



United States District Court for the District of Utah

Petit Jury Trial Plan

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United States District Court for the District of Utah
Petit Jury Trial Plan

A. Start Date

Petit jury trials will not begin until the court reaches Phase 2 of its resumption of operation plan.

B. Priority of Trials

The Chief Judge will provide Kris Porter, the jury administrator, with a list of trials to be scheduled in order of priority. Initially, the court can accommodate only one trial at a time.

C. Scheduling Trials

The jury administrator, with the assistance of special scheduling courtroom deputy Ryan Robertson, will contact the courtroom deputy of the judge whose trial is next on the priority list. Details about the length of trial, number of defendants and need for interpreters, number of prospective jurors needed, and anticipated complexity of the trial (i.e. number of counts or causes of action to be tried, etc.) must be provided.

To allow enough time for staggered courthouse entry and breaks, judges may want to start trial no earlier than 9:00 a.m. and continue until at least 4:00 p.m.

- Breaks of no less than 30 minutes are recommended every 1 ½ hours to 2 ½ hours to allow counsel, parties, and jurors sufficient time for socially distanced bathroom breaks and to allow time for cleaning of the courtroom.

D. Personal Protective Equipment to Be Worn

1. Masks must be worn in public areas of the courthouse per the courthouse resumption of operation plan.
2. Masks must be worn in the courtroom except by the judge and, while actively participating in trial proceedings, counsel and witnesses, who

must otherwise wear masks while not actively participating. Each judge retains discretion to modify these requirements.

3. Gloves may be worn by the jury administrator and courtroom deputy and will be offered to counsel when distributing jury paperwork and when passing the peremptory challenge sheet. Alternatively, hand sanitizer will be available on all counsel tables and elsewhere in the courtroom.
4. Per the courthouse resumption of operation plan, all trial participants and attendees will be instructed to bring their own masks, but the court will make masks available for those who do not have or who forget their masks.

E. Notices to Appear and COVID-19 Questionnaires to Prospective Jurors

After being assigned a trial date, and no later than 21 days prior to the trial's start date, courtroom deputies must docket their Request for a Jury for a confirmed, scheduled jury trial. The Notice to Appear sent by the jury administrator will provide prospective jurors with an opportunity to inform the court if anything has changed in their health status since they received their summons and were qualified as a juror. The earlier than usual Request for a Jury is required so that the jury administrator has additional time to respond to an expected increase in number of calls from noticed jurors.

A one-page document will be included with the Notice to Appear explaining the steps the court is taking to create a safer environment in the courthouse. The information will address safety issues at the various stages of being a juror, including courthouse entry requirements, juror check-in and orientation, jury selection, sitting through trial, and deliberation. This document will also contain the court's requirements regarding masks, which are required to be worn by jurors while serving. Jurors will be advised to bring their own reading materials, water bottles, snacks, and lunches during jury selection.

This information should also be posted on the court's public website, along with the jury administrator's phone number and email address, for prospective jurors to use to ask specific questions related to jury service and COVID-19.

The following COVID-19 questionnaire (or a similar questionnaire based on more current guidance) will also be included with the Notice to Appear:

1. Have you, in the past 14 days, tested positive for COVID-19 or suspected that you have had COVID-19?
2. Have you, in the past 14 days, had close contact with someone who:
 - has tested positive for COVID-19;
 - is suspected to have had COVID-19?
3. Do you unexpectedly have any of the following symptoms?

fever or chills	headache
cough	new loss of taste or smell
shortness of breath	sore throat
difficulty breathing	congestion or runny nose
fatigue	muscle or body aches
nausea or vomiting	diarrhea
5. If you tested positive for COVID-19 more than 14 days ago, you may enter the courthouse if:
 - your symptoms have improved; AND
 - it been at least 24 hours since you have had a fever (without using fever-reducing medication); AND
 - your medical provider has not told you to stay away from others for a longer period.

