

## **Summary of Plan for Resuming Jury Trials**

### **October 20, 2020**

The United States District Court for the District of Nevada is aware of public health concerns arising over the novel coronavirus, also known as COVID-19, and is deeply committed to the safety and wellbeing of every individual involved in our judicial system. We are closely following and reinforcing the guidelines from the CDC, and local and national health authorities, and have taken precautionary measures to limit the potential spread of the virus while also ensuring that we can continue with essential judicial proceedings—and resume jury trials. What follows is a summary of our plan for resuming jury trials.

#### **Jury Trial Priorities**

- The Court will follow a division-wide trial stack. Only one trial at a time will be conducted in each division.
- All trials will start on Monday mornings. So long as the jury begins deliberating by the end of Friday, the next trial will start on Monday.
- On each trial stack, priority goes to the defendant who has been in custody longest. Second longest in custody gets second priority, etc. Civil jury trials will be scheduled for any open weeks in a stack. In other words, if all criminal cases on a stack resolve or move, any remaining civil cases will be set for trial on that stack.
- A master trial scheduling conference will take place three weeks before the trial start date.
- During the scheduling conference, the presiding judge will notify the parties of their priority ranking based on the master trial list and schedule a trial for each week of the stack.

#### **Jury Selection**

- To expedite voir dire, several of the standard, non-case-specific voir dire questions typically asked in this district will be posed in a new questionnaire that potential jurors must complete online in advance of jury selection. A copy of the questionnaire is attached.
- Amended General Order 2020-10 authorizes jury administrators to grant jury service deferrals (referenced in the jury plan as temporary excuses) for COVID-19-related reasons, and other standard reasons consistent with this district's historical practices.
- Jury questionnaire responses will be provided to counsel the Thursday before trial, and the trial judge will likely conduct a hearing on Friday morning to discuss which prospective jurors can be excused for cause (clear bias issues, etc.) or temporarily excused based on a jury questionnaire response that does not trigger a deferral listed in Amended General Order 2020-10.
- Those prospective jurors who are either excused for cause or temporarily excused will be notified not to come to court that following Monday when trial starts.

- Jury selection will be conducted in a trial courtroom and an overflow courtroom to ensure sufficient social distancing.

### **COVID-19 Mitigating Measures**

- In the beginning stages, there will be one designated courtroom each in Las Vegas and Reno for criminal jury trials. Each will be equipped with plexiglass dividers in the jury box, in front of the courtroom deputy and court reporter, on the witness stand, and between the judge and staff.
- Temporary General Order 2020-02 restricts individuals who have COVID-19, or may have COVID-19 symptoms, from accessing the courthouses.
- Amended Temporary General Order 2020-08 requires that everyone wear face coverings inside the public areas of the courthouses and during court proceedings, although the presiding judge has discretion to modify this requirement during court proceedings.
- Jurors will have expedited access to go through security screening if they present their summons or juror ID.
- Jurors will be provided with face coverings if they do not have one.
- Elevator usage will be limited to no more than two people at once, and breaks for jurors will take place in designated rooms that accommodate the need for social distancing.
- The public will be allowed into the trial courtroom to the extent that social distancing rules can be implemented.

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Dear :

The court is aware of public health concerns arising over the novel coronavirus, also known as COVID-19, and is deeply committed to the safety and wellbeing of our jurors. We are closely following and reinforcing the guidelines from the CDC and local and national health authorities and have taken precautionary measures to limit the potential spread of the virus while also ensuring that we can continue with essential judicial proceedings. For example, we are taking the following precautions for this trial:

- (1) prospective jurors will respond to some jury-selection questions electronically before reporting to the courthouse to minimize in-court time;
- (2) multiple rooms will be utilized to maintain proper social distancing for the jury-selection process,
- (3) jurors will be separated by plexiglass barriers or seated at least six feet apart from one another during jury selection and trial
- (4) jurors will be required to wear masks or other face coverings, and
- (5) court facilities will be cleaned and sterilized more frequently. Prospective jurors are also encouraged to bring their own personal protective items including face coverings, disinfectant wipes, and hand sanitizer of they wish. Jurors who do not have their own face masks will be given one, and hand sanitizer will be available.

To reduce the amount of time that prospective jurors will need to be in the courthouse for jury selection, the court is asking you to respond to additional screening questions electronically. While these questions ask you to provide personal information, the court and litigants are fully aware of the need to maintain the confidentiality of prospective jurors. The information you provide will be made available to the parties and their lawyers, but not to the press or the public, and will otherwise be kept completely private. If anyone contacts you, attempts to contact you, or appears to be taking any action that could affect your service on this jury, please immediately bring this to the court's attention by calling the jury administrator at **(702) 464-5627 / (775) 686-5614**.

