

# **Discussion Guide**

## **Remote Jury Pilot Workgroup**

**\*DISCLAIMER:**

This document was prepared to as part of the Remote Jury Pilot Workgroup. The workgroup was formed of more than 75 judges, court administrators, attorneys, and court staff with the goal of testing and evaluating innovative jury procedures that allow for appropriate social distancing while protecting parties constitutional and statutory rights. The following information is intended only to explore legal issues for consideration and further discussion. Any commentary or analysis does not reflect an official interpretation or analysis of the Michigan Supreme Court.

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## General Operational Issues

### **1. Are there any aspects of a remote jury trial that should not be recorded?**

When jurors “arrive” virtually to the courthouse and begin the check-in process, those activities should not be recorded. This would be the equivalent of jurors reporting to the jury assembly room for check-in and waiting. However, when the court calls a case the court shall make a verbatim record of each proceeding, this includes proceedings at which videoconferencing technology is used,<sup>1</sup> with the exception of hearings that are not<sup>2</sup> required to be recorded by law. During a remote jury trial, just as in a physical courtroom, there may be instances in which an attorney may need to confer with their client, or the judge and attorneys need to conduct a side-bar conversation. These are typically off-the-record conversations, as such should be conducted in a manner that is not captured on the recording of the remote jury trial. Additionally, any discussion inside a jury deliberation breakout room must not be recorded.

### **2. Even during the current COVID-19 crisis, do all parties need to agree to conduct a remote (i.e. videoconferencing) jury trial?**

The use of videoconferencing technology to conduct a trial is governed by several court rules which are applicable to specific types of proceedings.<sup>3</sup> With the exception of the proceedings below, there is no explicit requirement that a party consent to the use of videoconferencing at trial.

- **Juvenile Proceedings – Delinquency<sup>4</sup> and Child Protective<sup>5</sup>**

The court may use videoconferencing at a trial only with the consent of the parties. A person who does not consent to the use of videoconferencing at trial is not required to articulate a reason for withholding their consent.

- **Probate - Mental Health Proceedings<sup>6</sup>**

If a subject of the petition wants to be physically present at all hearings, including a trial, the court must allow that person to be present unless the court excludes or waives their presence under MCL 330.1455.

- **Probate - Conservatorship / Guardianship Proceedings<sup>7</sup>**

If the subject of the petition wants to be physically present, the court must allow the individual to be present.

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<sup>1</sup> MCR 2.407(F); See also A-2 of the [Michigan Virtual Courtroom Standards and Guidelines](#).

<sup>2</sup> MCL 600.8411 (small claims); MCL 600.8819 and 600.8719 (informal hearings).

<sup>3</sup> MCR 2.407 (civil proceedings); MCR 3.804 (adoption proceedings); MCR 3.904 (juvenile proceedings); MCR 5.140 (probate proceedings); MCR 6.006 (criminal proceedings).

<sup>4</sup> MCR 3.904(A)(2).

<sup>5</sup> MCR 3.904(B)(2)(b).

<sup>6</sup> MCR 5.140(B).

<sup>7</sup> MCL 5.140(C).

- **Criminal Proceedings<sup>8</sup>**

The court may use videoconferencing at trial only where the defendant is either present in the courtroom or has waived their right to be present, upon a showing of good cause, and with the consent of the parties. A person who does not consent to the use of videoconferencing at trial is not required to articulate a reason for withholding their consent.

## **Defendant Issues**

### **3. Does conducting a remote jury trial violate a criminal defendant’s right to a public trial?**

A criminal defendant has the right to a public trial under both the Michigan<sup>9</sup> and U.S.<sup>10</sup> Constitution. Additionally, as a general rule, MCL 600.1420 provides that the sittings of the court are public. In [Administrative Order No. 2020-6](#), the Michigan Supreme Court recognized the importance and necessity of accommodating public access to the remote proceedings of courts, which would include a remote trials.

