

STATE OF NORTH CAROLINA
ROCKINGHAM AND
CASWELL COUNTIES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 R 798

2020 OCT 21 A 11:58

RECORDED BY C.C.C.

IN RE:

ADMINISTRATIVE ORDER

JURY TRIAL RESUMPTION PLAN
FOR ROCKINGHAM AND
CASWELL COUNTIES

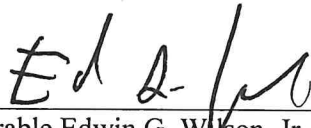
On March 13, 2020 Chief Justice Cheri Beasley announced measures on behalf of the Judicial Branch to minimize the spread of COVID-19 among members of the public. On July 16, 2020 Chief Justice ordered, *inter alia*, that all Jury Trial Sessions be postponed until after the end of September 2020. Chief 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.

1. Senior Resident Superior Court Judge Edwin G. Wilson, Jr. has in conjunction with local officials and courthouse personal coordinated compliance with Chief Justice Beasley's Emergency Directives 10, 11, 12 and 13.
2. Attached is the Jury Resumption Plan for Rockingham and Caswell Counties. The requirements of the Jury Resumption Plan shall apply to all civil and criminal jury trials held in Rockingham and Caswell Counties. This plan incorporates all provisions of Chief Justice Beasley's Emergency Directive 12, including the requirement that face coverings will be worn at all times by everyone inside the courthouse or facility where jury trials are held. Face coverings will be made available for court personnel, jurors, attorneys witnesses and parties, or they may provide their own.

It is therefore **Ordered, Adjudged and Decreed**, that this Administrative Order shall become effective on the date that Chief Justice's Emergency Directive 10 expires.

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.

This the 21 day of October, 2020.


Honorable Edwin G. Wilson, Jr.
Senior Resident Superior Court Judge

PLAN FOR RESUMPTION OF JURY TRIALS

ROCKINGHAM COUNTY

I. SUMMONING AND EXCUSING JURORS

Jury Summons should be sent out to the usual number of prospective jurors with an informational sheet outlining the steps taken to provide a safe environment for jurors (see attached example). The Clerk's office through the Jury Clerk, Assistant Clerk Frazier, will handle all requests excusing jurors. Any juror that has issues related to Covid-19 (symptoms, family obligations, school, etc.) will be continued for six months. Any juror who expresses concerns over Covid-19 exposure or refusal to attend court because of Covid-19 concerns will be continued for six months.

When prospective jurors call in to the Clerk's office right before trial, they will receive information about reporting in either the AM or PM. The first group of no more than 50 would report in the AM (Group 1). Dividing Group 1 into two groups, twenty-five (25) members of Group 1 reporting into Courtroom A and Twenty-five (25) reporting into Jury Assembly room, keeps the numbers below those mandated by the Chief Justice's emergency orders. Hopefully, both groups can watch the jury video in those rooms. The PM group, Group 2, would be divided up and addressed like Group 1 and so on for each day.

II. CONDUCTING VOIR DIRE

The Bailiffs Office, following the capacity numbers provided by the Fire Marshal, already marked off the benches to comply with distancing guidelines. To ensure each juror has an unobstructed view of the witness stand we will put numbers (1-14) on the benches using the middle benches, the aisle seat for the side benches and chairs in front of bar (see Diagram 1). Using the list from the courtroom clerk, jurors will be called in from outside courtroom or from Jury Assembly Room to fill the first twelve seats.

The judge may want to address jurors with opening instructions after they watch jury video. Additionally, we may want to order face shields for jury's use during selection and trial.

III. CONDUCTING TRIALS WITH SOCIAL DISTANCING

Jurors will be seated at the marked social distancing points in the gallery benches and in chairs in front of the bar. We will number each seat up to 14. (See diagram 2). There is sufficient social distancing space in the jury assembly room for up to 18 people. It is possible to seat a few witnesses inside the courtroom or in the conference rooms just outside the courtroom or in District Attorney's Office. The plastic divider will protect testifying witnesses and other court personnel while also allowing jurors to clearly observe the witness. The sounds system will allow jurors to easily and clearly hear all witnesses. Potentially moving counsel tables in the courtroom will provide protection and better visible positions for both parties.

