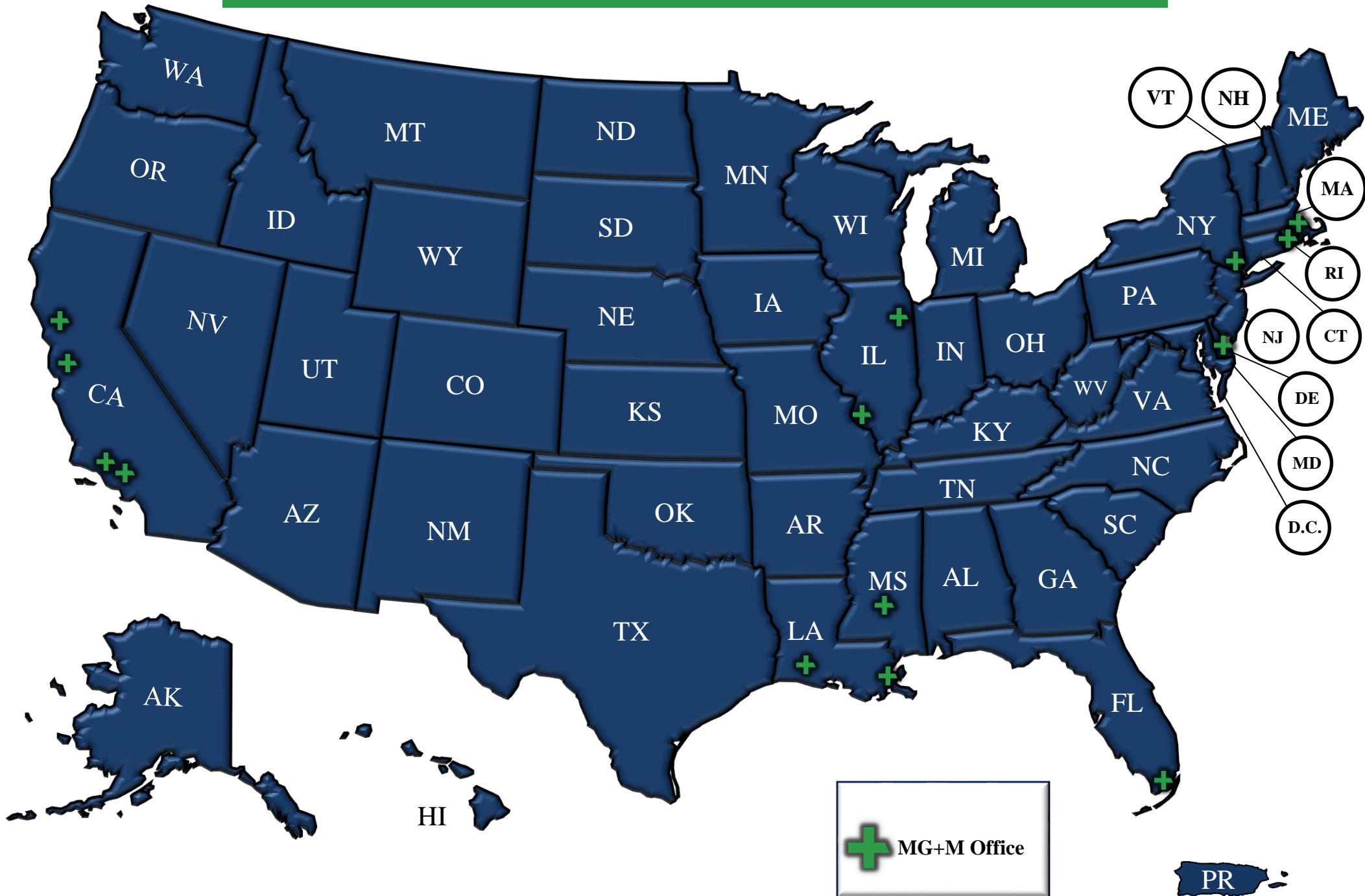


MG+M's COVID-19 State Courts Survey*

Please click on any individual state to obtain information related to that state's current reopening efforts



*This report reflects the current operative order from the overseeing judicial body in each jurisdiction. For more details on specific courts, please see visit MG+M's website and sign up to receive the Daily National Report."

ALABAMA

Operative Order: [Administrative Order No. 7 – Resumption of In-Person Hearings Authorized After May 15, 2020, and Continued Suspension of Jury Trials Until September 14, 2020](#)
(May 13, 2020)
[Administrative Order No. 8 – Extending Orders Pertaining to Workers’ Compensation Cases and Remote Testimony](#)
(August 14, 2020)

Relevant Website: https://judicial.alabama.gov/Announcement/COVID_19

The Alabama Supreme Court declared a state of emergency for the Judicial Branch of the State of Alabama pending further order.

Subject to the approval of the Presiding Circuit Judge of each circuit and subject to the provisions of this order, jury trials are suspended until September 14, 2020. In-person hearings in the circuit courts, district courts, juvenile courts, municipal courts, and probate courts were permitted but not required to begin on or after May 15, 2020.

The Chief Justice has issued that the taking of witness testimony by remote means has been extended until December 31, 2020, or further order of the Court.

For the purposes of determining whether to recommence in-person court hearings, the Presiding Circuit Judge is granted authority to make decisions regarding the safety and welfare of all court personnel in all courts within the circuit. The Presiding Circuit Judge is specifically authorized to adopt procedures that, in his or her discretion, will implement the recommendations and requirements of the "Safer at Home Order" so as to protect court employees and other individuals accessing all courts within the circuit. In making such determinations and before adopting any order or procedures, the Presiding Circuit Judge should consult with other judges in the circuit, the Chairman of the County Commission(s), the Circuit Clerk(s), the Sheriff(s), the District Attorney, and the Public Defender in counties or circuits having a full-time public defender.

ALASKA

Operative Order: [Special Order of the Chief Justice Order No. 8189](#)
(September 2, 2020)
[Special Order of the Chief Justice Order No. 8184](#)
(August 10, 2020)
[Special Order of the Chief Justice Order No. 8183](#)
(September 6, 2020)
[Special Order of the Chief Justice Order No. 8155](#)
(June 15, 2020)
[Special Order of the Chief Justice Order No. 8144](#)
(May 11, 2020)

Relevant Website: <http://courts.alaska.gov/covid19/index.htm>

The Alaska Supreme Court declared a statewide public health emergency for the Judicial Branch of the State of Alaska pending further order.

Jury trials remain suspended until at least November 2, 2020. The period of this delay, beginning March 16, will continue to be excluded in computing the time for trial under Alaska Criminal Rule 45d. When this suspension is lifted, the time for trial will continue to be tolled for the time necessary to permit an orderly transition and scheduling.

Non-jury proceedings in both criminal and civil cases may resume beginning June 1, subject to any restrictions imposed by the presiding judge(s).

The court system is authorized to resume grand jury proceedings statewide on June 1, 2020. The time limits for preliminary examination under Alaska Criminal Rule 5e are extended beginning March 23 through October 2, 2020 and may be extended thereafter as provided in that rule.

The presiding judge may allow witnesses and interpreters to appear at grand jury proceedings by videoconference or teleconference. If the court facilities at the designated location are inadequate for social distancing, then the presiding judge may convene a grand jury at another location in the same district.

All court proceedings will be conducted with strict adherence to social distancing, face coverings, and other health requirements imposed by government health mandates, presiding judge orders, and administrative bulletins. During courtroom proceedings, the judge may authorize removal of masks or face coverings as necessary, including for the purposes of witness testimony, defendant identification, or making an appropriate record, provided that appropriate social distancing or other protective measures are followed.

ARIZONA

Operative Order: [Authorizing Limitation of Court Operations During a Public Health Emergency and Transition to Resumption of Certain Operations](#)

(August 26, 2020)

[Authorizing Limitation of Court Operations During a Public Health Emergency and Transition to Resumption of Certain Operations](#)

(July 15, 2020)

[Limitation of Court Operations During a Public Health Emergency and Transition to Resumption of Certain Operations \(AO 2020-79\)](#)

(May 20, 2020)

Relevant Website: <https://www.azcourts.gov/covid19/>

The Supreme Court of the State of Arizona declared a statewide public health emergency for the Judicial Branch of the State of Arizona pending further order.

All Arizona Courts and the office of the presiding disciplinary judge began transitioning to in-person proceedings on June 1, 2020 to the extent it could be safely accomplished. Presiding superior court judges shall determine for the courts in their respective counties how in-person court proceedings and courthouse activities are to be phased-in and conducted, consistent with this order, in a manner that protects the health and safety of all participants. The chief judge of each court of appeals division shall determine how in-person court proceedings are to be phased-in and conducted.

Until Phase III, judicial leadership should limit any required in-person proceedings to attorneys, parties, victims, witnesses, jurors, judicial officers, court employees, and other necessary persons, where necessary to maintain the recommended social distancing within the courthouse, including each courtroom, and the judicial officer in each proceeding is authorized to make reasonable orders to ensure the health and safety of hearing participants consistent with the parties' right to due process of law.

