**VIRTUAL GRAND JURY IMPANELING PLAN**

1. **ROLES** 
   1. **DA Production (Designated staff from DA’s Office) or Court Coordinator**
      1. Creates the spreadsheet for tracking jurors and check in.
      2. Creates the Teams group
      3. May serve as the Host on the day of impaneling.
   2. **Host** (Person who is assigned to run the technical side of the Zoom meeting – Court Admin)
      1. Responsible for running the meeting in the background.
      2. Creates and manages breakout rooms for check-in.
      3. Starts live-stream after check-in.
      4. Creates and manages “Bench Conference” breakout room.
   3. **Judge** (See Impaneling Protocol)
      1. Introduces Participants
      2. Tests Juror Qualifications
      3. Explains excuses from service
      4. Hears and decides on excuses.
      5. Selects 12 Grand Jurors and 4 Alternates.
      6. Appoints GJ Foreperson and Assistant Foreperson.
   4. **Emcee** (Person assigned to make announcements during the Zoom Meeting)
      1. Works closely with the Host to manage the impaneling.
      2. Make announcements to the Panel at the beginning about what will happen with check-in.
      3. Work with **Clerk**, **ADA**’s, or other staff to coordinate placement of individual jurors into the “Bench Conference” breakout room by announcing which juror will be called next.
   5. **Clerk** (District Clerk representative)
      1. Administers oaths to panel and jurors
      2. Certifies official list of panelists who attended and those who are chosen as jurors and alternates.
      3. Records who is excused, who is selected as a Grand Juror, who is selected as an alternate.
   6. **Asst. Clerk**
      1. Conducts check-in of jurors in the breakout rooms (See Check-in Procedures)
      2. Assists Clerk with keeping track of jurors who are excused.
   7. **Bailiff** (Can be either court bailiff or grand jury bailiff).
      1. Assists with re-admitting people who get kicked out.
      2. Monitors jurors to make sure people have cameras on, are awake, etc.
   8. **Tech Support**
      1. Assists Grand Jurors with technical issues.
      2. May need to call a juror to help with logging on.
   9. **ADA**’s
      1. Participate in the impaneling.
2. **PRE-PLANNING (45-60 days in advance)**
   1. The **DA’s Office** should:
      1. Confirm with each **Judge** with an upcoming grand jury whether they want to do a 1-day or 2-day impaneling process.
      2. Select impaneling dates for the different courts according to the Judge’s direction.
      3. Create the meeting calendar for each of the upcoming grand juries.
      4. Inform the Clerk of the impaneling dates and meeting calendars for each Grand Jury.
   2. The **Court Coordinator** should request that a jury panel be summoned for the set impaneling date(s).
3. **ONCE AN IMPANELING DATE IS SET AND PROSPECTIVE JUROR LIST RECEIVED**
   1. The **DA Production** or the **Court Coordinator** should:
      1. Create a Group Chat in Microsoft Teams named “COURT GJ Impaneling TERM YEAR” (Example: 299th GJ Impaneling January 2021) that includes:
         1. The Court Coordinator
         2. The Bailiff
         3. The Clerk (currently, Linda Estrada)
         4. The DA’s Office GJ Chief or designee
      2. Fill in the juror data on the Grand Jury Impaneling worksheet using the template provided with these instructions.
      3. If the template is not provided, create an Excel worksheet with the following columns
         1. Column A – “Juror Last Name”
         2. Column B – “Juror First Name”
         3. Column C – “Juror Number”
         4. Column D – “Juror Screen Name” – Use “Concatenate” function to create a screen name “Juror #X – Last Name”

NOTE: If you have used the columns exactly as described above, you can copy and paste this formula: **=CONCATENATE("Juror #",C2," - ", A2)** . Then copy and paste it all the way down Column D in your sheet. This will automatically generate screen names for each juror.

