

BJA COURT RECOVERY TASK FORCE



**WASHINGTON
COURTS**

MEETING PACKET

**MONDAY, JUNE 15, 2020
2:30-4:30 P.M.**

ZOOM VIDEOCONFERENCE

BOARD FOR JUDICIAL ADMINISTRATION Court Recovery Task Force

BJACOURTRECOVERYTASKFORCE@listserv.courts.wa.gov

Voting Members

Name	Court/Association/ Organization	E-mail	Phone
Chief Justice Debra Stephens, Co-Chair	Supreme Court	Debra.stephens@courts.wa.gov	
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*Sharing position for their respective associations, one vote

Consulting Members

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BJA Court Recovery Task Force

Monday, June 15, 2:30-4:30 pm

ZOOM Meeting

AGENDA

<p>1. Welcome and Introductions</p> <p><i>Please be prepared to share your top priority for the Task Force (will share in the chat function or email if participating by phone)</i></p>	<p>Chief Justice Debra Stephens Judge Judith Ramseyer Judge Scott Ahlf</p>
<p>2. Background: Why are we here?</p> <p>A. Charter Overview and Membership Short Term and Long Term deliverables Member Roles</p> <p>B. Task Force Guiding Principles Reference Materials:</p> <ul style="list-style-type: none"> • ATJ revised Technology Principles • Race Equity Organizational Toolkit <p>C. Additional Efforts Resuming Jury Trials Guidelines Department of Health Guidance Document Additional resources:</p> <ul style="list-style-type: none"> • National re-opening state plan summary • US Courts: Conducting Jury trials and Convening Grand Juries During the Pandemic 	<p>Chief Justice Debra Stephens</p> <p>Judge Scott Ahlf</p> <p>Judge Judith Ramseyer Judge Harold Clarke Glen Patrick</p>
<p>3. Activities and Timeline</p> <ul style="list-style-type: none"> • Sub-Committees • Ideas and assignments 	<p>Chief Justice Debra Stephens Judge Judith Ramseyer Judge Scott Ahlf</p>
<p>4. Next Steps</p>	<p>Chief Justice Debra Stephens Judge Judith Ramseyer Judge Scott Ahlf</p>
<p>5. Future Meetings</p> <ul style="list-style-type: none"> • July 23, 2:00-4:00 • August 25, 8:30-11:30 HOLD Recovery Summit • September 11, 1:00-3:00 	
<p>6. Adjourn</p>	

Persons with a disability, who require accommodation, should notify Jeanne Englert at 360-705-5207 or Jeanne.englert@courts.wa.gov. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.



Board for Judicial Administration (BJA)

Strategic Initiative Charter

COURT RECOVERY TASK FORCE

I. Title:

BJA Court Recovery Task Force

II. Authority:

Board for Judicial Administration (BJAR) Rule 1

III. Goal:

The goal of this strategic initiative is to address court impacts from COVID-19.

IV. Charge, Deliverables and End Date:

The BJA Court Recovery Task Force is formed to assess current court impacts from COVID-19; develop and implement strategies to ensure that every court can provide fair, timely, and accessible justice; and provide recommendations for ongoing court operations and recovery after the public health emergency subsides.

The Task Force shall:

- a. Assess court impacts from COVID-19 and address court needs as they arise.
- b. Identify key court functions impacted by COVID-19.
- c. Review and compile key court responses, community impacts, and partner responses to COVID-19.
- d. Identify strategies to recover key court functions and adapt to changing needs.

- e. Identify lessons learned and future policy, practice, and court technology considerations, opportunities for improvement, and promising practices.
- f. Develop and implement recommendations for recovery efforts.
- g. Provide ongoing reports to the BJA on task force efforts and identify future task force or ongoing committee work.

This charter shall expire on June 30, 2022.

V. Membership:

Following is a recommended membership list. Final membership will be determined by the Co-chair(s) of the task force.