Until December 31, 2020, to reduce the number of citizens summoned to jury duty, procedural rules are modified to afford litigants only two peremptory strikes for potential jurors per side in all civil and felony cases tried in the superior court, and one peremptory strike per side in all misdemeanor cases, and all civil cases tried in limited jurisdiction courts. This provision does not apply to capital murder cases.

ARKANSAS

Operative Order: **In re Response to the COVID-19 PANDEMIC**

(June 11, 2020)

Guidelines for In Person Proceedings

(July 1, 2020)

Relevant Website: <https://www.arcourts.gov/arkansas-supreme-court-statement-novel-coronavirus-outbreak-and-courts>

On March 11, 2020, the Governor of Arkansas declared a State of Emergency related to the COVID-19 pandemic, which remains in effect. The Supreme Courts of the State of Arkansas have remained open and will continue to remain open. On June 11, 2020, the Supreme Court announced the lifting of some restrictions.

The suspension of jury trials ended on June 30, 2020, and jury summons began to issue for jury service beginning on or after July 1, 2020. Civil jury trials may be conducted, in whole or in part, by video teleconference. Criminal jury trials will be conducted in person, except that voir dire may be conducted by videoconference by agreement of the parties.

On July 1, 2020, the Supreme Court of Arkansas released a letter to judges regarding the exact precautions needed when conducted in-person hearings in the [Guidelines for In Person Proceedings](#).

All courthouses and courtrooms remain open and judges may, at their discretion, conduct in-person proceedings, subject to a limitation of 50 people inside a courtroom or other venue. Decisions on whether to conduct in-person versus remote proceedings should be based on the growth rate of the virus in the area, the size of the venue in which court is conducted, the security measures necessary to hold in-person proceedings, the availability of personal protective equipment, and other relevant factors.

CALIFORNIA

Operative Order: **Chief Justice Issues Order Implementing Temporary Court Emergency Measures**
(March 30, 2020)

Chief Justice Issues Statewide Order Suspending Jury Trials
(March 23, 2020)

Relevant Website: <https://newsroom.courts.ca.gov/coronavirus-updates>

California Governor Newsom declared a state of emergency in California and California counties began issuing shelter-in-place or stay-at home orders beginning on March 16, 2020. Governor Newsom issued Executive Order N-33-20, requiring all Californians to stay home, subject to certain exemptions. Courts are included in this exemption.

All jury trials are suspended and continued for a period of 60 days from March 23, 2020. Courts may conduct such a trial at an earlier date, upon finding of good cause shown or through the use of remote technology, when appropriate.

There has been an order that the 60-day continuance of jury trials is to be calculated from the date for which the trial was set or extended, whichever is longer. Additionally, courts will be supported in making use of available technology to conduct judicial proceedings and court operations remotely, suspend any rule in the California Rules of Court to the extent such rule would prevent a court from using technology to conduct judicial proceedings and court operations remotely, in order to protect the health and safety of the public, court personnel, judicial officers, litigants, and witnesses. This is consistent with the Governor's order, which also provides for the suspension of related statutes that impose limitations on the subject of these emergency orders.

Superior Courts have been authorized to issue implementation orders that extend the time period provided for the holding of a preliminary examination and the defendant's right to release from 1- court days to not more than 30 court days. Additionally, extending the time period within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than seven days. Extending the time period for the holding of a criminal trial by no more than 60 days from the last date on which the statutory deadline otherwise would have expired. Extending the time period to bring an action to trial by no more than 60 days from the last date on which the statutory deadline otherwise would have expired.

COLORADO

Operative Order: [Updated Order Regarding COVID-19 and Operation of Colorado State Courts](#)
(July 24, 2020)
[Updated Order Regarding COVID-19 and Operation of Colorado State Courts](#)
(June 15, 2020)
[Updated Order Regarding COVID-19 and Operation of Colorado State Courts](#)
(May 5, 2020)

Relevant Website: <https://www.courts.state.co.us/announcements/COVID-19.cfm>

The Chief Justice of the Colorado Supreme Court ordered the state courts to continue to operate on an emergency basis.

Because jury pools still cannot be assembled consistent with existing public health guidelines, no person will be summoned by state courts to assemble for jury service to begin any time prior to August 3, 2020, unless or until further modification of this Order.

In consideration of constitutional and statutory rights to jury trials, and the imperative to secure those rights as expeditiously as feasible, any Chief Judge devising an approach for the conduct of limited jury trials consistent with health guidelines and local executive orders concerning assembly and personal contact may seek a waiver of this prohibition against the assembly of jury pools.

No person will be summoned to assemble for jury service in a state court without the authorization of the Chief Judge of the particular judicial district, following his or her determination that the jury pool in question can be safely assembled consistent with applicable executive orders and health directives.

The Chief Judges of the various districts are expected to continue to make all reasonable efforts to facilitate work by department employees from remote locations and to minimize personal contact. To that end, and with the understanding that some judicial proceedings may require personal appearances, wherever reasonably feasible, judicial proceedings, regardless of their nature, should continue to be conducted remotely.

CONNECTICUT

Operative Order: [CT Judicial Branch Continues to Expand Court Operations](#)
 (August 28, 2020)
 [Connecticut Judicial Branch Continues With Expansion of Operations](#)
 (June 4, 2020)

Relevant Website: <https://jud.ct.gov/COVID19.htm#Notices>

On June 4, the Connecticut Judicial Branch issued a notice regarding continued expansion of operations. The expansion will bring the number of open courthouses to 17 – the Supreme and Appellate courts, 13 Superior Court locations and two juvenile court locations. As such, one Superior Court courthouse will be open in each of the 13 Judicial Districts.

Supreme Court arguments will be held via videoconferencing on June 1, June 3, June 5, June 10, June 12, and June 22, and Appellate Court arguments will be held via videoconferencing on June 15, June 17, June 29, and July 1.

As of August 28, 2020, four new locations have opened up to the public. The range of civil, criminal, family and juvenile proceedings are being processed both by remote technology and within courthouses.

Most work within the open court locations will continue to focus on those most pressing matters such as criminal arraignments for defendants held on bond, domestic violence cases, restraining orders, emergency child custody matters, juvenile detention hearings, and all other emergency matters. The Branch continues to expend the handling of criminal matters as well.

Judges will begin conducting remote pretrial conferences on Monday, June 8. The initial focus of these remote pre-trials will be on cases involving defendants in custody. If an agreement is reached, the case will be docketed for plea and/or disposition.

DELAWARE

Operative Order:

[Administrative Order No. 10 Extension of Judicial Emergency](#)

(September 4, 2020)

[Administrative Order NO.7 Extension of Judicial Emergency](#)

(June 5, 2020)

[Order NO.5 Concerning COVID-19 Precautionary Measures and Scheduling of Cases](#)

(July 8, 2020)

[Delaware Judiciary extends emergency, maintains Phase Two in reopening plan](#)

(July 6, 2020)

Relevant Website:

<https://courts.delaware.gov/aoc/covid-19>

The Chief Justice, in consultation with other members of the Supreme Court, declared a judicial emergency that went into effect on March 16, 2020 at 8:00 a.m., and extended the judicial emergency on April 14, 2020, May 14, 2020, July 6, 2020, and August 5, 2020. Under this authority, the judicial emergency for all State courts and their facilities in Delaware is extended to October 5, 2020 subject to further review.

Under Phase Two, the public is back in Court facilities for hearings and non-jury trials. The Supreme Court has also resumed in-person oral arguments.

All civil and criminal locations resumed the scheduling of in-person proceedings beginning June 15, 2020. The available calendars for appearances will be reduced in accordance with social distancing and building capacity limitations as directed by the Governor, Chief Justice, and Chief Magistrate. Civil and criminal locations will continue to employ alternatives to in-person appearances, such as appearances via video, whenever possible.

As recommended in the Interim Report, the courts, except for the Justice of the Peace Court which is addressed in the Order, will reopen to additional employees and the public in the phases set below. Modification of these phases may be necessary as the reopening proceeds, more information about COVID-19 becomes available, and public health experts track the spread of COVID-19 in Delaware.

Phase 1 commenced on June 8, 2020 with a limited list of permitted proceedings. Phase 2 commenced on June 15, 2020 with an expanded list of permitted proceedings as well as all State courthouses opening to the public with 50% building capacity. Phases 3 and 4 will commence at a time to be determined by the Chief Justice.

Effective October 5, 2020, Phase 3 of the Court's Reopening Plan will be implemented. Criminal and Civil jury trials may proceed as set forth in the Jury Management Plan. Minor tort settlement hearings and Inquisition hearings may now proceed.

FLORIDA

Operative Order: [Comprehensive COVID-19 Emergency Measures for the Florida State Courts](#)
(June 16, 2020)

[Comprehensive COVID-19 Emergency Measures For the Florida State Courts](#)
(August 12, 2020)

Relevant Website: <https://www.flcourts.org/Resources-Services/Emergency-Preparedness/COVID-19-Information-and-Updates>

On March 9, 2020, the Governor declared a State of Emergency in Florida. The Florida state courts have taken measures to mitigate the effects of this public health emergency upon the judicial branch and its participants.