Jurors will be informed that they will have to satisfactorily answer these questions to enter the courthouse on the day trial is scheduled to begin, so they should notify the jury administrator immediately if there is any change in their answers to these questions between the time they receive the Notice to Appear and the time they are scheduled to appear.

Jurors who do not meet the entry requirements will be considered for deferral, as they may potentially be excluded from entry to the courthouse under the courthouse resumption of operation plan. Written medical excuses will be

required for individuals seeking to be excused who have underlying medical conditions.

The jury administrator will follow up with noticed jurors at weekly intervals prior to trial to update them on trial status and to remind them to notify the court immediately if their health status or answers to the medical questionnaire change prior to trial.

Additionally, jurors will have a final opportunity to notify the court of concerns regarding their health status before reporting to the courthouse. Typically, jurors call the court 24 hours prior to their scheduled report time to confirm that the trial is proceeding. To allow the jury administrator to obtain updated health information within 24 hours of the jurors' report time, this recorded message will contain a call-in number where prospective jurors can report changes to their health status that preclude them from reporting for service. This message will also remind jurors to bring their own masks, reading materials, water bottles, snacks, and lunches, if desired.

F. Jury Questionnaires

Individual judges may choose to prescreen prospective jurors with additional jury questionnaires. These will not be distributed via paper and pen at the courthouse on the day of trial. Thus, electronic versions of the questionnaire must be provided to the jury administrator no later than 7 days prior to trial.

Jurors will respond to the questionnaires using eJuror and answers will be provided to the judge for electronic distribution to counsel prior to jury selection at a time agreed on by the judge and jury administrator. Judges should be aware that jurors who do not have access to computers to respond to the questionnaires must respond in open court.

G. Juror Travel to Courthouse

Our court already reimburses jurors for parking in Salt Lake City, so jurors will be encouraged to drive to the court. Jurors who must take public transportation will be reminded and encouraged to wear a mask and social distance as much as possible.

A juror living 80 miles or more from the courthouse is authorized to travel to the courthouse on the day before trial. Jurors traveling from distances that require overnight accommodation will be given a list of hotels located around the courthouse and will be reimbursed for their hotel expenses. Assistance from the jury office can be provided if jurors would like the hotel to bill the courthouse directly. Only hotels with enhanced cleaning protocols will be recommended.

H. Courthouse Space Preparation

1. Paths of travel: Jurors will be directed to jury check-in after entering the courthouse. Markers have been placed on the floor in 6' increments from the foyer to the jury check-in area. The jury administrator and one staff member will be in the jury check-in area. In Salt Lake City and St. George, elevators are limited to 2 riders per elevator, which will necessarily delay juror travel around the courthouse. The public spiral stairway may be used as an alternative, and it has been marked with signage to ensure safe use. Handrails will be regularly cleaned.
2. Jury check-in: Exchange of paper documents during check-in will be eliminated. A riser for a second computer monitor has been installed at the intake desk near the Jury Assembly Room, where the jury staff will display the jurors' records and confirm their check-in information electronically.
3. Trial courtrooms: Initially in Salt Lake City, Courtroom 3.100 has been designated for trial use and retrofitted with Plexiglas for trial purposes. A second courtroom will be needed during voir dire. If available, 3.400 will be reserved for this purpose, but if not available, another courtroom will be reserved. In St. George, Courtroom 2B will be designed for trial use and retrofitted with Plexiglas for trial and hearing purposes. The following physical preparations have been made for a trial courtroom:
 - a. Plexiglas has been installed between seats at four counsel tables, on the first and second rows of the jury box, on the gallery side of the jury box, around the podium in Salt Lake City, on the witness

stand, and in front of the judge's bench. Blackout shades will be lowered in the courtroom to reduce glare from the Plexiglas, and additional blackout tape will be used to eliminate as much glare from cracks between the shades as possible.

