

# SUMMARY OF JURY TRIAL PLAN

## NINETEENTH JUDICIAL CIRCUIT



This memorandum summarizes the 19th Judicial Circuit of Illinois plan for conducting jury trials during the ongoing pandemic. The Court's goal is to permit jury trials to be conducted in a way that enables litigants to have a fair trial and protects the health and safety of jurors, litigants, court staff, and the public.

1. Whether a case will go as a jury trial will be decided on a case by case basis by the trial judge, considering standards of safety and due process. (Priority given to in-custody cases.)
2. To minimize the number of prospective jurors who must come to the courthouse at same time, the Court has established an internal mechanism to allocate juror resources.
3. Prospective jurors are sent information in advance of their reporting date describing required health and safety practices at the courthouse, which include the mandatory wearing of facemasks, social distancing, and frequent cleaning. Prospective jurors are given an opportunity to request, in advance, deferral of their service for legitimate pandemic-related reasons. (Link to Jury Video included in Summons Letter Insert and placed prominently on court's main page and juror information page for viewing prior to arrival.)
4. Prior to entering the jury assembly room, reporting jurors will be complete a health screening, including answering a few questions and temperature checks. (Juror Health Screening Protocol is appended.)
5. The jury assembly room, where prospective jurors report on the date they are summoned, has been reconfigured to allow social distancing and no-contact entry and exiting. Each juror will be assigned a numbered chair upon check-in for individual use until being taken to a courtroom for jury selection.
6. While in the jury assembly room, prospective jurors will be shown a newly created video discussing health and safety precautions that will be followed in the courthouse.
7. Movement of prospective jurors from the jury assembly room to the courtroom will be conducted in a manner that permits adequate distancing during relocation.
8. Trial courtrooms and jury seating have been reconfigured to ensure adequate spacing between jurors, counsel, witnesses, and courtroom staff. Criminal trials will be conducted in particular courtrooms that have sufficient space to allow 12 jurors plus alternates, with adequate spacing. In most courtrooms, the number of people who may sit at counsel table will be limited due to necessary reconfiguration of courtrooms.
9. During trials, seating in the public gallery of reconfigured courtrooms will be reduced to accommodate social distancing of jurors and other case participants. (Priority will be given to victims and family members of the defendant.)

10. In the courthouse and in the trial courtroom, case participants, including lawyers, parties, jurors, and members of the public or press who are observing, will be required to follow courthouse wide rules that require temperature checks, wearing facemasks, social distancing, limiting the number of people on an elevator, etc.
11. Facemasks and gloves will be provided for jurors who do not bring them to court.
12. Jurors will be provided note taking materials (notebooks and pens), as well as a small bottle of hand sanitizer, in individual plastic bags which will be used for separate overnight storage.
13. Jurors will be instructed not to come to court and to call in to report if either they or members of their household have symptoms consistent with COVID-19. If this happens during a trial, the trial judge will determine whether it is necessary to recess the trial or terminate and reschedule the trial for a later date.
14. During trial, counsel will be precluded from approaching witnesses or roaming through the courtroom. All questioning must take place from counsel table or from a fixed podium, as determined by the trial judge. All exhibits will be displayed to witnesses and jurors electronically, either via computer or overhead projection, using technology available in each courtroom. If a witness needs to view paper copies of exhibits, they will have to be placed on the witness stand before the witness takes the stand.
15. "Sidebars" will be handled at the discretion of the trial judge.
16. Extra witness waiting rooms should be made available for each trial to enable each room to be limited to a single occupant.
17. Current jury rooms are not large enough to permit breaks or deliberations with adequate distancing, so a separate courtroom on the same floor as the trial may be used as the jury room for both breaks and deliberations. Extra security will be provided.
18. While seated during the trial, the jurors will be offered lunch daily to eliminate the need for jurors to leave the jury room or exit the building.

# JURY TASK FORCE

## NINETEENTH JUDICIAL CIRCUIT



### **AMENDMENT TO THE SUMMARY OF JURY TRIAL PLAN**

**March 22, 2021**

In response to feedback received from jurors serving on a recent jury trial, the Jury Trial Task Force has the following modifications/clarifications to the previously published Summary of Jury Trial Plan and appended Juror Health Screening Protocol (Addendum #1).

