



Circuit Court for Carroll County

Jury Trial Procedures – COVID-19

(Effective April 26, 2021)

General Information

Effective April 26, 2021, and until further notice, the Circuit Court for Carroll County will implement the following jury trial procedures to ensure, to the greatest extent possible, the orderly and efficient resumption of jury trials under Phase V of the Maryland Judiciary's re-opening plan, and to protect the health and safety of jurors, litigants, attorneys, visitors, court staff, judges, and other individuals participating in jury trials during the ongoing coronavirus (COVID-19) pandemic. As a result of the limited capacity in the courthouse, only one (1) jury trial per day will commence, until further notice. This policy will be regularly reviewed as health information changes.

Any person, regardless of vaccination status, who seeks entrance to the courthouse shall be: (1) subject to COVID-19 screening questions, (2) subject to non-contact temperature checks, (3) required to wear face masks that cover the nose, mouth, and chin completely, without vents, and (4) required to maintain social distancing. Face masks are required to be worn in the courthouse at all times, except that a person may remove their mask briefly when they are eating or drinking.

Prior to entering the courthouse, a court security officer will ask COVID-19 screening questions and scan all personnel for temperature using a no-touch thermal scanner. Court security officers will also conduct ordinary security screening. After admittance to the courthouse, potential jurors will be guided directly to the appropriate courtroom.

Protective Measures Taken for Jury Trials

- Hand sanitizer and sanitizing wipes will be provided to all jurors and trial participants.
- Social distancing of jurors and others will be enforced by limiting the capacity in the courtroom. Markings for seating and courtroom movement that support six-foot social distancing have been placed in every courtroom where jury trials will occur.
- To provide public access during a public trial:
 - The Court will provide safe social distancing access to the victim in a criminal trial, having a statutory right to be present during trial. They will have priority seating over all other members of the public.
 - Safe social distancing access or other reasonable access will be provided to credentialed press covering the proceedings.
 - After determining space constraints in light of social distancing requirements and location of jurors, the Court will determine whether any additional members of the public, including a criminal defendant's family, can be present live in the courtroom during the trial.

Jury Selection

Jury selection (*voir dire*) will take place over one (1) or more days, depending on the size of the jury panel and other factors. If a jury panel consists of more than forty (40) people, jury selection on Day 1 will be divided into a morning session (Group A) and an afternoon session (Group B). The following additional instructions apply to jury selection:

One Day Voir Dire

- All jurors will report to Courtroom #10 located on the ground level of the Courthouse Annex building.
- Jurors will enter through the **back** of the Annex building and report to Courtroom #10 no later than 8:30 a.m. (Follow signs for employee entrance).
- Jurors will be seated in numeric order left to right (as viewed from the bench).
- Orientation will begin between 8:30 – 8:45 a.m.
- *Voir dire* will start at 9:30 a.m. or as directed by the Judge.

Two Day Voir Dire

Day 1: Morning (Group A):

- All Group A jurors will report to Courtroom #10 located on the ground level of the Courthouse Annex building.
- Jurors will enter through the **back** of the Annex building and report to Courtroom #10, no later than 8:00 a.m. (Follow signs for employee entrance).
- Jurors do NOT have to be seated in numeric order.
- Orientation will begin between 8:00-8:15 a.m.
- *Voir dire* will start at 9:00 a.m. or as directed by the Judge.
- At the conclusion of *voir dire*, the Judge will instruct those jurors who have not been excused or disqualified to return the next day for continuation of jury selection.
- The Judge will instruct those jurors who have been excused or disqualified that they must follow the reporting instructions listed on their summons and continue to call each evening that week to see if they are needed for jury service later in the week.