- b. Counsel tables will be supplied with gloves and hand sanitizer.
- c. "Do Not Approach" signs will be placed in front of the courtroom deputy and court reporter to keep lawyers from approaching them. Face shields will be made available to any courtroom deputy or court reporter who desires additional safeguards.
- d. In Salt Lake City, four counsel tables have been rotated 90 degrees so that counsel can see all jurors including those in the gallery, the witness, and the judge during trial. Wheeled Plexiglas barriers will be placed between defense tables and plaintiff tables. 9 jurors will be in the well (6 in the jury box and 3 in seats in front of the box), and the remainder will be in the gallery. [See this diagram for layout in 3.100.](#) There will be no Plexiglas on the two unused counsel tables near the jury box to maximize juror views of the witness, evidence, and counsel. The courtroom deputy should use "witness split to all" so that jurors in the gallery will have additional assistance viewing the witness. Two evidence monitors on the two unused counsel tables will be reconfigured to display evidence only after it has been admitted.
- e. In Salt Lake City, jurors will use a stationary microphone on a stand on the side of the room for voir dire, allowing the judge and all counsel to see their faces and eliminating the need for passing the hand-held microphone. Jurors should be instructed to minimize touching of the microphone. The courtroom deputy will change the microphone cover during breaks.
- f. Chairs have been added to the aisles in the gallery in Salt Lake City to accommodate social distanced seating. Seating has been

marked to meet the 6' social distancing requirement. Rows that cannot be used have been blocked.

- g. The large monitor will be moved closer to jurors seated in the gallery to ensure that evidence can be seen by them. During the trial, at the judge's discretion, the juror seat assignments may be rotated on a daily basis so that jurors in the gallery will have an opportunity to be seated closer. If rotation is utilized, the courtroom deputy will be responsible for preparing and distributing a daily juror number seating chart to the judge, court staff, and counsel.
- h. One or more appropriate forms of communication for defendant and counsel (and an interpreter, if needed) will be permitted. They will otherwise be separated by Plexiglas at counsel table in Salt Lake City. The court-provided communication method has been tested to assure effectiveness with white noise turned at full volume. Judges should be prepared to give a jury instruction on the use of any such devices between counsel and defendant to avoid juror misunderstandings of their purpose.
- i. Interpreters will be seated a minimum of six feet from the defense table. Existing transmitter and headsets can be used; sanitizing wipes are already in stock. A short break will be needed when interpreters switch, so that they can clean the area and the equipment (or swap it out). Also, interpreters will remain seated 6' from the defendant's table and not stand by the witness box when a witness is testifying.
- j. Water carafes will not be provided. The AO has approved the purchasing of bottled water, which can be provided to defendant and counsel if needed. Generally, judges should encourage counsel to bring and fill their own water bottles in the 6th floor break room or to purchase them at Roula's.

- k. A sign should be posted outside the courtroom informing the public where they may sit and, if needed, where an overflow room is located.

- l. During voir dire, the courtroom can accommodate the following people while maintaining the 6' social distancing requirement:
 - judge, courtroom deputy, law clerk, and court reporter (4);
 - government counsel and support staff (2-4 in Salt Lake City; 2 in St. George);
 - defendant, defense counsel, and support staff (2-4 in Salt Lake City; 2 in St. George);
 - deputy marshals (2 per in-custody defendant or witness);
 - court security officer (1); and
 - prospective jurors (24-26 in Salt Lake City; 13 in St. George)

- m. During trial,¹ the courtroom accommodations change as follows:
 - judge, courtroom deputy, law clerk, and court reporter (4);
 - witness;
 - government counsel and support staff (2-4 in Salt Lake City; 2 in St. George);
 - defendant, defense counsel, and support staff (2-4 in Salt Lake City; 2 in St. George);
 - deputy marshals (2 per in-custody defendant or witness);
 - jurors and up to 2 alternates (14 in Salt Lake City); jurors and one alternate (13 in St. George); and
 - court security officer (1)

¹ Trial courtrooms cannot accommodate additional counsel/staff in a socially distanced manner. Judges should inform parties with more attorneys/staff than the numbers identified here that they will have to make choices about who will be seated in the well and how many seats should be reserved in the gallery for the remaining attorneys/staff. Judges can consider allowing counsel/staff to rotate those who are seated in the well with those seated in the gallery at various times in their presentations.

