
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

,

Defendants.

**SUPPLEMENTAL TRIAL ORDER
FOR VIRTUAL JURY VOIR DIRE
(counsel in courtroom)**

Case No. 4:20-cr-00134-DN

District Judge David Nuffer

IT IS HEREBY ORDERED that the jury trial scheduled to commence on **Tuesday, September 21, 2021, at 8:30 a.m.**, will begin with Virtual Voir Dire in Room 2B, 206 West Tabernacle Street, St. George, Utah. Counsel must be present in the courtroom in St. George for the Virtual Voir Dire.

Virtual voir dire will substantially reduce the number of jurors brought to the courthouse and their exposure to other persons throughout the usually lengthy jury orientation and voir dire process.

The procedures and protocols in this order apply in addition to those in the Trial Order filed **July 2, 2021, docket no. 102**. A COVID-19 Trial Order Addendum may also be **issued at a later date**.

A. Remote / Virtual Voir Dire Format

The jury orientation and voir dire will take place with the jurors using the ZoomGov.com platform. **The parties, counsel, and court staff will be physically present in the courtroom.** The public will have telephonic access via a number published on the Court's trial calendar.

B. Resources for Virtual Voir Dire

The court has prepared and posted the [Virtual Trial Handbook for Attorneys - Utah](#), which counsel must review immediately upon receipt of this order. Some portions of the handbook will not apply, but the instructions regarding voir dire do apply.

Any questions about the handbook should be sent to dj.nuffer@utd.uscourts.gov with a copy to all counsel. This handbook is a work in progress, so suggestions and comments (sent to dj.nuffer@utd.uscourts.gov) are appreciated. Counsel may also wish to consult <https://www.utd.uscourts.gov/virtual-proceedings>.

C. Final Pretrial Conference

The Final Pretrial Conference will be conducted in the courtroom, but counsel should come prepared to use the ZoomGov.com platform to ensure that counsel are familiar with and able to use it in the courtroom. The Final Pretrial Conference will include any necessary discussion of this order and the resources listed above. Counsel should consider:

- a. Testing use of the ZoomGov.com chat feature for sidebars during voir dire.
- b. Raising questions about the [Virtual Trial Handbook for Attorneys – Utah](#).
- c. Additional procedures which counsel recommend.

D. Jury Pool and Voir Dire

The [standard questionnaire](#) the Court will send to jurors in advance is posted on the Court website. You will receive the completed questionnaire for each member of the jury pool the day before voir dire.

E. Preparation

1. Counsel must familiarize themselves with the ZoomGov.com platform by

reviewing the [Virtual Trial Handbook for Attorneys - Utah](#).

2. Counsel must ensure that they have the hardware, software, data bandwidth, and, if counsel are not present in the courtroom for voir dire, internet access required to participate remotely. Testing is essential. The minimum system requirements are contained in the [Virtual Trial Handbook for Attorneys - Utah](#).

F. Recording

The Court will provide a court reporter for voir dire. No part of voir dire may be captured, reproduced, distributed, or transmitted in any form or by any means, in whole or in part, by any participant or public observer. This prohibition includes any audio or video recording, photographs, and/or screenshots. The parties and counsel must ensure that each voir dire participant for which they are responsible acknowledges and agrees to this prohibition.

G. Technology Issues

1. Disconnection:

If the Court, a party, an attorney of record, a witness, a juror, or anyone else necessary to the proceedings becomes disconnected from the remote voir dire proceedings, any participant aware of this should call it to the Court's attention. The voir dire proceedings will stop until the connection is reestablished. If the participant has difficulty reconnecting, he or she should call or text **Joshua Nielson** at 435-703-7307.

2. Screen Names:

Each time participants join a Zoom session, they should use a screen name in the ZoomGov.com platform that indicates their actual name and role. The number of characters you may use for a name is limited. The Court recommends the following

naming convention:

{First Initial} {Last Name} (Role) or
{Last Name} (Role) or
{Last Name} Role

Abbreviations for Roles:

Pla	:	Plaintiff
Def	:	Defendant
Pla Rep	:	Plaintiff's Representative
Def Rep	:	Defendant's Representative
Pla Atty	:	Plaintiff's Attorney
Def Atty	:	Defendant's Attorney
Juror		

Examples:

J. Austen (Pla)
Hemingway (Def Atty)
Koothrappali (Pla Rep)
M. Hansen (Witn)
Juror #1

As “Host,” the Court’s Trial Coordinator will attempt to rename any participant whose screen name is incomplete, confusing, unprofessional, or otherwise improper.

Dated August 24, 2021.

BY THE COURT:

David Nuffer
United States District Judge