Statewide grand jury proceedings remain suspended through July 26, 2020. All other jury proceedings, including grand jury proceedings, jury selection proceedings, and criminal and civil jury trials, remain suspended through July 17, 2020.

It is the intent of the judicial branch to transition to optimal operations in a manner that protects the public's health and safety during each of four anticipated phases of the pandemic. In Phase 1, in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare. In Phase 2, limited in-person contact is authorized for certain purposes and/or requires use of protective measures. In Phase 3, in-person contact is more broadly authorized and protective measures are relaxed. Finally, in Phase 4, COVID-19 no longer presents a significant risk to public health and safety.

These measures shall remain in effect until [IN re: COVID-19 Public Health and Safety Precautions for Phase 2, Fla. Admin. Order No. AOSCO20-32](#) (June 16, 2020), is amended or terminated or unless a different end date is indicated herein, or as may be provided by subsequent order.

GEORGIA

Operative Order: [Statewide Judicial Emergency Order \(Original\)](#)
(March 14, 2020)
[Fourth Order Extending Declaration of Statewide Judicial Emergency](#)
(July 10, 2020)
[Sixth Order Extending Declaration of Statewide Judicial Emergency](#)
(September 10, 2020)

Relevant Website: <https://georgiacourts.gov/covid-19-preparedness/>

The Chief Justice of the Supreme Court of Georgia declared a Statewide Judicial Emergency in the State of Georgia, which is now extended until October 10, 2020, at 11:59 p.m.

The suspension of jury trials will remain in effect and until further order, all courts are prohibited from summoning new trial jurors and grand jurors and from conducting criminal or civil trials. Grand juries that are already impaneled or are recalled from a previous term of court may meet to attend to time-sensitive essential matters, but these grand juries should not be assembled except when necessary and only under circumstances in which social distancing and other public health guidance can be followed. Efforts are being pursued to allow the safe resumption of jury trials.

The Chief Judge of each superior court, in his or her discretion after consulting with the District Attorney, may resume grand jury proceedings in person or remotely (where consistent with law) on or after September 10, 2020.

It should be recognized that actual grand jury hearings and jury trials will not begin until a month or longer after they are authorized, due to the time required to summon potential jurors for service.

Except for jury and grand jury proceedings, courts have discretion to conduct in-person judicial proceedings, but only in compliance with public health guidance and with the requirements of the United States and Georgia constitutions and applicable statutes and court rules.

To the extent feasible, courts remain open to address essential functions, and in particular courts give priority to matters necessary to protect health, safety, and liberty of individuals. During the period of this Order, the undersigned hereby suspends, tolls, extends, and otherwise grants relief from any deadlines or other time schedules or filing requirements imposed by otherwise applicable statutes, rules, regulations, or court orders, whether in civil or criminal cases or administrative matters.

Notice will be provided as to the expected termination of the Order as extended and modified at least one week in advance to allow courts to plan for the transition of fuller operations.

HAWAII

Operative Order:

[Order Regarding Jury Trials](#)

(September 4, 2020)

[Order Regarding Jury Trials](#)

(June 23, 2020)

[Order Regarding Judiciary Operations](#)

(June 23, 2020)

[In the Matter of the Judiciary's Response to the COVID-19 Outbreak](#)

(March 16, 2020)

Relevant Website:

<https://www.courts.state.hi.us/covid-19-information-page>

The Chief Justice issued an [Order](#) on March 16, 2020 which postponed non-urgent court business in an effort to ensure the health and safety of court personnel and users and minimize the risk of spreading COVID-19 in the courts. This Order was further extended to October 5, 2020, while also ordering that certain matters be heard remotely by telephonic or video conference to the extent feasible.

All jury trials are postponed to dates after November 13, 2020, unless otherwise ordered by the chief judge of the respective circuit. This does not affect any order regarding non-jury trials.

Circuit courts will resume conducting jury trials beginning November 16, 2020, barring further public health or other extraordinary developments that would make doing so imprudent.

In-person proceedings are resuming in some courts in accordance with social distancing mandates. Remote hearings have been conducted in various matters in the circuit, district, and family courts. All circuits have prepared plans to restore operations to the greatest extent possible while minimizing physical presence and safeguarding the health of all court users.

The provisions of this Order are extended through October 5, 2020 and may be modified or extended as necessary. It is further ordered that the emergency order previously issued by the chief judge of each circuit pursuant to the [March 16, 2020 Order](#) shall remain in effect, unless modified by the chief judge of said circuit.

IDAHO

Operative Order:

In Re: Jury Trials

(September 16, 2020)

In re: Emergency Reduction in Court Services and Limitation of Access to Court Facilities

(April 22, 2020)

Relevant Website:

<https://isc.idaho.gov/Emergency%20Orders>

For public safety and to mitigate the spread of the COVID-19 virus, all State of Idaho court proceedings and facilities will operate under limited directive. This Order was initially released on April 22, 2020, and has since been adapted and modified on September 16, 2020.

Due to the continuing rise in positive COVID-19 cases throughout Idaho, the time during which no trial juror will be required to appear in person will be extended to September 14, 2020. No jury trial will commence in a criminal case before September 14, 2020, and in a civil case before December 1, 2020.

Existing grand jury panels may be extended at the discretion of the court that summoned the grand jury.

Any person sixty-five years of age or older is eligible to have jury service postponed for one year.

In all jury trials, the assigned judge, attorneys, and jurors must be physically present in the courtroom. In a criminal jury trial, with the judge's approval, counsel for both parties and defendant may stipulate that a witness may testify remotely. If the defendant is not present, counsel for the defendant may stipulate on his behalf.

All persons physically present in the courtroom must remain a minimum of six feet away from all other persons at all times in the absence of permission from the assigned judge. The assigned judge, at the request of counsel, may permit counsel to be closer to a client to facilitate appropriate consultation or may be allowed to approach a testifying witness, if necessary.

All persons in the courtroom must wear a mask approved by the assigned judge at all times, unless an exception is granted by the assigned judge.

All other court proceedings are presumptively to be held remotely, with all participants utilizing remote technologies including teleconferencing and video conferencing. The Administrative District Judge has the discretion to impose restrictions and limitations on the manner in which courthouses and courtrooms are used, including restrictions and limitations on in-person proceedings.

ILLINOIS

Operative Order: [Illinois Courts Response to COVID-19 Emergency](#)
 (May 20, 2020)
 [Illinois Courts Response to COVID-19 Emergency](#)
 (March 17, 2020)

Relevant Website: <http://www.illinoiscourts.gov/Administrative/covid-19.asp>

In accordance with the Statewide Emergency declared on March 9, 2020, an Order issued March 17, 2020 directed Illinois courts to hear “essential court matters and proceedings.” The order further authorized courts to conduct both essential and nonessential matters and proceedings remotely, subject to constitutional and practical limitations.

Effective June 1, 2020, the Court’s order of March 17, 2020, is modified so that each circuit may return to hearing court matters, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit. Chief judges should also take into consideration the Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations during COVID-19 pandemic.

Subject to constitutional limitations, all courts, in civil or criminal case, may modify or suspend any deadlines and procedures, whether prescribed by local rule or order, for a stated period ending no later than 30 days after the Governor’s state of emergency declaration has been lifted.

INDIANA

Operative Order: **In the Matter of Administrative Rule 17 Emergency Relief for Indiana Trial Courts Relating to the 2019 Novel Coronavirus (COVID-19)**
(May 29, 2020)

Relevant Website: <https://www.in.gov/judiciary/5575.htm>

As a result of the public health emergency relating to COVID-19, the Indiana Supreme Court ordered trial courts statewide to implement appropriate continuity-of-operations plans for providing essential judicial services on March 16, 2020.

The Indiana Supreme Court authorizes the tolling, through August 14, 2020, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings; public health and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before Indiana trial courts.

Early-trial demands filed under Indiana Criminal Rule 4(B) before April 3, 2020, the tolled period is calculated from April 3, 2020 through August 14, 2020 and is further subject to congestion of the court calendar or locally existing emergency conditions for good cause shown. For the purposes of early-trial motions after April 2, 2020 and before August 15, 2020, the motion will be deemed to have been made on August 14, 2020 and is further subject to congestion of the court calendar or locally existing emergency conditions for good cause shown.

Unless further extended by order of the Indiana Supreme Court, the prohibition on issuing or serving writs of attachment, civil bench warrants, or body attachments pursuant to Trial Rule 64 will expire at 12:01 a.m. on August 15, 2020.

IOWA

Operative Order:

[In the Matter of Resuming Jury Trials During COVID-19](#)

(July 22, 2020)

[In the Matter of Ongoing Provisions For Coronavirus/COVID-19 Impact on Court Services](#)

(May 22, 2020)

[In the Matter of Prioritization of Cases and Duties](#)

(July 9, 2020)

Relevant Website:

<https://www.iowacourts.gov/iowa-courts/covid-19-information-and-updates/>

In response to the public health emergency due to COVID-19, the Iowa Supreme Court declared a Judicial Emergency in March, 2020. The Iowa Supreme Court Order dated May 22, 2020 has since been modified and extended in the July 9, 2020 Order.