Day 1: Afternoon (Group B):

- All Group B jurors will report to Courtroom #10 located on the ground level of the Courthouse Annex building.
- Jurors will enter through the **back** of the Annex building and report to Courtroom #10, no later than 12:00 p.m. (Follow signs for employee entrance).
- Jurors are instructed to eat lunch prior to reporting.
- Jurors DO NOT have to be seated in numeric order.
- Orientation will begin between 12:00 – 12:15 p.m.
- *Voir dire* will start at 1:00 p.m. or as directed by the Judge.
- At the conclusion of *voir dire*, the Judge will instruct those jurors who have not been excused or disqualified to return the next day for continuation of jury selection.
- The Judge will instruct those jurors who have been excused or disqualified that they must follow the reporting instructions listed on their summons and continue to call each evening that week to see if they are needed for jury service later in the week.

Day 2: Morning (Group A and Group B):

- Jurors will enter through the **front** of building and report to 2nd floor hallway, no later than 8:30 a.m.
- Jurors Report: After Signing in – *Group A report to Courtroom #4 (2nd floor) – Group B report to the Jury Assembly Room (2nd floor).*
- Jurors will sign in, receive their per diem and based on their juror number be directed to either courtroom #4 or the Jury Assembly Room where they will be seated in numeric order.
- Jury panel selection begins at 9:00 a.m.

New Jury Starting and Day 2 Of Two Day Voir Dire

New Jury

If a new jury trial is starting on Day 2, the following instructions apply to both sets of jurors:

- Day 1 of the new jury trial – the new jury panel will report to Courtroom #10 for jury selection and follow the instructions above for *One Day Voir Dire*.

Day 2 of Two Day Voir Dire

- The returning jury panel will follow the instructions above for *Day 2: Morning (Group A and Group B)* reporting.

Jury Deliberation

- In criminal cases, jury deliberation will be conducted in the Jury Assembly Room, deliberating room, or a courtroom.
- The Court will instruct jurors to maintain social distancing and to keep masks on.
- The Court will instruct the foreperson to ensure jurors comply with social distancing and mask covering requirements and to report to the bailiff if any juror refuses to comply with these instructions.

Jury Panel LUNCH / DINNER

During Voir Dire

There is generally no lunch break during *voir dire*. Jurors are advised to eat lunch before they report for 12:00 p.m. jury selection because the courthouse cannot accommodate jurors eating their lunch in the courthouse.

During Deliberations

After the trial has concluded and the jury is deliberating, jurors may be allowed to eat meals in the courthouse as determined by the presiding Judge. The presiding Judge, after speaking with the jurors, will decide if the jurors will eat together during deliberations, or suspend trial for the day to allow jurors to eat and return the next day to resume deliberations. If the jurors are permitted to eat in the courthouse during deliberations, they can be accommodated in the Jury Assembly Room.

Juror Parking

Parking directions are included in the Jury Summons.

Trial Protocols

- **Face Masks**
 - Face masks are required to be worn at all times, even when individuals are speaking.

- **Openings and Closings**
 - Lawyers must maintain social distancing but may move about the courtroom at the discretion of the trial Judge.

- **Questioning Witnesses**
 - Counsel must examine witnesses from the counsel table and must not approach the witness without leave of the Court.
 - Witnesses must wear face masks, even while testifying.
 - In the event supplies are available, a witness may alternatively testify using a clear mask provided by the Court.
 - After each live witness testifies, the witness chair and table shall be wiped down with appropriate disinfectant.
 - The courthouse will have hand sanitizer and sanitizing wipes available at the witness stand for use by the witness before and after handling exhibits.

- **Exhibits**
 - In the event it becomes necessary to pass around an exhibit, each person touching the exhibit should sanitize their hands before and after touching the exhibit. Gloves will not be used in this process.

- **Objections and Bench Conferences**
 - Lawyers are encouraged to succinctly state objections and responses to avoid unnecessary bench conferences.
 - If a bench conference is necessary, the lawyers and the Judge will use closed-circuit single channel headsets provided by the Court which allow communication to occur out of the hearing of the jury, or any other method directed by the presiding Judge.

Fred S. Hecker
Administrative Judge