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FOR IMMEDIATE RELEASE

August 3, 2020

Superior Court in Maricopa County Outlines Steps Taken to Safely Resume Jury Trials Later this Month

PHOENIX- Earlier this year, in response to growing concerns over COVID-19, the Maricopa County Superior Court's standing Jury Advisory Committee (JAC) began consulting public health experts in order to develop safety protocols for juror summoning, transportation, selection, trial participation, and deliberation. In March, the Chief Justice of Arizona issued the first of several administrative orders suspending the empanelment of new jurors for trial; however, the Chief Justice ultimately ordered the presiding judge of the superior court in each county to determine how to phase-in jury operations no earlier than June 1, 2020.

On May 29, 2020, Maricopa Superior Court Presiding Judge Joseph C. Welty signed Administrative Order No. [2020-078](#), allowing jury trials to commence on a limited basis beginning June 15, 2020, based on the recommendations of the JAC and others. The order adopted a health screening protocol which required all who enter the courthouse to be screened for symptoms of illness, have their temperature taken, and wear an appropriate face covering. Robust cleaning protocols had already been established to sanitize high-touch surfaces, and all court elevators were limited to four people. The capacity of the juror bus was reduced, seats were marked for appropriate distancing, and courtrooms used for trial were modified by installing plexiglass, removing chairs, and providing direction to all participants as to where they may safely sit and stand. Gloves and hand sanitizer were secured for jurors to use when handling any physical evidence.

Since the onset of the pandemic, members of the public continued to receive summonses for jury service since postcards notifying prospective jurors are sent four to six weeks in advance. The Jury Advisory Committee simulated juror selection and jury trials with the aid of court staff and volunteer stakeholders, whose feedback helped guide the JAC's written recommendations regarding all aspects of jury operations. To reduce the number of prospective jurors physically reporting to court facilities, the JAC worked with leadership in the Civil and Criminal Departments and court administration to create an electronic prescreen questionnaire to determine if a juror should be excused due to a hardship reason prior to the juror physically reporting to the court.

Soon after June 1st, however, new cases of COVID-19 in Maricopa County increased from 187 new cases per day to 3,857 cases per day by June 28th, and hospitalizations rapidly increased with ICU beds reaching 89% capacity. In response, Presiding Judge Welty issued Administrative Order No. [2020-098](#) on July 9th which, in part, suspended all new jury trials in Maricopa County from July 1st through July 31st, 2020. Since the time of that suspension, which has since expired, new COVID-19 cases have leveled off at almost one-half of their peak and hospitalization rates have steadily decreased.



In anticipation of jury operations resuming in August, Judge Welty signed Administrative Order [2020-114](#) on July 29th, formally adopting the Jury Advisory Committee's electronic prescreen questionnaire for jurors to complete prior to the date that they are to report for service. Prescreen questionnaires in which a juror requests to be excused for a hardship are reviewed every weekday, excluding holidays, by an assigned duty judge who decides as to whether the juror will be excused, rescheduled or ordered to report on their assigned day.

Answers to common questions may be found on the Court's Jury Service COVID-19 [FAQ sheet](#). For more information prospective jurors are invited to call 602-506-5879 Monday through Friday from 7:30 AM until 5 PM or visit <https://superiorcourt.maricopa.gov/jury/> to chat online with jury staff.

The Court acknowledges that the Maricopa County jail system currently has a population of approximately 4,701 persons, the majority of whom are being detained pre-trial. While jury trials have been suspended in the interest of public health, those accused of crimes as well as identified victims in those cases have not had the opportunity to resolve their matters by trial. The Court also has a substantial backlog of civil cases and a duty to the parties and the public to provide jury trials where one is required. The Court will continue to balance its Constitutional and statutory duties to provide for jury trials against the safety of all court participants as well as the overall public health.

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