It should be noted that the media and general public itself holds a corresponding First Amendment right of access to trials. Moreover, the Sixth and First Amendment rights to a “public trial” has been interpreted to expand to proceedings other than the trial itself, including *voir dire* *Press-Enterprise v Superior Court of California*, (*Press-Enterprise I*), 464 US 501 (1984) and *Presley v Georgia*, 588 US 209 (2010); suppression hearings *Waller v Georgia*, 467 S 39 (1984), and preliminary hearings *Press-Enterprise v Superior Court of California (Press-Enterprise II)*, 478 US 1 (1986).

### **4. Does conducting a remote jury trial violate a criminal defendant’s right to confrontation?**

The Michigan Supreme Court recently decided *People v Jemison* \_\_ Mich \_\_ (2020) (Docket No. 157812), which specifically addressed whether testimony over two-way interactive video over a defendant’s objection violated his right to confrontation under the federal and state constitutions. In reversing the court of appeals, the court indicated that in *Crawford v Washington*, 497 US 836 (1990), the U.S. Supreme Court has shifted from the previous “reliability” framework used by the court of appeals in this case, to a bright-line rule that requires face-to-face testimony. Applying that principal, the court unanimously held that the defendant’s right to confrontation under the federal and state constitutions were indeed violated when two-way interactive video was used to take witness testimony over his objection.

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<sup>8</sup> MCR 6.006.

<sup>9</sup> Const 1963, Art. 1 §20.

<sup>10</sup> US Const, Am VI.

## Juror Issues

### Qualifying and Summoning Jurors

**5. Can the juror questionnaire be updated to ask whether an individual is COVID-19 positive, or a vulnerable individual according to CDC guidance?**

The jury board has broad authority for the types of questions to include on the jury qualification questionnaire. Under [MCL 600.1313\(1\)](#), the questionnaire shall contain blanks to obtain information:

- a. the board desires;
- b. concerning qualifications for jury service;
- c. concerning exemptions for jury service.

Although its use is not mandatory, jury boards may use the State Court Administrative Office ([SCAO MC 321a – Jury Qualification Questionnaire](#)). Although this form does not currently ask questions specific to COVID-19, it does ask if the individual would be able to physically or mentally carry out the functions of a juror. The answers on the juror qualification questionnaire shall not be disclosed except upon order of the chief circuit judge.<sup>11</sup>

In addition to the qualification questionnaire used by the jury board, the court may direct that individuals drawn for jury service be provided with a personal history questionnaire. If provided, the SCAO form [MC 321b – Juror Personal History Questionnaire](#) must be used.<sup>12</sup>

**6. Can an individual be disqualified as a juror if they have identified as COVID-19 positive or as an individual at high-risk?**

[MCL 600.1307a](#) sets forth the minimum statutory qualifications for an individual to qualify as a juror. Included among the qualifications is that an individual shall be “physically and mentally” able to carry out the functions of a juror. A temporary inability to do so is not considered an automatic disqualification.<sup>13</sup> In circumstances of an individual’s reported COVID-19 diagnosis, an additional inquiry into the individual’s qualification and whether they can “physically and mentally” carry out their functions as a juror may be necessary as permitted under [MCL 600.1316](#).

**7. Can an individual be excused from jury service because they have identified as COVID-19 positive or as an individual at high risk?**

An individual who does not have a legal disqualification or exemption from jury service may apply to the chief judge<sup>14</sup> to be excused from jury service. The jury board may excuse an individual if the chief circuit judge has given the board written approval.<sup>15</sup>

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<sup>11</sup> MCR 600.1315.

<sup>12</sup> MCR 2.510.

<sup>13</sup> MCL 600.1307a(1)(c).

<sup>14</sup> MCL 600.1333.

<sup>15</sup> MCL 600.1320(2).