Any nonjury trial that is scheduled to begin before July 13, 2020 is to be continued and reset to a date no earlier than July 13, 2020. Nonjury trials may commence before July 13, 2020 in specific counties if the county courthouse is open to the public and the court operations in that county meet recommended COVID-19 safety protocols as established by state court administration. Trials will be scheduled in accordance with case priorities in the separate supervisory order issues July 9, 2020 (In the Matter of Prioritization of Cases and Duties).

Any jury trial that is scheduled to begin before September 14, 2020 is to be continued and reset to a date no earlier than September 14, 2020. Trials will be scheduled in accordance with case priorities in the May 22, 2020 Order. All grand jury proceedings will be suspended until September 14, 2020.

Prior to July 13, 2020, and continuing thereafter, courts, parties, and attorneys are strongly encouraged to conduct civil court business when feasible using teleconference or telephone. District courts may conduct civil nonjury trials by videoconference or telephone with the parties' consent. District courts may accept testimony by videoconference or telephone with the parties' consent or when otherwise authorized by law.

Courts will limit the number of simultaneous jury trials so as to accommodate physical distancing. There will be modified trial schedules to avoid unnecessary movement of jurors around the courthouse. Courts will consider increasing the number of jurors typically summoned with a recommended time period of 2-4 weeks earlier than usual to allow supplemental summoning if the initial yield is insufficient.

KANSAS

<u>Operative Order:</u>	<u>Order Imposing Statewide Judiciary Restricted Operations Due to COVID-19 Emergency</u> (March 18, 2020) <u>Re: Ad Hoc Jury Task Force</u> (June 2, 2020) <u>Requiring Masks in Appellate and District Courts</u> (July 2, 2020) <u>District and Appellate Court Operations as of September 4, 2020</u> (September 4, 2020)
<u>Relevant Website:</u>	<u>https://www.kscourts.org/About-the-Courts/Court-Administration/OJA/Kansas-Courts-Response-to-Coronavirus-(COVID-19)</u>

Beginning with the filing of Administrative Order 2020-PR-016 on March 18, 2020, Kansas courts restricted functions or methods of operation in order to secure the health and safety of court users, staff, and judicial officers.

All jury trials, both civil and criminal, scheduled to begin in any Kansas state court on or after March 18, 2020 are continued until further order of the Chief Justice. Questions concerning prospective scheduling of hearing or trial dates should be directed to the assigned judge.

Courts not operating under 2020-PR-049 may resume holding jury proceedings after the chief judge has complied with two guidelines. The guidelines being consulting with the head of the local public health department or his or her designee to determine how to resume jury proceedings given local risk and the facilities available; and developed a written plan approved by the Office of Judicial Administration for implementing the Supreme Court mandates regarding resuming jury proceedings that will be on the Kansas judicial branch website along with best practice guidance.

To support the courts in planning, a task force will analyze the issues courts will face when jury operations resume. The task force will look at the best practices for conducting jury trials and grand jury proceedings while protecting the safety of judges, court staff, the public, litigants, witnesses, and jurors, including the use of virtual technology, sanitation practices, and maintaining physical distancing.

Effective at 12:01 a.m. on Friday, July 3, 2020, masks are required in nonpublic court offices where two or more individuals are present, unless physical shields are in place between individuals.

KENTUCKY

Operative Order: [In re: Kentucky Court of Justice Response to COVID-19 Emergency: Expansion of Court Proceedings](#)
(August 28, 2020)
[In re: Kentucky Court of Justice Response to COVID-19 Emergency – Health and Safety Requirements for the Expansion of Court Operations](#)
(May 29, 2020)
[In re: Kentucky Court of Justice Response to COVID-19 Emergency: Expansion of Court Proceedings](#)
(May 29, 2020)

Relevant Website: <https://kycourts.gov/Pages/Coronavirus.aspx>

The Kentucky Supreme Court issued an Order to be taken into effect beginning June 1, 2020. This order was further amended on August 28, 2020.

Criminal jury trials may resume after August 1, 2020, with in-custody trials taking priority over all other matters. Civil jury trials may resume after October 1, 2020.

Jury trials will resume only if the trial judge determines in his or her discretion, after having considered local public health conditions and the health and safety requirements established by the Supreme Court, that it is advisable.

Courts will resume hearing civil and criminal matters using telephonic and video technology to conduct all proceedings remotely. Remote proceedings will be scheduled through the judge's office. The judge may determine in his or her discretion that a matter requires in-person attendance, in which health and safety precautions must be followed.

Each chief district and chief circuit judge will develop a local protocol regarding any additional restrictions or changes in local procedure, consistent with this Order.

LOUISIANA

Operative Order: [Louisiana Supreme Court Order Addressing Statewide Court Proceedings](#)
 (June 5, 2020)
 [Louisiana Supreme Court Order Addressing Statewide Court Proceedings](#)
 (May 15, 2020)

Relevant Website: <https://www.lasc.org/COVID19>

Due to the continuation of the COVID-19 emergency in Louisiana, the Governor issued a renewal of state of emergency and the extension and modification of emergency provisions.

No civil or criminal jury trial will commence in any Louisiana state court before June 30, 2020.

Louisiana Courts continue to be authorized to conduct in-person proceedings on all matters. Courts will continue to take measures to limit access to courtrooms and other spaces, with minimum physical contact, to practice social distancing and limit in-person court capacity to 50% of the total capacity. All matters should continue to be conducted with the use of video and telephone conferencing when possible.

MAINE

Operative Order: **Order Regarding Trial Court Remote Proceedings and Public Access**
(September 4, 2020)
Pandemic Management Order from Maine Supreme Judicial Court
(June 17, 2020)
Revised Emergency Order and Notice from the Maine Supreme Judicial Court
(May 28, 2020)
The State of Maine Judicial Branch COVID-19 Phased Management Plan
(May 27, 2020)

Relevant Website: <https://www.courts.maine.gov/covid19.shtml>

On June 5, 2020, Maine's Judicial Branch consolidated, clarified, corrected, and ratified several of prior Emergency Orders with respect to the orderly operation of Maine's judicial system. This Order was further clarified on June 17, 2020.

All jury matters, civil and criminal, excluding grand jury proceedings, are postponed to a date after September 7, 2020. If a jury trial was scheduled between March 16 and September 4, 2020, the trial will be rescheduled.

Grand jury proceedings will be scheduled and held after July 6, 2020, in accordance with the COVID-19 Phased Management Plan.

Effective May 28, 2020 and continuing through September 4, 2020, unless otherwise ordered by the court, scheduling of all case types and proceedings will be governed by the latest version of the State of Maine Judicial Branch COVID-19 Phased Management Plan.

The following hearings and proceedings will be held in-person, unless otherwise ordered by the court: criminal jury trials, criminal arraignments; Title 22 protective custody hearings concerning jeopardy and termination of parental rights, protection from abuse hearings, protection from harassment hearings, motions for contempt in family cases, juvenile adjudication and dispositional hearings, and forcible entry and detainer final hearings. All proceedings not listed in the above order will be held remotely, unless otherwise ordered by a court.

Hearings may be held if the court has determined that the nature of the matter for which a hearing or other court action has been requested is urgent and compelling; the hearing can be held without requiring the presence of additional court staff; and, the proceeding can be undertaken without requiring the physical proximity of any participants or placing undue stress on those necessary to the proceeding.

MARYLAND

Operative Order: [Amended Administrative Order Lifting the Statewide Suspension of Jury Trials and Resuming Grand Juries](#)
(June 3, 2020)
[Amended Administrative Order on the Progressive Resumption of Full Function of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency](#)
(June 3, 2020)

Relevant Website: <https://www.courts.state.md.us/coronavirusupdate>

On June 3, 2020, the Chief Judge ordered that the resumption of certain judicial functions is possible, with the implementation of safeguards as advised by the Centers for Disease Control and Prevention and the Maryland Department of Health.

All civil jury trials in the Circuit Courts throughout the state of Maryland scheduled to begin on or after March 16, 2020 are authorized to resume, with trial dates to be scheduled beginning on October 5, 2020, and thereafter.

All criminal trials in the Circuit Courts throughout the state of Maryland scheduled to begin on or after March 16, 2020 are authorized to resume, with trial dates to be scheduled beginning on October 5, 2020, and thereafter.

Grand juries will resume at the discretion of the administrative judge or his or her designee. New grand juries may be empaneled as necessary. Grand juries that are currently convened may be extended by the administrative judge pursuant to an administrative order.

Any previously scheduled jury trial beginning between October 5, 2020 and December 31, 2020, may be maintained, subject to priority being given to criminal trials and other urgent matters in the court, at the discretion of the administrative judge in the court in which the trial is scheduled.

Consistent with Phase 4 of the Order, October 5, 2020 has been identified as such date that the summoning of Maryland citizens in sufficient numbers to constitute an adequate jury pool from which a jury venire may be drawn will again be possible.