1. Each juror will be offered additional masks/gloves as part of the Health Screening Protocol each day prior to entry into the jury assembly room. (Amends Plan #4 and #11)
2. Only completed jury panels will be provided lunch the second day of service. Incomplete panels and jurors still being questioned will be directed to the cafeteria for lunch. Jurors may use the canteen area of jury assembly to eat. (Clarifies Plan #18)
3. Attorneys must wear a head mask shield whenever they remove their mask to speak. Jurors should be offered the shields in the courtroom. Judges should wear the shields if there is no plexiglass barrier in the front of the bench. (Amends Plan #3)
4. Gaiter type masks may not be worn unless they are 2 ply masks. (Amends Plan #3)

**19<sup>th</sup> Judicial Circuit Court**  
**Operating Procedures for Juror Health Screening**  
**(Addendum #1)**

**Objective**

- To provide a daily procedure for COVID-19 health screenings of Jurors before they begin their service for the day.

**Procedures**

- All jurors appearing for jury service will be subject to a health screening before they begin their jury service each day. If jurors exhibit COVID-19 symptoms or register a fever above the temperature threshold, they will not be permitted access to the Jury Service Room or be allowed to continue their jury service. Should that occur, the Health Screener will contact the Jury Commission staff immediately.
- Health Screeners will ask the following questions:
  1. Are you currently experiencing any COVID-19 Symptoms such as:

➤ a cough	➤ muscle or body aches
➤ sore throat	➤ congestion or runny nose
➤ fatigue or chills	➤ nausea or vomiting
➤ headaches	➤ loss of taste or smell
➤ shortness of breath	➤ abdominal pain
  2. Do you reside with, or have you had contact with anyone in the past 14 days that has tested positive for COVID-19 or presumed to be positive for COVID-19?
- Next, Health Screeners will use a touchless infrared thermometer to take the temperature of the juror. If a Juror's temperature is above 100.4, the Health Screener should isolate the juror from all others and immediately notify Jury Services staff.
- If the juror has not yet been selected to sit on a jury, they should be asked to leave the building and suggest they seek medical attention.
- If the juror has been selected to sit on the jury, staff should isolate the juror from all others and immediately notify the judge assigned before having the juror leave.
- Jury Staff should notify the judge assigned and an onsite supervisor if any COVID-19 symptoms are exhibited at check-in or during any part of the jurors' service.
- Court Staff should immediately contact Facilities to request that any area that a juror exhibiting COVID-19 symptoms has been in contact with be cleaned.

**Screening Locations and Liabilities**

- Judicial Operations Staff and the Jury Services Division will facilitate the Health Screening Procedures for jurors outside of the Jury Services Room and any other location that the selected jurors may be asked to report the following day.
- Court Staff who are used as health screeners assume no liability for any Juror who may contract or exhibit COVID-19 symptoms after they have been screened.

**IN THE  
SUPREME COURT OF ILLINOIS**

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In re: )  
Illinois Courts Response to )  
COVID-19 Emergency ) M.R. 30370  
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**Order**

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to article VI, section 16, of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the novel coronavirus; and in the interests of the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances, IT IS HEREBY ORDERED that subpart F of the Court's March 17, 2020 order is rescinded and reserved, and this order is adopted as follows:

F. Individuals, including judges, court staff, parties, attorneys, jurors and witnesses, should not enter any courthouse if they

1. are not wearing a mask or face covering;
2. have new flu-like symptoms including fever, cough, or shortness of breath (excluding such symptoms caused by chronic conditions);
3. currently have been directed to quarantine or isolate at home by any medical provider or public health official; or
4. reside or have regular close contact with a person currently subject to a quarantine or isolation direction issued by a medical provider or public health official.

Masks or face coverings should be worn at all times while in the courthouse unless the person is (1) otherwise instructed by court personnel; (2) under the age of 2; or (3) incapacitated, having trouble breathing, or otherwise unable to remove the mask without assistance. If available, masks should be provided to individuals who do not have them.

If a touchless/contactless thermometer is available, a temperature check as individuals enter the courthouse should be considered. Individuals with a temperature that is 100.4 degrees Fahrenheit or higher should not enter any courthouse.

All courts should implement procedures for when an individual is denied entry based on the above.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto  
subscribed my name and affixed the  
seal of said Court, this 27th day of  
August, 2020.

*Carolyn Taft Gosboll* Clerk,  
Supreme Court of the State of Illinois