



Superior Court of California County of Orange

May 7, 2021

Civil Remote Jury Selection Program Overview

Due to the continued 6 feet social distancing requirement, the court's ability to convene large groups of prospective jurors has been significantly impacted. In an effort to explore opportunities to increase the court's ability to conduct Civil jury trials, the court will be offering the option of remote jury selection on a case-by-case basis. This will allow the court and counsel to conduct voir dire and select a jury via video conferencing, while conducting the jury trial in-person. While other court's in California have required remote jury selection, the Orange County Superior Court has opted not to mandate it. The court is interested in exploring this option should it need to become a requirement in the future due to the fluid nature of the COVID-19 pandemic.

1. Overview

Remote jury selection will be offered at trial call on a case-by-case basis. Counsel/self-represented parties will have an opportunity to agree to remote jury selection. A technology questionnaire will be used to assess the juror's ability to connect and qualify them to participate. Once the prospective jury panel is qualified, jurors will be instructed to connect remotely via Zoom for voir dire. The number of participants who can join a Zoom session is not limited. Zoom also permits up to 49 attendees to be viewed on video at one time which can allow jury selection to occur in one session, versus the multiple-days required for in-person jury selection in smaller groups.

The Court and counsel/self-represented parties will be present in the courtroom during the voir dire process. The established process for voir dire will be followed. Once the jurors are selected, the sworn panel will be instructed to report in person to the courtroom to commence the jury trial soon thereafter. The jurors will be socially distanced throughout the courtroom during trial.

2. Trial Call

At trial call, counsel/self-represented parties in cases that are ready to commence jury trial will have an opportunity to agree to remote jury selection. The court will confirm trial courtroom availability and start date/time through the Supervising Judge. The courtroom

clerk will request a prospective jury panel from the Jury Commissioner's Office and provide the technology qualification questionnaire.

3. Juror Summons and Qualification

The Jury Commissioner's Office will summons jurors to report in-person at the courthouse through the established process. The Jury Commissioner's Office will empanel a prospective jury panel, as requested by the courtroom. The technology qualification questionnaire will be provided to the empaneled jurors in the jury assembly room.

Upon completion, the Jury Commissioner's Office will send all questionnaires to the courtroom for review by the court and counsel/self-represented parties. Prospective jurors will be instructed to wait in the jury assembly room. Once the prospective jurors are qualified through the courtroom, the Jury Commissioner's Office will be informed of the names of the qualified jurors and provided written instructions to be given to the qualified jurors.

The qualified jury panel will be excused and provided the written instructions for how and when to connect remotely for jury selection per the instructions provided by the courtroom. The Jury Commissioner's Office will send the qualified alphabetical and random list of prospective juror names to the courtroom.

4. Remote Jury Selection

On the day set to begin voir dire, the court and counsel/self-represented parties will be present in the courtroom while prospective jurors connect via Zoom. The video session will be displayed via the evidence presentation screen. Jurors can appear at the same time or can be instructed to connect by groups in staggered times. The established process for voir dire will be followed and the clerk will refer to the random list of prospective jurors throughout the jury selection process. Once the jury panel is selected, the sworn jurors will be instructed to report in-person soon thereafter for the commencement of the jury trial.

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