Chairs:

Chief Justice of the Supreme Court
 Superior Court Judges' Association representative
 District and Municipal Court Judges' Association representative

Membership:

- Two representatives from Superior Court Judges Association
- Two representatives from the District and Municipal Court Judges' Association (one Municipal court judge and one District court judge)
- One Appellate Court representative and Supreme Court
- One representative from the Association of Washington Superior Court Administrators
- One representative from District and Municipal Court Management Association
- One representative from the Washington Association of Juvenile Court Administrators
- One representative from the Washington State Association of County Clerks
- AOC State Court Administrator
- One representative from Office of Civil Legal Aid
- One representative from Office of Public Defense

VI. Entities to Consult or Coordinate with:

- Washington State Center for Court Research
- Supreme Court Commissions
- Washington State Association of Counties
- Washington State Bar Association

- Association of Washington Cities
- Washington Association of Sheriffs and Police Chiefs
- Washington Association of Prosecuting Attorneys
- Defenders Associations
- Public Health entities
- National court organizations such as NCSC, AJA, NACM, etc.
- BJA standing Committees

VII. Staff Support:

The Task Force shall be provided support by:

- BJA Administrative Manager
- BJA Senior Court Program Analyst
- BJA administrative support

VIII. Budget:

Support for travel and meeting expenses shall be provided from funds allocated to the BJA by the Administrative Office of the Courts.

Adopted: 05/08/2020

DRAFT BJA Recovery Task Force Guiding Principles

The Task Force:

1. Shall prioritize the fair, efficient, and safe provision of court services that fulfill constitutional and statutory mandates to protect individual liberties, guarantees, and freedoms.
2. Shall promote and support legal and policy reforms that advance race equity & racial justice, including identifying actions that transcend traditional divisions between the civil, criminal, and juvenile justice systems to eliminate systemic racism.
3. Shall develop plans and proposals that address access to justice for all despite physical, language, or financial barriers, including tools to assist unrepresented parties.
4. Shall work with judicial branch stakeholders and coordinate with the other branches of government, state and local, to follow constitutional and statutory mandates that place a priority on deadlines to resolve certain types of cases.
5. Shall understand that Washington is not a unified court system and individual courts have varying needs, resources, and timetables. Consequently, a statewide solution that allows flexibility for specific measures and implementation timing is important to the recovery process.
6. Shall encourage courts to continue to use and, where appropriate, expand technology of all types to facilitate alternatives to face-to-face hearings in open court that contribute to a high density of people in courthouses, while maintaining access to justice in the face of inequitable access to technology.
7. Shall encourage courts to continue to identify innovative ways to expand capacity and ensure social distancing to safely meet the needs of the courts, court staff, and members of the public.
8. Shall collect available data and feedback from various stakeholders to inform decision-making and identify ongoing data needs for assessing performance.

DRAFT Recovery Task Force Sub-Committees/Workgroups

Below are possible sub-committees for review and consideration.

Phased Reopening

1. Technology
2. Facilities and Logistics
 - Offsite courtrooms and jury assembly
 - Use of pro tems and portability
 - Specialized cleaning/public health compliance staff temps
3. General Civil Litigation
4. Family Law
5. Child Welfare/Dependency Matters
6. Criminal Matters
 - Adult
 - Juvenile
7. Appellate Courts
 - Moving APA appeals directly to COA
8. Re-imagining the Courts
 - Promoting efficiencies and innovations in statutes, rules, and local practice changes based on lessons learned during the COVID environment. Identify long term changes that will result in the Washington courts fulfilling their functions more cost-effectively, fairly, and considerately for the public we serve.
9. Public outreach and communication

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE ADOPTION OF
ACCESS TO JUSTICE TECHNOLOGY
PRINCIPLES

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ORDER

NO. 25700-B-627

WHEREAS, the responsible use of technology is central to providing access to justice for all individuals, and, to that end, technological tools should be developed and utilized that increase and enhance access to justice.

WHEREAS, the Access to Justice Board has developed technology principles that justice system decision makers should carefully consider whenever technology is purchased, planned or implemented, to avoid reducing access, and whenever possible, to use technology to enhance access to justice.

WHEREAS, the Access to Justice Technology Principles were considered at the June 28, 2019, meeting of the Judicial Information System Committee, and the committee unanimously passed a motion to endorse the principles for submission to the Washington Supreme Court.