IV. DAILY SCREENING

Each party is responsible for screening their personnel and witnesses. All personnel, witnesses and jurors should be asked if anyone is experiencing symptoms, family or persons living with experiencing symptoms or if any know Covid-19 exposure. At the beginning of each day, the bailiffs shall ask jury members about Covid-19 status and put result of inquiry on record.


These initial questions should be asked of all jurors during jury selection. There are also more detailed lists of questions that are being used at medical facilities that can be used if the parties ask for it.

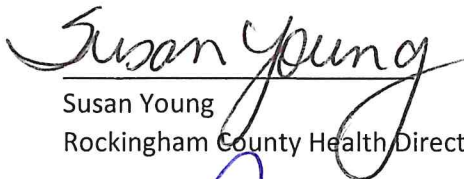
Every day the courtroom, jury assembly room and other common areas will need to be cleaned at least twice to comply with the Chief Justices Orders.

V. SYMPTOMATIC OR POSITIVE TESTS


- A. Symptomatic or contact with person(s) positive Covid-19 test
 1. Juror-Excuse, replace with alternate and have juror report back with test results
 2. Bailiff-quarantine, notify all interested parties, report back with test results
 3. Other court personnel-quarantine, notify, report back with test results
 4. Clean courtroom, Jury Assembly Room and other common areas
- B. Positive Covid-19 Test – inform all parties, either mistrial or postponement for 10-14 days


Samuel S. Page
Rockingham County Sherriff

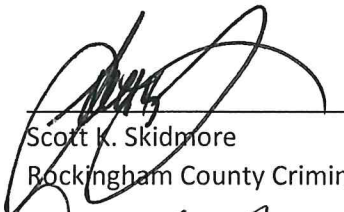

Jason Ramey
District Attorney 22nd Prosecutorial District


Susan Young
Rockingham County Health Director


Edwin Wilson
Senior Resident Superior Court Judge
Judicial District 17A


J. Mark Pegram
Rockingham County Clerk of Court


Stanley Allen
Superior Court Judge Judicial District 17A



Scott K. Skidmore
Rockingham County Criminal Defense Attorney



Jason E. Ross
Rockingham County Criminal Defense Attorney



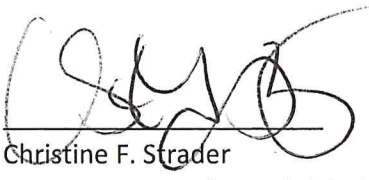
Christopher A. Freeman
District Court Judge Judicial District 17A



James A. Grogan
Chief District Court Judge Judicial District 17A



Erica S. Brandon
District Court Judge Judicial District 17A



Christine F. Strader
District Court Judge Judicial District 17A

CASWELL COUNTY

I. FACILITIES

The Caswell County Courthouse is too small to meet the social distancing requirements of the Chief Justice's emergency orders. The Town of Yanceyville Municipal Building near the courthouse provides the best alternative. The facility has been used to hold court on previous occasions. There is an entry way with enough room to conduct security screenings. The room where the town council meets contains a long front bench where the judge, clerk and witness can all safely sit. The first row benches in the gallery will either need to be removed or remain empty. The county health director will need to confirm the occupancy limits and the Bailiffs will need to mark out the appropriate spacing on benches. The room adjacent to the meeting room contains movable seating and tables with ample space for jury deliberations. (see Diagrams 3 & 4)

II. SUMMONING AND EXCUSING JURORS

Jury Summons should be sent out to the usual number of prospective jurors with an informational sheet outlining the steps taken to provide a safe environment for jurors (see attached example). Judicial Assistant Sherri Desormeaux, will handle all requests excusing jurors. Any juror that has issues related to Covid-19 (symptoms, family obligations, school, etc.) will be continued for six months. Any juror who expresses concerns over Covid-19 exposure or refusal to attend court because of Covid-19 concerns will be continued for six months.

Depending on the numbers when prospective jurors call in to Judicial Assistant Sherri Desormeaux, they will receive information about reporting in either the AM or PM. This information will also be placed on the juror call-in number. The first group of no more than 50 would report in the AM (Group 1). Dividing Group 1 into two groups, twenty-five (25) members of Group 1 reporting into courtroom/council meeting room and Twenty-five (25) reporting into Jury Assembly room, keeps the numbers below those mandated by the Chief Justice's emergency orders. The divided groups will watch the jury video in those rooms and any other administrative details handled at that time. The PM group, Group 2, would be divided up and addressed like Group 1 and so on for each day.