* + - 1. Column E – “Check In”
      2. Column F – “Excused”
      3. Column G – “Impaneled”
      4. Column H – “Notes”
      5. Column I – “Juror Phone”
      6. Column J - “Juror Email”
    1. Once the spreadsheet is done, the Court Coordinator should add it to the Teams Chat. Open the Teams Chat, click on the “Files” tab at the top, drag and drop the spreadsheet. This will allow others to update the sheet.
  1. The Clerk, The Court-Coordinator or other designated individual should send a questionnaire to each prospective juror asking whether they have access to technology capable of connecting to the internet. This can include:
     1. A computer with internet access, a camera, and a microphone or
     2. A tablet or smart phone with the Zoom App installed and enough data service or WIFI access
  2. If a prospective juror does not have the technological capability to connect, alternate arrangements should be made, such as:
     1. Providing a suitable space at the courthouse or other county office with technology to access Zoom
     2. Loaning the juror a laptop or tablet with a WIFI hotspot for purposes of participating in jury service.
  3. The **Court Coordinator** or the **Host** should arrange for the impaneling date and the list of prospective jurors is posted publicly and in the jail. The posting should direct those wishing to raise an objection to the panel or to a specific potential juror to email that information (may need to set up a particular email address or designate a specific person to receive objections.)

1. **BEFORE IMPANELING DAY:**
   1. The DA Production person, Court Coordinator, and Clerk should add the following people to the Teams Chat:
      1. The Judge
      2. Any Clerk staff who will be participating
      3. Any DA’s office staff who will be participating.
   2. The **Host** should confirm whether any objections have been received from the public or from the jail.
   3. The **Court Coordinator** should:
      1. Confirm that all people who have been excused are updated in the spreadsheet.
   4. The **Clerk** should:
      1. Provide a list of the venire panel to the Court Coordinator and the DA’s Office
      2. Provide the Host with the names of **Asst. Clerks** who will be present to assist on Impaneling Day.
      3. Confirm that the names and juror numbers on the Excel Sheet match the official list.
   5. The **Judge** should decide whether they would prefer to do the impaneling with the whole group or would prefer to split the group to allow all jurors then being qualified to be on the screen at once. The **Clerk** and the **Host** should be informed about how the **Judge** wishes to proceed.
2. **IMPANELING DAY – PRE-IMPANELING LOGIN AND SETUP.**

**(30 MINUTES BEFORE CHECK-IN)**

* 1. The following people should be present: **Host**, **Clerks**, **DA personnel**, **Bailiff, Tech Support**.
  2. **ALL STAFF** should:
     1. Change their screen name to include their role, such as Court Clerk, ADA, Bailiff followed by their last name.
     2. Test their camera and microphones to make sure they can be seen and heard and that they can see and hear others.
  3. The **Host** should do the following (some can be delegated):
     1. Designate **every staff person** as a co-host. (Include the **Judge** when they join the meeting).
     2. Remind Staff members who are not conducting juror check-in that they will be assigned to a room but should return to the main room by clicking “Leave Room”.
     3. Go to the security button in Zoom and adjust the settings as follows:
        1. Enable waiting room (checked)
        2. Share screen (unchecked)
        3. Chat (unchecked)
        4. Rename themselves (checked)
        5. Unmute themselves (checked)

NOTE: This disables screen sharing and chat functions but allows participants to change their screen name and unmute themselves. If PowerPoint will be used, leave the Share screen button checked.