WHEREAS, the Access to Justice Technology Principles were considered by the Supreme Court at the June 4, 2020, En Banc Conference, and were approved for adoption.

Now, therefore, it is hereby

ORDERED:

That the Access to Justice Technology Principles attached to this order are hereby approved and adopted for use by justice system decision makers.

DATED at Olympia, Washington this 5th day of June, 2020.

For the Court


CHIEF JUSTICE

Access to Justice Technology Principles

Preamble

The responsible use of technology is central to providing access to justice for all individuals. To that end, we should develop and utilize the technological tools that increase and enhance access to justice. These Principles do not mandate new expenditures, create new causes of action, or repeal or modify any rule. Rather they advocate that justice system decision makers carefully consider these Principles whenever technology is purchased, planned or implemented, to avoid reducing access, and, whenever possible, use technology to enhance access to justice.

Scope

The Access to Justice Technology Principles are adopted to:

- Guide the justice system's use of technology
- Combat discrimination, unfair treatment, and unjust biases in the justice system, and
- Ensure that technology does not create unfair results or processes for resolving legal problems.

The Access to Justice Technology Principles apply to everyone involved in administering the justice system including:

- Courts,
- Clerks of the Court,
- Administrative Office of the Courts, and
- Court Administrators.

Definition of Technology

"Technology" includes but is not limited to hardware and software, and all mechanisms and means used for the production, storage, retrieval, aggregation, transmission, communication, dissemination, interpretation, presentation, or application of information, including but not limited to data, documents, records, images, video, sound, and other media.

Access to Justice for All

Everyone should have access to the justice system.

Use of technology in our justice system should increase and must not diminish:

- equitable access to justice;
- opportunities for participation; and
- usability, accountability, efficiency, and transparency.

Technology in our justice system must start with a design for fairness and must be evaluated regularly against these rules.

All technology must be designed and used to eliminate discrimination, unfairness, and other unjust systemic biases and practices.

Openness, Privacy and Safety

Technology in the justice system must be open to the public and transparent, unless access is limited by law to protect the safety and privacy of the people involved.

Technology in the justice system must be designed to:

- assure that confidential information is not introduced into the public domain to the extent possible,
- ensure that people only have access to the appropriate information that they are allowed to see based on their role in the justice system,
- assure that information can be viewed, created, changed or deleted only by participants with the appropriate access levels, and
- assure that confidential information is not introduced into the public domain.

People must have meaningful access to view their own information and have it corrected if inaccurate.

Accountability and Fairness

The justice system must maximize the beneficial effects of technology while continuously improving technology to address the needs of people most impacted by or least able to engage effectively with the justice system. Users should have a voice in the acquisition and implementation of technology, including as testers.

The justice system must ensure that technology, especially algorithms, are periodically evaluated before, during and after development and implementation, for:

- inequitable processes,

- unfair outcomes, and
- unintended negative impacts.

Any proposed technology that would result in unfairness or inequity must not be implemented.

Technology that is already implemented that results in unfairness or inequity must be corrected, or if the harm cannot be eliminated, removed from use.

Maximizing Public Awareness and Use

The justice system must provide access to knowledge about itself and promote public awareness of its processes and resources.

Actors in the justice system must:

- regularly seek input from and listen to the public, and
- make regular improvements to technology, and the methods of providing information about the technology, based on user needs, experience, and feedback.

Usability

Technology in the justice system must be easy to use, affordable, and efficient.

Accessible Formats

Court information must be available to the public and should be available in ways that best enable its use. Information and resources must be offered in formats that do not place an undue financial burden upon users.

Plain Language

The justice system must strive to create legal information resources for the public in plain language, when possible.

Best Practices Workgroup

The technology committee of the Access to Justice Board will establish a workgroup that maintains and shares practical information, resources, definitions, and best practices for implementing the ATJ Technology Court Rules. The workgroup will periodically update periodically update these resources and publish them at: [URL]. The workgroup should

coordinate with Administrative Office of the Courts and will report to the Access to Justice Board and Judicial Information System Committee annually.

Accessibility

The justice system must consider, design, and implement technology systems for all persons, including those with disabilities.