III. CONDUCTING VOIR DIRE

The Bailiffs Office, following the capacity numbers provided by the health director, will mark off the benches to comply with distancing guidelines. Numbers (1-14) will be placed on the benches (see Diagram 3). Using the list from the courtroom clerk, jurors can be called into courtroom from either the meeting/Jury Assembly Room or from the museum room to fill the first twelve seats.

The judge may want to address jurors with opening instructions after they watch jury video. Additionally, we may want to order face shields for jury use during selection and trial.

IV. CONDUCTING TRIALS WITH SOCIAL DISTANCING

There is sufficient social distancing space in the meeting/jury assembly room for deliberation. It is possible to seat a few witnesses inside the courtroom or in the work rooms just outside the courtroom. Will need a plastic divider like in Rockingham County, that will protect the testifying witnesses and other court personnel while also allowing jurors to clearly observe the witness. The sound system will allow jurors to easily and clearly hear all witnesses. Potentially moving counsel tables in the courtroom will provide protection and better visible positions for both parties (see Diagram 3).

V. DAILY SCREENING

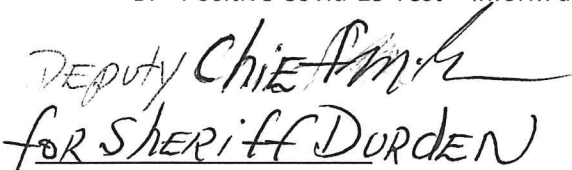
Each party is responsible for screening their personnel and witnesses. All personnel, witnesses and jurors should be asked if anyone is experiencing symptoms, family or persons living with experiencing symptoms or if any known Covid-19 exposure. At the beginning of each day, the bailiffs shall ask jury members about Covid-19 status and put result of inquiry on record.

These initial questions should be asked of all jurors during jury selection. There are also more detailed lists of questions that are being used at medical facilities that can be used if the parties ask for it.

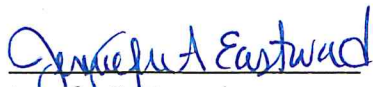
Every day the courtroom, jury assembly room and other common areas will need to be cleaned at least twice to comply with the Chief Justices Orders.

VI. SYMPTOMATIC OR POSITIVE TESTS


- A. Symptomatic or contact with person(s) positive Covid-19 test
 - 1. Juror-Excuse, replace with alternate and have juror report back with test results
 - 2. Bailiff-quarantine, notify all interested parties, report back with test results
 - 3. Other court personnel - quarantine, notify, report back with test results
- B. Positive Covid-19 Test – inform all parties, either mistrial or postponement for 10-14 days


for Sheriff DORDEN

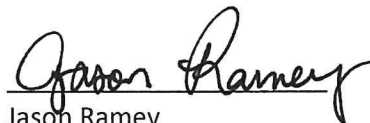
Tony Durden
Caswell County Sherriff



Jennifer Eastwood
Caswell County Health Director



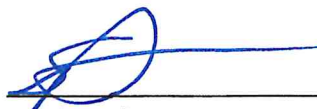
John Satterfield
Caswell County Clerk of Court



Jason Ramey
District Attorney 22nd Prosecutorial District



Edwin Wilson
Senior Resident Court Judge Judicial District 17A



Stanley Allen
Superior Court Judge Judicial District 17A

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R. Lee Farmer
Criminal Defense Attorney
Caswell County



