

SUMMIT COUNTY COMMON PLEAS COURT, GENERAL DIVISION



CONDUCTING JURY TRIALS DURING THE COVID-19 PANDEMIC

Procedures for Summoning a Jury Panel

Jury Administration Department

Initial Contact

- COVID-19 related Frequently Asked Questions have been added to the Jury Pages of the Court's website.
- Summons issued with letter (attached) which explains procedures, safety measures, etc. FAQs will be printed on the back of the letter.
- Excuse procedure prior to trial would remain the same.
 - Potential juror would submit a written excuse either via regular mail or email, whether the request concerns COVID-19 or another situation, and granted liberally for those with COVID-19 related concerns (recent illness, caring for someone with COVID-19 or in a high-risk category, child care concerns, public transportation, medical personnel, etc.).

COVID-19 Screening

- In order to ensure a safe and healthy environment for everyone, jurors will be asked if they are currently experiencing flu-like symptoms, including headache, sore throat, cough, fever, or nausea, and if so, to call the Jury Department as soon as possible at 330-643-8173 or before reporting.
- Anyone experiencing COVID-19 related symptoms will be deferred for another report date.

Voir Dire

- Unless otherwise directed by the Administrative Judge, the Jury Department will order no more than 40 in person jurors for a criminal trial and no more than 30 in person jurors for a civil trial.
- Security Screening
 - A plastic bag with disposable masks will be delivered to the Summit County Sheriff's Deputy station the morning of trial to ensure any juror not bringing their own mask has one to wear in the courthouse.
- Check-In Procedures
 - Upon arrival to the designated assembly area, jurors will be provided a large Ziploc bag. The contents will include:
 - A sanitizing wipe
 - Two pens
 - Small bottle of hand sanitizer
 - Juror label (sticker)
 - Parking validation and work attendance certificates will be provided at check-in.
 - If any questionnaire is being filled out the morning of voir dire, a sanitized clip board with the questionnaire will also be provided.
 - Boxes will be set up in the room for the return of questionnaires.

Health Screening for Courthouse Entrance

Temperature Screening

- Temperatures will be taken by the Summit County Sheriff's Deputies in accordance with Administrative Order 2020-700.
- Summit County Sheriff's Deputies will ask screening questions. Individuals who do not pass the temperature check or respond "yes" to any screening question will be denied entrance into the courthouse in accordance with Administrative Order 2020-700. Although yet to be finalized, potential screening questions include the following:
 - Have you or anyone in your household been diagnosed with COVID-19 within the last 14 days?
 - Do you have any reason to believe you or anyone in your household has been exposed to COVID-19 within the last 14 days?
 - Have you experienced symptoms such as fever, cough, difficulty breathing, new loss of smell or taste within the last 14 days?
- If a juror is denied entrance into the building, a "Denied Juror Health Assessment" form will be **immediately** completed by a COVID-19 Response Team member, a Sheriff's Deputy or court staff; who will then contact the Jury Department at (330) 643-8173 and provide the completed form to the Jury Department **within an hour**. The juror will be contacted by the Jury Department to re-schedule their appearance for a later date.

Summit County Common Pleas Court, General Division
209 South High Street, Akron, Ohio, 44308

On Date

Dear Prospective Juror,

You have been summoned for jury duty. Jury duty is important because it safeguards one of the most crucial rights of the American legal system and protects the safety and security of our community. The Court must continue to rely on civic-minded jurors like you for help in ensuring fairness and providing constitutional and statutory rights to fellow citizens.

The Court takes public health and safety seriously and has implemented aggressive policies to prevent the risk of infection from coronavirus for jurors and other court users. We would like to assure you that the Court has done everything it can to safeguard your health during your time in the courthouse or alternate venue. We have taken the following precautions:

1. Masks will be made available for jurors who do not have their own - you are encouraged to bring your own. You will be required to wear a mask or cloth face covering, unless you are unable to medically tolerate a face covering. The Summit County Sheriff and/or his deputies are authorized to deny entry to any person or persons who refuse to wear a mask or cloth face covering, or who is screened out following questioning/screening for COVID-19.
2. Jurors will have enough space to distance themselves from other people in the room by at least 6 feet.
3. Many of the courtrooms are equipped with plexiglass barriers as additional protection.
4. Jurors will not be asked to touch any surfaces, documents, or objects that have previously been touched by another person without being sanitized.
5. The overall number of people inside the courthouse and the courtroom, or alternate venue, will be restricted. Only people with essential business will be permitted in the courthouse/alternate venue, so you will have to come by yourself.
6. The courtroom and the courthouse, or alternate venue, will be sanitized regularly.
7. Jurors will be able to sanitize or wash their hands as often as they feel is necessary.
8. No one who has tested positive for coronavirus or exhibits any symptoms will be permitted to attend jury service.
9. No one under public health department or medical observation or supervision for COVID-19 will be permitted to attend jury service.
10. A complete list of all precautionary measures being taken is included for your review.

