

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

**IN RE: CONTINUANCE OF JURY TRIALS IN REGARDS TO THE
COVID-19 GLOBAL PANDEMIC**

ADMINISTRATIVE ORDER

Comes now before the Court and for its Order states:

On June 11, 2020, the Arkansas Supreme Court issued a per curiam opinion styled *In Re Response to the Covid-19 Pandemic*. The Court, in that opinion, lifted the suspension on jury trials but left the decision of when to resume such matters to the discretion of local courts after consideration of growth rate of the virus in the area, the size of the venue in which court is conducted, the security measures necessary to conduct trials, the availability of personal protective equipment, and other relevant factors. The Court specifically noted that most courts would not begin jury trials until September or later. The Supreme Court has further directed that the opinion is to be interpreted broadly for protection of the public from the risk associated with COVID-19. On June 15 an Administrative Order was issued in Sebastian County continuing all jury trials in the jurisdiction until September 1. Because summons would need to issue immediately for jurors to appear in September, the Circuit Judges of Sebastian County were compelled to consider those factors as they exist today in making a determination whether to proceed with jury trials on that date or to further continue such matters. It is worthy of note that Sebastian County has been among the leader in Arkansas counties for positive COVID-19 tests for the recent weeks and in fact had the most cases in the State on the most recent reporting date. Therefore, it is the opinion of the majority of the Circuit Judges in the jurisdiction that the suspension of jury trials in Sebastian

County shall continue until October 1, subject to reevaluation as that date approaches. The Circuit Judges of Sebastian County are committed to resuming jury trials, are eager to do so, and will do so as soon as the safety of parties, witnesses, attorneys and jurors can reasonably be assured.

As announced by the Supreme Court on March 17, 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). *See In re Response to the COVID-19 Pandemic*, 2020 Ark. 116 (per curiam). All divisions remain open to bench trials with the consent of the parties.

IT IS SO ORDERED this 4th day of August 2020.

STEPHEN TABOR
CIRCUIT JUDGE - DIVISION I