



Remote Jury Selection Trial Judge Checklist

Pre-Selection

Scheduling and Calendar Management

- Schedule time for objections and pre-trial motions prior to trial.
 - Will pre-trial motions be heard in person or remotely?
- Schedule extra time for selection of jury (one day or more depending on size of jury and case type).
- Schedule practice, technical, and training sessions if necessary.
 - Interpreter practice (same day as Jury Selection).
 - Attorney practice.
 - Judge, staff, and jury coordinator training.

Standards for Remote Jury Selection

- Determine physical space requirements in the courtroom and location of parties.
 - Location of all the parties including the judge.
 - In custody vs out of custody defendant location.
 - Interpreter location based on party needing interpretation.
- Communication to local bar, defense attorneys, and district attorney.
- Who hears the objections e.g. the trial judge or the presiding judge?
- Should a PJO or specific trial order with rules regarding remote jury selection or whether remote jury selection is mandatory be created?
 - Standards for pre-trial motions.
 - Standards for parties who appear in person or remotely.
 - Standards for in custody versus out of custody appearance for defendants.
 - Standards for appearance such as the same masks requirements and same virtual backgrounds to make sure all parties appear equal.
 - Standards for hearing pre-trial motions.
 - Standards for interjecting with objections or otherwise signifying the desire to speak.
 - Standards on participation by both audio and video means.
- Should list of standing objections previously ruled on be created as a reference for trial judges and attorneys? (*Note: Objections will still need to be raised to be preserved for appeals but may not need a hearing*).
- Preparation of juror documentation.
- Planning for juror disruptions or interruptions such as lack of attention or ability to participate.

Managing Expectations of Attorneys and Parties

- Communicating length of jury selection or trial.
- Standards and roles in control of Webex participants.
- Communicating potential for background environment may be seen and displayed in court.



Remote Jury Selection Trial Judge Checklist

- Discussion of potential interpreter issues.
 - Connecting successfully to Webex.
 - Potential delays to allow for adequate interpretation time.
 - Provide Jury instruction – use of an ASL interpreter (UCrJI – 1003).
 - Simultaneous interpretation may not be an option.
- Discussion of potential technical issues.
 - Inability of a party or potential juror to connect.
 - Connectivity or network issues.
- If necessary, how communication with the court will occur outside of the presence of the potential jury
- Verify a method of private attorney client/communication exists.
- Providing juror lists with names of potential jurors to attorneys and the method of how this list will be provided.
- Providing juror questionnaires, providing questionnaires to attorneys and the method of how they will be provided remotely to parties.
- Determine what to use instead of Juror names during the proceedings to comply with HB 2539.

During Selection

- Viewing potential jurors in Webex during jury selection.
 - Determine the number of potential jurors that should be present in the Webex session.
 - 25 participants can be viewed at once.
 - Verify spot(s) for any interpreter(s) typically 2, pin (move to stage) any ASL interpreter(s) in Webex to a specific spot.
 - Consider pinning the judge or attorney in a specific spot; a total of 6 participants can be pinned.
 - Determine the number of Webex sessions needed for the amount potential jurors that will be necessary for the case.
 - Determining if a specific Webex layout should be dictated:
 - *Grid View*: displays up to 25 videos in the main screen, all active videos are equal size.
 - *Stack View*: displays the active speaker in the main screen and up to six additional thumbnail videos above the main screen.
 - *Side by Side View*: displays the active speaker in the main screen and up to six thumbnail videos to the right of the main screen.
- Determine processes for discussion and objections without jury present.
 - Creating breakout rooms and if those breakout rooms need to be monitored.
 - Determining which participants needs to be moved to breakout rooms.
 - Verifying staff available to assist moving potential jurors or participants as needed.
- Technical Process
 - Develop a plan to assist jurors with technical difficulties
 - Verify staff resources are available to help resolve issues.
 - Build in time in the process to resolve issues.



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- Standard Language or Guidelines for Jurors
 - Review the statewide PowerPoint and modify it to fit local procedures.
 - Determine if any additional language or items should be added to fit local requirements.
 - Present PowerPoint to potential jurors.
 - Verify when sharing the PowerPoint that the application is shared and not the screen. This will avoid any email or instant messages being displayed to jurors.
 - Instructions to jurors on not to interact directly with interpreter.