MASSACHUSETTS

Operative Order: [Superior Court Standing Order 9-20: Fourth updated protocol governing Superior Court operations during the coronavirus \(COVID-19\) pandemic](#)
(October 1, 2020)

Relevant Website: <https://www.mass.gov/guides/court-system-response-to-covid-19>

To safeguard the health and safety of the public and court personnel during the COVID-19 pandemic while continuing to increase the business being conducted by the courts, the Supreme Judicial Court of Massachusetts issued an Order effective October 1, 2020.

Judges shall continue to schedule bench trials in civil and criminal cases. No jury trials, in civil or criminal cases, should be conducted before October 23, 2020. Beginning on that date, jury trials will resume on a limited basis, in accordance with Phase 1 of the resumption of jury trials, as recommended by the Jury Management Advisory Committee.

Phase 1 trials will occur in a small number of locations, determined by the Chief Justice of the Superior Court, in consultation with Superior Court RAJs and with the Chief Justice of the Trial Court and Chief Justices of other Trial Court departments affected, limited to one trial at a time in each location, and will consist of juries of six (plus alternates). Case types and specific cases for Phase 1 trials will be selected by the Chief Justice of the Superior Court, in consultation with Superior Court RAJs and with the Chief Justice of the Trial Court and Chief Justices of other Trial Court departments affected.

All jury trials that were scheduled to commence between March 14 and September 4, 2020, that, by certain SJC orders, were continued to a date no earlier than September 8, 2020, and that are not tried during Phase 1, are further continued to a date no earlier than the date of the commencement of Phase 2.

Where an in-person hearing is scheduled, a party has the option to move that the hearing be conducted virtually, and the judge scheduled to preside at the hearing will rule on the motion.

This Order remains into effect until further notice.

MICHIGAN

Operative Order: [Administrative Order No. 2020-19: Continuing Order Regarding Court Operations](#)

(June 26, 2020)

[Administrative Order No. 2020-10: Delay of Jury Trials](#)

(April 23, 2020)

[Administrative Order No. 2020-14: Continued Status Quo Court Operations and Phased Return to Full Court Operations](#)

(May 6, 2020)

Relevant Website: <https://courts.michigan.gov/News-Events/Pages/COVID-19.aspx>

Per order of the Michigan Supreme Court, courts must continue to conduct essential functions and are expected to use their best efforts to provide timely justice in all matters during the health crisis relating to the coronavirus pandemic.

All jury trials are delayed for a period of 60 days after April 23, 2020, lasting until June 22, 2020, or as otherwise provided for by local order, whichever date is later.

Courts that have progressed to Phase 3 will begin holding jury trials using trial standards approved by the State Court Administrative Office. Courts that are not yet in Phase 3 will proceed with jury trials only with approval from the State Court Administrative Office.

The State Court Administrative Office is authorized to initiate pilot projects regarding practices related to how to conduct remote jury trials. After the pilot projects are complete, the State Court Administrative Office will provide recommendations to assist all courts in providing jury trials that promote health and safety as well as protect people's rights.

Courts will continue to use and expand remote hearings as practicable and increase the court's capacity to conduct business online. Access to courtrooms and other spaces will be available to no more than 10 persons. Courts will maintain their current level of operations until a plan to expand in-court proceedings has been approved.

MINNESOTA

Operative Order: [Order Governing the Operations of the Minnesota Judicial Branch Under Emergency Executive Order Nos. 20-53, 20-56](#)
(May 28, 2020)
[Order Requiring Face Coverings at Court Facilities](#)
(July 7, 2020)

Relevant Website: <http://www.mncourts.gov/Emergency.aspx>

The operations of the Minnesota Judicial Branch during the statewide peacetime emergency first declared by the Governor of Minnesota on March 13, 2020, are governed by the Order filed on May 15, 2020.

The Judicial Council authorized a pilot program for criminal jury trials. Those pilot jury trials may proceed on or after June 1, 2020 in the counties approved to participate in the pilot program, and after the participating district court has submitted a jury trial pilot plan and secured approval of the Judicial Council or its designee to proceed. No other jury trials will be held in criminal cases before July 6, 2020, and no jury trials will be held in civil cases before September 1, 2020.

As of July 13, 2020, the Judicial Branch continues to expand in-person proceedings, services, and operations at court facilities, requiring those who enter the facility or work at the facility to wear a face covering when physical distance requirements cannot be maintained will contribute to the exposure precaution measures already in place for the safety of members of the public and for Judicial Branch staff and judges.

The Judicial Branch is now in a transitional phase. Part of the planned, methodical, and gradual expansion of Judicial Branch operations in this transitional phase includes a limited expansion of access to public services in court facilities.

MISSISSIPPI

Operative Order: [In re: Emergency Order Related to Coronavirus \(COVID-19\)](#)
 (July 23, 2020)
 [In re: Emergency Order Related to Coronavirus \(COVID-19\)](#)
 (May 7, 2020)

Relevant Website: <https://courts.ms.gov/>

The Mississippi Supreme Court continues to monitor the COVID-19 pandemic and enters Orders as empirical data and changing circumstances dictate. Locate judges and their staff, in conjunction with local bar associations and elected officials, remain in the best position to balance the public-health risks in their communities related to COVID-19, while fulfilling their constitutional and statutory duty to keep the courts open.

Court personnel and all other persons appearing in the courtrooms must be masked at all times, unless the presiding judge uses their discretion to permit the temporary removal, if necessary to insure the accuracy and integrity of the proceedings.

The trial courts remain authorized to exercise their sound discretion in controlling their general dockets by case-specific actions or general orders. All court proceedings must be limited to attorneys, parties, witnesses, bailiffs, members of the press, and other necessary persons and staff, as determined by the trial judge.

As of July 23, 2020, 84% of all deaths in Mississippi occur in persons aged 60 or older. Therefore, during this emergency, judges are granted the authority to extend juror-age exceptions to persons 60 and older, if such persons desire to seek such exemption.

MISSOURI

Operative Order:

Operational Directives

(July 24, 2020)

Procedures for Jury Proceedings During COVID-19 Pandemic

(June 5, 2020)

In re: Operational Directives for Easing COVID-19 Restrictions on In-Person Proceedings

(May 4, 2020)

Relevant Website:

<https://www.courts.mo.gov/pandemic/>

The Missouri Supreme Court provided three Orders regarding the operational directives of the Judicial Branch in Missouri. The June 5, 2020 and July 24, 2020 Orders supplement and should be understood in conjunction with and during the effective period of the Court's May 4, 2020, Order and Operational Directives.

In order to conduct grand or petit jury proceedings under any phase, the presiding judge must determine whether the circuit has the proper facilities and equipment in place to conduct jury proceedings in compliance with social distancing protocols, local occupancy rate limitations, and other recommended health and safety strategies.

Effective May 16, 2020, court activity in all appellate and divisions of the circuit courts will be limited and restricted. In all judicial proceedings, courts and judges are encouraged to utilize all available technologies to conduct court activities remotely in order to limit the number of in-person proceedings conducted in courthouses.

Accordingly, presiding judges and chief judges should monitor local circumstances and conditions on a regular basis. Any movement to the next higher Operating Phase under these Directives can be made only after a court has been in the prior Operating Phase for a period of at least 14 calendar days. A court may revert back immediately to a prior Operating Phase when local conditions and circumstances require it.

MONTANA

Operative Order: **[COVID-19 Memo from Chief Justice McGrath 5-22-2020](#)**
(May 22, 2020)

Relevant Website: **<https://courts.mt.gov/>**

On May 22, 2020, Montana Supreme Court Chief Justice Mike McGrath issued a memo urging all Montana courts to implement several practices related to the ongoing COVID-19 pandemic.

Courts may hold jury trials at their discretion, but may do so only after sufficient planning and consultation with the attorneys involved in the cases, local law enforcement and local public health entities in order to ensure trials are conducted in such a manner as to maintain social distance and protect the health of jurors and others. At a minimum, courts must i) manage voir dire through enhanced questionnaires; ii) Excuse jurors in advance who may be at high-risk or have other appropriate reason to not report (lack of childcare, caring for a high-risk person, etc.); iii) Work closely with local public health officials to manage the number of jurors called for voir dire; iv) Seat jurors in compliance with physical distancing during the trial and deliberations; v) Limit any in-court spectators; and, vi) Make hand sanitizer and masks available to jurors and others in the courtroom.

The Chief Justice also encourages all courts to continue to conduct hearings remotely and/or telephonically in order to limit the number of people in a courthouse and in a courtroom. Physical distancing in courthouses, courtrooms and offices must be maintained. A minimum of six feet between individuals must be maintained with no more than 50 people in group if physical distancing cannot be maintained. Extensive signage should be posted requiring people who are ill to not enter the building and to adhere to all recommended hygiene practices recommended by the CDC. Screening may also include temperature checks if supported and recommended by local public health officials. Finally, courts are strongly encouraged to require the use of face coverings or masks for people entering the courthouse.