* + 1. Depending on the size of the panel, determine how many break-out rooms will be needed to distribute 15-20 people per room. Typically, this will require 4 rooms.
       1. The **Host** should select Breakout Rooms and choose “Assign Automatically”. They should then create breakout rooms. **NOTE: DO NOT OPEN ALL ROOMS YET.**
       2. Make sure the following options in the Breakout Rooms dialog box are checked:
          1. Allow participants to return to the main room at any time.
          2. Automatically move all assigned participants into breakout rooms.
       3. Un-check the following:
          1. Allow participants to choose room.
          2. Breakout rooms close automatically after 30 minutes.
          3. Countdown after closing breakout room.
    2. Under Video Options, the **Host** should allow for up to 49 participants on screen at a time. This is on the computer that will be managing the live stream.
    3. Under Video Options, the Host should make sure that the “Hide Non-Video Participants” button is checked.
  1. The **Court Coordinator** should confirm that the Excel Spreadsheet is updated to reflect all jurors who have been excused.
  2. The **Clerk** should do the following:
     1. Sort the Excel Sheet alphabetically by Last Name.
     2. Make sure that every person assigned to assist with check- in:
        1. Is assigned to a specific Room number.
        2. Has a copy of the instructions and knows the check-in procedure.
        3. Has access to the Excel Sheet with the list of prospective jurors.
  3. The **DA Staff** person should do the following:
     1. Remind all staff people that they will be placed in a breakout room automatically at check-in. They can exit the room as soon as they are put in.

1. **IMPANELING DAY – CHECK IN** 
   1. Jurors should be kept in the waiting room as they arrive.
   2. When everyone is ready and enough jurors are ready, jurors should be admitted from the waiting room by clicking “Admit All”.
   3. The **Emcee** should make the following announcement:

“Thank you for being here to participate in this Grand Jury impaneling. The first thing we need to do this morning is check everyone in so we can have an official record of who attended.

“Before we get to that, I have a few housekeeping matters. First, please mute your microphones except when you are speaking. If you move your mouse over the Zoom window on your screen, a menu will show up along the bottom of the Zoom window. There is an icon on the left that looks like a microphone above the word “Mute”. If you click on it and a red line appears through the icon, you are muted. Click on it again when you want to speak.

“Second, please make sure to keep your camera on during the impaneling. We need to be able to confirm that you are participating.

“Third, in the menu along the bottom, there is a button that says Participants. If you click on that, a list of the participants will show up on the right side of your screen. At the bottom of the list is an option to “Raise your hand” If the **Judge** asks the group a question that you wish to answer or asks for a show of hands, you can click on “Raise your hand.” This will let the judge know you wish to speak. If you are on a tablet or cell phone using the Zoom App, you can tap the screen and a raise your hand icon will appear. Tap that to raise your hand. Please take a moment and raise your hand. (NOTE: If anyone does not raise their hand, help them do it)

Fourth, please make sure you are someplace where you won’t be interrupted. Please do not answer or receive phone calls or text during the Impaneling. Even though we are online, the protocols are the same as if you were in the actual courtroom. We will take breaks periodically so you can communicate then.

Finally, once we have confirmed attendance, an excuse letter will be emailed to you in case you need something to show your employer.

“In a few moments, you will be assigned to a breakout room where someone will confirm your name and juror number, make sure your screen name is correct, and mark you as here. Once everyone has been checked in, you will be returned to this main screen where we will begin with the Impaneling. Thank you again for being here. We appreciate your patience.”

* 1. While the **Emcee** is speaking, the **Host** should click on Breakout Rooms. This will open the Breakout Rooms Dialog Box. The Host should:
     1. Click “Recreate Rooms” This will make sure all participants get assigned to a room.
     2. Make sure the following options in the Breakout Rooms dialog box are checked:
        1. Allow participants to return to the main room at any time.
        2. Automatically move all assigned participants into breakout rooms.
     3. Un-check the following:
        1. Allow participants to choose room.
        2. Breakout rooms close automatically after 30 minutes.
        3. Countdown after closing breakout room.
  2. Each **Asst. Clerk** who is helping with check-in should:
     1. Confirm that they have been assigned the correct room. If not, they should leave the room they are in (by clicking “Leave Breakout Room”) and join their assigned room.
     2. Proceed with check-in according to the instructions below.
  3. **LATE ARRIVALS**: The **Clerk** should remain in the main room. Any jurors who arrive after the breakout rooms have been assigned should be admitted to the main room, checked in by the **Clerk** and told to wait in the main room until we start the impaneling.
  4. Once the **Emcee** has finished and the **Host** has made the appropriate assignments, the **Host** should click “Open all rooms”. This will send everyone to breakout rooms.
  5. **OBSERVERS / NON-PARTICIPANTS:** If someone logs in to the zoom meeting but is not a prospective juror or a staff person participating in the impaneling, they should be asked to leave and observe via the court’s YouTube channel.
  6. **REFUSAL TO IDENTIFY:** If a person joins the zoom meeting and does not have their name showing or their camera on, they should be asked to identify themselves. If they do not respond, the **Host** should be made aware. If they do not respond to the **Host**, they should be removed from the meeting. (Click on the three dots on their picture and select “Remove”.)
  7. **ALL staff members will be automatically moved to a breakout room.** If they are not conducting check-in, they can leave the breakout room and return to the main room to wait.