**8. Can an individual’s jury service be deferred if they have identified as COVID-19 positive or as an individual at high-risk?**

The court has broad discretion<sup>16</sup> to grant an individual a deferral of jury service if serving on the date he or she is called creates a hardship. The National Center for State Courts (NCSC) Center for Jury Studies recommends that courts consider implementing a generous deferral policy when ramping up jury trials. Their recommendations include granting deferrals to persons currently testing positive or who are in self-quarantine, persons at a high-risk of infection, persons living with others at high risk of infection, and health care professionals.<sup>17</sup>

**9. Can juror questionnaires be sent and returned electronically?**

Yes. Under [MCL 600.1313\(1\)](#), the jury board shall provide juror qualifications questionnaires. The jury board is permitted to use electronic devices to carry out its duties.<sup>18</sup> While questionnaires may be provided in paper, it is recommended that jurors be provided online questionnaires when possible.

**10. How must notice of the remote jury trial be sent to the jurors?**

For a juror's first required court appearance, service of the juror summons shall be by a written notice addressed to the juror at the juror's place of residence as shown by the records of the board, which notice may be by ordinary mail or by personal service. For subsequent service notice may be in any manner directed by the judge.<sup>19</sup>

In addition to the date and time for reporting, the summons for a remote jury trial should include the necessary information (e.g. URL and meeting ID, etc.) to access the remote hearing. The court may choose to provide additional instructions to jurors regarding successful participation in the meeting such as technology requirements. See **Appendix A** for an example of a juror summons, and **Appendix B** for an example of letter to prospective jurors regarding expectations used by the 13th Circuit Court in Grand Traverse, Leelanau, and Antrim Counties. The samples provided in these appendices are intended as examples only. Courts should continue to develop materials that are appropriate for use in their particular jurisdiction.

**11. May attorneys and parties be permitted to review or electronically receive copies of the juror personal history questionnaires?**

Under MCR 2.510(C)(2), the SCAO must develop model procedures for providing attorneys and parties access to juror personal history questionnaires. Administrative Order 1987-1 directs that the trial court must select and implement one of those model procedures. SCAO has developed four model Local Administrative Orders (LAO) which may be located on [One Court of Justice Website](#), and are outlined below.

- [Examination Only](#);

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<sup>16</sup> MCL 600.1320(4); MCL 600.1333; MCL 600.1335(3).

<sup>17</sup> [COVID-19 Webinar, Managing Juries and Jury Trials During the COVID-19 Pandemic](#), March 26, 2020 ([Webinar Slide 6](#)).

<sup>18</sup> MCL 600.1304a(1).

<sup>19</sup> MCL 600.1332; MCR 2.510(D).

- [Examination and Copies Upon Ex Parte Order;](#)
- [Examination and Copies to Attorneys Upon Request;](#)
- [Examination and Copies to In Pro Per Upon Request;](#)

Each court will need to review their current LAO on file regarding the access to juror personal history questionnaires. The court’s decision to provide inspection only or permit the attorneys and parties to receive electronic copies may result in the need to make technological accommodations or adjustments to the language of LAOs regarding a party’s return or destruction of questionnaires.

## Jury Pool (“Venire”) Makeup and Selection

### **12. Does the exclusion of individuals from the jury pool due inability to participate remotely violate a criminal defendant’s Sixth Amendment right to a fair-cross-section of the community?**

In *Taylor v Louisiana*, 95 SCt 692 (1975), the U.S. Supreme Court recognized that the presence of a fair cross section of the community in the jury pool is essential to the guarantee of the Sixth Amendment right to an impartial jury trial in a criminal prosecution. In *Duren v Missouri*, 439 US 357 (1979), the Court established the 3-prong framework for a defendant to make a prima facie challenge to the jury pool. A defendant must show: (1) that the group alleged to be excluded is a ‘distinctive group’ in the community, (2) the representation of that group in the venire from which the jury is selected is not fair and reasonable in relation to the number of such persons in the community, and (3) the underrepresentation is due to systematic exclusion of the group in the jury-selection process.

