

AMENDED COVID-19 Operating Plan for Resumption of Jury Trials Dallas County Court System

Effective Date: July, 2021

This plan incorporates by reference all the terms, practices and protective measures in the Guidelines for Safely Reopening County Offices and Resuming County Services for the Courthouse Facilities Controlled by Dallas County. This plan specifically covers the Frank Crowley Courthouse.

Recognizing the need to ensure the health and safety of jurors, litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, Dallas County will provide and recommend the following additional protective measures for the resumption of jury trials:

General

1. In criminal cases where confinement in jail or prison is a potential punishment, remote jury proceedings must not be conducted without appropriate waivers and consent obtained on the record from the defendant and prosecutor. Except for non-binding proceedings, a court may not permit or require a petit juror to appear remotely unless the court ensures that all potential and selected petit jurors have access to technology to participate remotely.
2. The courts who share courthouse facilities have approved a rotating schedule for in-person proceedings, including jury trials. This rotation allows for the maximum of two trials per floor to be conducted at the same time, with one being conducted on the North side of the building and the other on the South side of the building on the floors where the Courtrooms are located.
3. Prospective jurors will be summoned to the Central Jury Room in the Frank Crowley Courts Building for jury service. Prospective jurors will be screened electronically for qualifications and excuses, via the County Website and/or telephonically prior to appearing, as well as in the Central Jury Room on the date of appearance. The capacity of the Central Jury Room for Dallas County exceeds 500 persons without social distancing. A maximum of 112 prospective jurors will be seated in the Central Jury Room for voir dire to allow for proper social distancing in the Central Jury Room.
4. Before the prospective jurors or any other participants will be allowed in the Central Jury Room, they will be screened for elevated temperatures and screened for COVID-19 close contacts and symptoms. Anyone with a temperature exceeding 100 degrees, with COVID-19 symptoms, or with COVID-19 close contacts will be sent home and will not be permitted to enter the Central Jury Room.
5. Jurors will be notified they may contact Jury Services to reschedule their service if they:
 - a) have been diagnosed by a licensed physician as having coronavirus anytime

- within the past 30 days;
 - b) are actively caring for a family member or loved one who has tested positive for the Coronavirus; or
 - c) are now in self-quarantine status and that status will continue during the date on their jury summons.
6. Masks will be provided at the entrance to the Central Jury Room for anyone who appears without a mask. At the conclusion of exemptions, prospective jurors will be provided with see-through masks, which will allow the participants to see their face while conducting voir dire. Prospective jurors will also be offered a face shield to use should it be necessary to pull down their mask to be heard. The seating in the Central Jury Room and the hallways will be marked for social distancing and flow of the prospective jurors to limit contact on ingress and egress of the Central Jury Room.
 7. There will be an area designated for the public in the Central Jury Room that is separate and apart from where the prospective jurors will be seated.
 8. Upon request, and in the discretion of the Court, a prospective juror will be permitted to wear their own mask. Until the final jury is actually selected, seated and sworn, everyone appearing as a prospective juror will be required to wear a mask while in the Central Jury Room, unless they need to pull their mask down in order to be heard.
 9. Disposable gloves will be available for those who wish to wear them, but gloves are not required. If a prospective juror would like gloves, they may ask the staff for them when they are seated in the Central Jury Room.
 10. If necessary to hear the participants, microphones will be made available for use during voir dire and questioning of prospective jurors particularly those in the back of the Central Jury Room who may be difficult to hear. Disposable microphone covers will be available and used for each person using the microphone. The microphones that will be used will also be sanitized between users.
 11. The number of personal items a juror may bring will be restricted to no more than they can hold in their lap at all times. Jurors will not be permitted to place personal items on surrounding chairs.
 12. Hand sanitizer (alcohol based) will be available to jurors at multiple locations inside the courthouse and Central Jury Room.
 13. The courtroom, jury room, and jury room bathrooms will be cleaned each evening when the court recesses, and this will continue throughout the trial.
 14. Jurors who are selected for trial will either have access to food trucks that will be parked just outside of the Frank Crowley Courthouse or they will be provided with individual lunches during each day of the trial to minimize any travel in and out of the Courthouse, and to minimize interaction at local restaurants. Jurors are also free to bring their lunch.

Vulnerable Populations

15. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
16. Vulnerable populations who are scheduled for jury service may contact the jury services clerks and reschedule their jury service for a future date.

Courtrooms

17. After the jury is selected in the Central Jury Room, the trial itself will take place in the courtroom with the practices outlined herein.
18. All persons not from the same household who are permitted in the courtroom will be required to maintain adequate social distancing of at least 6 feet. If there is no room to allow for the public in the courtroom, the trial proceedings will be broadcast in a separate room in the Frank Crowley Courts Building. The same rules outlined above regarding social distancing and masks will apply to everyone in that room.
19. The felony courts will also broadcast trials via their webpage link if the jurors are seated in the gallery and the courtroom is closed to the public. If the jury is seated in the jury box and the courtroom is open to the public, the Court, in their discretion may live stream the trial. If the courtroom is open to the public, this information will be posted on the Court's webpage to inform the public of their access to the courtroom. For example, "The Courtroom is not live streaming this trial because the Courtroom is open to the public at this time."

Gallery

20. The maximum capacity of the courtroom will be monitored and enforced by court staff.
21. Those selected to serve as jurors for the trial in the District Courts will be seated during the trial in the gallery of the courtroom, not the jury box, to achieve the maximum distancing possible. The gallery of the courtroom ordinarily seats 65.
22. The gallery of the courtrooms have been marked to identify appropriate social distancing in the seating area. Seating will also be staggered to promote social distancing.
23. The counsel tables for the courtroom have been moved to accommodate social distancing and the jurors being seated in the gallery instead of the jury box.
24. For District Court trials, the jury will deliberate in the courtroom where the trial is being conducted, or an alternate courtroom. The existing jury deliberation room will not be used by the jurors, but may be utilized by the Court to conduct any proceedings outside the presence of the jury.
25. Once the jury has been selected, the Court, in their discretion, may permit the

participating jurors and parties, who agree to forego any of the social distancing measures outlined in sections 17-21, to deliberate in the jury deliberation room, sit in the jury box, or adjust seating at counsel tables, while the trial is being conducted.

26. For County Criminal Court trials there will be two options to conduct trials. Trials will either be conducted with the jurors socially distanced in the gallery of the courtroom or socially distanced to the maximum extent possible in the 12-person jury box, to be decided by the Judge of the Court. Those seats will be marked for use and proper social distancing. The jurors will deliberate in the existing jury deliberation room. Those rooms have been marked off and the furniture arranged for proper social distancing.

Well

27. In each courtroom, the counsel tables, witness stand, judge's bench, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space, where possible.
28. Plexiglas barriers have been installed in appropriate places in the courtroom.

Other

A copy of this AMENDED COVID-19 Operating Plan for the Resumption of Jury Trials, and the attached juror letter addressing their upcoming jury service in the era of Coronavirus will all be posted on the Jury Services website for Dallas County, as well as the County website for the Criminal Courts, both County and District.