Christine F. Strader
District Court Judge Judicial District 17A



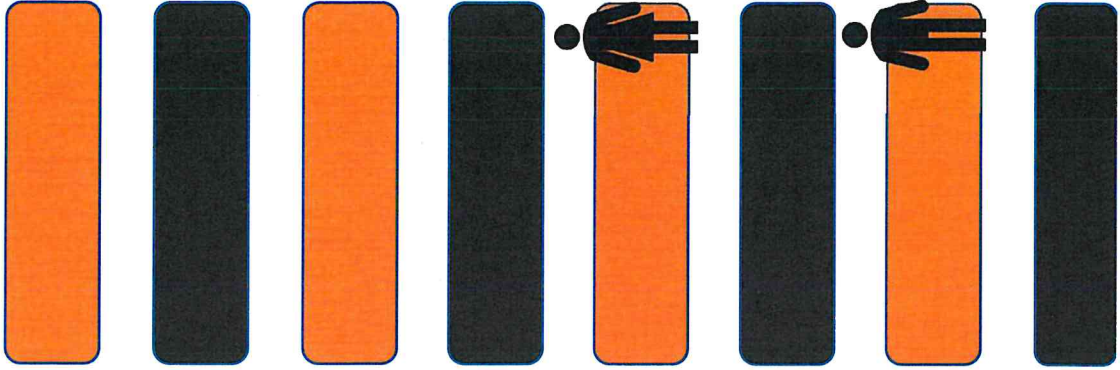
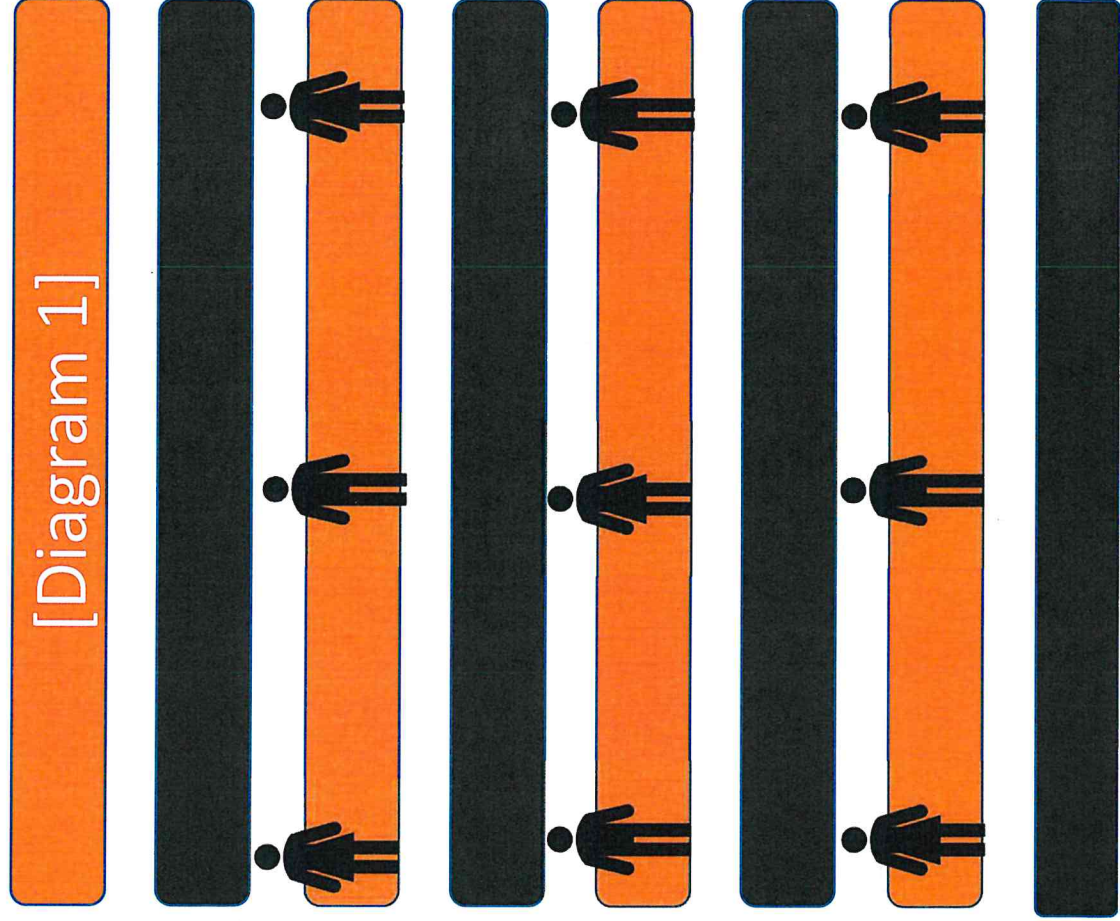
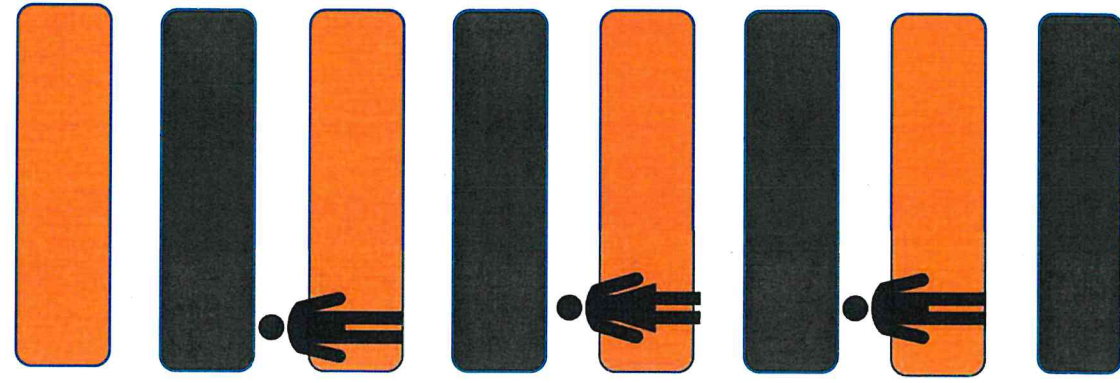
Erica S. Brandon
District Court Judge Judicial District 17A