Cultural Responsiveness

Technology in the justice system should incorporate principles and practices which address and respond to cultural variables and diversity of people and communities.

Human Touch

Technology should be used to increase the level of quality of human interaction, and to preserve or increase the humanity of our justice system.

Technology should be used to increase the satisfaction of the public's interaction with the justice system to ensure timely and fair outcomes.

Technology should be used to reduce the necessity of the public to physically go to court to resolve conflict.

Language Access

Courts should communicate in the preferred languages of people. Technology must be used in ways which enhance communication.

Summary of Nationwide Reopening Plans

The [National Center for State Courts](#) published statewide plans to resume court operations submitted by 14 states¹ whose courts are slowly reopening amid the COVID-19 pandemic. Of the states who submitted reopening plans, Arizona's plan is the most detailed and includes multiple steps and considerations to be contemplated prior to the reopening of courthouses. Other states, like Missouri, created a phased reopening strategy to occur over time. Below is a synthesis of the common considerations and phased approaches presented in the states' reopening plans. Footnotes identify which state(s) has included the specific order, plan, or guidance.

Maintaining Health Conditions

1. Social Distancing
 - a. Physical distancing of individuals throughout courthouse in accordance the CDC and local health authorities.²
 - b. Refrain from scheduling multiple, simultaneous hearings in a number that would jeopardize social distancing.³ Courts should consider:
 - i. The size of the courtroom and courthouse facilities;
 - ii. Whether staggered start times can be scheduled;
 - iii. Alternative available waiting areas; and
 - iv. Creating seating assignments that ensure social distancing.
 - c. Create "courtroom admittance" policies⁴ that include:
 - i. Limiting those physically permitted in the courtroom to the parties, attorneys, victims, jurors, witnesses, and other persons whose presence is essential;
 - ii. Setting a maximum occupancy level for courtrooms and other meeting areas;
 - iii. Considering any necessary adjustments for security protocols; and
 - iv. Provide public access to open court hearings using video streaming technology.
 - d. Consider using appointment systems to minimize the assembly of visitors seeking court-related services during peak days and times.⁵
2. Protection of Court Staff and the Public
 - a. Consider how to best accommodate the needs of particularly vulnerable individuals and provide accommodations to reduce their appearance in the courthouse.⁶

¹ [Arizona](#), [Arkansas](#), [Montana](#), [Texas](#), [Missouri](#), [Kansas](#), [Wisconsin](#), [Michigan](#), [West Virginia](#), [Tennessee](#), [Pennsylvania](#), [North Carolina](#), [South Carolina](#), and [Florida](#). The NCSC website also provides links to 42 state court COVID-19 websites, including Washington. The links can be found here: <https://www.ncsc.org/newsroom/public-health-emergency> and the response of Washington's courts can be found here: <http://www.courts.wa.gov/newsinfo/index.cfm?fa=newsinfo.COVID19>.

² Arizona, Arkansas, Montana, Texas, Missouri, Kansas, Michigan, West Virginia, Tennessee, Pennsylvania, and Florida.

³ Arizona, Texas, Kansas, West Virginia, Tennessee, and Pennsylvania.

⁴ Arizona, Arkansas, Missouri, Michigan, Tennessee, Pennsylvania, and North Carolina.

⁵ Arizona and Arkansas.

⁶ Arizona, Texas, Missouri, and Michigan.

- b. Adopt admittance policies including provisions for turning away people who are ill, appear to be ill, or exhibit symptoms (i.e., screenings).⁷
- c. Consider taking the temperature of court staff and visitors entering the court building.⁸
- d. Establish guidelines and requirements to enter the court buildings—including mask and/or glove requirements.⁹
- e. Provide hand sanitizer and other personal protective equipment, including masks and gloves, to court staff and court visitors.¹⁰
- f. Create protective barriers at public facing areas like customer service counters and others.¹¹
- g. Implement siloed team staffing models—i.e., assign teams of staff to work on-site at the courthouse on alternating days or weeks.¹²
- h. Minimize work travel and work remotely as much as practicable.¹³
- i. Maintain consistent and frequent communication with local jails to stay informed as to whether in-custody defendants have tested positive for COVID-19. Collaborate with local jails to develop solutions for communicating with in-custody defendants through virtual or telephonic means to minimize transport needs.¹⁴
- j. Deep clean the courthouse frequently and regularly, both throughout the day and after hours.¹⁵