- Victim(s) and support person(s),² family members, media, and members of the public (12 in Salt Lake City; none in St. George)

Additional witnesses for each side can be seated in witness rooms just outside the courtroom or, if needed, on chairs in the foyer, all of which should be set up to accomplish social distancing.

- n. Salt Lake City Voir Dire courtroom setup map for [Group 1 seating](#) and [Group 2 seating](#). [St. George Jury courtroom setup map](#).

4. [Jury deliberation rooms and adjacent conference rooms in Salt Lake City](#):

Chairs in each room have been set up to accommodate approximately 5-7 socially distanced jurors who need to be privately questioned during voir dire. Excess chairs will be removed. Individual private questioning will take place in the courtroom after other jurors in the same group are excused to their original voir dire waiting area. The Clerk's Office will provide an additional staff member to assist the courtroom deputy in escorting the remaining jurors out of the courtroom. Courtroom deputies will escort jurors in these two temporary rooms, one by one, back into the courtroom for questioning, after which the juror will be excused to return to their original voir dire waiting area.

5. Restrooms and common areas: Social distancing and hand washing reminder signs have been placed in all jury area restrooms and common areas, including the Grand Jury common area in Salt Lake City.

a. Signs are needed as follows:

- 6' social distancing in court hallways, jury assembly room, grand jury room, foyer areas, stairwells, courtroom and jury deliberation/conference rooms, restrooms
- Reminder to wash hands in all restrooms

² Victims and their support persons will receive priority seating. The USAO has been instructed to give the court no less than 24-hours notice of the number of persons expected who should receive priority seating.

- Use a paper towel to open refrigerators and use coffee pots and microwaves
- Elevator (no more than 2 people)
- Temporary signs outside of elevators directing to Grand Jury room in Salt Lake City

6. Cleaning: Careful cleaning of all juror-occupied spaces should be conducted daily. Sanitizing spray and paper towels have been provided in the courtroom for use between witnesses and at the podium in Salt Lake City. During trial, judges should require all counsel to wipe down the podium after use in preparation for other counsel to use the podium. Similarly, judges should consider instructing counsel whose witness is testifying to wipe down the witness area between witnesses. In St. George, the podium will not be used and may be removed.

- a. In Salt Lake City, GSA must be notified of the need for additional cleaning during the dates of a jury trial. In addition to cleaning on the day of jury selection, the law clerk or courtroom deputy should notify a GSA-designated individual when court is in recess for breaks so the courtroom can be cleaned and sanitized. This will require flexibility on the part of the designated individual and proper notification to that individual by the law clerk or courtroom deputy. In St. George, similar cleaning arrangements will be made.

Areas to sanitize in Salt Lake City:

- Jury assembly room table surfaces and chairs
- Courtroom counsel table surfaces, chairs, and microphones
- Podium surface and microphone
- Witness stand surface, chair, and microphone
- Juror chairs as directed by court staff
- Any other areas as directed by court staff
- Restrooms

When court resumes after each break, GSA could sanitize the spiral staircase handrails and the break room, including table surfaces, chairs, restrooms, sink/counter areas, doorknobs, and refrigerator/microwave handles.

Sanitizing at the end of each day:

- All counsel table surfaces, chairs and microphones
- Podium surface and microphone
- Witness stand surface, chair, and microphone
- Judge's bench surface, chair, and microphone
- Courtroom deputy and court reporter stations, surface, chair, and microphones
- Law clerk station, surface, chair
- USMS chairs
- Public seating area where tape markers are
- Door handles
- Jury chairs

Plexiglas/polycarbonate shields require special cloth and cleaner. Counsel, defendant, witnesses, and jurors will be instructed not to touch the Plexiglas.

