



Press Release

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**Misdemeanor Jury Trials to Resume November 2, 2020, All Other Jury Trials
Suspended Until January 4, 2021**

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On Thursday, Chief Justice Bolger issued [Special Order 8194](#), allowing misdemeanor jury trials to resume November 2, 2020 under the direction of the presiding judge. It also extends the suspension of in-person felony criminal and civil trials until January 4, 2021, but a presiding judge may allow a felony or civil jury trial to proceed in exceptional circumstances. The Chief Justice will review whether to continue the in-person felony and civil trial suspension on approximately November 20, 2020. The suspension does not apply to proceedings in which videoconference trials have been approved, such as [presumptive death trials](#).

The order recognizes that COVID-19 case counts have remained high since the last order suspending jury trials on August 6, 2020, and the continued suspension affects the interest of criminal defendants, victims, and the general public in prompt disposition of criminal charges. The court system has developed procedures designed to reduce the risk of exposure for grand jury proceedings and other hearings that have been occurring. These procedures with additions will be used for misdemeanor trials that are generally completed in less time and with fewer participants than felony jury trials. Misdemeanors trials involve lower level crimes and have six jurors. Felony trials involve more serious crimes and have twelve person juries.

Any in-person jury trials will be conducted with strict adherence to CDC recommendations and state and local health mandates. Special Order 8194 sets out procedures to ensure the safe and timely administration of justice, including those discussed below.

Each day of trial, all participants will be required to answer health screening questions and have temperature checks. Everyone must wear a face covering, unless speaking behind a Plexiglas barrier or transparent face shield or exempted due to health or age. A judge may authorize removal of a face covering, for witness testimony, defendant identification, or for making an appropriate record, provided that other protective measures are followed. Six-foot social distancing between all trial participants will be required, but the judge may authorize participants who have an ongoing professional relationship to be closer if they wear face coverings.

Jury selection procedures have been modified to increase efficiencies to reduce the number of prospective jurors and amount of time jurors spend inside courthouses, including demographic questionnaires issued in advance, possible use of Zoom videoconference for selection, and other procedures to streamline the process.

Cases filed in courthouses that do not have courtrooms large enough to accommodate social distancing will be relocated to other local facilities or other court locations within the same judicial district.

The Chief Justice's order does not impact grand jury proceedings and does not delay any proceedings other than jury trials. Criminal proceedings that can be conducted primarily by phone or video will continue to occur, including arraignments, bail hearings, change of plea hearings, sentencing, and bench trials decided by a judge without a jury. The vast majority of criminal cases are resolved without a jury trial typically through negotiations between the prosecutor and the defendant. In civil matters such as family law, domestic violence, and Child in Need of Aid cases, hearings and non-jury trials continue to take place primarily by telephone and/or video conference to protect the participants and court staff.

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