

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE, SUMMIT, AND TOOELE COUNTIES, STATE OF UTAH

IN RE: VIRTUAL JURY SELECTION	STANDING ORDER September 26, 2023 Presiding Judge Laura S. Scott
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Due to the COVID-19 pandemic, the Third District Court implemented several important changes to the jury selection process, including the use of detailed juror questionnaires and virtual jury selection. Since January 2021, the Third District Court has successfully conducted over 450 virtual jury selections for all types of criminal and civil cases, including murder and other first degree felony cases as well as complicated commercial and personal injury cases.

The change to virtual jury selection has resulted in significant improvements to the jury selection process, including increasing the percentage of summoned jurors who report for jury selection, providing more detailed and relevant information about jurors and their potential biases to the parties and their attorneys, and decreasing the financial and other burdens imposed on jurors who would otherwise be required to take the day off of work, make travel arrangements, and/or arrange for child care to attend in-person jury selection. And for those jurors who do not have access to a computer or smartphone or reliable internet, the Third District Court provides Webex booths at the Matheson and West Jordan courthouses.

In addition, while the COVID-19 precautions are no longer in effect, the Third District Court continues to be mindful of the potential health risks associated with crowding 50-60 people in small courtrooms during the jury selection process.

Not surprisingly, jurors universally prefer virtual jury selection as do a strong majority of judges. And by continuing to use virtual jury selection, the Third District Court demonstrates its firm commitment to protecting our jurors' health and respecting the sacrifices of time and money that we are asking them to make to participate in the jury system.

Further, the Third District Court has invested significant resources in virtual jury selection, including increasing the number of jury clerks. These jury clerks have developed expertise in managing the technical aspects of virtual jury selection while simultaneously assisting jurors who may be having issues with Webex. Through this investment in virtual jury selection, the Third District Court has efficiently and effectively addressed the backlog of criminal and civil jury trials, enhanced the underlying goals of jury selection – a fair and impartial jury – and ensured that the process runs as smoothly as possible for jurors, attorneys, and judges.

Finally, the Third District Court is unaware of any studies or other data that would suggest that virtual jury selection impairs an attorney's ability to gather information about jurors and their potential biases or establish a rapport with jurors or otherwise interferes with any rights of parties.¹

Accordingly, absent extraordinary circumstances and prior approval from the presiding judge, all jury selections in the Third District Court will be conducted virtually.

So Ordered.

Dated this 20th day of September, 2023.



Presiding Judge Laura S. Scott
Third District Court



¹ The Third District Court will continue its ongoing efforts to improve virtual jury selection and expand juror participation, particularly from underrepresented populations. To this end, the Third District Court will continue to gather data regarding virtual jury selection and solicit feedback from jurors, judges, parties, attorneys, and other stakeholders.