SAMPLE SAFETY PLAN

COVID-19 JURY PROTOCOL

Signs:

* To be posted at all entrances advising the public not to enter if:
  + They have a fever, cough, shortness of breath, sore throat, or loss of taste or smell OR
  + They have had exposure to someone with COVID-19 in the past 14 days.
* To be posted at all entrances advising the public that they may wish to refrain from entering if:
  + They are 65 of age or older, or if
  + They have underlying health conditions including high blood pressure, chronic lung disease, severe obesity, asthma, or weakened immunity

*[Chief Justice Kemp’s letter dated July 1, 2020 (“Kemp July letter”) dated July 1, 2020; Arkansas Dep’t of Health Large Indoor Venue Directive (“ADH LIVD”), revision 6/15/20.]*

*Responsibility for ensuring compliance with this item at both locations: [Enter names and titles of those responsible for ensuring compliance. For example, TCA John Doe.]*

Screening/Contact tracing:

* A COVID-19 screening questionnaire, including a temperature check, is to be administered to each person entering the building on each day of the trial to identify symptomatic individuals and those who have been exposed to others with COVID-19.
* Any individual who answers in the affirmative to any question on the COVID-19 screening questionnaire will be excused from jury duty and dismissed from the premises.
* Circuit Clerk Doe will prepare a list in advance of all jurors who have not been previously excused as well as all expected court staff (including judge, court reporter, clerks, court security officers, maintenance/janitorial staff, attorneys, and litigants) so that the screening process will be conducted efficiently and effectively.
* The list of individuals permitted entry into the building during the two-day trial will be maintained for a period of 21 days. If any member of the court staff learns of an individual who was present at any time during the trial testing positive for COVID-19 within 14 days of the trial, the court staff member shall notify Circuit Judge Smith and Circuit Clerk Doe who will ensure contact is made with anyone who had been inside the premises during the trial, per Arkansas Department of Health guidelines.

*[Per Curiam March 17, 2020; Email to circuit judges from Chief Justice Kemp dated April 24, 2020 re: Preparation for Returning to In-Person Proceedings; ADH COVID-19 directives.]*

*Responsibility for ensuring compliance: [Enter names and titles of those responsible for ensuring compliance. For example, Circuit Judge Jane Smith; Circuit Clerk Jane Doe; Example County Chief Deputy Jim Smith].*

 Facial coverings:

* Indoors: A facial covering that completely covers mouth and nose is required to be worn indoors at all times.
* Outdoors: A facial covering that completely covers mouth and nose is required in all outdoor settings unless there is ample space of six (6) feet or more to practice social distancing.

*Please note that if you plan to allow exceptions to this, the exceptions should be specific and provide clear direction on what protocols will be in place in the courtroom.  For example:*

* Indoors: A facial covering that completely covers mouth and nose is required to be worn indoors at all times except for the following circumstances:
  + Jurors may lower or remove their face covering when responding to a question from the judge or one of the attorneys.
  + Witnesses may remove their face covering once they are seated at the witness stand to give testimony.
  + Attorneys may remove their face covering when conducting any portion of the trial, so long as they maintain six (6) feet between themselves and others in the courtroom.  Masks must be worn while seated at their respective tables.

*[Kemp July 1, 2020 letter; ADH Face Coverings Directive effective July 20, 2020.]*

*Responsibility for ensuring compliance:* *[Enter names and titles of those responsible for ensuring compliance. For example, Circuit Judge Jane Smith; Circuit Clerk Jane Doe; Example County Chief Deputy Jim Smith; attorneys and court staff.]*

Cleaning and disinfecting:

* The facility, including seating, shall be cleaned and disinfected before and after each use. Frequently touched surfaces should be cleaned periodically during the course of the trial
* Hand sanitizer stations must be available at all entrances and exits and available near jurors for their use as needed

*[Kemp July 1, 2020 letter; ADH LIVD.]*

*Responsibility for ensuring compliance at both locations:* *[Enter names and titles of those responsible for ensuring compliance. For example,*

*John Doe, Maintenance Supervisor.]*

Social distancing:

* Seating must be arranged to maintain a 6-foot distance between members of the audience
* Every other row of seating should be unoccupied to provide for 6 feet of physical distancing
* Lines and cues for entrance, exit, or other reasons must be marked or monitored for maintaining a distance of 6 feet between people.

*[Kemp July 1, 2020 letter; ADH LIVD.]*

*Responsibility for ensuring compliance at both locations: [Enter names and titles of those responsible for ensuring compliance. For example,*

*John Doe, Maintenance Supervisor.]*

CONDUCT OF THE TRIAL

Plea Deadline:

* The court will not accept a plea of guilty after noon on Monday, August 3, 2020 for reasons stated in July 15 email.

Voir Dire/Jury Selection:

* This trial involves the State of Arkansas and one defendant. During jury selection, each side must confine questions relating to jury selection to one hour for the first round and 30 minutes for the subsequent round for no more than one hour and a half for each side.
* All questions directed to the jury pool pertaining to COVID-19 are to be asked by the judge and the judge alone. If the attorneys desire to submit any particular question(s) for the judge to ask regarding COVID-19, the attorney shall propose the question(s) no later than Monday, August 3 at 5:00 p.m.

Opening/Closing:

* Each side is limited to 20 minutes for opening.
* Attorneys for the State will make every effort to limit closing arguments to a total of 40 minutes (this includes initial and rebuttal closing).
* Attorneys for the defense will make every effort to limit closing arguments to 30 minutes.

Exhibits:

* To avoid multiple individuals handling exhibits, attorneys are to make copies of each exhibit to ensure each juror and alternate juror has a separate copy. If there is an exhibit that cannot be copied, the exhibit shall be placed inside a plastic sleeve to allow for disinfecting after each use.

Jury Instructions:

* To avoid multiple individuals handling jury instructions, each juror is to be provided one set of jury instructions for his/her sole use.