

STATE OF NORTH CAROLINA
COUNTY OF STOKES AND SURRY

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IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 20 R 101

IN RE:
JURY RESUMPTION PLAN
FOR JUDICIAL DISTRICT 17B

) STOKES COUNTY, C.S.C.
) BY UCF
)

ADMINISTRATIVE ORDER

On March 13, 2020 Chief Justice Cheri Beasley announced measures on behalf of the Judicial Branch to minimize the spread of COVID-19 among members of the public. On July 16, 2020 the Chief Justice ordered, *inter alia*, that all Jury Trial Sessions be postponed until after the end of September 2020. Chief Justice Beasley likewise ordered that each Senior Resident Superior Court Judge, in consultation with other local officials, craft a plan for the resumption of jury trials in his or her judicial district.

A. CONFIRMATION OF FACILITY COMPLIANCE WITH CHIEF JUSTICE CHERI BEASLEY'S EMERGENCY ORDER

1. Pursuant to Emergency Directive 11 of the Chief Justice's Order dated May 21, 2020 the Senior Resident Superior Court Judge is serving as the COVID-19 Coordinator.
2. Pursuant to Emergency Directive 12 of the Chief Justice's Order dated May 21, 2020 the Senior Resident Superior Court Judge for Judicial District 17B has ensured that the Stokes and Surry Courthouses:
 - a. Are visibly marked in appropriate intervals in every direction in all areas where the public is expected to congregate or wait in line;
 - b. The maximum allowable occupancy of each courtroom is established such that persons who must sit or stand in such space may observe social distancing of six feet in every direction;
 - c. The established maximum occupancy is prominently posted at the entrances to each courtroom;
 - d. Hand sanitizer is available at the entry and exit of the facility and at all high touch areas of the facility;
 - e. All areas accessed by the public and cleaned daily with the courtrooms and high touch areas cleaned periodically throughout the day; and
 - f. Face coverings are required inside the courthouse.
3. That pursuant to Emergency Directive 13 of the Chief Justice's Order dated May 21, 2020 the Senior Resident Superior Court Judge/COVID-19 Coordinator for Judicial District 17B has:
 - a. Prior to publication and distribution, caused to be reviewed each calendar, both individually and collectively with other sessions of court, to ensure that the calendars will not result in members of the public sitting or standing in close proximity and/or for extended periods of time in contravention of current public health guidance; and

- b. That all judicial branch personnel assigned to the courtroom have a facemask made available to them prior to the session of court.

B. SUMMONING AND EXCUSING JURORS

4. For all Jury Trial Sessions, the Clerk of Superior Court will summon separate panels of potential jurors for the morning session and the afternoon session with planning to obtain actual attendance of less than forty (40) per session. This procedure shall be conducted in accordance with specific instructions from the Senior Resident Superior Court Judge, and the presiding Superior Court of District Court Judge. The Clerk of Superior Court shall in the jury summons provide a phone number for jurors to call the day before their appearance date for further instructions on their attendance the next day consistent with the current practice.
5. A notice will be provided with summonses to potential jurors stating that the precautions have been taken in accordance with guidelines from the Judicial Branch of North Carolina and the Center for Disease Control and Prevention to reduce the risk of transmission of COVID-19. The notice will be updated from time to time to reflect the most recent guidelines and the jury orientation process will be conducted in accordance with those guidelines, including social distancing guidelines then in effect. In addition, jurors will be told not to enter the courthouse if the potential juror:
 - a. Is experiencing fever, cough, shortness of breath or new loss of taste or smell;
 - b. Has been directed to quarantine, isolate, or self-monitor;
 - c. Has a known exposure to COVID-19;
 - d. Has been diagnosed with COVID-19; or
 - e. Resides with or has been in close contact with any person in the abovementioned categories.
6. The Court in its inherent authority orders that the citizens of Stokes and Surry Counties shall be duly summoned for potential service in their respective counties to serve as Grand Jurors or Trial Jurors for the criminal and civil sessions of Stokes and Surry Counties on any date necessary for the proper administration of justice.

C. CONDUCTING VOIR DIRE WITH SOCIAL DISTANCING

7. The Court will conduct voir dire in the Superior Courtroom with summoned jurors therein spaced at appropriate intervals in the public seating section of the courtroom. Any excess jurors will be assigned to the Jury Assembly Room until needed. Jurors will wear face coverings at all times.
8. Jurors will be advised not to fraternize during breaks and/or lunch recess and proper social distancing will be observed during breaks and deliberation.

