors:

Thank you for your willingness to serve as potential jurors during these challenging times. Our constitutional system depends upon you and your willingness and ability to serve safely as a potential juror.

Although no person or governmental agency can guarantee that any of us will not be exposed to COVID-19, this Court will take reasonable precautions aimed at providing for the safety of our communities, including all of those who serve on our juries and participate in the court system. Accordingly, this Court has taken precautions for your safety while serving as a prospective juror. The jury selection process and trial in this matter will be conducted according to a *COVID-19 Operating Plan for Jury Trials*. Some of the health and safety measures in this plan include:

Supplemental questionnaires to screen potential jurors for underlying health conditions or other health and safety concerns.

Daily screenings of everyone before entering the courtroom(s).

Social distancing before entering and within the courtroom(s) – including assigned seating.

Personal protective equipment (masks, gloves, hand sanitizer, disinfectant wipes) provided by the Court.

Everyone will be required to wear face coverings in the courtroom(s).

Cleaning and disinfecting courtroom(s).

Policies and procedures modifying standard court practices aimed at maintaining social distancing and proper hygiene.

Anyone known to have, believed to have, or exhibiting any symptoms of COVID-19, or having recent contact within the last 14 days with a confirmed case of COVID-19, or exhibiting COVID-19 symptoms -- please **DO NOT** attempt to enter the Courthouse. Please contact the Clerk of District Court (307) 367-4376 and await further instructions.

When you arrive at the Courthouse, you should go to the main Courthouse doors on the northwest side of the building and proceed toward the stairway or elevator to the Court Security screening area. There, you will be screened by a Court Security Officer. You should be prepared to answer health and safety related questions, have your temperature taken by a remote thermometer, and provide your Optional Supplemental Juror Questionnaire.

If you have any questions, concerns, or suggestions for us to make your experience at the Courthouse better, please let us know.

District Court Judge

Clerk of the Sublette District Court

SUPPLEMENTAL JUROR QUESTIONNAIRE

In light of COVID-19, there are special considerations that the Court may consider when asking people to perform their civic duty as jurors. You are encouraged, but not required, to fill out this **optional** supplemental questionnaire.

If you are seeking to be excused from jury service due to COVID-19 issues, please answer the following questions and return to the Clerk of District Court as soon as possible. Once such a request has been received, the Court will determine whether you may be excused from jury duty before you are required to appear at the Courthouse.

EVERY PERSON PRESENT IN THE COURTROOM MUST WEAR FACE COVERINGS. There is a general exception for individuals who have a medical condition, mental health condition or disability that prevents wearing a face covering. The Court reserves the right to order additional precautions if one or more persons in the courtroom is excused from wearing a face covering.

If you are NOT seeking to be excused from jury service due to COVID-19, you are still encouraged to complete this form shortly before you arrive at the Courthouse, and you should bring this form with you.

(This questionnaire is NOT intended to take the place of consultation with your healthcare provider or to diagnose or treat conditions. Regardless of the survey results, if you feel that you have symptoms related to COVID-19 please contact a health care professional.)

YES NO

1.	Are you currently experiencing any flu-like symptoms, such as fever, chills, cough, shortness of breath, difficulty breathing, new loss of taste or smell, muscle or body aches, coughing or sneezing?		
	Explanation:		
2.	Do you have, or have you recently had, any health condition that compromised or suppressed your immune system?		
	Explanation:		
3.	Do you suffer from any chronic illness including, but not limited to, high blood pressure, cancer, diabetes, heart disease, or lung disease?		
	Explanation:		
4.	<u>Within the last 14 days</u> , have you recently been exposed to another who has tested positive for COVID-19 or who has symptoms of COVID-19?		
	Explanation:		
5.	If you have answered “yes” to any of these questions, are you requesting that you be excused from jury duty? In your explanation, please describe how long (<i>i.e.</i> , a few weeks, the whole term, etc.) you seek to be excused from jury duty.		
	Explanation:		

I hereby swear or affirm, under the penalty of false swearing, that the foregoing information is true and accurate. I consent to the Court sharing this information with the attorneys and persons involved in the trial.

(Signature)

Juror Number

(Printed Name)

SCREENING SYMPTOMS QUESTIONNAIRE

In the interest of monitoring the safety of all those entering the Sublette County District Courtroom, please complete this Questionnaire.

*****This Questionnaire is NOT intended to take the place of consultation with your healthcare provider or to diagnose or treat conditions. Regardless of your answers, if you feel that you have symptoms related to COVID-19 contact a health care professional and inform the court.***

Please Circle the Answer to each of the following Questions:

1. In the past 14 days, have you had close contact (within six (6) feet for ten (10) minutes) with any person who has a lab confirmed case of COVID-19? Y / N
2. In the last 48 hours, have you had any of the following SYMPTOMS:
 - a. Fever, 100F or above, or fever symptoms, alternating chills and sweating? Y / N
 - b. Cough? Y / N
 - c. Trouble breathing, shortness of breath, or severe wheezing? Y / N
 - d. Fatigue? Y / N
 - e. Muscle or body aches? Y / N
 - f. Sore throat? Y / N
 - g. New loss of smell or taste, or change in taste? Y / N
 - h. Nausea, vomiting or diarrhea? Y / N
 - i. Headache? Y / N
 - j. Congestion or runny nose? Y / N
 - k. Loss of hearing? Y / N
3. Do you have any reason to believe these symptoms are not COVID-19 related? Y / N
4. Your current temperature is: _____

Print Your Name

Date

CONTACT TRACING LOG

[illegible]

1		4			2			3
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