Many courtroom facilities across the state are not suited, for a variety of reasons, to hold court hearings and/or to safely assemble a jury panel during the Covid-19 pandemic. An off-site facility may be a viable alternative or a way to supplement courtroom facilities.

Top consideration when picking an off-site space should be geographic location, size of facility and layout, technology needs and cost.

Below is a framework of considerations to assist you in vetting a potential location and in resuming jury trials in general. ***Note that this checklist contains considerations for planning purpose and does not constitute formal guidance***. For all COVID-19 related operational planning tasks, the Task Force strongly recommends consulting the latest guidelines from Washington State Department of Health and the United States Center for Disease Control. Contact links for these resources are in the reference section of this checklist.

**Facility Space - Questions to ask venues**

🞏 Accessible by public transportation

🞏 Is building ADA accessible? Is there a wheelchair on the premises?

🞏 Is there a metal detector or wands on the premises for secure entry?

🞏 Proximity to the courthouse or business district (if a consideration)

🞏 How many entrances and exits?

Ideally there would be multiple entrances and exits to support an optimal traffic flow and limit interpersonal exposure. Consider a separate entrance out of the line of sight of the jurors for the defendant and DOC to arrive and leave. Also, a separate rest area/meeting area for defendant and attorney would be beneficial.

🞏 Place to set up entry checkpoint at main entrance with tables for questionnaires and sanitizer stations?

🞏 Map of facility for planning and distribution to visitors and staff

**Parking Considerations**

🞏 ADA spaces

🞏 Judge and employee spaces (separate)

🞏 DOC Transport parking area- separate from juror spots

🞏 Covered outdoor or spacious indoor open areas (for mask breaks)

🞏 Jury holding rooms (near bathrooms)

🞏 Separate break rooms or areas within the building (how many of each?)

1. Jurors (estimate sq. footage by estimated pool size)
2. Litigants
3. Court Staff
4. Attorney-Client Consult
5. Judicial Chambers (1)

🞏 Number of bathrooms (ideally at least two sets and family room) Separate restrooms for in-custody defendants, attorneys, and court staff that are totally separate from those of the jury can help to avoid a risk of mistrial.

🞏 Cleaning and distancing measures in restrooms: what is the facility plan for distancing and cleaning schedules? (Examples: closing every other sink, limiting number of people)

🞏 Calculate square footage needed for configuring social distanced seating for jurors and the courtroom you will create within the facility.

🞏 Arrange a walk-through of chosen facility with stakeholders to get input and buy-in

🞏 Ask your local health department or L&I office to do a walk-through of the facility. Ask them provide you with their recommendations, in writing.

🞏 Sanitizing stations at entry, exit and in front of restrooms

🞏 HVAC system

Optimum: Upgraded to MERV 13 (Minimum Efficiency Reporting Value). MERV 13 is the highest grade of filtration that can be used in HVAC systems. The MERV 13 filters are more expensive and have to be changed more frequently. For these reasons, building management typically choose a lower value filter (MERV 10-12). Some older HVAC models cannot accommodate MERV 13 filters. Is system set to the maximum air flow and exchange? (Temperature may be chilly). This setting will ensure that inside air is exchanged with outside instead of just recycling inside air.

🞏 Are elevators or staircases needed? How will they be regulated? Staff monitored?

**Technology Considerations – consult with IT on needs and set up**

🞏 Electrical outlets and power strips:

Sound Equipment

Phone Charging

Computers, printers

🞏 High-speed Wi-Fi access

🞏 Routers, Power Strips, HDMI cables

🞏 Projectors and/or televisions for evidence exhibitions and recordings

🞏 Will you provide remote courtroom viewing for the public? If so, what do you need?

**Sound and Communication Systems – Projecting voices and record proceedings**

🞏 Consider purchasing an OWL Smart Camera <https://www.owllabs.com/meeting-owl>

🞏 Acoustics of space (are sound absorbers needed?)

🞏 Microphones and Hearing Devices – (cleaning considerations)

🞏 Portable two-way or remote control radios for staff

🞏 Disposable headphones or texting devices for Attorney-Client communications

**Safety Checklist**

🞏 Traffic flow: design signage for the parking lot and facility?

🞏 Cleaning: Staffing, Supplies and Schedule

🞏 Screening questionnaires printed and collected

🞏 Evacuation Plan: developed by security provider and communicated by the Judge

🞏 COVID-19 Response Plan: developed by the Court (possibly with input from security provider and Department of Health) in the event that someone in the facility may experience COVID-19 symptoms or there is a risk of exposure.

🞏 Biohazard Exposure Control Plan: developed by the Court (possibly with input from security provider and Department of Health) in the event that there is a risk of exposure in the facility.

🞏 Map with traffic flow, bathrooms and exits for visitors

🞏 Health checks for jury pool- before entering the building? Use 3 questions & completed COVID Questionnaire jurors would have received with their summons to determine entry?

🞏 Security check before entering the building- will you use local law enforcement or a security company? Wanding? Metal detector?

🞏 Food and water plan for jurors. Are there local take out/delivery options and a place for jurors?

Should jurors be advised to bring a lunch and snacks?

Can jurors go to their cars for snack breaks?

Are there vending machines in the location?

Is there a location for jurors to eat?

**Supplies and Furnishings (facility provided, rented or purchased)**

🞏 N95 Masks (AOC has distributed some to courts for jurors)

🞏 Gloves

🞏 Face shields (upon request)

🞏 Hand sanitizer in bulk and refillable bottles for sanitizing stations

🞏 Pens for users to keep after completing questionnaires

🞏 Safety Screening Questionnaires For example, [CDC Screening Questionnaire](https://www.cdc.gov/screening/paper-version.pdf)

🞏 Plexiglas (consult with L&I on need, see [COVID-19 and Washington State Courts](https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/CourtGuidanceCOVID-19.pdf) page 9)

🞏 Tables for screening and sanitizing stations

🞏 Comfortable chairs for extended seating times (estimate how many needed for everyone)

🞏 Risers

🞏 Stanchions

🞏 Curtains

🞏 Barricades and cones

**References and Other Resources**

CDC <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Center for Jury Studies/NCSC Webinars: <http://www.ncsc-jurystudies.org/jur-e-bulletin-and-more/covid-resources>

* Reestablishing Jury Pools in the COVID-19 Era - [webinar](https://vimeo.com/426265829)

NCSC [Coronavirus and the courts](https://www.ncsc.org/newsroom/public-health-emergency)

SCJA Jury Trial Workgroup [Resuming Jury Trials in Washington State June 2020](http://www.courts.wa.gov/content/publicUpload/COVID19%20Response/Resuming%20Jury%20Trials%20in%20Washington%20State.PDF)

Washington State Department of Health

* [COVID-19 and Washington State Courts](https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/CourtGuidanceCOVID-19.pdf) August 2020
* <https://www.doh.wa.gov/Emergencies/COVID19>

Washington State Department of Labor and Industries [Novel Coronavirus (COVID-19) Resources](https://www.lni.wa.gov/agency/outreach/novel-coronavirus-outbreak-covid-19-resources)