



Supreme Court of Arkansas

JOHN DAN KEMP
CHIEF JUSTICE

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Dear Judges:

I talked with Dr. Joel Tumblison of the Arkansas Department of Health, who has been assigned to consult with me regarding guidelines for the courts. Dr. Tumblison advised that courts could classify under the provisions for large indoor venues. If the space is available for social distancing of at least six feet, then up to one hundred (100) people could be accommodated without the requirement to submit a plan to the Department of Health for approval. But he emphasized that because the trial would require people to be in the same location for an extended period of time rather than just a few minutes that the people would need to be adequately spaced out. He also emphasized that everyone in the courtroom should be required to wear a face covering, except children under 10 years of age, who are exempt. The key is the amount of space available to accommodate social distancing for up to 100 people.

The Arkansas Department of Health Directive Regarding Large Indoor Venues Phase II became effective by revision on June 15, 2020 and is posted on the ADH website. It's main features applicable to the courts are as follows:

Up to one hundred (100) people or fewer in attendance are allowed without the requirement to submit a plan.

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 six (6) feet of physical distancing.

Face coverings are required for all persons present, except for children under 10 years of age, who are exempt.

Hand sanitizer stations must be available at all entrances and exits.

Lines and cues for entrance, exit, or other reasons must be marked or monitored for maintaining a distance of 6 feet between people.

Family groups may sit together, but 6 feet should be maintained between groups.

Signs must 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.
- ~They have had exposure to someone with COVID-19 in the past 14 days.

Signs must be posted at all entrances advising the public that they may wish to refrain from entering if:

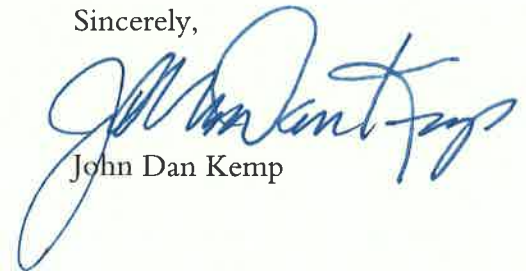
- ~They are 65 years of age or older.
- ~They have underlying health conditions including high blood pressure, chronic lung disease, diabetes, severe obesity, asthma, or weakened immunity.

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 event.

I am pleased to announce that the Administrative Office of the Courts has acquired a large quantity of hand sanitizer for distribution to each judicial district. I express my thanks to AOC Director Marty Sullivan for acquiring this hand sanitizer as well as other PPE for use by the courts.

Please keep track of the revision of ADH directives that pertain to large indoor venues, which are subject to change as the effects of the pandemic progress. I have provided this information as a clarification of the ADH guidelines that apply to conducting court, especially jury trials.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Dan Kemp". The signature is stylized and cursive, with a large initial "J" and "K".

John Dan Kemp