As indicated in *Lockhart v McCree*, 106 SCt 1758 (1986), the U.S. Supreme Court has not precisely defined the term “distinctive group” under *Duren*. Nor has the Michigan Supreme Court defined the term. However, in *Lockhart*, the court did indicate that it believes that the notion of ‘distinctiveness’ must be linked to the purpose of the fair-cross-section requirement.<sup>20</sup> The court then identified those purposes as follows:

- (1) Guarding against the exercise of arbitrary power and ensure that commonsense judgement of the community will act as a hedge against an overzealous or mistaken prosecutor;
- (2) Preserving the public confidence in the fairness of the criminal justice system;
- (3) Implementing our belief that sharing in the administration of justice is a phase of civic responsibility.

The court in *Lockhart* further went on to state that “exclusion from jury service of large groups of individuals not on the basis of their ability to serve as jurors, but on the basis of

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<sup>20</sup> *Lockhart v McCree*, 106 SCt 1758, 1765 (1986).

some immutable characteristic such as race, gender, or ethnic background undeniably give rise to an ‘appearance of unfairness.’”<sup>21</sup>

Many individuals have expressed a concern that exclusion of individuals from a venire panel due to their inability to access the necessary technology may infringe upon the Sixth Amendment right to a fair-cross-section of the community. However, that conclusion cannot be reached without a determination of the makeup of that group or their ‘distinctiveness.’ Should a court choose to move forward with a jury pool comprised of only individuals capable of remote participation, the composition of that jury pool and its appropriateness will need to be determined on a case-by-case basis. If exclusion of individuals not capable on their own of remote participation presents a problem, the court could provide a location or the necessary technology to enable the individuals to participate.

### **13. Does a remote jury trial impact a *Batson* challenge?**

In *Batson v Kentucky*, 106 SCt 1712 (1986), the U.S. Supreme Court held that the purposeful exclusion of individuals from a jury on the basis of race is unconstitutional. The exercise of a peremptory challenge is subject to the Equal Protection Clause. In addition to race, in *JEB v Alabama*, 114 SCT 1419 (1994), the court has also explicitly held that the exclusion of a juror based on gender is unconstitutional.

In *People v Knight*, 473 Mich 324 (2005), the Michigan Supreme Court reiterated the three-step process for determining the constitutional propriety of a peremptory challenge:

- (1) The opponent of the challenge must make a prima facie showing of discrimination;
- (2) If the court decides the prima facie showing has been made, the burden shifts to the proponent of the challenge to articulate a race-neutral explanation for the strike;
- (3) If the proponent provides a race-neutral explanation as a matter of law, the court must decide whether the explanation is a pretext and whether the opponent has proved purposeful discrimination.

Where a court proceeds with a remote jury pool, the parties are still subject to the constitutional requirement expressed by *Batson* and *JEB* when peremptorily striking jurors. Each instance where a party seeks to strike a juror for a technology or other reason related to participating remotely, it may not be used as a race-neutral pretext for purposeful discrimination.

## Communication with Jurors

### **14. Is it permissible for the jury clerk or bailiff to communicate remotely with a jury?**

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<sup>21</sup> *Id.* at 1766.

MCR 2.513(B) generally provides that the court may not communicate with a jury or juror pertaining to the case without the parties and permitting them to be present. However, in *People v France*, 436 Mich 138 (1990), the Michigan Supreme Court held that before deciding whether communication with a jury was error or prejudicial, the type of communication must be classified. The court recognized, three categories of communications:

- (1) ***Substantive Communications*** – these comprise supplemental instruction on the law. These ex parte communications to the jury are presumed to be prejudicial, but subject to rebuttal.<sup>22</sup>
- (2) ***Administrative Communications*** – these include instructions such as availability of pieces of evidence or to encourage the jury continue its deliberations. These carry no presumption of prejudice, but a party may make such an objection.<sup>23</sup>
- (3) ***Housekeeping Communications*** – these are what typically occur between a jury and the court officer regarding meal orders, restrooms, or other general housekeeping matters unrelated to the case being decided. While a party may object to these communications, they would need to make a “firm and definite” showing that rebuts the presumption of no prejudice.<sup>24</sup>

When conducting a jury trial remotely, there will be the necessity to communicate and provide jurors with logistical and technical instructions. Court staff should limit communications to housekeeping communications.