Communication and Signage

1. Signage for social distancing policies and expectations should be highly visible and easy to understand—and located on walls and floors directing people to court departments, courtrooms, and waiting areas.¹⁶
2. Courts should post on their website internal maps of the public areas of the courthouse and traffic patterns used to ensure social distancing.¹⁷
3. Court should develop and post on their website a question and answer (Q&A) and frequently asked questions (FAQ) document with specific instructions about where in the courthouse people need to go based on business they are conducting.¹⁸
4. Provide to the public updated information and other relevant communication on the website.¹⁹

General Court Procedures

1. Maximize the use of remote appearances through technology.²⁰

⁷ Arizona, Arkansas, Montana, Texas, Missouri, Kansas, Michigan, and Tennessee.

⁸ Arizona, Arkansas, Montana, Texas, Missouri, Kansas, Michigan, West Virginia, and Tennessee.

⁹ Arizona, Arkansas, Montana, Texas, Missouri, Kansas, Michigan, West Virginia, and Tennessee.

¹⁰ Arizona, Arkansas, Texas, Montana, Michigan, Missouri, and West Virginia.

¹¹ Arizona, Michigan, and West Virginia.

¹² Arizona, Missouri, and Michigan.

¹³ Arizona, Arkansas, Texas, Montana, Missouri, Kansas, and Michigan.

¹⁴ Arizona, West Virginia, and Tennessee.

¹⁵ Arizona, Arkansas, Texas, Montana, Missouri, Michigan, West Virginia, and Tennessee.

¹⁶ Arizona, Arkansas, Montana, and Michigan.

¹⁷ Arizona.

¹⁸ Arizona.

¹⁹ Arizona, Missouri, and South Carolina.

²⁰ Arizona, Texas, Montana, Missouri, Kansas, West Virginia, Tennessee, Pennsylvania, South Carolina, and Florida.

2. Identify and create a list of free wi-fi areas for use of parties and witnesses throughout the jurisdiction when needed.²¹
3. Encourage attorneys and litigants to submit documents via electronic transmission, by e-filing or by email attachment. If not possible, create safe paper-filing processes.²²
4. Prioritize specific hearings and cases in the criminal, civil, juvenile, dependency, domestic relations, and probate divisions.²³
5. Identify metrics and monitor case backlogs.²⁴
6. Reallocate resources consistent with needs and capacity.²⁵
7. Shift criminal caseload to civil and family law judges.²⁶
8. Deploy pro-tempore and retired judges, contingent upon the availability of courtrooms, staff support, and resources.²⁷

Jury Trials

1. Jury trials should be conducted in such a manner as to maintain social distancing and protect health of jurors.²⁸
2. Excuse jurors in advance who may be at high risk or have other appropriate reasons to not report (lack of childcare, caring for high-risk person, etc.).²⁹
3. Create clear processes for jury service deferral and relax failure to appear policies.³⁰
4. Explore options for remote voir dire.³¹
5. Manage voir dire beginning with enhanced questionnaires to identify those in potentially at-risk categories.³²
6. Call jurors in smaller groups or create process to direct jurors to report directly to a designated courtroom.³³
7. Seat jurors in compliance with physical distancing during voir dire, the trial, and deliberations.³⁴
8. Utilize a larger courthouse conference room or training area for trial recesses and deliberations instead of the jury deliberation room.³⁵
9. Prohibit or limit in-court spectators.³⁶
10. Make hand sanitizer and masks available to jurors and others in the courtroom.³⁷

²¹ Arkansas.

²² Arizona.

²³ Arizona, Missouri, Kansas, Tennessee, Pennsylvania, South Carolina, and Florida.

²⁴ Arizona and Florida.

²⁵ Arizona.

²⁶ Arizona.

²⁷ Arizona.

²⁸ Arizona, Texas, Montana, Missouri, Kansas, and West Virginia.

