

# JURY SERVICE DURING COVID-19

## FREQUENTLY ASKED QUESTIONS



### **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.

Effective October 16, 2020, the Chief Justice has ordered that courts may resume jury trials in district and superior court if a [Jury Trial Resumption Plan](#) for the county and trial division has been approved by the NCAOC and entered as a local administrative order. For counties that have received approval for their plans, local judicial officials are free to resume jury trials in their discretion. However, local judges retain discretion to suspend jury trials in their counties / districts based on local needs and COVID-19 conditions.

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

Chief Justice Beasley has directed each county and / or district to create a [Jury Trial Resumption Plan](#) prior to issuing juror summonses for trial. The plan must ensure that court operations comply with each of the emergency directives that the Chief Justice has issued and must be informed by the Judicial Branch COVID-19 Task Force Best Safety Practices as set forth in [NCAOC's COVID-19 Field Guidance](#).

For example, each plan must include:

- A confirmation that each court facility and any alternate facility to be used for court operations follows each of the Chief Justice's emergency orders in response to the COVID-19 outbreak;
- A plan for conducting jury selection and trials with social distancing in the courtroom and in the deliberation room;
- A plan for daily screening of jurors, court personnel, attorneys, witnesses, and parties for COVID-19 infection;
- A plan for making face coverings available to jurors, court personnel, attorneys, witnesses, and parties; and
- A plan for responding in the event that a juror, defendant, attorney, witness, judge, or other courtroom 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.

All persons who are in a court facility are required to wear a face covering while they are in common areas and when they are or may be within 6 feet of another person. Steps are being taken to clean facilities frequently according to CDC guidelines and to create an environment conducive to social distancing. Court staff is also encouraged to wash hands frequently. Some counties have installed plexiglass to serve as a barrier and are taking temperatures of anyone who enters the court facility. The Chief Justice 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.



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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. See the [Judicial Branch COVID-19 page](#) for more information and emergency directives.

**I am considered a high-risk individual for COVID-19 and I have been summoned for jury service. Do I have to appear?**

[Contact the clerk of superior court](#) in the county where you have been summoned for juror excuse policy information or refer to your juror summons for information related to requesting an excuse.

**I live with a person / I am a caretaker for a person who is a high-risk individual for COVID-19 and I have been summoned for jury service. Do I have to appear?**

[Contact the clerk of superior court](#) in the county where you have been summoned for juror excuse policy information or refer to your juror summons for information related to requesting an excuse.

**Do I have to wear a mask at the courthouse?**

Yes. All persons who are in a court facility are required to wear a face covering while they are in common areas and when they are or may be within 6 feet of another person. In this context, a face covering means "a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face." Plastic face shields may be used in addition to, but not as a substitute for, face masks / coverings. A "face shield" means an item of personal protective equipment that consists of a plastic barrier, usually attached to a helmet or headband, that shields the wearer's face from splashes, coughs, or sneezes.

This face covering requirement does not apply to persons who cannot wear a face covering due to health or safety reasons, who are actively eating or drinking, who are communicating with someone who is hearing-impaired in a way that requires the mouth to be visible, who are temporarily removing their face covering to secure medical services or for identification purposes, who are complying with a directive from law enforcement, or who are under the age of 5. It also does not apply to a juror or witness who has been ordered by a presiding judicial official to temporarily remove a mask while answering questions or testifying during a jury trial.

A notice advising of this requirement will be posted at the entrance to every court facility in each county.



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

The Chief Justice has directed each county and / or district to create a [Jury Trial Resumption Plan](#) prior to issuing juror summonses for trials. Among other considerations, the plan must include a way to make face coverings available to jurors, court personnel, attorneys, witnesses, and parties.

### **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?**

The Chief Justice has directed each county and / or district to create a [Jury Trial Resumption Plan](#) prior to issuing juror summonses for trials. The Jury Trial Resumption Plan must include a plan for conducting trials with social distancing in the courtroom for all court participants, including the jury, as well as in the deliberation room. 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.

### **If selected for a jury, will jurors be seated in a small room to deliberate?**

The [Jury Trial Resumption Plan](#) must include a plan for conducting trials with social distancing in the deliberation room. The plan that is developed must be informed by the Judicial Branch COVID-19 Task Force Best Safety Practices as set forth in [NCAOC's COVID-19 Field Guidance](#) and must be approved by a wide variety of court leaders as well as the local sheriff and public health director.

The Chief Justice also ordered that each court facility designate a COVID-19 Coordinator who is directed to determine whether there is adequate space in the court facility to convene a jury trial in keeping with current public health guidance. In making this determination, the COVID-19 Coordinator will take into account the need for the jury to observe social distancing, as well as for jurors to be socially distanced in the courtroom and deliberation room. Jury selection and / or trials may be held in a different location if the courthouse or courtroom cannot safely accommodate social distancing for jurors. If you have additional questions, check with the [local facility](#) before appearing for court.

### **How long will the trial last?**

This will vary by the policies established by each county's [Jury Trial Resumption Plan](#). Courts have been encouraged to limit the trial duration and to prioritize less complex trials that will require less time to hear in order to shorten the time a juror must appear.



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### **How long will I be in court each day?**

This will vary by the policies established by each county's [Jury Trial Resumption Plan](#).

### **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 clerk of superior court](#) in the county where you were summoned 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 official (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.