I. Arrival on Day of Jury Service

Jurors will enter the courthouse on a staggered schedule outlined on their Notice to Appear. Courthouse entry procedures will be followed per the courthouse resumption of operation plan. The Notice to Appear will instruct jurors who are not admitted to the courthouse to call the jury office if they are not allowed in the building. The juror will be deferred if excluded from the building. CSOs will confirm presence of masks or provide a mask.

Jurors will be directed to the jury check-in area. Check in will be conducted electronically. For criminal trials in St. George, as many as four 13-member panels may be scheduled through the day to fill a jury. Trial will not begin until the day after jury selection.

If there is time, the jury orientation video will be shown, although a link to the video will be provided with the Notice to Appear. The orientation will consist of a review of the steps the court is taking to increase juror safety, a reminder of the steps they must take for their own safety, including frequent hand washing and keeping their personal items separated from other jurors' similar items, and expressions of appreciation for those who serve.

J. Conducting Voir Dire, For Cause and Peremptory Challenges

1. Salt Lake City:

Each judge will conduct voir dire in a manner that considers the safety of jurors, counsel, and staff and the logistics of the courthouse under social distancing requirements. The following is one example of how voir dire can be safely conducted:

Jurors will be randomized by room prior to being escorted to the courtroom. The Judge's List will reflect this randomized order. The first 24 jurors waiting in the Jury Assembly Room will be escorted to Courtroom 3.100 and seated. The second set of 24 jurors will be escorted to Courtroom 3.400 (or another available courtroom), and live video and audio feeds will be set up from 3.100 to this courtroom. A Clerk's Office staff member will be seated in the second courtroom to monitor audio/visual feeds, communicate with the courtroom deputy, and escort jurors to 3.100 at the appropriate time. The jury administrator, wearing gloves, will pass out the jury paperwork to counsel and the court, and will be the only individual to have touched the paper. Proceedings will be on audio feed into the Jury Assembly Room.

After the judge's introductory remarks, jurors in Courtroom 3.100 will be sworn. Jurors will then approach the microphone stand located on the witness side of the courtroom row by row (in groups of 3, appropriately spaced while waiting in line for the microphone) to answer questions. The judge may allow jurors to remove their masks while being questioned. The judge will instruct the jurors to minimize touching of the microphone. Handheld microphones will not be passed. Hand sanitizer will be available for juror use after questioning. Counsel will ask questions from counsel tables.

After the first 24 jurors are questioned, jurors from this group who need to be privately questioned will be escorted to either the jury deliberation room or conference room outside Courtroom 3.100, where they will wait, in a socially distanced manner, to be called back to Courtroom 3.100. The remaining jurors will be escorted back to the Jury Assembly Room by a Clerk's Office staff member.

During private questioning in the courtroom, the live audio feeds to the Jury Assembly Room and the other courtroom will be shut down by the courtroom deputy. (Video will remain on in the other courtroom, however.) Jurors to be privately questioned will be escorted, one by one, back into Courtroom 3.100 and answer private questions at the microphone before being excused to the Jury Assembly Room.

Following all questioning of the first 24 jurors, we recommend that strikes for cause be made on this first set of 24 jurors. Judges may choose whether to allow peremptory challenges of the first 24 jurors at this time, or to reserve these challenges until the end.

The second set of up to 24 jurors seated in Courtroom 3.400 (or other designated courtroom) will be escorted into Courtroom 3.100 by Clerk's Office staff, who will assist the courtroom deputy in seating these jurors in numerical order. The courtroom deputy will then turn the live audio feed back on into the Jury Assembly Room. The second set of up to 24 jurors will then be sworn. The same process will be followed for public and private questioning, except that jurors from this set will be excused back to the second courtroom, if they do not require private questioning or after they have completed private questioning. Following questioning and jurors' return to the second courtroom, the courtroom deputy will turn off the live audio feeds in both the Jury Assembly Room and the second courtroom. Challenges for cause will then be made on the second set of jurors.