James A. Grogan
Chief District Court Judge Judicial District 17A



Christopher A. Freeman
District Court Judge Judicial District 17A



Rockingham Courtroom

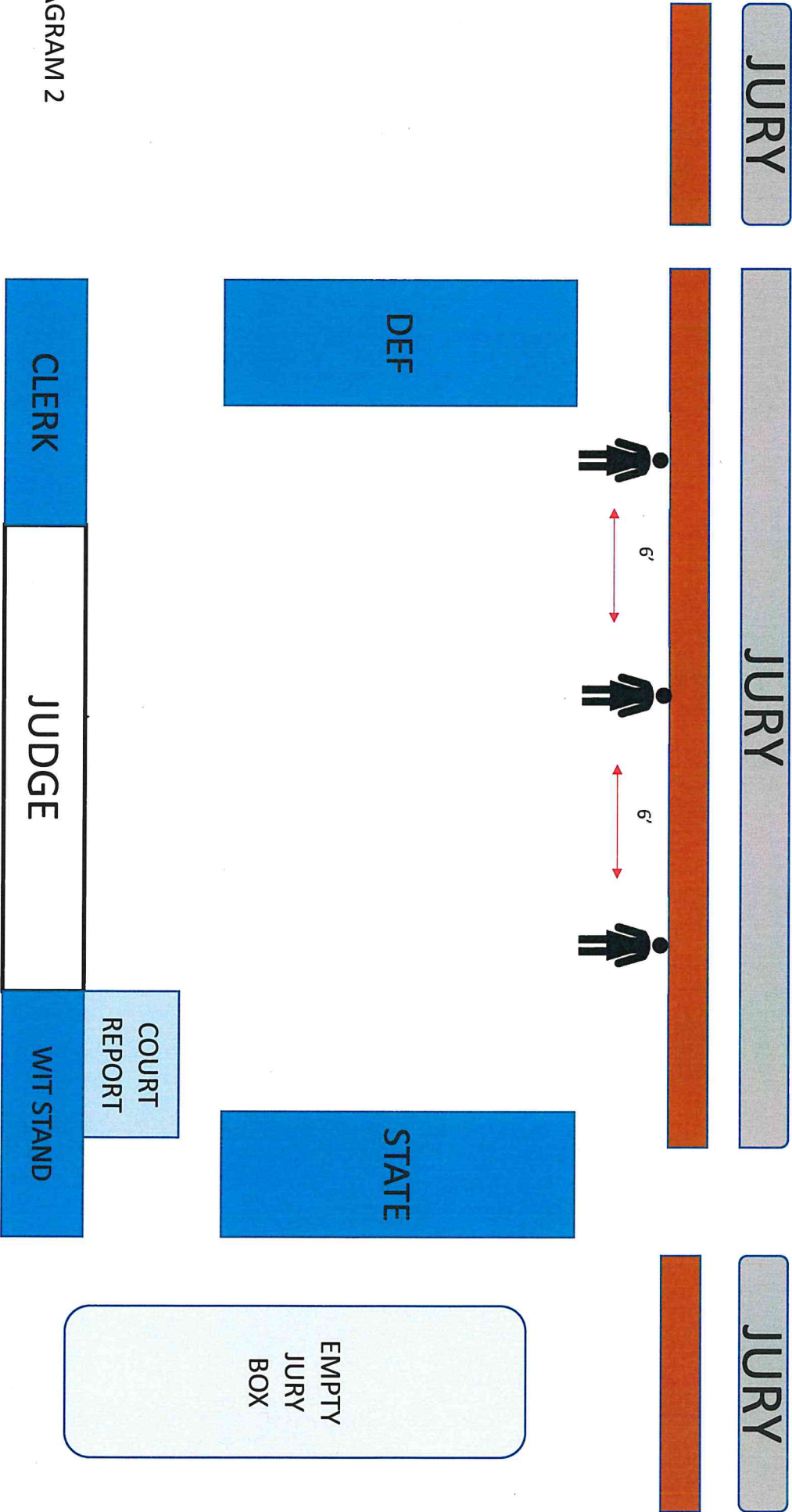
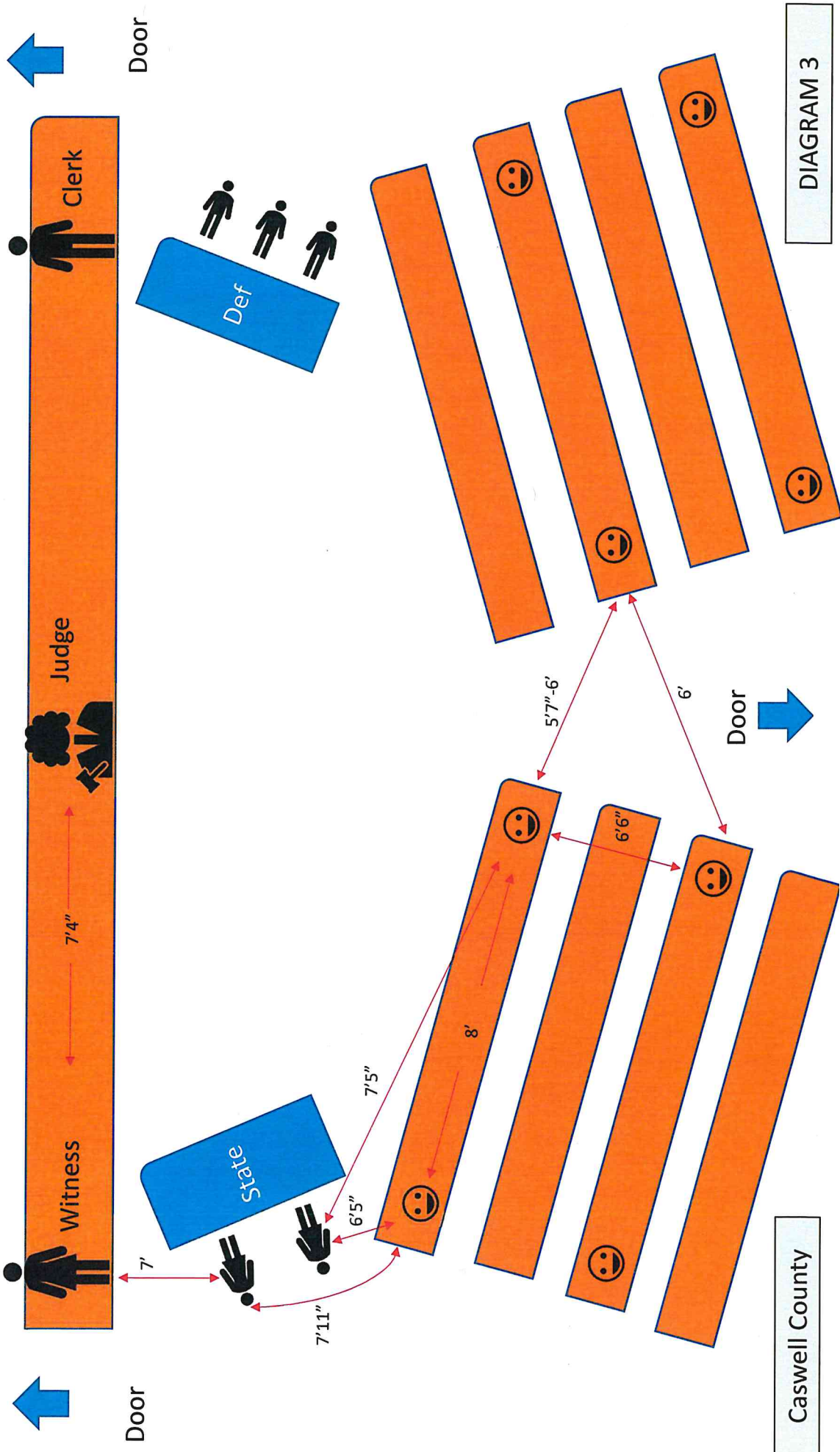