It is recommended that all jurors either bring their own lunch and drinks each day, or order their lunch and drinks from Street Treats, located in the courthouse. Street Treats will deliver to the courtrooms.

We have collaborated with the local health department and the steps the Court has taken have been approved by the local health department.

You cannot simply ignore a summons to jury duty - you must respond to a jury summons. You can respond either by reporting for jury duty or by contacting the Court in writing requesting to be excused. You must also fill out and return the jury service questionnaire included with this mailing within five (5) days of receipt.

Upon request, you may be excused if you or any immediate member of your household:

1. Are currently required to self-quarantine.
2. Are 65 years of age or older. If you wish to serve, you are still permitted to serve. Please advise us of your decision.
3. Have any of the following conditions: **chronic lung disease, moderate to severe asthma, serious heart conditions, severe obesity, diabetes, chronic kidney disease or undergoing dialysis, liver disease, hemoglobin disorders, pregnant, breastfeeding**, or are immunocompromised by: **cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications**.
4. Are residing in a nursing home or long-term care facility.
5. Have been notified by any health department that you, or a household member, have been in contact with an individual who tested positive for the COVID-19 virus.
6. Have tested positive for the COVID-19 virus within the last 14 days and/or have any test results pending regarding the COVID-19 virus.

While these reasons are the basis for excusal, **you MUST request an excuse in writing and provide documentary proof of your requested excuse**. You will only be contacted if your request to be excused has been denied.

On the Sunday prior to your service date, you are instructed to call (330) 643-2286, for long distance 1-800-531-2112, or check the Website at www.summitpcourt.net for jury instructions, venue location and report time. If you are feeling ill the day of your jury service please call (330) 643-8173 to report your condition.

Your response to your summons is vital to the ongoing process of the judicial system and we look forward to working with you!

We're all in this together,

Honorable Amy Corrigan Jones
Honorable Alison Breau
Honorable Christine Croce
Honorable Alison McCarty
Honorable Kelly L. McLaughlin

Honorable Kathryn Michael
Honorable Tammy O'Brien
Honorable Joy Malek Oldfield
Honorable Susan Baker Ross
Honorable Mary Margaret Rowlands

Summit County Court of Common Pleas Judges

1. What is your occupation? _____
2. Were you, at any time, laid off from employment or otherwise prohibited from working as a result of the COVID-19 pandemic? _____
3. If your answer to question 2 was "yes", have you returned to employment? _____
If so, when did you return? _____
4. If your answer to question 3 was "no", do you expect to return to your employment? _____
If so, when do you expect to return? _____
5. Have you and/or any member of your immediate household traveled outside of Ohio in the past two weeks? _____
If so, did you and/or the household member self-quarantine for 14 days upon return to Ohio? _____; which mode of transportation did you use? _____; which state(s) did you travel through? _____
6. Have you or any member of your immediate household been notified by any health department that you and/or the household member have been in contact with an individual who tested positive for the COVID-19 virus? _____
If so, when did the notification take place? _____
Were you and/or the household member required to self-quarantine? _____
Did you and/or the household member self-quarantine for the required period? _____
7. Have you or any member of your immediate household test positive for the COVID-19 virus and/or have any test results pending regarding the COVID-19 virus? _____
If so, please explain and provide date(s) or test(s): _____

8. Do you or any member of your immediate household have any of the following conditions: chronic lung disease, moderate-severe asthma, serious heart condition, severe obesity, diabetes, chronic kidney disease or undergoing dialysis, liver disease, pregnant or breastfeeding? _____
If so, please explain: _____

9. Are you or any member of your immediate household 65 years of age or older? _____
10. Are you currently residing in a nursing home or long-term care facility? _____

Juror Number _____

Under Ohio Law, your answers will normally be subject to public disclosure. Certain items are not normally subject to disclosure, such as social security numbers, telephone numbers and driver's license numbers. You may request an in-court private hearing if there are specific answers that you believe should not be disclosed. **Do you want an in-court private hearing to determine if your answers to the above questions should be released? Yes / No (circle one).** Failure to make a designation will be considered a "no" request.

