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## **Jury Trials During the COVID-19 Pandemic**

*Texas Office of Court Administration Releases Observations and Recommendations  
to keep all Texans Safe while Moving Justice Forward*

The Office of Court Administration (OCA) released its report on [Jury Trials During the COVID-19 Pandemic](#) today as required by the Supreme Court of Texas' Twenty-Second Emergency Order Regarding the COVID-19 State of Disaster. The report contains observations from the 20 jury trials held in the state since March 2020, including details from the nation's first virtual criminal jury trial.

"A hallmark of our justice system is the right to a jury trial," said Nathan L. Hecht, Chief Justice of the Supreme Court of Texas. "The pandemic has challenged our ability to safely deliver on that promise, but through the efforts of many Texas judges, clerks, court staff, and attorneys over the past few months, today we have a roadmap to resuming those jury trials, even if that roadmap will be restricted to ensure the health and safety of the public. My colleagues and I look forward to reviewing the recommendations made by OCA today."

Prior to the pandemic, Texas courts averaged 186 jury trials per week. However, jury trials have been suspended through October 1 by the Supreme Court of Texas except for in limited cases assisted by OCA and the Regional Presiding Judges.

"Conducting jury trials during the pandemic requires a tremendous amount of planning from all participants including judges, clerks, attorneys, and court staff," said David Slayton, Administrative Director of the Texas Office of Court Administration. "Going to court often isn't a choice; it's a requirement. I am so proud of the professionalism and attention to detail that the judiciary has taken to keep all Texans safe as they engage with our courts throughout the state."

The report outlines 11 recommendations for continuing to safely conduct jury proceedings moving forward. Recommendations include:

- Limiting jury proceedings to district and county courts only through December 31.
- Allowing all courts to conduct virtual jury proceedings except that inailable criminal jury trials, virtual jury proceedings should only occur with appropriate waivers and consent of the defendant and prosecutor made on the record.

- Requiring the local administrative district judge and presiding judge of a municipal court to submit jury plans for counties and cities consistent with guidelines for conducting jury trial proceedings issued by OCA.
- Requiring consultation with a local health authority not more than five days prior to the jury proceeding to verify local health conditions and plan precautions are appropriate for the trial to proceed.

Despite the limited jury trials occurring throughout the state, Texas judges' have been busy keeping justice moving forward through online hearings via Zoom. Since March 2020, judges have held an estimated 440,000 remote hearings, with more than 1.3 million participants, lasting almost 1 million hours during the 6-month period.

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Contact: Megan LaVoie  
Director of Public Affairs and Special Counsel  
Texas Office of Court Administration  
512-463-1627  
megan.lavoie@txcourts.gov