Serving as a juror is both a privilege and an honor. For more than 200 years, we, as free citizens of this country, have looked to juries to preserve liberty and the independence of the judiciary. **The following information** will help you determine if you must appear for jury service in this case. Please carefully review and promptly follow all instructions on both sides of your summons. If, before your reporting date, you (1) develop flu-like symptoms such as a cough, fever, or shortness of breath; (2) get diagnosed with COVID-19; or (3) have been in contact with anyone who has been diagnosed with a COVID-19 infection, (4) are asked to self-quarantine by a doctor, hospital, or health agency, **CALL** the jury administrator at **(702) 464-5627 / (775) 686-5614** and do not come to the courthouse unless you are specifically instructed to do so after so notifying the court.

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1. What city/town/part of town do you live in?

2. Are you employed?

Yes  No

If yes, please state your occupation and the name of your employer:

3. Please state what type(s) of employment you were engaged in before your present job/occupation:

4. What is your relationship status?

Married  Divorced/Separated  Widowed  
 Single

4a. If you have a spouse or significant other, state his or her job/occupation/calling:

5. What is the highest level of education that you have completed:

High School  Trade School  Some College  
 Bachelor's Degree  Master's Degree  Doctoral Degree  
 None of the above

6. If you have any children who are employed, state their job/occupation:

7. Does your need to care for a minor child or other person requiring assistance during the business day impair your ability to serve as a juror?

Yes  No

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If yes, please explain:

8. Do you have a medical disability, including a serious hearing or vision impairment, that would make it difficult to serve as a juror in this case?

Yes  No

If yes, please explain.

9. The Court will be implementing procedures to maintain physical distance and minimize potential exposure to the novel coronavirus (also known as COVID-19) in the courtroom. Even with these precautions, do you have concerns related to COVID-19 that would affect your ability to serve as a juror?

Yes  No

If yes, please explain:

10. The United States Centers for Disease Control and Prevention (CDC) has said that older adults and people with certain underlying medical conditions may be at higher risk for more severe complications from COVID-19. Do you believe that you or any member of your immediate household is at higher risk?

Yes  No

If yes, please explain any concerns:

10a. If yes, will you be able to serve as a juror?

Yes  No

Please explain any concerns.

11. Have you served on a jury before?

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Yes  No

If yes, what type of case:

Criminal  Civil  Grand Jury

11a. Were you the jury foreperson?

Yes  No

11b. Did the jury reach a verdict?

Yes  No  Don't Know

12. Do you have difficulty understanding the English language?

Yes  No

If your answer is yes, do you read, write, and understand the English language well enough to complete this questionnaire without help?

Yes  No

13. Do you have anything in your background, such as any religious or philosophical beliefs, that prevents you from rendering judgment in a trial?

Yes  No

If yes, please explain:

14. Have you been involved in an investigation or prosecution by any law enforcement or government agency?

Yes  No

If you answered "yes" to question 14, please explain the nature of the matter and your involvement:

14a. If you answered "yes" to question 14, is there something about that experience that you think will impact your ability to serve as a juror?

Yes  No

If yes, please explain:

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15. Have you or someone close to you been the victim of a crime, prosecuted for a crime, convicted of a crime, or had another significant life experience related to the criminal-justice system?

Yes  No

If you answered “yes” to question 15, please explain the nature of the matter and your involvement:

15a. If you answered “yes” to question 15, is there something about that experience that you think will prevent you from being a fair and impartial juror?

Yes  No

If yes, please explain:

16. Have you, any member of your family, household, or a person close to you ever worked in law enforcement or criminal justice, or worked for a court system or correctional facility?

Yes  No

If yes, please explain who, their relationship to you, and their position:

16a. If you answered “yes” to question 16, is there something about that person’s relationship to you that you think will prevent you from being a fair and impartial juror?

Yes  No

If yes, please explain:

17. Have you, any member of your family, household, or a person close to you had training or education in, or otherwise studied law or worked for a lawyer or law firm?

Yes  No

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If yes, please explain who, their relationship to you, and that experience:

17a. If you answered “yes” to question 17, is there something about that person’s relationship to you that you think will prevent you from being a fair and impartial juror?

Yes  No

If yes, please explain:

18. Have you, any member of your family, household, or a person close to you ever been an employee or official of the United States Government, or of any federal agency (other than military service)?

Yes  No

If yes, please explain who, their relationship to you, and what position they hold or held:

18a. If you answered “yes” to question 18, is there something about that person’s relationship to you that you think will prevent you from being a fair and impartial juror?

Yes  No

If yes, please explain:

19. Have you, any member of your family, household, or a person close to you ever been a party to litigation with the United States or had a dispute with the United States, or do you anticipate having a claim or dispute with the United States in the near future?

Yes  No

If yes, please explain:

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19a. If you answered “yes” to question 19, is there something about that experience that you think will prevent you from being a fair and impartial juror?

Yes  No

If yes, please explain:

20. Do you, or your family, or close friends belong to any group that is at odds with the government, such as a paramilitary, citizen’s militia, or tax protest group?

Yes  No

If yes, please explain:

21. Do you have a strong opinion about the criminal-justice system, the civil-justice system, lawyers, judges, or the legal process in general that you think will impact your ability to serve as a fair and impartial juror?

Yes  No

If yes, please explain that opinion and why you think it will impact your service.

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I declare under penalty of perjury that all answers are true to the best of my knowledge and belief.

21/10/2020