DIAGRAM 2



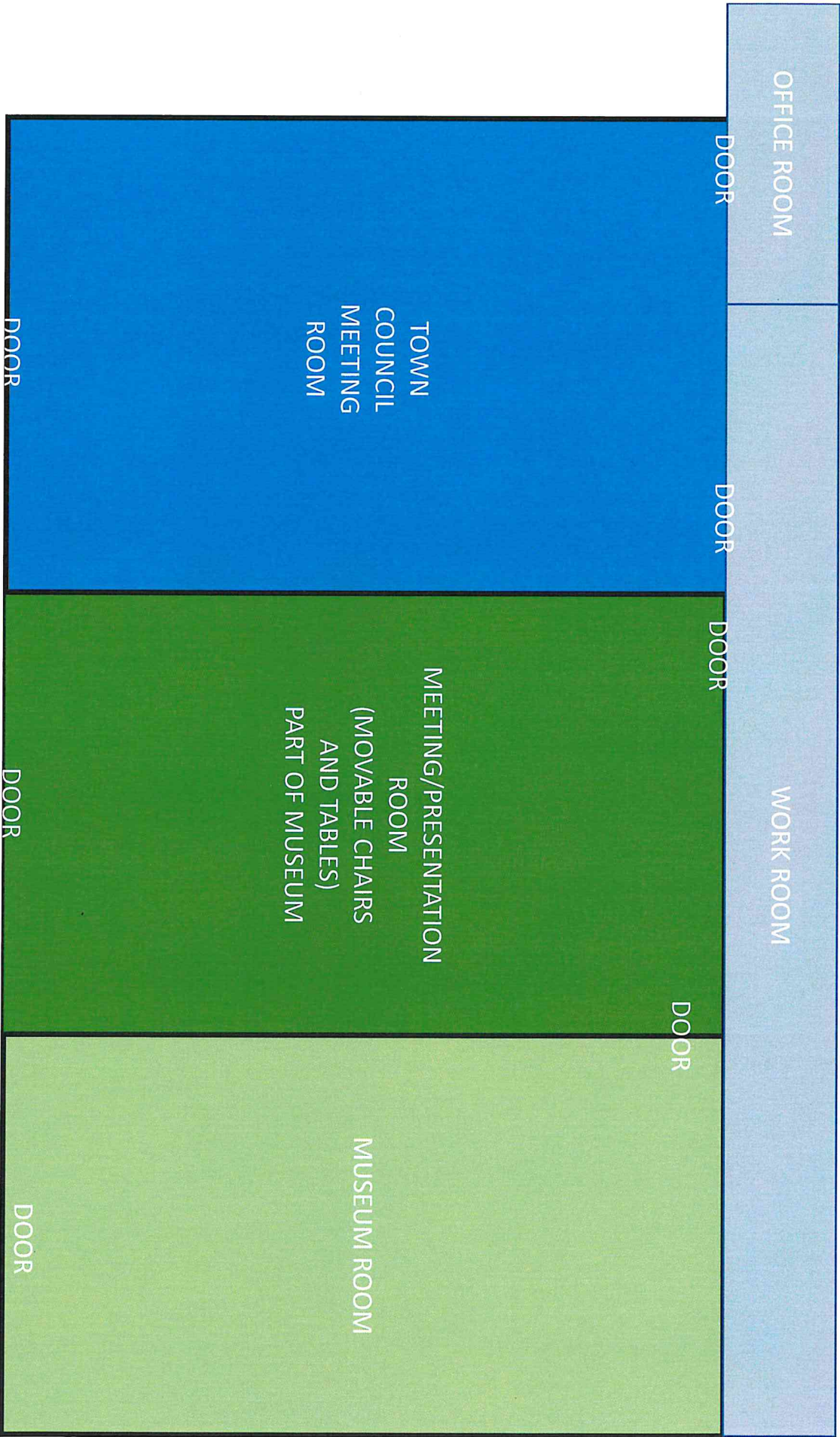
Caswell County

DIAGRAM 3









JURY SERVICE DURING COVID-19

FREQUENTLY ASKED QUESTIONS



Rockingham County Courthouse

Why are the courts summoning jurors when the virus is still going around and there is no cure?

Jury service is one of the cornerstones of our system of justice, expressly provided for in the U.S. Constitution and North Carolina Constitution. The Court has an obligation to uphold the constitutional rights of the citizens of this state, which includes the right to a jury trial. We are making every effort to take the necessary steps to keep reporting jurors safe while still protecting the rights of individuals and providing meaningful access to the courts.

What safety precautions are being taken at the courthouse to protect jurors?

Safety precautions may vary by courthouse / facility. Steps are being taken to clean facilities frequently according to CDC guidelines and to create an environment conducive to social distancing. Court staff is encouraged to wear masks and wash hands frequently. Some courthouses are taking temperatures and requiring the public to wear a cloth face covering. Plexiglass has been installed in some courthouses to serve as a barrier. The Chief Justice of the Supreme Court of North Carolina has directed that hand sanitizer be made available, at a minimum, at all entrances to court facilities. Jury selection and / or trials may be held in a different location if the courthouse or courtroom cannot safely accommodate social distancing for jurors.

Notices have been posted at the entrance to each court facility directing that any person who has likely been exposed to COVID-19 should not enter the courthouse. Attorneys and other persons who do not have business in a courthouse should not enter a courthouse, and those who do have business in a courthouse should not prolong their visit once their business has concluded. Attorneys are strongly encouraged to submit filings by mail rather than in person.

Visit your [county's page](#) to view any local orders regarding specific procedures, such as required face coverings. See the [Judicial Branch COVID-19 page](#) for more information and emergency directives. There may also be local city or county government orders in place that require face coverings.

Do I have to wear a mask at the courthouse?