The first set of jurors will be escorted from the Jury Assembly Room back to Courtroom 3.100. The courtroom deputy will turn on the videoconference feed of a camera pointed at the gallery in the second courtroom so that counsel and court personnel in Courtroom 3.100 can

see (to at least a limited extent) the second set of jurors in the second courtroom. At the same time, live audio/visual feed of the proceedings in 3.100 will be directed to the second courtroom so that jurors can see the proceedings. Peremptory challenges will then be exercised. Passing of the peremptory challenge paper will be done by the courtroom deputy while wearing gloves. Gloves will also be offered to counsel.

Once the jury and alternates have been selected, the judge will read the numbers of the jurors who have been chosen and ask them to return to the courtroom in a socially distanced manner. No jurors will be excused from the building until the selected jurors and alternates have returned to Courtroom 3.100, been correctly identified, and then seated. The judge will then excuse all other jurors and all live feeds will be turned off. Selected jurors will be sworn for service.

2. St. George:

Jurors in each 13-member panel will be randomized prior to making their way to the courtroom. The Judge's List will reflect this randomized order. Each 13-member panel will be escorted to Courtroom 2B and seated. The jury administrator, wearing gloves, will pass out the jury lists to counsel and the court, and will be the only individual to have touched the paper.

After the judge's introductory remarks, panel members will be sworn. Jurors will answer questions. The judge may allow a juror to remove their mask while being questioned or to wear a face shield in lieu of a mask. Handheld microphones will not be passed. A hand sanitizing station will be available for juror use after questioning. The judge may permit counsel to ask questions from counsel tables.

After the 13-member panel has been questioned, the panel will be escorted to the jury deliberation room and conference room, where they will wait, in a socially distanced manner, to be called back to Courtroom 2B for private questioning. When private questioning is complete, jurors will be escorted back to the courtroom.

Following all questioning of the 13-member panel, strikes for cause will be made on this 13-member panel. The judge may determine, after consulting with counsel at pretrial that peremptory challenges of the 13-member panel will be made at this time. Passing of the peremptory challenge paper will be done by the courtroom deputy wearing gloves. Gloves will also be offered to counsel.

The voir dire and challenge process will be repeated with each of the 13-member panels summoned. Each panel will be told that they are not excused until notified the next day. When the jury and two alternates have been selected, the judge will confirm the jury panel and direct the clerk to ask them to return to the courtroom the next morning. No jurors summoned that second day will be excused from the building until the selected jurors and alternates have returned, been correctly identified, and then seated. If the first 13 selected are seated, the second alternate will be excused. The judge will then formally excuse all other jurors and direct the clerk to notify them of that fact. Selected jurors will be sworn for service.

K. Conducting Trial

Because of the distance from the trial courtroom, judges and counsel should plan for extra time when the jury is called to the courtroom. The Clerk's Office will provide a staff member during trial whose task will be to communicate with the courtroom deputy and escort jurors to and from the courtroom when called. Jurors reporting to St. George may be instructed to meet in the Jury Assembly Room or Courtroom 2B.

1. Notetaking and juror copies of instructions: At the beginning of trial, jurors will be provided with a manila envelope with their juror number on it that contains a notebook and a sanitized pen. Jurors will be instructed that their notes cannot leave the courthouse and that they should take care to keep their materials separate from other jurors' materials. Jurors should keep their materials with them in the courtroom or at their seat in the waiting area at all times. To the extent possible, preliminary and final jury instructions should be placed in juror's

envelopes in advance, but otherwise will be passed to jurors by staff while wearing gloves. Jurors will be instructed to keep their jury instructions in their manila envelope when not in use. Each evening jurors will be asked to place their notebook, pen, and any other materials in their envelopes. They will then place the envelopes in a box, which the courtroom deputy will take for safekeeping overnight. Jurors will be instructed that their notes will be shredded after trial.