D. CONDUCTING TRIALS WITH SOCIAL DISTANCING IN THE COURTROOM FOR ALL COURT PARTICIPANTS, INCLUDING THE JURY, AND IN THE DELIBERATION ROOM

9. Jury selection and trials will be held in the Superior Courtroom.
10. The jury will be seated in the public seating section and will be appropriately spaced. Juror seats will be established with the appropriate distancing and seat numbers in the first rows of the public seating area. The two rows of seats immediately behind the jury section will be closed for seating. The remaining rows will be for the public

and witnesses to the extent available after the jury is impaneled. A second bailiff will be stationed behind the jury to maintain security and avoid any public contact with the jury during the trial and jury selection.

11. Court will be open to the public with limited, dedicated seating identified for spectators.
12. Exhibits published to the jury will be either presented electronically to the extent available, or collectively to avoid repeated publications. Paper exhibits will be distributed directly to the jury individually by the bailiff after hand sanitizing as the presiding judge may direct. Passing of documents or photographs down from juror to juror should not be done and a separate copy should be made for each juror with a minimum of individual contact.

E. DAILY SCREENING OF ALL PERSONS ENTERING THE COURTHOUSE

13. On each day of trial, screening will be done by Court personnel. This screening will ask the following questions of jurors, court personnel, attorneys, witnesses and parties regarding known exposures and current health status as follows:
 - a. Are you experiencing fever, cough, or shortness of breath?
 - b. Have you been directed to quarantine, isolate, or self-monitor?
 - c. Have you had a known exposure to COVID-19?
 - d. Have you been diagnosed with COVID-19?
 - e. Do you reside with or have you been in close contact with any person in the above-mentioned categories?
14. Jurors seated in a trial shall be required to report by phone to a designated number or otherwise in the event of sickness or COVID-19 exposure. If a juror reports such symptoms, the jury shall be instructed they are not to come into the courthouse or will be otherwise quarantined pending further instruction depending on the circumstances. If a juror reports COVID-19 symptoms the clerk will notify the presiding judge in order to determine appropriate concerns and procedures depending on the reported circumstances. Confidentiality of the juror's situation should be protected as appropriate.

F. FACE COVERINGS AVAILABLE FOR JURORS, COURT PERSONNEL, ATTORNEYS, WITNESSES AND PARTIES

15. All court personnel have been provided appropriate face coverings.
16. Face coverings will be made available for jurors, attorneys, witnesses and parties, or they may provide their own.
17. Sanitized face shields will be provided to witnesses to wear during testimony so that jurors may see the faces of the witnesses in the presiding judge's discretion.

G. RESPONSE IN THE EVENT A JUROR, PARTY, ATTORNEY, WITNESS, JUDGE OR COURT PERSONNEL BECOMES SYMPTOMATIC, TESTS POSITIVE FOR COVID-19, OR HAS A KNOWN EXPOSURE TO SOMEONE WHO HAS TESTED POSITIVE FOR COVID-19 DURING THE TRIAL

18. In the event of a positive COVID-19 diagnosis of a juror, party, attorney, witness, courtroom personnel or judge, the presiding judge will consult with the Health Director to determine whether, in consideration of the precautions taken, there was

any likely exposure to others involved in the trial. The Court will take appropriate measures in consultation with the Health Director.

GENERAL PROVISIONS

This Administrative Order shall become effective on November 1, 2020. This order is entered after consulting with the Chief District Court Judge, District Attorney, Stokes County Clerk of Superior Court, Surry County Clerk of Superior Court, a representative of the Stokes and Surry county defense bar, Stokes County Sheriff, Surry County Sheriff, Stokes County Health Director and the Surry County Health Director.

This order is without prejudice to any presiding Judge in any particular trial to alter or amend the procedures herein as the circumstances dictate to protect the rights, health, safety and welfare of all the parties and trial participants, with the health and safety of all being of paramount concern.

Signed this the 12th day of October 2020.

A handwritten signature in black ink, appearing to read 'A. Puckett', written over a horizontal line.

Angela B. Puckett
Senior Resident Superior Court Judge