Frequently Asked Questions

- **Are face masks/coverings required?**
 - Yes, a face covering must always be worn in the Courthouse in accordance with Administrative Order 2020-700. You should bring your own mask to the Courthouse. You will also be provided with an additional by the Court, if necessary.
- **What should I do if a medical condition prevents me from wearing a mask?**
 - You should contact the Jury Department at 330-643-8173 before your report date.
- **What is the Court doing to ensure safety of the public?**
 - Health screening will take place for admittance into the Courthouse in accordance with Administrative Order 2020-700.
 - Masks are required in the Courthouse in accordance with Administrative Order 2020-700.
 - Physical distancing will be observed in all areas, including security screening, jury assembly, courtrooms, deliberation areas, and elevators in accordance with Administrative Order 2020-700.
 - Many of the courtrooms are equipped with plexiglass barriers as additional protection.
 - A deep cleaning/sanitization of the Courthouse will be completed early each morning and throughout the day in accordance with Administrative Order 2020-700.
 - Juror check-in and voir dire procedures have been modified to minimize personal contact.
- **Is food available for purchase?**
 - We recommend that you either purchase a boxed lunch and drinks from Street Treats, located in the courthouse, or bring your own lunch, snacks, and drinks. Street Treats will deliver to the courtrooms.
- **Are vending machines available?**
 - Access to vending machines will be limited, as well as availability. Jurors are encouraged to bring snacks and lunch from home.
- **Will water fountains be available?**

Water fountains in the building may be turned off. Bottled water is recommended.
- **I need to request an excuse or deferment based on COVID-19 related concerns. What should I do?**
 - Please call the Jury Department immediately at 330-643-8173.
- **I, or someone in my household, is feeling ill and it is too late to submit a written request. What should I do?**
 - Please call the Jury Department immediately at 330-643-8173.

**Conducting a Jury Trial During
the COVID-19 Pandemic in the
Summit County Court of Common
Pleas, General Division**

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I. VOIR DIRE

Up to 40 jurors will be seated in the Ceremonial Courtroom.

At the direction of the Judge, the VJ Courtroom on the 2nd floor annex building can be arranged with properly distanced seating for members of the public/media who wish to view voir dire via an audio/video feed; however, the YouTube channel will be the safest option for public/media access.

Courtroom Set-Up and Audio

- Prospective jurors will be seated in the jury box, gallery, or at designated tables in order to ensure proper physical distancing. Juror numbers will be affixed to all seats to denote where each juror should sit.
- Attorneys will be assigned seats and a specific microphone to be used at the attorney tables. The Jury Bailiff/Court Executive Officer (CEO) will label seats and microphones accordingly.

Juror Check-In

- The Ceremonial Courtroom can accommodate up to 40 prospective jurors with proper physical distancing. Accordingly, prospective jurors will be instructed to report to the Ceremonial Courtroom.
- In the Ceremonial Courtroom, juror seats will be labeled numerically, and jurors will be asked to sit in their designated seats. The Jury Bailiff's staff will be able to tell who is not present from empty seats. Prospective jurors will have access to restrooms.
- Prior to check in, large Ziploc bags containing juror supplies will be placed on each chair with the prospective juror's name or number.
- Questionnaires will be filled out in advance. If any questionnaire is being filled out the morning of voir dire, a sanitized clip board with the questionnaire will be placed on the juror's seat.
- Boxes will be set up in the room for the return of questionnaires.
- A modified orientation will be given which explains COVID-19 related procedures, and an opportunity to ask questions will be given.

Jury Selection

- Jurors will remain in the Ceremonial Courtroom for voir dire. Once voir dire begins, the Jury Bailiff's staff will exit the courtroom and the Judge's individual staff will take over.
- Jurors that are released from jury service will not be required to check out with the jury department. Jurors will have everything they need to exit the building once released by the judge.
- Jurors selected for jury service will be escorted from the Ceremonial Courtroom to the Judge's courtroom by the Judge's individual staff and will be directed to be seated in their assigned seats. Judge's individual staff will email the Jury Bailiff indicating the jurors seated, along with alternates.
- After all jurors have left the Ceremonial Courtroom, the COVID Task Force Team will wipe down the arms of the chairs, the surface of any tables, and sanitize the room in accordance with Administrative Order 2020-700.

II. TRIAL

Preparing the Courtroom for Trial

- The following considerations will affect courtroom set-up: (1) How many attorneys will be at the trial tables? (2) How many jurors and alternates are going to be seated? (3) With regard to criminal trials: Is an interpreter needed? Is the defendant in custody? Are there any in-custody witnesses?
- The courtroom will be prepared in advance by the Judge's individual staff. Numbers will be affixed to the chairs in the jury box, at tables, or in the gallery as applicable to denote where each juror will sit to ensure physical distance between jurors. Any unused chairs around the trial tables and courtroom will be removed.
- Chairs for attorneys will be placed in locations that are appropriately distanced from other seats and marked as attorney chairs.
- Chairs for Summit County Sheriff's Deputies, if needed, will be placed in locations that are appropriately distanced from other seats and marked as Summit County Sheriff's Deputy's chairs.
- Attorneys will be assigned seats and a specific microphone to be used at the attorney table. The Judge's individual staff will label seats and microphones accordingly.
- When addressing the court or the jury, attorneys may use the podium. Microphone covers will be replaced or covered with a temporary piece of

plastic and surface areas at the podium will be cleaned after each speaker.