Some courthouses may require you to wear a mask or cloth face covering before being allowed to enter. Visit your [county's page](#) to view any local orders regarding specific procedures, such as required face coverings. There may also be local city or county government orders in place that require face coverings.

Will a mask be provided if I do not have one?

Visit your [county's page](#) to view any local orders regarding specific procedures, such as required face coverings and the availability of masks if you appear without a mask.



JURY SERVICE DURING COVID-19

FREQUENTLY ASKED QUESTIONS



Do I need to bring my own hand sanitizer?

The Chief Justice has directed that hand sanitizer be made available, at a minimum, at all entrances to court facilities. Please be aware security policies may prevent you from entering the courthouse if you have your own sanitizer. Please check with the [local facility](#) before appearing for court.

If I am selected, how will the jury pool be seated to ensure social distancing?

Every effort will be made to practice social distancing in the jury pool and jury box. In addition to other protective measures, the Chief Justice has ordered that spaces where the public and jurors will congregate be marked at intervals of 6 feet to ensure social distancing. Jury selection and / or trials may be held in a different location if the courthouse or courtroom cannot safely accommodate social distancing for jurors.

What should I do if I am experiencing COVID-19 symptoms prior to my jury service date?

Do not appear at the courthouse to report your symptoms. If you begin experiencing COVID-19 symptoms prior to your jury service date, please inform the [jury coordinator](#) in your county by phone.

What should I do if I experience COVID-19 symptoms during my jury service?

If you begin experiencing COVID-19 symptoms during your period of jury service while at the court facility, please inform the nearest court employee (e.g., clerk, bailiff).

What should I do if I have concerns about the safety measures in the courthouse or if I feel safety precautions are not being followed?

If at any time during your jury service you are concerned about your health or safety due to a lack of safety measures or because guidelines are not being followed (e.g., social distancing is not being practiced, there is no hand sanitizer at the courthouse entrance), please bring your concerns to the attention of the judge, the clerk, or the bailiff to be addressed.