NEBRASKA

Operative Order: [In Re Novel Coronavirus and COVID-19 Disease](#)
 (June 30, 2020)
 [In Re Novel Coronavirus and COVID-19 Disease](#)
 (April 6, 2020)

Relevant Website: <https://supremecourt.nebraska.gov/nebraska-judicial-branch-emergency-status-information/orders>

No court shall close unless or until the Chief Justice of the Nebraska Supreme Court issues an order declaring a nonjudicial day. However, courts and probation offices shall continue to implement emergency preparedness plans to carry out mission essential functions.

If a court or probation office is holding any in-person proceedings or meetings, the court or office will outline, by local order or otherwise, at least one or more measures to reduce the transmission of COVID-19 to staff, counsel, parties, and other participants. This includes: screening of individuals for symptoms and exposure to COVID-19, social distancing spacing requirements in courtrooms and offices, use of masks, providing hand sanitizer, and/or sanitizing highly touched surfaces and areas where court services and proceedings are occurring.

In conjunction with the Supreme Court's directive, the Nebraska State Court Administrator recommends that all local courts postpone trials and hearings, limit participants in courtrooms, and restrict those persons who may pose a health risk from the courtrooms and offices. However, the implementation of those recommendations is left to the discretion of individual courts and judges.

NEVADA

Operative Order: [Order Concerning Ongoing Administration of District Court Proceedings During COVID-19 Emergency](#)
(April 10, 2020)

Relevant Website: <https://www.nvcourts.gov/supreme>

The Nevada Supreme Court issued an emergency administrative order that they encourage all Nevada District Courts to adopt in their respective jurisdictions to mitigate the risk of COVID-19 infection while preserving essential court services.

Pursuant to the Supreme Court's recommended administrative order, all civil and criminal jury trials will be suspended until 30 days after the order is lifted. Once the order is lifted, trials will be rescheduled as the court calendar allows, with priority given to in-custody defendants who have invoked their speedy trial rights.

District Courthouses remain open, but all persons who have been diagnosed with COVID-19 or who have come into contact with another person diagnosed with COVID-19 in the last 14 days are restricted from entering. All non-essential district court hearings shall be conducted by video or telephonic means, decided on the papers, or continued, unless otherwise directed by a District Court Judge. Essential case type hearings may be conducted through in-person appearances, although appearance by alternative remote means is encouraged.

NEW HAMPSHIRE

Operative Order: [Fifth Renewed and Amended Emergency Order Governing New Hampshire Supreme Court Proceedings and Restricting Access to the Supreme Court Building](#)
(July 7, 2020)

Relevant Website: <https://www.courts.state.nh.us/aoc/corona-covid-19.html>

As of July 7, 2020, and through July 27, 2020 and/or the last day of a Declared State of Emergency, the Supreme Court will remain open on a restricted basis, consistent with the Judicial Branch's obligation to mitigate the risks associated with COVID-19.

All in-person proceedings in the Supreme Court will remain suspended through July 27, 2020. To achieve social distancing and to limit in-person contact, attendance at any in-court emergency proceedings held by the Supreme Court during the effective period will be limited to attorneys, parties, security officers, and other necessary persons.

Exceptions to suspension of in-person court proceedings are limited to proceedings necessary to protect constitutional rights of criminal defendants, proceedings necessary to protect the public on an interim or emergency basis from a substantial threat of serious harm posed by the conduct of an attorney or judge, proceedings related to petitions for temporary emergency relief, and proceedings directly related to the COVID-19 public health emergency. All other exceptions must be approved by the Supreme Court or a single justice.

NEW JERSEY

Operative Order: [COVID-19 – Fifth Omnibus Order on Court Operations and Legal Practice](#)
 (June 25, 2020)
 [COVID-19 – Second Omnibus Order on Court Operations and Legal Practice](#)
 (April 24, 2020)

Relevant Website: https://njcourts.gov/public/covid19_one-stop.html

The New Jersey courts are committed to continuing court operations during and after the COVID-19 public health emergency. To that end, the Supreme Court announced the next phase of remote court operations and legal practice on April 24, 2020 and updated once again on June 25, 2020.

Jury trials and most grand jury proceedings are suspended until at least July 12, 2020. The Court will send new jury notices when petit juries and grand juries resume.

A pilot program to hold grand jury sessions by videoconference has begun in two counties. If it is successful, it will be used to help move forward cases that await indictment.

The Court lifted the suspension of Municipal Court sessions. As of April 27, 2020, remote proceedings in the Municipal Courts may be conducted with the consent of all parties.

NEW MEXICO

Operative Order: [In the Matter of the Safe and Effective Administration of the New Mexico Judiciary During the COVID-19 Public Health Emergency](#)
(July 6, 2020)
[In the Matter of Recommencing Jury Trials During the COVID-19 Public Health Emergency](#)
(May 28, 2020)

Relevant Website: <https://www.nmcourts.gov/covid-19.aspx>

The New Mexico Supreme Court suspended civil and criminal jury trials in light of the ongoing public health emergency beginning on March 17, 2020. Civil and criminal jury trials may recommence between June 15, 2020, and July 15, 2020, in each judicial district pursuant to individualized plans submitted by the chief judge in each judicial district for approval by the Court.

Each judicial district must ensure safe operation of courthouses, provided that the 15-person maximum gathering restriction may be exceeded if a minimum of 6-feet in each direction between every individual may be maintained at all times.

Each judicial district must submit their plans to the Court at least 14 days before the date the judicial district plans to resume jury selection and jury trial gatherings.

The evolving nature of the public health emergency permits the recommencement of jury trials in a matter that is consistent with the latest precautionary measures recommended by health officials for reopening New Mexico in a safe and gradual manner that is based on the local circumstances and available resources in each judicial district.

NEW YORK

Operative Order: [Administrative Order AO-68](#) (March 16, 2020)
 [Administrative Order AO-71](#) (March 19, 2020)
 [Administrative Order AO-85](#) (April 8, 2020)

Relevant Website: <https://www.nycourts.gov/index.shtml>

The Chief Administrative Judge of the New York Unified Courts System adopted several procedures and protocols to mitigate the effects of the COVID-19 outbreak upon the users, visitors, staff, and judicial officers.

All civil jury trials in which opening statements have not commenced are postponed until further notice. Criminal jury trials where jeopardy has attached may continue to occur, but no new criminal jury trials may commence until further notice.

All courts shall review their docket of pending cases, assess matters that can be advanced or resolved through remote court conferencing, and schedule and hold conferences in such matters upon its own initiative. Courts maintain availability during normal court hours to resolve ad hoc discovery disputes and similar matters not requiring the filing of papers. Courts decide all other fully submitted motions in pending cases on the papers.

Where a party, attorney or other person is unable to meet discovery or other litigation schedules (including dispositive motion deadlines) for reasons related to the coronavirus health emergency, the parties shall use best efforts to postpone proceedings by agreement and stipulation for a period not to exceed 90 days. Absent such agreement, the proceedings shall be deferred until such later date when the court can review the matter and issue appropriate directives.

NORTH CAROLINA

Operative Order: [Order of the Chief Justice Emergency Directives 9 to 16](#)
(June 20, 2020)
[Order of the Chief Justice of the Supreme Court of North Carolina](#)
(July 16, 2020)
[Order of the Chief Justice of the Supreme Court of North Carolina](#)
(September 15, 2020)

Relevant Website: <https://www.nccourts.gov/covid-19>

North Carolina's courts are a critical governmental function and, as such, are exempt from executive order that limits large gatherings. Continued operation of the court system in light of the current pandemic requires a careful balancing of the needs of public safety, the rule of law, and of collective public health.

No jury trials will be convened in the district or superior courts of North Carolina until October 15, 2020. Although this emergency directive will expire after 30 days, the Supreme Court of North Carolina intends to extend this directive through at least the end of July. The approach for resuming jury trials should be left to the reasoned judgment of local judicial officials.

All persons who are in a court facility are required to wear a face covering while they are in common areas of the facility and when they are interacting with others. A "face covering" means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face.

Judicial officials will continue to make use of remote hearing technology to the greatest extent possible to limit in-person appearances. All judicial officials should minimize large gatherings and face-to-face interactions between court personnel and the public to the greatest extent possible.

If local court facilities are determined to be inadequate to convene socially distanced jury trials, the senior resident superior court judge is directed to identify, no later than July 1, 2020, other appropriate facilities where trials may be safely convened beginning in August and continuing during the pendency of this emergency.

NORTH DAKOTA

Operative Order: Order 25. Coronavirus Pandemic
(June 9, 2020)

Relevant Website: <https://www.ndcourts.gov/emergency-order-and-pandemic-response>

In response to the coronavirus pandemic, and as authorized by the law, the Justices of the North Dakota Supreme Court declared a state of emergency statewide for the Judicial Branch.

Criminal and civil jury trials are suspended until July 1, 2020, unless otherwise ordered by the Court. Civil and criminal bench trials and hearings are not suspended. However, presiding judges are given discretion until July 1, 2020 to continue bench trials or hearings. Specialty courts may resume convening in-person at the discretion of the presiding judge, subject to following the recommended guidelines for social distancing as provided by the North Dakota Department of Health.

