



**MN Judicial Branch**

**Jury Management Resource Team (JMRT) Recommendations:**

**Jury Trials during COVID-19**

*Approved by Judicial Council May 14, 2020, Revision effective June 14, 2021*

The Chief Justice's Order, effective June 14, 2021, details the conditions for holding in-person jury trials. It states, "District courts that schedule and hold an in-person criminal jury trial must adhere to the guidelines and exposure measures in the MJB Preparedness Plan and the JMRT Recommendations for Jury Trials During COVID-19."

**The MJB Preparedness Plan states, "Because court proceedings involve people from multiple households and often last longer than 15 minutes, all people must wear face coverings when they enter courtrooms in Judicial Branch facilities." Further, related to jurors, it states, "Because juries include people from multiple households gathered together for significant periods of time, all people must wear face coverings while located in jury deliberation spaces, except when they can maintain 6 feet of physical distance in all directions."**

- A. Because jurors who report for jury duty are from multiple households and are gathered for more than 15 minutes, it is recommended that jurors put on their face covering at check-in and wear their face covering for the remainder of the day in all spaces where they are gathered, including while riding in elevators, in orientation, or during any other steps of the jury process, except as outlined in Paragraph B. District courts continue to provide 1 disposable face covering to jurors each day they report.
- B. Exceptions to face covering requirement:
  - a. As noted in the MJB Preparedness Plan, "The presiding judge has discretion to direct people to remove their face coverings while in a courtroom, as long as 6 feet of physical distance in all directions can be maintained while the face coverings are removed. If unusual circumstances make it necessary to remove a face covering while in the courtroom even though physical distance is not maintained, the presiding judge may direct the removal of the face covering if an alternate safety measure, such as a face shield or a plexiglass barrier, is maintained."
  - b. Face coverings are required in jury deliberation spaces and in all other spaces where jurors are gathered, except when they can maintain 6 feet of physical distance in all directions.
  - c. Jurors must remove their face coverings to eat lunch, but it is recommended that jurors wear their face covering until they are seated in a space with 6 feet of physical distance in all directions.
  - d. In any space that will use physical distancing, adjust the layout of your space to follow strict physical distancing of 6 feet in all directions between every individual. Use signage, floor markings, chair placement, etc. to indicate necessary physical distancing.
- C. If your juror check-in procedure occurs in a public space in the courthouse where face coverings are not required and individuals will need to congregate for more than 15 minutes, use staggered arrival times to allow for a steady flow of juror arrival to avoid crowding and congestion. Have a plan for dismissing jurors who show up ill.

## Revision History

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| 5/22/20 | Executive Committee                                | Specified that jurors are provided with 1 paper face covering each day.  |
| 5/22/20 | Executive Committee                                | Pilot counties should wait until the first trial gets a verdict before commencing another trial.   |
| 6/29/20 | Supreme Court Order No. ADM 20-8001 (July 7, 2020) | Face coverings are required for all judges, staff, and any other person in court facilities. Judicial officers retain the authority to direct people in courtrooms to remove their face coverings, or to wear alternate face coverings such as face shields, as necessary to conduct court hearings.         |
| 7/23/20 | JAD  | Plexiglas should only be used as an extra precaution. It is not to be used in lieu of the required 6 feet of social distancing requirement.  |
| 7/23/20 | JMRT   | Clarified beverages – eliminate communal beverages, but recommend providing individual bottled water.  |
| 2/19/21 | Jury Small Group                                   | Removed instructions for 2020 activities – criminal jury trial pilots and statewide application and approval process. Streamlined all other content to include lessons learned through 2020 jury trial statewide re-start. Incorporated feedback from MDH on safety protocols.                               |
| 5/1/21  | Jury Program                                       | Minor change to refer to MJB Preparedness Plan for cleaning due to new CDC recommendations.  |
| 5/25/21 | Jury Program                                       | Update changes to eliminate the need for both physical distancing and face coverings and reduced emphasis on surface cleaning and eliminate restrictions on document handling and meal preparation in line with new CDC/MDH recommendations and MJB Preparedness Plan updates and Chief Justice's new order. |