

NORTH CAROLINA
EDGECOMBE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

**ADMINISTRATIVE ORDER OF OPERATIONS
SPECIAL COVID-19 PROCEDURES-JURY TRIALS**

NOW COMES the undersigned Senior Resident Superior Court Judge for Judicial District 7C, Edgecombe County and enters this Administrative Order to establish special procedures for the conduct of jury trials in Edgecombe County during the Covid-19 pandemic pursuant to emergency directive 22 of the North Carolina Chief Justice of North Carolina.

WHEREAS, conditions during the current pandemic necessitate special protective procedures be established for resumption of jury trials in Superior Court, and as required by the Emergency Directive 22 pertaining to COVID-19 and Orders of the Chief Justice of the North Carolina Supreme Court pursuant to the Emergency Directive, the Undersigned have consulted with all stakeholders in Edgecombe County prepare this plan. The first Jury session will be the week of November 9, 2020, however this plan shall control for all subsequent dates of jury sessions, unless otherwise modified.

A. Confirmation: I, as Senior Resident Judge, to the best of my knowledge affirms that the facilities and alternate facility named herein are in, to the best of our ability as in compliance with the Chief Justices' emergency order.

B. The office jury summons now in use by Edgecombe County Sheriff offices shall be used with limited postponement or excuse request listed. Telephone numbers are listed for contact or referral to C.S.C. All excuse request received to be taken care of by the District Judge cutoff date to forwarded to the Senior Resident Judge by the C.S.C. and/or sheriff to answer those request prior to the Monday court session date.

C. Juror Summons and Deferral

1. The Clerk of Superior Court shall summon 30 jurors to call in on Sunday, November 8, 2020, after 5:00 p.m. to determine if they are to report at 9:30 a.m. on Monday, November 9, 2020. The Clerk of Superior Court shall summon 30 jurors to call in on Monday, November 9, 2020, to determine if they are to report at 9:30 p.m. Tuesday, November 10, 2020.
2. A letter to the jury from the Senior Resident Superior Court Judge shall be included in each jury summons, advising them of the precautions that are being taken to provide for their health and and safety during jury service.
3. The jury deferral process will be handled by the District Court Judges as usual, however more flexibility will be given to those

heightened risk of contracting COVID-19 and other persons identified by the CDC guidelines.

D. Jury Assembly and Orientation

1. The Superior Courtroom and the District Courtroom shall be utilized for the initial assembly of jurors. In the event of overflow, the Grand Jury room shall be used. A laptop and/or large television monitor shall be set up on the District Courtroom, and using the Webex remote application shall project all proceedings of the Judge from the Superior Courtroom.
2. The jurors shall report to the main entrance of the Superior Courtroom and shall move directly into the seats designated under social distancing guidelines. Once the Superior Courtroom is full the Bailiff shall direct the remaining jurors to the District Courtroom in the same manner if available, if not to designated seating in administration building auditorium with monitors.
3. The Judge will take jury excuses in the Superior Courtroom.
4. The jury orientation video will be shown if time allows.
5. The jury box will be the rows on the jury box side of the side of the Superior Courtroom at designated seats to allow for social distancing or in audience section, right side of courtroom. D.A. and defense

tables will be adjusted as needed.

D.1. Jury Selection

1. Once the Jury members are selected, the State shall call the first jury trial, and the jury *voir dire* process will begin.
2. The live WebEx feed will be maintained in the District Courtroom and auditorium allowing the jurors to hear if their name is called. a bailiff will escort the juror to the Superior Courtroom if available at that time and date.
3. Once twelve jurors and any alternate jurors have been selected, they will be affirmed. The remaining jurors will be instructed to call back at a designated time or dismissed as appropriate.
4. In the event all of the morning jurors are utilized and a full panel not selected, jury selection shall halt and resume at 2 p.m. If a jury is selected, the message for the 2 p.m. jurors shall be to call back at a later day and time or released as appropriate.

D.2. Trial

1. Counsel tables will be arranged so that the jury can see and hear the witness.
2. Plexiglass will be installed on all three sides of the witness stand. All

witnesses will remove their face coverings while testifying.