2. Witnesses: Witnesses will wear masks while being escorted to the witness stand. Witnesses will not wear masks while testifying. Sanitizing spray, gloves, and paper towels should be provided for witnesses who wish to clean the area prior to testifying. Plexiglas does not need to be cleaned between witnesses. Hand sanitizer should also be provided. Counsel should not be permitted to approach the witness. Counsel may question witnesses from counsel tables. In St. George, the podium will not be used for any purpose. The courtroom deputy should be prepared to display the witness on screen for jurors in the gallery.
3. Evidence: Documentary evidence must be presented entirely electronically. Essential physical evidence must be supplemented by photos of the physical evidence that can be displayed. Any physical evidence permitted by a judge will be handled using gloves, and judges should ensure that jurors in the gallery are also given an opportunity to view physical evidence. Counsel must be prepared to question witnesses using electronically displayed evidence, rather than paper copies or binders. In Salt Lake City, counsel should be instructed that if they adjust the microphone or adjust the podium (using the switch) to please wipe down everything when they conclude. Counsel should also sanitize hands before and after use of the podium.
4. Sidebars: In-person sidebars at the bench must be eliminated. We recommend that counsel be instructed that discussions outside the jury's presence must be conducted before or after the day's proceedings or during planned lunches or breaks when jurors are in their break area. However, if a sidebar must take place while the jury is in the courtroom,

the court has purchased small handheld audio devices with headsets that will allow the judge, law clerk, government and defense counsel, court reporter, and the defendant to communicate. White noise will be used to ensure privacy.

5. Participant illness/symptoms during trial: Courtroom personnel, jurors, counsel, witnesses, and defendants must all be instructed to bring any symptoms or illness to the court's attention promptly during trial.
6. Jury snacks and lunches: Individually packaged juror snacks and lunches should be provided in the jurors' waiting area. One refrigerator is available for jurors who wish to bring their own lunches and snacks.
7. Jury instruction conferences: These conferences should be held in the courtroom when the jury is not present.
8. Closing arguments: Before closing arguments in Salt Lake City, counsel may ask for the podium to be repositioned to allow counsel to speak to all jurors. In St. George, closing arguments will be delivered from counsel table.

L. Deliberations

Whenever possible, jury deliberations in Salt Lake City will be conducted in the Jury Assembly Room. If held there, the courtroom deputy should ensure that the privacy curtains are pulled into place. Depending on scheduling needs, deliberations may also take place in other locations, including in the judge's courtroom. Courtroom deputies should coordinate deliberation room use with Ryan Robertson. In St. George, jury deliberations will be conducted in the courtroom. Wherever deliberations are held, IT will bring in a cart containing a stand-alone computer without internet access for use in displaying evidence. The computer will be connected to a large monitor.

Counsel should be instructed to provide all evidence to the courtroom deputy electronically so that preparation of an electronic evidence flash drive can be

made. The courtroom deputy, wearing gloves, should be the only person to handle the paper copy of the verdict form to be handed to the jury.

Jurors should be reminded to maintain social distancing during deliberations and to continue to wash their hands frequently. Jurors will also be instructed that only one juror should use the mouse to operate the computer during deliberations. The jurors may also be provided with a Ziploc bag or other covering that can be thrown away after use. Court personnel should wear gloves or use hand sanitizer when dealing with juror questions during deliberations.

M. Mock Trial

A mock trial was conducted in a designated and modified courtroom with OFPD, CJA attorneys, USAO, Clerk's Office, court reporter, interpreter, IT, and chambers personnel to test new equipment and trial procedures before implementation in a real trial. The mock trial also considered deliberation room issues.

N. Judicial Discretion

Parts of the jury trial plan may require adaptation or change as circumstances require. Additionally, judges retain their discretion to modify processes and procedures for trials held before them. Like the rest of the Court's plan for resuming operations, this plan does not create rights, but rather provides assistance to the court for enhancing jury trial processes during the pandemic, when jury trials are permitted.