

COVID-19 QUICK REFERENCE GUIDE FOR THE COURTS

GUIDELINES FOR IN-PERSON PROCEEDINGS

While *video conferencing remains the preferred method to conduct most proceedings*, the suspension of in-person proceedings and jury trials has been lifted so long as those proceedings are conducted in compliance with Supreme Court and Arkansas Department of Health directives.

Requirements for In-Person Proceedings:

- ✓ Best practice is for everyone to wear a [face covering](#) completely over nose and mouth and maintain social distancing of six (6) feet
- ✓ [Signs](#) must be posted at all entrances advising the public not to enter if:
 - They have fever, cough, shortness of breath, sore throat, or loss of taste or smell
 - They have had known 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
- ✓ Mandatory body-temperature checks & [health questionnaires](#) ([Spanish version available](#)) before entry into either the building or the courtroom
- ✓ Hand sanitizer stations must be available at all entrances and exits
- ✓ Hand soap must be available
- ✓ Lines and cues for entrance, exit, or other reasons must be marked or monitored for maintaining six (6) feet between people
- ✓ Seating must be arranged to maintain six (6) foot distance between members of the audience
- ✓ Every other row of seating should be unoccupied to provide six (6) feet of physical distancing
- ✓ 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 proceeding

Safety Plans

For proceedings in which there will be [more than 100 people](#) present at one time, a safety plan must be developed outlining how the requirements will be implemented in the courtroom or other venue at which the proceeding will be held.

- **Submission to ADH not required:** the plan is not required to be submitted to ADH for approval; however, if requested by the judge ADH will review the plan and provide guidance. Email the plan to Joel.Tumlison@arkansas.gov. Dr. Tumlison will review the plan and respond by email or telephone as warranted. [Sample Safety Plan](#)

Civil Jury Trials:

- May be conducted in whole, or in part, by videoconference

Criminal Jury Trials:

- Must be conducted in-person
- Voir dire may be conducted by videoconference by agreement of parties

PROTOCOLS FOR EXPOSURE TO COVID-19 IN THE COURTROOM

Definition of exposure: A person is considered exposed if he or she is in close contact with an infected person. Close contact is defined as being within 6 feet for 15 minutes cumulative time throughout the day.

Steps if exposed:

1. If “exposed,” as defined above, the person should quarantine for 14 days. The 14 days starts from the *day of last exposure*.
2. The exposed person would need to get tested, ideally 5 days after the last exposure. The testing agency should be advised that the individual was exposed to COVID-19.
3. Even if the test result is negative, the person would still need to quarantine for the remainder of the 14 days.

Contact tracing: Each court should designate a person responsible for gathering initial information about the exposure. Each judge may appoint a designee, or the circuit may appoint a single designee for the judicial circuit.

This information should include:

- Name and DOB of person who tested positive (for confirmation purposes)
- When the person who tested positive began having symptoms
- When the person who tested positive had their COVID-19 test collected
- Location (facility) and dates the positive person worked
- Names and phone numbers for all those considered to be close contacts
- Whether face coverings were worn by all persons

The court designee would then communicate that information with the point of contact at the Department of Health.

Arkansas Department of Health Liaison: Dr. Joel Tumilson will serve as the point of contact (POC) at the Arkansas Department of Health for the circuit and district courts if they experience an exposure. His contact information is Joel.Tumilson@arkansas.gov ; 501-707-5192.

Dr. Tumilson will consult with court personnel who have been exposed and could refer the person to an ADH nurse who would work to find a positive case’s close contacts and try to immediately exclude them from the environment and recommend that they get tested.

COURT RULES

Timeliness of Responses:

Beginning Wednesday, April 28, 2020 the following rules were suspended:

[Arkansas Rules of Civil Procedure 4\(i\), 33\(b\), 34\(b\), 36\(a\)](#)
[District Court Rule 3](#)

On Wednesday, May 8, 2020 the suspension was lifted for:

[Arkansas Rules of Civil Procedure 33\(b\), 34\(b\), 36\(a\)](#)

The Court authorized jury summons to be issued beginning on Wednesday, July 1, 2020.

[Arkansas Rule of Civil Procedure 4\(i\)](#) remains suspended.

Speedy Trial

Beginning March 17, 2020 any delay for speedy-trial purposes due to precautions against the COVID-19 pandemic shall be deemed to **presumptively** constitute good cause per [Arkansas Rule of Criminal Procedure 28.3\(h\)](#). [Sample Jury Trial Suspension Order](#)

RESOURCES

When conducting in-person proceedings, courts are required to provide masks and hand sanitizer to those entering the facility.

PPE: Pete Hollingsworth, Director of Security and Emergency Preparedness at the Administrative Office of the Courts, will provide personal protective equipment supplier contact information to judges who wish to purchase it for their court. He is also the point of contact in the event the AOC acquires additional PPE for distribution to the courts. Pete.Hollingsworth@arcourts.gov: (501)-410-1938

Signage: The Arkansas Department of Health has developed signage that may be downloaded.

Masks Required

https://www.healthy.arkansas.gov/images/uploads/pdf/Masks_are_Required.pdf

Health Screening/Entry Requirements

https://www.healthy.arkansas.gov/images/uploads/pdf/COVID-19_No_Entry.pdf