

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
WITHIN AND FOR SWEETWATER COUNTY, WYOMING

COVID-19 Jury Trial Operating Plan

General Order 2020-04

Courthouse: Sweetwater County Courthouse – Top Floor

Address: 80 West Flaming Gorge Way, Green River, Wyoming

Judges: Judge Richard L. Lavery

Judge Suzannah G. Robinson

Start Date of Jury Trials: August 10, 2020

Trial by jury is a privilege of the highest and most beneficial nature and our most important guardian of both public and private liberty.

Justice William Blackstone
United States Supreme Court
1765

After fighting viruses all over the world for more than 40 years, I have become an expert in infections. . . . We must learn to live with COVID-19.

Dr. Peter Piot
Microbiologist and COVID-19 survivor
2020

FILED
DISTRICT COURT
THIRD JUDICIAL DISTRICT
SWEETWATER COUNTY WY

AUG 07 2020

DONNA LEE BOBAK
CLERK OF COURT

BY *DLB*
DEPUTY CLERK

Due to the COVID-19 pandemic, much of our Nation and our State have been brought to a near standstill. COVID-19 has affected everyone and nearly every aspect of our lives, including the Wyoming Court system, especially jury trials. Generally, the Wyoming Supreme Court has recommended that no courts conduct jury trials until October 5, 2020. Regardless of when a trial is held, it is incumbent on the trial court to have a plan to best ensure the health and safety of our jurors while still providing a fair trial. In addition, the Wyoming Supreme Court's COVID-19 Orders and Guidelines require District Courts to develop and submit jury trial operating plans before conducting a jury trial.

Although no person or government agency can guarantee that any persons will not be exposed to COVID-19, the District Court can, and must, take all reasonable precautions to ensure the safety of our citizens who serve on our juries, as well as litigants and other individuals required to be present for jury trials. To this end, the District Court Judges Conference appointed a COVID-19 Reopening Committee to address what courts must do to ensure public safety while protecting our citizens' privilege of the highest and most beneficial nature, namely their right to be tried by a jury of their peers.

The Reopening Committee, in conjunction with the Wyoming Supreme Court, and our State Public Health Officer, Alexia Harrist, M.D., Ph.D., developed guidance for trial courts in Wyoming. Each courthouse, and each courtroom, may face different challenges. Additionally,

each community may be affected differently by COVID-19. However, the coronavirus that causes COVID-19 does not recognize city, county, or state boundaries. For these reasons, this Operating Plan has been created by the Third Judicial District Court in and for Sweetwater County, taken from guidance given by the Reopening Committee, to create the safest environment possible in which a fair jury trial can occur in Sweetwater County District Courtrooms.

This Operating Plan identifies parts of the trial process and provides solutions to problems that may arise with parts of a trial due to COVID-19. The Operating Plan will allow for jury trials to occur while still protecting the health and safety of our jurors and others present during a jury trial.

This Operating Plan has been reviewed and approved by Wyoming State and Local Public Health Officials. The following measures will be implemented for all jury trials.

PRE-COURTHOUSE SCREENING	
<p>The District Court shall make efforts to ensure that vulnerable populations are not compelled to come to the courthouse and to educate potential jurors on the precautions the Court is taking to protect jurors' health and safety.</p>	
<p>Supplemental Juror Questionnaires</p>	<p>A supplemental juror questionnaire will be sent with each summons in advance of trial. A copy of the questionnaire is attached as Attachment A. This questionnaire may be modified from time to time as seen fit by the District Court.</p> <p>The supplemental questionnaire will allow the Court to screen potentially high-risk individuals before they are summoned to the courthouse for jury duty. The questionnaire will be voluntary, unless a juror is requesting to be excused for reasons related to COVID-19 prior to trial.</p> <p>Jurors may, if they do not wish to share sensitive health information in writing, discuss the matter in person with the judge on the day of jury selection.</p> <p>Supplemental questionnaires will be mailed early enough to allow time for jurors to return it to the court.</p> <p>Responses will be shared with the parties depending upon the circumstances (i.e., whether a potential juror clearly meets the criteria as an "at-risk" person).</p> <p>Responses will be shared on the record prior to the beginning of trial, with the criminal defendant, if any, present.</p>