Unless otherwise ordered, for proceedings suspended under authority of this order the days covered by the judicial emergency are considered legal holidays for time computation under North Dakota's court rules.

OHIO

<u>Operative Order:</u>	<u>Guidance to Local Courts – COVID-19 Public Health Emergency</u> (March 20, 2020) <u>Standards and Practices Essential to the Resumption of Jury Trials in Ohio: Report and Recommendations</u> (May 19, 2020)
<u>Relevant Website:</u>	<u>https://www.supremecourt.ohio.gov/coronavirus/default.aspx</u>

In response to the coronavirus pandemic, the Supreme Court of Ohio issued guidance to all local courts for how to ensure continued access to the judiciary while also minimizing COVID-19 transmission to the public, litigants, bar and court staff.

The Supreme Court has not issued an order suspending jury trials and/or in-person court hearings. Instead, the Supreme Court recommends all courts take efforts to minimize physical appearances at court, including through leveraging video conferencing and web-based meeting platforms to conduct arraignments and other pre-trial hearings. The Supreme Court further encourages all courts to provide routine updates to the public on access to the courthouse and case updates via the local court webpage, social media, and via signs posted outside the courthouse.

The Ohio Jury Trial Advisory Group has issues a [document](#) detailing a report and the necessary recommendations for resuming jury trials in Ohio.

Courts possess different capabilities and that every case must be viewed on an individual basis. As the pandemic is a fluid situation, protocols must be revisited regularly.

OKLAHOMA

Operative Order: [Third Emergency Joint Order Regarding the COVID-19 State of Disaster](#)
(April 29, 2020)

Relevant Website: <https://www.oscn.net/news/2003171536/covid19-notice>

The Supreme Court of the State of Oklahoma issued a modification of the First and Second Joint Emergency Orders on April 29, 2020.

All Civil and Criminal jury trials will be rescheduled on the next available jury docket after July 31, 2020. Any exception must be approved by the Chief Justice in consultation with the Presiding Judge of the Court of Criminal Appeals.

All civil and criminal non-jury hearings and other matters will be set after May 16, 2020. To the extent that necessary and emergency in-person dockets are being held, not more than 10 persons including the judge and court personnel will be in a courtroom or other area at one time. This recommendation will remain in effect until public and health officials expand this number to 50 or more.

In all cases, the period from March 16, 2020 to May 15, 2020, during which all rules and procedures, deadlines, whether prescribed by statute, rule or order in any civil, juvenile or criminal cases were suspended, will be treated as a tolling period. May 16, 2020 will be the first day counted in determining the remaining time to act. The entire time permitted by statute, rule or procedure is not renewed.

OREGON

Operative Order: [Order Imposing “Level 2” and “Level 3” Restrictions on Court Operations](#)
(May 15, 2020)

Relevant Website: <https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>

The Chief Justice of Oregon issued an Order on March 16, 2020 as well as an amended Order on March 27, 2020 imposing “Level 3” restrictions on court operations. This Order intends to ease some restrictions, while imposing other requirements for court operations.

All jury trials, including jury trials in criminal and civil cases, that are scheduled to begin earlier than July 1, 2020, are postponed, and no such trials will be scheduled to begin before July 1, 2020.

Effective June 1, 2020, the Presiding Judge may schedule a jury trial to begin on or after July 1, 2020 if, on the day the trial begins, the Governor has eased restrictions on gatherings in the jurisdiction where the trial is being held to permit gatherings of at least 50 persons in one location and social distancing can be maintained in the courtroom and throughout all court-controlled areas of the courthouse.

Jury trials on or after July 1, 2020 will be held in compliance with social distancing requirements in the courtroom and throughout all court-controlled areas of the courthouse. The Court may utilize remote means within the courthouse to comply with social distancing requirements for trial participants and members of the public.

PENNSYLVANIA

Operative Order: [Cessation of Statewide Judicial Emergency After June 1, 2020](#)
(May 27, 2020)

Relevant Website: <http://www.pacourts.us/ujs-coronavirus-information>

In light of ongoing public health concerns relating to the COVID-19 pandemic, the courts within the jurisdiction of the Supreme Court of Pennsylvania issued various administrative orders to declare local emergencies. Such orders and local emergencies remain in full force and effect, and the Presiding Judges in those judicial districts will continue to exercise emergency powers.

All jury trials are suspended until such time that they can be conducted consistent with prevailing health and safety norms. Local court leaders will assess options for resumption of jury trials.

Local court leaders may also impose limits as to access to courts and in-person court proceedings in order to safeguard the health and safety of court personnel, court users, and members of the public.

RHODE ISLAND

Operative Order: **Executive Order: COVID-19 Pandemic Response – Continuity of Operations**
(May 15, 2020)

Relevant Website: <https://www.courts.ri.gov/Courts/SupremeCourt/Pages/COVID-19.aspx>

The Supreme Court of Rhode Island continues to conduct the business of the courts in a manner which limits crowds and encourages social distancing.

Criminal and civil jury trials are continued to a date no earlier than August 1, 2020 and as further addressed per order of the Presiding Justice or Chief Judge of the applicable court. The Superior Court will develop a plan for the resumption of criminal jury trials for those cases which are most critical based on constitutional and/or statutory considerations. A trial judge may schedule a bench trial in a matter provided the trial is conducted remotely with the consent of the parties. In-person bench trials may be recommenced after June 1, 2020.

Superior Court grand jury proceedings may recommence any time after May 17, 2020, provided that suitable social distancing and other precautions are implemented for the safety of the grand jurors, attorneys, staff and witnesses.

All courts within the unified judicial system continue to limit in-person hearings to the greatest extent possible. Non-emergency in-person hearings which cannot be conducted remotely may recommence after June 1, 2020 in accordance with the provisions stated in this Order and any additional administrative orders or protocols.

SOUTH CAROLINA

Operative Order:

Court Operations

(September 14, 2020)

re: County Grand Juries

(May 29, 2020)

re: Operation of the Trial Courts During the Coronavirus Emergency

(April 22, 2020)

Relevant Website:

<https://www.sccourts.org/coronavirus/covid-19/>

On May 29, 2020, the Court deemed it appropriate to review the suspension of physical meetings of county grand juries. Beginning September 21, 2020, court operations will resume normal scheduling and docket management, including in-person hearings in Circuit Court and Family Court, as well as General Sessions and Common Please jury trials.

All jury selections and jury trials in all criminal and civil cases are continued until further notice. The appropriate Chief Judge for Administrative purposes may authorize a non-jury trial to occur if the parties consent, or the matter involves an emergency or other circumstance warranting immediate resolution. Hearings must be staggered to minimize the number of people appearing at the same time.

When an in-person hearing is conducted, only attorneys, the parties, necessary witnesses, necessary court staff and a limited number of members of the press will be allowed to appear. Any matter heard in person must be conducted in a reasonably safe manner in accordance with established COVID-19 protocol.

SOUTH DAKOTA

Operative Order: **[Order Declaring Judicial Emergency COVID-19 Disease](#)**
(March 13, 2020)

Relevant Website: **<https://ujs.sd.gov/uploads/news/COVID19UJSProcedures.pdf>**

On March 13, 2020, the South Dakota Supreme Court declared a judicial emergency from the COVID-19 Disease.

This Order granted the Presiding Judges of each of South Dakota's seven judicial circuits the authority to enter orders to respond to the public health emergency in their respective jurisdictions.

TENNESSEE

Operative Order: **[Order Extending State of Emergency and Easing Suspension of In-Person Court Proceedings](#)**

(May 26, 2020)

[Order Regarding Face Coverings](#)

(July 9, 2020)

Relevant Website: **<https://www.tncourts.gov/Coronavirus>**

Under the constitutional, statutory, and inherent authority of the Tennessee Supreme Court, the Court further modifies prior suspension of in-person court proceedings in all state and local courts in Tennessee, including but not limited to municipal, juvenile, general sessions, trial, and appellate courts, as set forth in the May 26, 2020 Order.

The suspension of jury trials remains in effect through Friday, July 3, 2020. Any jury trial commenced after July 3, 2020 will strictly comply with courtroom capacity and social distancing requirements applicable at the time of the trial.

Effective July 13, 2020, except as otherwise expressed, all persons who, for the purpose of conducting court-related business, enter a courthouse or other building in which court facilities are located will wear a face covering over the nose and mouth. The face covering must be worn at all times inside the building.

Courts will continue to conduct as much business as possible by means other than in-person court proceedings. Courts are encouraged to utilize use of telephone, teleconferencing, email, video conferencing or other means that do not involve in-person contact.

TEXAS

Operative Order: [Twenty-Sixth Emergency Order Regarding the COVID-19 State of Disaster](#)
(September 18, 2020)
[Twenty-Second Emergency Order Regarding the COVID-19 State of Disaster](#)
(August 6, 2020)
[Eighteenth Emergency Order Regarding the COVID-19 State of Disaster](#)
(June 29, 2020)

Relevant Website: <https://www.txcourts.gov/court-coronavirus-information/emergency-orders/>

The Supreme Court of Texas issued several orders which detail the operations of the Court.