## Juror Admonishments

### **15. Can remote jurors be instructed or prevented from doing research or watching videos during the remote jury trial?**

Whether engaged in jury service remotely or in-person, individuals may be tempted to discuss the matter with others or conduct their own research. MCR 2.511(H)(2) already accounts for this temptation, and requires the court to instruct the jurors that until their service is concluded they shall not:

- discuss the case with others, including other jurors, except as otherwise authorized by the court;
- read or listen to any news reports about the case;
- use a computer, cellphone, or other electronic device with communication capabilities while in attendance at trial or during deliberation. These devices may be used during breaks or recesses, but may not be used to obtain or disclose prohibited information;

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<sup>22</sup> *People v France*, 436 Mich 138, 163 (1990).

<sup>23</sup> *Id.* at 163.

<sup>24</sup> *Id.* at 164.

- use of a computer, cellphone, or other electronic device with communication capabilities, or any other method, to obtain or disclose information about the case when they are not in court. “Information about the case” includes, but is not limited to:
  - information about a party, witness, attorney, or court officer;
  - news accounts of the case;
  - information collected through juror research on any topics raised or testimony offered by any witness;
  - information collected through juror research on any other topic the juror might think would be helpful in deciding the case.

While the rule currently lists requires this explicit instruction, in order to ensure a fair and unbiased jury, the court may also wish to provide other instruction regarding the conduct of the jurors during the term of their service.<sup>25</sup>

## Juror Privacy

### **16. Is a court prohibited from displaying a juror to the public during a remote jury trial that is electronically accessible or livestreamed to the public?**

[Administrative Order No. 1989-1](#) provides guidelines specifically regarding the film or electronic media coverage of proceedings. The AO specifically defines, “film or electronic media coverage” to refer to activities of the media not the court. The “media” or “media agency” means:

any person or organization engaging in news gathering or reporting and includes any newspaper, radio, or television station or network, news service, magazine, trade paper, professional journal, or other news reporting or new gathering agency.<sup>26</sup>

Additionally, on January 08, 2020, the Michigan Supreme Court adopted amendments to MCR 8.115, effective May 1, 2020, which addresses an individual’s use of a portable electronic device to broadcast or livestream in a courthouse. Specifically, MCR 8.115(C)(3)(c) states:

Jurors: No one may photograph, record, broadcast, or live stream any juror or anyone called to the court for jury service.

The court rule addresses the use of a portable electronic device by litigants and members of the public, not the court. Therefore, the rule should not be construed to prevent a court from broadcasting or livestreaming the image of a juror while providing public access to the proceeding via YouTube or other online platform.

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<sup>25</sup> MCR 2.513(B) states that the court may take appropriate steps to ensure jurors will not be exposed to information or influences that might affect their ability to render an impartial verdict on the evidence presented in court.

<sup>26</sup> Administrative Order No. 1989-1.

**17. Does electronically changing the onscreen name of juror participants to reflect generic labels such as (Juror #34) constitute “anonymous jury”?**

An “anonymous jury” is one which certain information is withheld from the parties for the safety of the jurors or to prevent harassment from the public.<sup>27</sup> In *People v Hanks*, 276 Mich App 91, 93 (2007), the court reiterated that a party may successfully challenge the use of an “anonymous jury” as violation of due process only where the record reflects that “withholding information precluded meaningful voir dire or that the defendant’s presumption of innocence was compromised.”

In *Hanks*, the trial court identified jurors by their numbers rather than by their names. In denying the defendant’s due process challenge to the use of an “anonymous jury,” the court held that the jury was anonymous only in the literal sense. The parties were actually provided with the biographical information contained in the juror questionnaires and permitted extensive voir dire; therefore, reference to jurors by number rather than name did not violate defendant’s right to due process.<sup>28</sup>

## Jury Deliberations

**18. Can someone other than a juror to be “present” in a jury deliberation room (such as a person monitoring IT connectivity)?**

The principle that contact with a deliberating jury must be carefully limited is well-established.<sup>29</sup> It is the duty of the court to safeguard trial by jury from any suspicion that the jury may be tampered with while deliberating.<sup>30</sup> While the sanctity of the jury deliberation must be preserved, caselaw reflects that non-jurors may be within the jury room for limited purpose.

