



TEMPORARY POSTPONEMENT OF JURY TRIALS

The Vermont Supreme Court issues this administrative directive pursuant to its authority under the Vermont Constitution, Chapter II, § 30.

1. The COVID-19 pandemic presents unprecedented challenges to the administration of jury trials in Vermont. With the emerging threat to public health, many Vermonters seek to practice, to the extent they can, “social distancing,” as recommended by public health officials. For that reason, compulsory jury service is particularly burdensome to Vermonters, especially those with heightened vulnerability to the virus.
2. For these reasons, the Court hereby orders each superior court judge and clerk to postpone until at least April 15, 2020 any jury case for which the jury has not yet been drawn. The following are excepted from this order:
 - a. Cases in which a defendant is held without bail and has asserted speedy trial rights pursuant to 13 V.S.A. § 7553b;
 - b. All other criminal cases in which a defendant is in custody pending trial;
 - c. Any other case in which, in the discretion of the superior court judge, justice requires.

Any case in which a jury has already been selected may proceed at the discretion of the trial judge.

3. In those cases that are excepted from this order, superior court judges retain the discretion to postpone jury draws. Factors bearing on this assessment may include the urgency of the case; the likely length of the trial; the lapsed time between the jury draw and scheduled trial, if any; the availability of jurors; whether and to what extent COVID-19 positive or presumed-positive patients have been identified in the community from which jurors will be drawn; public perceptions and anxieties within the community from which jurors will be drawn; and recommendations of public health professionals.

4. The Court will continue to monitor the situation and will amend this directive as necessary to respond to the evolving pandemic.

Done in Montpelier, Vermont this 13th day of March, 2020.

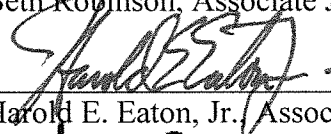
BY THE COURT:



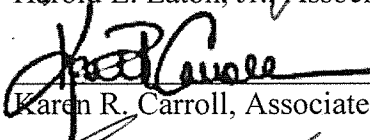
Paul L. Reiber, Chief Justice



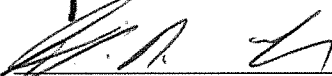
Beth Robinson, Associate Justice



Harold E. Eaton, Jr., Associate Justice



Karen R. Carroll, Associate Justice



William D. Cohen, Associate Justice