A justice or municipal court will not hold an in-person jury proceeding, including jury selection or a jury trial, prior to December 1, 2020. A district court, statutory or constitutional county court, or statutory probate court will not conduct any in-person jury proceedings aside from those deemed fit by the Court.

Courts may not hold an in-person proceeding contrary to the Office Court Administration's Guidance, which will be continually updated, regarding social distancing, maximum group size, and other restrictions and precautions. Prior to holding any in-person proceedings, a court must submit an operating plan that is consistent with the requirements set forth in the Guidance. Courts will continue to use all reasonable efforts to conduct proceedings remotely.

Courts must allow or require anyone involved in any hearing, deposition, or other proceeding of any kind – including, but not limited to, a party, attorney, witness, court reporter, grand juror, or petit juror – to participate remotely, such as by teleconferencing, videoconferencing, or other means.

Existing grand juries may meet remotely or in-person as long as adequate social distancing and other restrictions and precautions are taken to ensure the health and safety of court staff, parties, attorneys, jurors, and the public.

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.

The September 28, 2020 Order expires December 1, 2020, except as otherwise stated or extended by the Chief Justice of the Supreme Court.

UTAH

Operative Order: [Administrative Order for Court Operations During Pandemic](#)
 (June 26, 2020)
 [Emergency General Court Order](#)
 (May 27, 2020)
 [Administrative Order for Court Operations During Pandemic](#)
 (May 11, 2020)

Relevant Website: <https://www.utcourts.gov/alerts/>

To protect the public and all court participants, the Utah Supreme Court continues to implement a Pandemic Response Plan.

Jury trials are suspending all criminal jury trials and all civil jury trials pending further administrative orders.

As for any jury trials presently scheduled to begin after July 31, 2020, counsel should contact the assigned judge's judicial assistant to arrange a status and scheduling conference at least 30 days before the scheduled trial to determine if the trial will proceed as scheduled or will need to be rescheduled to a later date.

Absent exigent circumstances, all hearings will be conducted on the papers, or through remote transmission, such as by telephone or video conferencing. If an in-person hearing is necessary, the Court will conduct the hearing consistent with all applicable government and public health precautions.

VERMONT

Operative Order: [Declaration of Judicial Emergency and Changes to Court Procedures](#)
(June 1, 2020)

[Declaration of Judicial Emergency and Changes to Court Procedures](#)
(March 16, 2020)

Relevant Website: <https://www.vermontjudiciary.org/about-vermont-judiciary/covid-19-and-court-operations>

The Vermont Supreme Court extended the previously declared judicial emergency until September 1, 2020, unless amended by order of the Court.

Jury trials in criminal cases are suspended until at least September 1, 2020. Jury summonses will not be sent before August 3, 2020. Jury trials in civil cases are suspended until January 1, 2021.

Effective March 17, 2020, all non-emergency Superior Court hearings, whether evidentiary or non-evidentiary, will be postponed. This includes jury draws, jury trials, and hearings that have already been rescheduled.

Judicial Bureau hearings are postponed and remote participation in hearings is encouraged via telephone or videoconferencing. Superior Judges may conduct non-evidentiary hearings in non-emergency matters if all participants participate remotely and are not present in the courthouse.

VIRGINIA

Operative Order: **In re: Seventh Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency**
(July 8, 2020)

Relevant Website: http://www.courts.state.va.us/news/items/covid/scv_emergency_orders.pdf

On March 16, 2020, the Chief Justice of the Supreme Court of Virginia declared a judicial emergency in all district and circuit courts of the Commonwealth of Virginia. On March 30, 2020, the Governor required Virginia residents generally to stay at home until June 10, 2020, due to the public health threat, where the Court extended the Declaration of Judicial Emergency through October 11, 2020.

No jury trials will occur in any locality in the Commonwealth for the duration of this Order, unless and until the plan applicable to the locality has been approved by the panel.

All courts may hear in-person non-emergency matters and non-jury cases if they determine it is safe to do so, and provided they comply with the guidance for transitioning from emergency to routine operations provided by the Office of the Executive Secretary in order to minimize the risk of the spread of COVID-19 from in-person court proceedings.

Courts continue to conduct as much business as possible by means other than in-person court proceedings. In all civil and criminal matters, courts are encouraged to continue and even increase the use of videoconferencing, teleconferencing, email, or other means that do not involve in-person contact.

In all civil cases, including jury trial cases that are currently suspended, deadlines and obligations are not tolled and, upon notice to the parties or their counsel, courts may impose and enforce case related pre-trial deadlines.

This Order will be in effect until October 11, 2020.

WASHINGTON, D.C.

Operative Order: **Superior Court of the District of Columbia Order**
(June 19, 2020)

Relevant Website: <https://www.dccourts.gov/coronavirus>

The Chief Judge of the District of Columbia Supreme Court extended the period of the current judicial emergency surrounding COVID-19.

Until further order, the Criminal Division will not be conducting non-jury or jury trials. Until further order, the Domestic Violence Division will not be conducting non-jury trials. Judges will have the ability to schedule hearings on a case-by-case basis, subject to capacity.

The Court is expanding the types and number of cases it will hear through August 14, 2020. To ensure the safety and well-being of Court staff, counsel, parties and members of the public all case types will be heard remotely, except for the adult arraignment court.

To the extent that a case type has not been identified by this Order, all non-priority matters scheduled through August 14, 2020, will be rescheduled and new dates set. Emergency matters will be heard as scheduled by the court. Presiding Judges will issue additional orders, as necessary, setting forth the matters to be heard.

WASHINGTON

Operative Order: [In the Matter of Statewide Response by Washington State Courts to the COVID-19 Public Health Emergency](#)
(June 18, 2020)

Relevant Website: <https://www.courts.wa.gov/newsinfo/index.cfm?fa=newsinfo.COVID19>

Due to the health and safety threat posed by COVID-19, the Washington State Supreme Court declared a judicial emergency with limited Court operations as of June 18, 2020.

Jury trials are necessary to the open administration of justice in Washington. Courts will commence new jury trials starting July 6, 2020 in courthouse facilities or offsite facilities, while observing social distancing and following the most protective applicable public health guidance in their jurisdiction.

Before July 6, 2020, trials already in session where a jury has been sworn and such measures are in place will proceed or, at the discretion of the trial court or agreement of the parties, be continued to a later date.

The Supreme Court may extend the time frames in this Order as required by continuing public health emergency, and if necessary, will do so by further order.

WISCONSIN

Operative Order: [In re: The Matter of the Extension of Orders and Interim Rule Concerning Continuation of Jury Trials, Suspension of Statutory Deadlines for Non-Criminal Jury Trials, and Remote Hearing During the COVID-19 Pandemic](#)
(May 22, 2020)

Relevant Website: <https://www.wicourts.gov/>

The COVID-19 pandemic continues to require certain mitigation procedures, including social distancing measures, meant to reduce the increase in person-to-person transmission of the virus. The Supreme Court of Wisconsin issued and extended the judicial emergency presented by COVID-19.

All civil and criminal jury trials as well as other in-person proceedings in each circuit court are continued until that circuit court prepares an operational plan for the safe resumption of in-person proceedings and jury trials and the plan is approved by the chief judge.

WEST VIRGINIA

Operative Order: **re: Resumption of Operations**
(May 6, 2020)

Relevant Website: <http://www.courtswv.gov/covid19/COVID19.html>

The Supreme Court of Appeals of West Virginia evaluated the continued need for a judicial emergency in light of ongoing COVID-19 mitigation efforts, and determined that certain court business may resume on May 6, 2020.

In-person hearings or proceedings may commence on or after May 18, 2020.

Grand jury proceedings may commence on or after June 15, 2020.

Jury trials may commence on or after June 29, 2020.

All non-emergency, in-person proceedings previously scheduled between March 23, 2020, and May 15, 2020, are continued until on or after May 18, 2020 as directed by the presiding judicial officer.

WYOMING

Operative Order: **In the Matter of the Wyoming Supreme Court's Temporary Plan Regarding COVID-19 Pandemic**
(June 12, 2020)

Relevant Website: <https://www.courts.state.wy.us/coronavirus-covid-19-updates/>

The Supreme Court of the State of Wyoming extends the judicial emergency surrounding the public health threat posed by coronavirus.

No jury trials will be conducted prior to August 3, 2020. All in-person proceedings in all Circuit and District Courts and the Supreme Court in Wyoming are suspended from the close of business on March 18, 2020 to August 3, 2020, with few exceptions.

All civil trials, hearings, and motions should be rescheduled for a later date unless the assigned judge finds the proceedings can be held through telephonic or video means and an adequate record can be made by a court reporter or electronic recording. Reasonable attempts should be made to reschedule all criminal trials, subject to the requirement that defendants be provided speedy trials as required by law.

Orders of protection and temporary injunctions are extended until August 3, 2020.