In *US v Dempsey*, 830 F2d 1084 (CA 10, 1987), the court upheld the appropriateness of the presence an interpreter for a deaf juror in the jury deliberation room. The *Dempsey* noted the unique nature of the role of the interpreter and their oath to strictly interpret, and any activity beyond that may warrant a new trial.

In *US v Jackson*, 2008 WL 5384571 (SD IL, 2008), in an unpublished opinion, the court upheld the appropriateness of an IT professional entering the jury room for a limited time to set up and demonstrate the use of a laptop computer for the jury to use during their deliberations.

With the exception of a sign language interpreter such as mentioned in *Dempsey*, any prolonged presence of a non-juror in the deliberation room is likely to be suspect. Limited contacts with the jury that are of a technical or housekeeping nature as outlined in *People v France*, 436 Mich 138 (1990) may be appropriate.

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<sup>27</sup> *People v Hanks*, 276 Mich App 91 (2007).

<sup>28</sup> *Id.* at 94.

<sup>29</sup> *People v France*, 436 Mich 138 (1990) citing *People v Knapp*, 42 Mich 267 (1879).

<sup>30</sup> *People v Kangas*, 366 Mich 201 (1962).

**19. Can a remote jury submit a question about jury instructions electronically to the court?**

Under MCR 2.513(N)(2), as part of the final jury instructions, the court shall advise the jury that if they have questions about the jury instructions during the deliberations, they may submit the question in a sealed envelope to the bailiff. If a question does arise, the question shall be read into the record and the parties given an opportunity to comment on an appropriate response.

It is anticipated that this rule governing the procedural mechanism for managing questions from the jury would be updated to accommodate a remote jury.

## Verdict Forms

**20. Is the use of a jury verdict form required for a remote jury?**

The use of a verdict form is not required and may be used at the discretion of the judge.<sup>31</sup> However, if a verdict form is used the judge should explain the form and the possible choices. Although the jury must return its verdict in open court, there is no requirement that any member of the jury sign the verdict form itself. If a verdict form is to be signed, an electronic signature may be used as defined in [MCR 1.109\(E\)](#).

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<sup>31</sup> [M Crim JI 3.23](#) provides that the use of verdict forms is optional and used at the discretion of the judge.

## APPENDIX A: Mock Juror Summons



# MOCK JUROR SUMMONS

Wednesday, May 13, 2020, from 3:00-4:30 pm

Remote-Only Participation via Zoom

Please use the following Zoom link or Meeting ID to join the MOCK JURY TRIAL at the time of the call:

<https://miscao.zoom.us/j/91855451974> Meeting ID 918 5545 1974

## YOU ARE INVITED TO APPEAR FOR A MOCK JURY TRIAL

**Note:** This is not a real case. It is a test case being conducted by the State Court Administrative Office of the Michigan Supreme Court. We were given your name as a potential volunteer to act as a mock juror for this statewide remote jury trial project. However, if you are unwilling or unable to assist, please [contact us](#) immediately at the email address or phone number below, and we will remove you from our mock juror list.

### Requirements for Participation:

1. You must have internet access and a computer, iPad, tablet, or phone with a camera.
2. You must be available to attend the entire Zoom meeting for the mock jury selection on Wednesday, May 13, from 3:00-4:30 pm.
3. If you are selected (seated) as a juror on the mock trial case, then you need to also appear via Zoom on the following dates and times:
  - Friday, May 22, from 3:00-4:30 pm for the mock jury trial, and
  - Tuesday, June 2, from 3:00-4:30 pm for the mock deliberations.