3. Each witness will be affirmed, and the witness table will be sanitized after each use.
4. Counsel shall remain at counsel table when questioning witnesses but otherwise move through the courtroom to introduce evidence.
5. Should there be any issue requiring discussion outside the presence of the jury, the jury will proceed to the jury deliberation room that is marked according to social distance standard to accommodate 12 Jury members only.
6. Face coverings for personal health protection shall be worn at all times by all persons in the courtroom, but may be lowered for the purpose of witness identification. All witnesses shall not have any face covering when testifying.
7. Exhibits will be handled by as few persons as possible. The parties are encouraged to Pre-mark all Exhibits, and to provide any witness with their own copy while having them identify the original through the plexiglass.
8. Exhibits shall be published to the jury by display on courtroom screens. No exhibits shall be passed to jurors without the prior

approval of the Court, otherwise pass out gloves and the exhibit.

9. The Court Reporter shall be permitted to set up at a location where the faces of both the witness and counsel are capable of being observed.
10. Additional procedures such as restroom protocol, and other logistical matters shall be addressed during the trial as circumstances dictate.
11. Jury deliberation shall be in the Superior Courtroom, which has been marked for social distancing for all jurors.
12. Other plexiglass barriers are to be installed per meeting with maintenance.

D.3. General Considerations (See June 4, 2020 conducting jury trials during Pandemic Federal Courts on file in Judges Chambers)

1. All court surfaces and assembly areas shall be sanitized every day before court surfaces and assembly areas shall be sanitized every day before court opens and again during the lunch break. Hand sanitizer and tissues shall be provided to jurors, the parties, and others present in the courtroom. Microphones shall be cleaned between each user.
2. No persons shall be allowed into the Courthouse if they are not

healthy or are symptomatic.

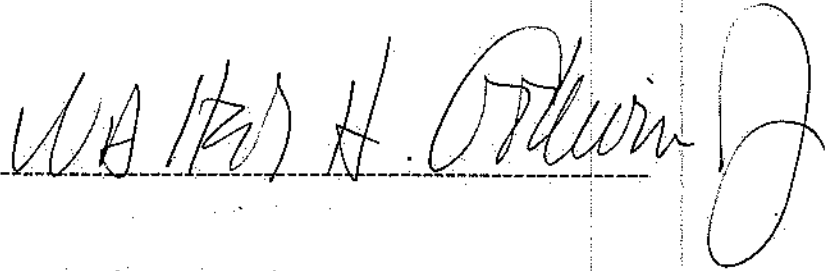
3. All persons' temperature to be taken and mask made available if without at door.
 4. Emergency Directive Number 21 shall be strictly enforced. Mask will be worn.
- E. All persons entering courthouse are required to have temperature reading and mask. Hand sanitizers are throughout the courthouse and county officials have been notified of the need for mask and C.S.C ordering from AOC warehouse.
- F. Only persons with business before the court may enter the courthouse. Plaintiffs, defendants, subpoenaed individuals, state witnesses. All others at the discretion of the bailiff.
- COVID-19 Judicial task force report dated June 4, 2020 incorporated by reference and is on file in the Senior Resident Chambers for reference.
- F.1. District Court trials to be conducted by same procedures unless chief Judge submits separate plan.

G. Upon a juror, defendant, attorney, witness, judge or other courthouse personnel should become symptomatic; test positive of COVID-19 or has been exposed to someone testing positive during a trial, upon obtaining this information, the trial judge shall stop the proceedings. Continue the case if a jury has not been impaneled, however if impaneled declare a mistrial in the judges' discretion or upon motion if appropriate.

Thereafter notify all parties to quarantine for 14 days, have a COVID-19 test done immediately and close all courthouse facilities and offices until a thorough deep cleaning can be performed by maintenance. Notify the COVID-19 coordinator for this county and proceed to follow COVID-19 field guidelines dated July 7, 2020, COVID-19 judicial task force report dated June 4, 2020 and Center for Disease Control, 2019, information for office buildings, all of which on file in the Judges' chambers. Also follow procedures and policies as set by Edgecombe County Health Department, which recommends following the guidelines referred to above and then notify of an active case within a county building.

H. This Administrative Order of Operations may be modified by the Senior Resident Judge or trial judge from time to time to ensure the health, Welfare and safety of all participants in the functioning of this, the Edgecombe County Courthouse.

Respectively submitted

A handwritten signature in black ink, reading "WALTER H. GODWIN, JR.", written over a horizontal dashed line. The signature is cursive and includes a large, stylized flourish at the end.

Walter H. Godwin, Jr.

Senior Resident Superior Court Judge