

Remote Jury Selection Protocol  
(Attorneys Participating in the Courtroom)

A few weeks prior to the trial, jurors summoned for that date will receive a questionnaire that includes questions relating to their ability to participate in the jury selection process on the Zoom platform (i.e. type of device, video capability, email address, etc.). Closer to the trial date, a preselected number of summoned jurors will then receive a notice to appear via Zoom on the first day the trial is scheduled to begin. Their notice will contain technical instructions on how to participate, along with the necessary log-in information instructing them to sign-in at the designated date and time. They will also receive instructions on how to view our jury orientation videos online, and asked to watch them prior to signing in.

On the day of trial, the parties and lawyers (participants) will appear in the physical courtroom, be given copies of the juror profiles, and sign-in on their devices using the same log-in information that was provided to the jurors. Prior to the trial date the court will need to work with its Information Technology department to set up a single microphone or telecom system that will allow multiple Zoom users to be in the same room without experiencing audio feedback. Once signed in, the jurors and participants will appear in the courtroom's virtual waiting room, where the jurors will be reminded to display their juror number without their name (i.e. "#121"). Additionally, the judge should create two breakout rooms, one for selected jurors, and one for jurors who need to be questioned individually outside the presence of the other jurors. Once all of the jurors have arrived and have been counted (and the no-shows noted), they will be admitted from the waiting room into the virtual courtroom where the judge will admonish them as to their duties and the procedures. The jurors will then be administered the oath to answer all questions truthfully.

Once the Judge has completed his or her admonishments and the jurors have been instructed about the selection process, the clerk will then randomly select [#?] jurors, in a designated order (i.e. 1<sup>st</sup> seat, 2<sup>nd</sup> seat, 3<sup>rd</sup> seat, etc.) as the first group to be questioned. The parties and the Judge will keep track of the order in which jurors were selected using a courtroom seating chart (virtual jury box). As they are selected, the clerk will add their seat number to their Zoom screen designation (i.e. "Seat #1, #121"). The remaining jurors who have not yet been selected will be instructed and then placed back into the waiting room until they are needed. First the judge, and then each side will question all [#?] jurors. If any juror needs to be questioned individually outside the hearing of the other jurors, the judge will invite the attorneys, court reporter (if one is present for jury selection) and the juror to the previously designated breakout room for further inquiry. Upon completion they will all be directed back to the virtual courtroom.

The number of jurors to put into the virtual jury box is a question of preference and practicality. The more people on the screen the smaller the boxes and the more cumbersome it

will be to track answers as boxes shift around the screen. If too few jurors are in the virtual jury box, selection will become drawn out. The Court and participants should consider:

- Placing fewer potential jurors in the virtual jury box at a time (8, 10, 12,);
- Switching from gallery view to speaker view when asking follow-up questions;
- Only allowing one attorney from each side to appear on screen at a time by using the '*Hide Non-Video Participants*' feature in Zoom settings and requiring all other participants, the clerk and court reporter to do the same.

Once questioning of these [#?] jurors is complete, the juror's will be instructed to wait in the virtual courtroom while the attorneys and the Judge begin the selection process. The judge will then mute himself and the other in-courtroom participants and all in-courtroom participants will also temporarily disable their video. Jurors will be selected in panels of 4. Once decisions have been made about which of the [#?] jurors are to be dismissed, the judge and attorneys will appear back in the virtual courtroom (unmuted and video re-enabled) and the dismissed jurors will be excused from the proceedings. The accepted jurors will be admonished and either placed into the breakout room that was created for selected jurors and told to remain there until they are instructed further, or they will be excused for the day with instructions about how and when to appear the next day. The clerk will then randomly select the next [#?] jurors and the process will repeat until the desired number of jurors and alternates are selected.

#### Post Jury Selection

Once jurors are selected, they will be given instructions on where and how to report in-person the next morning and admonished as to their duties and procedures for the next day. When they arrive the next day, each juror will be directed to their previously assigned seat within the courtroom, and once proceedings begin they will be sworn in as the jury to decide the case and receive usual admonishments before opening statements and the presentation begin .

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Remote Jury Selection Protocol  
(Attorneys Participating Remotely from their Offices)

A few weeks prior to the trial, jurors summoned for that date will receive a questionnaire that includes questions relating to their ability to participate in the jury selection process on the Zoom platform (i.e. type of device, video capability, email address, etc.). Closer to the trial date, a preselected number of summoned jurors will then receive a notice to appear via Zoom on the first day the trial is scheduled to begin. Their notice will contain technical instructions on how to participate, along with the necessary log-in information instructing them to sign-in at the designated date and time. They will also receive instructions on how to view our jury orientation videos online, and asked to watch them prior to signing in.

On the day of trial, the parties and lawyers (participants) will appear remotely, having been given the same log-in information that was provided to the jurors. The lawyers will have received copies of the juror profiles and juror seating chart, having made arrangements with the clerk to have picked them up or emailed in advance. Once signed in, the jurors and participants will appear in the courtroom's virtual waiting room, where the jurors will be reminded to display their juror number without their name (i.e. "#121"). The attorneys and other participants will be admitted first. Additionally, the judge should create two breakout rooms, one for selected jurors, and one for jurors who need to be questioned individually outside the presence of the other jurors. Once all of the jurors have arrived and have been counted (and the no-shows noted), they will be admitted from the waiting room into the virtual courtroom where the judge will admonish them as to their duties and the procedures. The jurors will then be administered the oath to answer all questions truthfully.

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Once questioning of these [#?] jurors is complete, the juror's will be instructed to wait in the virtual courtroom while the attorneys and the judge begin the selection process. The judge will then invite the attorneys into one of the unused breakout rooms to begin the selection process. Jurors will be selected in panels of 4. Once decisions have been made about which of the [#?] jurors are to be dismissed, the judge and attorneys will appear back in the virtual courtroom and the dismissed jurors will be excused from the proceedings. The accepted jurors will be admonished and either placed into the breakout room that was created for selected jurors and told to remain there until they are instructed further, or they will be excused for the day with instructions about how and when to appear the next day. The clerk will then randomly select the next [#?] jurors and the process will repeat until the desired number of jurors and alternates are selected.

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