²⁹ Arizona, Montana, Missouri, and West Virginia.

³⁰ Montana and Missouri.

³¹ Arizona.

³² Arizona and Montana.

³³ Arizona, Montana, and West Virginia.

³⁴ Montana and West Virginia.

³⁵ Arizona.

³⁶ Arizona and Montana.

³⁷ Arizona and Montana.

<u>State</u>	<u>Summary</u>
Arizona	<p>The Supreme Court of Arizona wrote a resource entitled, “COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup Best Practice Recommendations”. In its Guiding Principles the Court writes, “The recommendations here are intended to provide general guidance to judges and court managers to resume day-to-day operations in the new normal. Local courts are best situated to determine which recommendations are appropriate to implement in any specific court or court facility.” Arizona’s position is to always keep the CDC guidelines in mind. It seems that the Court has applied the guidelines to the specifics of their courts system for the separate stakeholders. They are suggesting staggering and or moving the scheduling of hearings, so the minimum number of people have to be in the courthouse at one time and assigning employees to specific judges and rooms where they previously shared work. The Court acknowledges that some jurisdictions are taking the temperature of staff and visitors but does not indicate whether it finds this practice appropriate statewide. The Court suggested local benches shift important/constitutional criminal cases to civil and family court judges to expedite criminal proceedings.</p>
Florida	<p>The Chief Justice of The Supreme Court of Florida and the Workgroup on Continuity of Court Operations and Proceedings During and After COVID-19 prepared a 21-page memo Entitled “Best Practices” addressed to the Florida Judiciary. Florida is concerned with helping <i>pro se</i> litigants appear with remote technology and has crafted suggestions for both the litigants and judges on how to make best use of video conferencing technology. One of the best practices is to predetermine which family and juvenile cases <i>must</i> be heard remotely and which <i>may</i> be heard remotely. (alternative dispute resolution – must, juvenile dependency – may) Florida is also concerned with timeliness of criminal proceedings urging all local jurisdictions to make sure they have up to date contact information for all judges, attorneys, and other court officers, as well as up to date forms. Several pages of the memo are sample form attachments.</p>
Indiana	<p>The Resuming Operations Task Force, started by The Office of Judicial Administration wrote a set of guidelines entitled, “Resuming Operations of the Trial Courts: Covid-19 Guidelines For Indiana’s Judiciary”. Indiana’s plan for reopening its courts to their function before COVID-19 outbreak is divided into four phases. Phase one consists of operating court for emergency hearings</p>

	and for required hearings, as well as planning for the health and safety of judicial branch staff upon return their return to duty stations with little or no visitors. Before advancing to phase two each court must file an A.R.17 Petition with a plan for its operation. Phase two resumes functions not emergency. At this phase courts can hear family and civil matters that were postponed during phase one. Phase two specifically addresses staggering hearings, streaming public hearings, and requiring the minimum number of people in court to protect the public from infection. Phase three allows jury trials to resume. The task force suggests calling extra people for <i>voir dire</i> but conducting selection remotely. Phase four is reached “when the pandemic is over”. At this phase normal operations, travel, business, staffing, etc. resumes and court leadership meets to prepare a pandemic specific COOP plan.
Michigan	Michigan has prepared a packet entitled “Return to Full Capacity: COVID-19 Guidelines for Michigan’s Judiciary”. The packet explains the plan to return the court system to full capacity and simultaneously explains that full capacity will mean something different in 2020. This new capacity will require “a culture shift in the judiciary...” Courts are required to submit plans for each phase to their equivalent of the AOC. Phase One- telework when possible, even for those not at risk but living with at risk individuals. Employees check temperature, make sure they have no cold/flu/infection symptoms. Consult local health officials before reopening the courthouse. Phase Two- After data showing no resurgence of infection has been gathered by local health officials and included in the plan submitted to the Administrative Office, courts can advance to this phase. Consider prioritizing cases based on, “Early Case Triage Strategies to Ease Docket Pressure” (2- page outline prepared by Michigan AO). Large rooms and common areas can be used while maintaining social distancing. Phase Three- on site public facing operations can be resumed as well as visits with clients and visits with probationers. Phase Four- access and operations can return without restrictions and to their functions before COVID outbreak. Chief judges and court administrators meet with stakeholders to debrief and plan separate pandemic specific COOP plans.
Nebraska	Nebraska’s AOC&P (and Probation) prepared, “COVID-19: Recovery and Reconstitution Guidance for the Trial Courts”. The entire packet has an informative tone that implies its contents are suggestions rather than requirements. Any indications on the charts below are marked as if the language did not include the verb “consider” before each measure. Nebraska is prioritizing cases,

