



# CIVIL JURY TRIAL COVID-19 PROTOCOLS

## Public Resource Guide

Effective September 1, 2020, the Orange County Superior Court opened for in-person Civil jury trials. To ensure compliance with safety measures, the Court is adopting these protocols.

### Answering Ready for Trial

Trial calls will be remotely conducted by the assigned department. Cases will answer ready for trial pursuant to the Process to Commence Civil Jury Trial published on August 20, 2020.

Civil jury trials will take place in a limited number of designated courtrooms that allow for better social distancing. Cases may trail awaiting an available courtroom.

### Courthouse Access and Safety

To maintain social distancing, admission to courthouses is limited. Attorneys and jurors with badges can bypass triage and go directly to weapons screening. Attorneys should provide the names of parties, witnesses, court reporters, and interpreters to the courtroom clerk the day prior to their attendance. The clerk will inform the triage tables outside the courthouse so they may be allowed inside.

- **Everyone must wear face coverings at all times** inside all courthouses. Masks will be provided to those without one. No one may enter wearing a face shield only, absent the approval of an ADA accommodation.
- **Everyone must maintain 6 feet of social distance at all times** inside all courthouses. All hallways, elevators, and courtrooms have been marked accordingly.
- Hand sanitizer is available at several locations in each courthouse.
- Plexiglass has been installed in courtrooms as needed.
- Courtrooms are cleaned every evening during jury trials and during lunch breaks when possible.
- Cleaning supplies and gloves are available to courtrooms upon request.

### Jury Selection

Civil jury panels will include 40 prospective jurors per panel. Jury selection has been modified as follows:

- Jury selection might occur in a different courtroom than where the jury trial will be conducted.

- Where space allows, voir dire of all jurors will be done in one courtroom.
- When space limitations require, voir dire may be done in rounds (e.g. in 2 groups of 20 jurors each). In some courtrooms, voir dire of the first group will be broadcast live to the second group in a separate location. This will allow both groups to see and hear all voir dire questioning.
- Jury selection will otherwise proceed pursuant to statute, rule, and individual department procedure.
- During trial, jurors will be seated throughout the jury box and gallery to maintain social distancing.

### Public Access and Livestream

Courtrooms can safely accommodate only limited seating. Counsel should discuss courtroom capacity with the judicial officer.

To provide public access to court proceedings, civil jury trials will be broadcast live (“live streamed”) via YouTube and accessible through the court website. The camera will capture witness testimony; it may include the judicial officer. Jurors will not be displayed at any time.

### Witness Testimony

Judicial officers may allow witnesses to remove their face covering or may allow the use of a party-provided clear face shield during testimony.

- Witnesses will usually testify from the witness stand. Social distancing in some courtrooms may require the witness to sit in the first seat in the jury box.
- It is best for interpreters to utilize equipment (e.g. wireless two-way) for interpretation to support social distancing while providing simultaneous interpretation. Interpreters will not be allowed to stand closer than 6 feet to the parties.

### Exhibit Presentation

Trial notebooks and exhibit notebooks still must be delivered to the department pursuant to Local Rule 317. Evidence presentation equipment will be used to display exhibits to witnesses and the jury. When witnesses must handle original exhibits or demonstratives, they will be given disposable gloves if requested.