

IN RE: Jury Trials

APPELLATE
CLERK OF
PROTHONOTARY

2020 JUN 29 PM 2:07

DAUPHIN COUNTY
PENNA

: IN THE COURT OF COMMON PLEAS
DAUPHIN COUNTY, PENNSYLVANIA

: AO: A0-20-2020

2020-CV-00178-A0

ADMINISTRATIVE ORDER

AND NOW, this 29th day of June 2020, the following process is hereby implemented to specifically prepare for jury trials scheduled to begin on Monday, August 17, 2020 and such protocol shall be used to prepare for jury trials for future trial terms until further Order of Court.

PRETRIAL PREPARATION

1. The deadlines for civil cases found in the 2020 Court Calendar shall be amended as follows:
 - a. The last day to list a civil case for the August 17, 2020 jury term shall be July 6, 2020.
 - b. Cases that were listed for the April, May, and June 2020 jury trial terms must be relisted by either filing a new Certificate of Readiness or by requesting a status conference with the assigned Judge for the implementation of a new Case Management Order.
 - c. The last day to object to a civil case listing for the August 17, 2020 jury term shall be July 20, 2020.
 - d. Pre-trial/settlement conferences shall be held prior to July 27, 2020 and will be scheduled by the assigned Judge.
 - e. An amended 2020 civil calendar shall be posted on the Dauphin County website.
2. The Civil Court Judges shall provide a list of civil cases set for trial during the week of August 17, 2020 to the President Judge, the Civil Calendar Judge and the Deputy Court Administrator-Civil by July 27, 2020. For subsequent trial terms, such list shall be provided three weeks before the first day of the trial term.
3. The Criminal Court Judges shall meet with their teams and identify a list of cases to be tried during the week of August 17, 2020. The Criminal Court Judges shall provide a list of criminal cases set for trial during the week of August 17, 2020 to the President Judge, the Criminal Calendar Judge and the Deputy Court Administrator-Criminal by July 27, 2020. For subsequent trial terms, such list

shall be provided three weeks before the first day of the trial term. The Criminal Calendar Judge and Deputy Court Administrator-Criminal shall assess the case priorities, in conjunction with the District Attorney and Public Defender, and assess the need to adjust the assignment of high priority cases.

4. The President Judge, the Civil Calendar Judge, the Criminal Calendar Judge, the Deputy Court Administrator-Civil, the Deputy Court Administrator-Criminal and the Jury Manager shall schedule jury selection as set forth in more detail below. Attorneys shall be notified by Court Administration as to the date and time for jury selection. A total of no more than twenty cases shall be listed for jury selection.

JURY SELECTION

5. Jury selection will take place during the weeks of August 3, 2020 and August 10, 2020. The Jury Manager is directed to summon separate panels of fifty jurors or more as requested by the Trial Judge to report at 8:15 a.m. and 12:45 p.m. each day during this two-week period. Jury selection for subsequent trial terms shall occur during the two-week period prior to the first day of the trial term.
6. Security Officers shall be stationed at the employee entrance of the Courthouse to permit entry of the prospective jurors and shall:
 - a. Ensure that jurors entering the building are maintaining a six-foot distance from others.
 - b. Take the temperature of the prospective jurors using an infrared digital thermometer.
 - c. Ask each prospective juror if they have been in contact with a person known to be infected with COVID-19 within the past fourteen days or have experienced a fever, cough or shortness of breath within the past twenty-four hours.
 - d. Deny entrance to any prospective juror who answers "yes" to any one of the questions in (c) above or has a temperature over 100.4 degrees Fahrenheit.
 - e. Ensure that all jurors are wearing an appropriate face covering.
7. Once the panel has been checked in by the Jury Manager, the Jury Manager shall notify the Sheriff and the Court Crier/Administrator that the panel is seated. The Court Crier/Administrator shall notify the attorneys and the court reporter to report to the Jury Assembly Room entrance located past the security checkpoint by the employee entrance of the Courthouse. All participants have ten minutes from time of notification to report. During this ten-minute timespan, the Jury Manager shall show the video to the prospective jurors.