	<p>but the focus is on resolving pending cases first. This resource is shorter than most and refers to CDC guidelines for many things that others specifically mentioned. For example, limiting people gathered, cleaning the courthouse daily, not coming to work if feeling sick, etc.</p>
Ohio	<p>Ohio has a lengthy packet entitled “Health and Safety in the Courthouse” Ohio stakeholders have generated signs for display in public spaces about the steps to prevent COVID-19 infection, how to prevent the spread of COVID-19, as well as visual aids on social distancing. The Judicial Conference of Ohio has prepared a checklist for Ohio judges to assess and reassess their preparedness to reopen courts. The checklist specifically focuses on the virus’s effect on individual counties. The Conference emphasizes consulting local health departments. Delaware County and Franklin County Ohio have installed plexiglass and wooden dividers to ensure social distancing in courthouse common areas.</p> <p>Proposed screening employees for fevers and asking if employees are experiencing new symptoms. Proposed screening public with more questions including: gone on a cruise, have a fever, been around anyone infected, can we take your temperature?</p>
Vermont	<p>The Supreme Court of Vermont has issued Executive Order Number 49 “Declaration Of Judicial Emergency And Changes To Court Procedures” on March 16, 2020 and has updated the Order 10 times. The latest update is from May 14, 2020. The Judicial state of emergency is in effect until September 1, 2020. Currently the Court lists 17 Constitutional matters being heard pursuant to the Order; arraignments, competency hearings, petitions for habeas corpus, etc. as well as emergency landlord-tenant disputes, guardianship hearings, and applications for search warrants. All jury trials are suspended until September 1, 2020 in criminal cases and January 1, 2021 in civil cases. In jurisdictions where e-filing and e-service are already in place the rules do not change. In jurisdictions where the e-courts system is not yet in place, e-filing is now allowed with instructions on the judiciary’s website, vermontjudiciary.org. The Court has restricted the access to courthouses in the state except for four exceptions; filing documents via a receptacle, appearing in a hearing not postponed, media with a pass, and other agencies working in shared courthouses. It has also explicitly loosened enforcement of deadlines for public requests to access court records. Associate Justice Eaton is chairing a committee that will make recommendations to the Chief Justice about transitioning back to full operations. In-person committee meetings are currently suspended.</p>

Measures to Protect Judicial Branch Employees

	Telework	Shiftwork	Move Workspaces	Require masks	No Sharing Materials	Limit number in common areas	Self-Assessment before work	Prioritize Cases
AZ	X	X		X				X
FL	X							X
IN	X	X		X	X		X	X
MI	X			X	X	X	X	X
NE	X	X		X	X			X
OH	X	X	X	X	X	X		
VT		X						X

Measures to Protect Public Facing Judicial Branch Employees

	Remote Hearings	Install Plexiglass	Measure and Mark Floor	Point of Sale without Contact	Meet by Appointment(s)	Encourage self service via court website
AZ	X	X		X	X	X
FL	X			X		X
IN	X	X	X			
MI	X		X			
NE	X		X		X	X
OH	X	X	X	X	X	X
VT	X			X		X

Measures to Protect Public

	Signs Explaining Expectations	Require Masks	Sanitize Daily	Call fewer Jurors	Assemble Jurors In Alternate Spaces	Livestream Court	Protocol If Someone Tests Positive	Extra Judges and staff
AZ	X	X	X	X	X	X	X	X
FL						X		
IN	X	X				X		
MI	X	X		X			X	
NE	X	X			X			
OH	X	X	X	X	X	X	X	
VT	X				X	X		