

Juror Admonishments and Rules of Conduct for Remote Jury Selection

I. Introduction to jurors

Due to the COVID-19 pandemic, and social distancing requirements, jury selection will proceed remotely via [*Insert videoconferencing platform*]. Jurors should be told the significance of their service to the civil justice system, especially in light of the pandemic.

II. Introduce Court personnel who will be present and their role in the remote *voir dire*

- The Court Clerk attends all sessions of Court and keeps and preserves complete records of all proceedings.
- The Deputy Sheriff has the duty of preserving order in the Courtroom and assisting the jury.
- The Court Reporter takes down everything that is said during the proceeding so there is a verbatim record of the trial, including jury selection. This will be the only record of the proceedings. No one is allowed to record the *voir dire*, by any means, including Zoom, cell phones, computers, or any other device.

III. Initial oath when sworn in before *voir dire*

When the oath is administered to potential jurors, it should include a reference to abide by the Court rules regarding their conduct during the remote jury selection.

IV. Procedures for questioning jurors

Only question one juror at a time to avoid several jurors speaking simultaneously. If a juror prefers not to answer questions in front of other jurors, set up a mechanism so that only the juror, attorneys, judge, and court reporter are present (e.g., breakout rooms) and the other jurors are monitored by a clerk or court security personnel.

V. Protocols for jury conduct

Instruct jurors as follows:

1. Jurors shall conduct themselves with the same level of decorum as if they were physically present in the courtroom.
2. Jurors must stay visible at all times and cannot turn off their video during remote jury selection. Prohibit multitasking. Prohibit use of a computer, cellphone, or other electronic device with communication capabilities while participating in remote jury selection. These devices must be turned off except during breaks or recesses, but they may not be used to obtain or disclose prohibited information.

3. Jurors should use a separate room or space that is free from distractions and interruptions.
4. Jurors should use headphones or earbuds, if available, to prevent household members from overhearing or commenting on the trial proceedings.
5. Jurors should alert the Judge and/or Court personnel if they are having technical difficulties by either placing their hand in the video screen area or using the “raise hand” feature. Consider providing jurors a telephone number if the connection is completely lost. Advise jurors that they may be asked to appear for in-person jury selection if the technical difficulties cannot be resolved.
6. Jurors should be sure their computer or electronic device is charged and connected to the internet.

Consider the following additional protocols:

1. Instructing jurors not to share or publicize log on credentials for the remote jury selection (e.g., meeting ID and password or link).
2. Educating jurors on how to configure their viewing preferences (e.g. gallery view or speaker view) on the videoconference platform to assist them in seeing the proceedings in the best format.
3. Muting jurors who are not speaking to prevent background noise from disrupting or inadvertently prejudicing the proceedings.
4. Restricting any private chat feature to eliminate chatting between jurors, parties or other unauthorized persons.
5. Advising jurors to use or remove any virtual background.
6. Explaining to jurors the approximate length of the process and the frequency of breaks, if any. Be sure to address the conduct for breaks, including whether jurors disconnect or reconnect, or remain connected and mute their audio/video feeds.