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SUPREME COURT OF ARKANSAS

IN RE RESPONSE TO THE COVID-19
PANDEMIC--RESUMPTION OF JURY
TRIALS

Opinion Delivered: April 8, 2021

PER CURIAM

Despite the COVID-19 pandemic, the courts of the State of Arkansas have remained open and shall continue to remain open. However, on November 20, 2020, this court suspended until January 15, 2021, all jury trials in our state courts to protect the safety of jurors, litigants, attorneys, court personnel, and members of the public during the surge in COVID-19 infections and hospitalizations that was occurring at the time. *See In re Response to the COVID-19 Pandemic*, 2020 Ark. 384 (per curiam). Subsequently, we extended the suspension of jury trials through February 28, 2021, and again through April 30, 2021, due to the continued spread of the disease. *See In re Response to the COVID-19 Pandemic*, 2021 Ark. 1 (per curiam); *In re Response to the COVID-19 Pandemic*, 2021 Ark. 30 (per curiam).

In our most recent order extending the suspension of jury trials through April 30, 2021, we noted the recent downward trend in COVID-19 infection rates and explained that, “if positive progress continues, jury trials may resume May 1, 2021.” *In re Response to the COVID-19 Pandemic*, 2021 Ark. 30, at 2. Indeed, according to public health officials, positive

progress has continued as infection rates are down and vaccination rates are up. Therefore, we announce an end to the suspension of jury trials effective May 1, 2021.

All Arkansas state courts shall continue to follow the Arkansas Department of Health's guidelines concerning face coverings and social distancing. We also encourage all state courts to implement additional measures as necessary to protect the health of trial participants and attendees.

As it was announced by this court on March 17, 2020, and November 20, 2020, for criminal trials, any delay for speedy-trial purposes due to precautions against the COVID-19 pandemic shall presumptively constitute good cause under Arkansas Rule of Criminal Procedure 28.3(h) and shall constitute an excluded period for speedy-trial purposes. See *In re Response to the COVID-19 Pandemic*, 2020 Ark. 384, at 3; *In re Response to the COVID-19 Pandemic*, 2020 Ark. 116, at 3 (per curiam).

This order is to be interpreted broadly for the protection of the public, including the employees of the Arkansas judicial branch, from the risks associated with COVID-19. This order applies statewide to all courts and court clerks' offices except administrative courts of the executive branch, federal courts, and federal court clerks' offices located in Arkansas.

It is so ORDERED.