- It is recommended that attorneys contact the Judge's individual staff in advance of the trial to arrange a visit to the courthouse to familiarize themselves with the setup of the courtroom. For example, due to physical distancing requirements, jurors will be seated in the gallery and attorneys may be positioned in the courtroom with their backs to the jury. It may be helpful to visit the courtroom in advance to understand how best to position oneself when addressing the jury.
- Hand sanitizer, anti-bacterial wipes, and gloves will be made available in the courtroom. Plastic microphone covers will be used.

Deliberation Room

- Once a jury is seated, the courtroom will be used for breaks and deliberation. Jurors will have assigned seating, and chairs will be reserved and numbered to denote where each juror should sit and keep any personal belongings.
- Jurors will be escorted at all times by the Judge's individual staff. They will be instructed to remain in the courtroom, unless released by the Judge's individual staff.
- Jurors will be instructed to utilize the restrooms provided in the courtroom and not the public restrooms.
- Should smoking breaks be needed, the Judge's individual staff or a Summit County Sheriff's Deputy will take the juror(s) to the courtyard.
- Hand sanitizer, anti-bacterial wipes, and gloves will be available.

Daily Check-in of Jurors

- Daily check-in of jurors will occur in the Judge's courtroom. If parking passes need validated, the Judge's individual staff will get the passes validated by the Jury Bailiff for the juror(s). The Judge's individual staff will send an email to the Jury Department each day confirming juror attendance.
- Seated jurors will not be issued juror badges. Jurors will be issued a supply of juror stickers instead.
- The Judge's individual staff will provide jury notebooks to seated jurors, if the Judge deems it necessary. The notebook must be stored in the Ziploc bag the juror received during voir dire. Jurors will place their notebooks in the Ziploc bags at the end of each trial day and place them on their designated seat in the courtroom.

- In order to ensure physical distancing, the Judge's individual staff will escort jurors through the courtroom and the building.

Courtroom Staff and Court Reporter

As an added precaution, a plexiglass barrier will be installed between the court reporter and the Judge's individual staff.

Witness Testimony

- As an added precaution, a plexiglass barrier will be installed around the witness stand. The Judge's individual staff will wipe down the witness stand/plexiglass and change the microphone cover after each witness testifies in accordance with Administrative Order 2020-700.
- Exhibits will be displayed using the document camera. Should a witness need to handle an exhibit, he/she will put on gloves. A supply of gloves will be provided on the witness stand.
- Hand sanitizer, anti-bacterial wipes, and gloves will be made available to witnesses.

Sidebar

- Sidebars will be conducted in the Judge's jury room or chambers. Participants will maintain physical distancing requirements in accordance with Administrative Order 2020-700.

Private Conversations Between Attorney and Defendant

- To maintain physical distancing requirements, private conversations between the attorney and the defendant will occur when requested.

Lunch Breaks and Refreshments

- There are open restaurants in the downtown Akron area, some with outdoor dining. Jurors can either pack lunch or go out for lunch. If they eat in the building, they will use their assigned seats in the courtroom. Jurors will have the option of ordering a boxed lunches from Street Treats at the juror's expense.

- Water will not be provided on trial tables. Attorneys are encouraged to bring their own individual bottles of water.

Media/Spectators

- If approved by the judge, members of the media and public may view a trial in the VJ courtroom. Seating will be spaced and appropriately marked. Summit County Sheriff's Deputies will monitor that required physical distancing is maintained in the public seating area(s) in accordance with Administrative Order 2020-700.

Plexiglass Barriers

- As a precautionary measure, plexiglass barriers will be installed in the witness box, at the podium, and at the lower bench. Plexiglass and surfaces will be sanitized between users.

Daily Cleaning/Sanitation

- Courtrooms and common areas used during jury trials will be thoroughly cleaned and disinfected in accordance with CDC guidelines before the beginning of each day. High touch surfaces will be cleaned and disinfected throughout the day in accordance with Administrative Order 2020-700.

III. DELIBERATIONS, VERDICT AND JUROR CHECK-OUT

Deliberations

- The courtroom will be used for deliberations.
- Attorneys and the public will be directed to stay away from the courtroom. The hallway entrances to both the courtroom and jury room will remain closed.
- Jurors will be instructed to maintain physical distancing during deliberations.
- Technology will be set up and utilized to view exhibits.

Verdict and Juror Check-Out

- At the conclusion of the trial, jurors will be excused by the judge. The Judge's individual staff will let the Jury Bailiff know that the jurors have left. Certificates of Appreciation will be mailed or emailed to jurors to prevent additional contact.