### General guidelines to participate in a remote court hearing:

- Before the mock jury selection, please become familiar with Zoom, and test your video, microphone, and speaker controls. You can do this by going to this link <https://zoom.us/test>.
- We have also included with this Summons some frequently asked questions about Zoom.
- Find a space that will have as few interruptions as possible. Because you will be using video, make sure there is good lighting. You need to be seen by the judge and attorneys.
- Conduct yourself as if this were an actual proceeding in a courtroom and dress appropriately. The judge has control over the proceedings and participants as if they were present in the actual courtroom.
- Do not share the login information with anyone. This information to join the hearing may only be used by you to participate in the hearing.

For further questions or to cancel your participation, please email Lisa Harris or Kevin McKay at [courtservices@courts.mi.gov](mailto:courtservices@courts.mi.gov) or call (517) 373-7913. Thank you for your service in this project! After each mock trial session you participate in you will receive a brief online survey to share your feedback with us. Please watch for a follow-up email with a survey link. Your feedback is very important to us in evaluating this pilot project and making necessary adjustments.

## APPENDIX B: Letter to jurors regarding trial expectations

THOMAS G. POWER  
KEVIN A. ELSENHEIMER  
CIRCUIT JUDGES

### State of Michigan



### Thirteenth Judicial Circuit

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www.13thcircuitcourt.org

COUNTIES  
ANTRIM  
GRAND TRAVERSE  
LEELANAU

TERI QUINN  
COURT ADMINISTRATOR

June 9, 2020

Dear Prospective Juror:

You have been selected as a possible juror to participate in a three day jury trial project held at Central High School by the 13<sup>th</sup> Circuit Court. Under the current worldwide circumstances, we understand the importance and are committed to keeping you and everyone involved in this project safe and healthy. We would like you to know the measures that the 13<sup>th</sup> Circuit Court has taken to ensure that each participant in this jury trial feels safe to participate. We would like to highlight the important basics that you need to know when attending this trial and reiterate what you can do to keep yourself and others safe from the COVID-19 virus:

#### *Before Trial:*

- 1) Notify the Circuit Court Administrator's office at [c13court@13thcircuitcourt.org](mailto:c13court@13thcircuitcourt.org) if you feel sick or have COVID-19 symptoms, have traveled outside of Michigan within the last 14 days, or have a fever above 100.4 degrees Fahrenheit.
- 2) Notify the Circuit Court Administrator's office at [c13court@13thcircuitcourt.org](mailto:c13court@13thcircuitcourt.org) if you are medically unable to wear a face covering.

#### *During Trial:*

- 1) You will be required to wear a mask. Please bring your own mask with you.
- 2) Your temperature will be taken with a touchless thermometer upon entry into the building.
- 3) Keep tissues handy in case you need to cough or sneeze.
- 4) Please limit bringing in personal items inside the building.
- 5) Each person will be six or more feet apart to ensure proper social distancing.
- 6) Do not share your belongings or items.
- 7) Do not touch other people or their belongings/items.
- 8) Boxed lunch will be brought in for you each day of the trial.
- 9) You will be asked to wash your hands during each break/lunch.
- 10) The location will be cleaned and sanitized at the end of each day.

#### *After Trial:*

- 1) The location will be cleaned and sanitized thoroughly.
- 2) Any disposable items that are left behind will be thrown away (i.e. face coverings, etc.)

For jury selection, there will be one entrance in and out of the building located on the north side off of Eastern Avenue. Parking will be located in the northwest corner of the building on the corner of Milliken Drive and Eastern Avenue. You will need to enter through the security entrance and be wanded as normal to ensure no weapons are being brought into the building. We look forward to your attendance for this jury trial and accommodating each and every one of your needs to ensure your safety. Please make my office aware of any special accommodations you may need in relation to the COVID-19 crisis while participating as a juror in this trial.

Sincerely,

Hon. Thomas G. Power  
Circuit Court Judge

TGP:TNG

Enclosure

**PARKING**

Parking will be located in the northwest corner of the building on the corner of Milliken Drive and Eastern Avenue. There will be one entrance in and out of the building located on the north side off of Eastern Avenue.