8. Jury selection will take place in the Jury Assembly Room beginning at 9:00 a.m. and 1:30 p.m. each day during this two-week period. The Judge, attorneys and parties will be assigned one of the time slots to pick their jury. Each Judge shall be assigned a time slot before a Judge is assigned a second time slot.
9. Once twelve jurors and the number of alternates deemed necessary by the Trial Judge are chosen during one of the sessions, the jurors not selected shall be released from service.
10. Those jurors selected for the August 17, 2020 jury trial term shall be given a report time on August 17, 2020. All report times shall be staggered. Only one jury shall report at a time since the number of people permitted in an elevator is limited to two or three and it will take time to transport the jurors. Report times shall be 8:00 a.m., 8:30 a.m., 9:00 a.m., 9:30 a.m., 10:00 a.m., 10:30 a.m., 1:00 p.m. and 1:30 p.m. each day. The report time for each day shall be coordinated by each Courtroom with the Jury Manager. All Courtrooms shall strictly adhere to the designated times they receive from the Jury Manager.
11. All jurors, Court staff, attorneys, and parties shall wear appropriate face coverings unless otherwise directed by the Trial Judge.
12. Disposable juror stickers shall be used in place of the metal juror badges.
13. The Jury Assembly Room shall be thoroughly cleaned and disinfected after each selection.

JURY TRIALS

14. ***Judges shall assess their Courtrooms and develop a plan to safely accommodate jurors.***
15. Security Officers shall be stationed at the employee entrance of the Courthouse to permit entry of the jurors and shall:
 - a. Ensure that jurors entering the building are maintaining a six-foot distance from others.
 - b. Take the temperature of the prospective jurors using an infrared digital thermometer.
 - c. Ask each prospective juror if they have been in contact with a person known to be infected with COVID-19 within the past fourteen days or have experienced a fever, cough or shortness of breath within the past twenty-four hours.
 - d. Deny entrance to any prospective juror who answers "yes" to any one of the questions in (c) above or has a temperature over 100.4 degrees Fahrenheit.

- e. Ensure that all jurors are wearing an appropriate face covering.
16. During the trial week, the jurors shall be escorted to the fourth-floor jury deliberation rooms or the Lawyers' Lounge upon arrival each day. Two jury deliberation rooms or the Lawyers' Lounge shall be used for the staging of jurors before they are taken to the Courtroom and during breaks to ensure that jurors remain a six-foot distance from one another. The rooms shall be thoroughly sanitized by Tipstiffs after each use.
 17. Courtrooms must communicate morning and afternoon break times with the Jury Manager to ensure that rooms are available and that jurors will be escorted in a safe manner. The Jury Manager and one designated Tipstaff for each Courtroom are permitted to use a telephone while in the Courtroom in regard to such communication.
 18. Lunch breaks will be 1 hour and 30 minutes. Jurors will be encouraged to bring a lunch and may eat lunch in the Jury Assembly Room or outdoors. Jurors will be reminded to practice social distancing.
 19. Jury deliberations shall take place in the Courtroom. No one may be present in the Courtroom during the deliberations. Once a verdict is recorded, the jurors shall be released from service.
 20. All jurors, court staff, attorneys, parties, witnesses, and others attending the trial shall wear appropriate face coverings unless otherwise directed by the Trial Judge.
 21. Attorneys shall provide the assigned Trial Judge with a list of people including family members who desire to be present during the jury trial 48 hours before the scheduled commencement of trial. The assigned Trial Judge shall determine if the Courtroom can safely accommodate the number of people requesting attendance. A copy of the approved list shall be provided to Court Administration.
 22. Individuals under the age of eighteen shall not be permitted to enter the Courtroom without prior approval of the Trial Judge.
 23. Trial Judges are permitted to operate their Courtrooms as they deem appropriate as long as the safety of the jurors, participants, and Court staff is maintained.

JUN 29 2020

I hereby certify that the foregoing is a true and correct copy of the original filed.

Matthew R. Krupp
Prothonotary

BY THE COURT:

John F. Cherry
John F. Cherry, President Judge