1. **CHECK IN PROCEDURE**
   1. The **Asst. Clerk** should begin by stating:

“Thank you again for your patience. When I call your name, please unmute yourself. I will ask you to confirm your name and juror number. If you have not already done so, I will change your screen name to include your juror number. Once you have been checked in, you should mute your microphone, and you can turn off your camera for a few minutes until we have finished checking everyone in. Once everyone has been checked in, I will let you know that we will soon be returning to the main room. Please make sure to turn your camera back on at that time.”

* 1. The **Asst. Clerk** should click the Participant button to display the list of jurors.
  2. They should call each juror’s name and do the following:
     1. Confirm their name and juror number with the Excel Sheet.
     2. Enter “Checked-In” in the “Checked In” column. If the template sheet was used, they should be able to use a drop-down for this.
     3. Confirm their phone number in the “Phone Number” column in case they get disconnected and need help.
     4. If their screen name is correct, then they are done.
     5. If their screen name is not correct, then click on their name in the “Text for Zoom Name” column in the Sheet. Hit “Ctrl-C” to copy the name. Hover over their name in the participant list in zoom. Select the button that says “More”. It will give you the option to select “Rename”. Once you do that, their name will appear in a dialog box. Hit “Ctrl-V” to paste their name in. Then click Ok. You could also manually type in “Juror #N – Last Name”. Their name should now match what was in the sheet.
     6. Once their screen name is correct, they are done.
  3. **OBSERVERS / NON-PARTICIPANTS:** If someone logs in to the zoom meeting but is not a prospective juror or a staff person participating in the impaneling, they should be asked to leave and observe via the court’s YouTube channel.
  4. **REFUSAL TO IDENTIFY:** If a person joins the zoom meeting and does not have their name showing or their camera on, they should be asked to identify themselves. If they do not respond, the **Host** should be made aware. If they do not respond to the **Host**, they should be removed from the meeting. (Click on the three dots on their picture and select “Remove”.)
  5. The **Asst. Clerk** should continue until they have checked everyone in. They should probably double check by asking “Is there anyone who I haven’t checked in yet?”
  6. Once the **Asst. Clerk** has confirmed that everyone is checked in, they should send a message using the Teams Group Chat that they are done and include their room number. They should also announce:

Thank you for your patience. We will be returning to the main room to start the Impaneling in a few moments. Please make sure your camera is on and your microphone is muted.

* 1. Once all **Asst. Clerk**s have reported that they are done, the **Host** will Close all breakout rooms. This will return everyone to the main room.
  2. If the **Judge** has not yet logged on, the **Host** or the **Emcee** should notify the **Judge** with the Check-In status so that the **Judge** can join the meeting.

1. **IMPANELING – INTRODUCTIONS AND INITIAL OATH**
   1. **THE HOST SHOULD ACTIVATE THE LIVE STREAM AT THIS TIME.**
   2. The Jury Panel will be returned to the main room after check-in.
   3. The **Judge** will proceed according to the Impaneling Protocol.
   4. The **Clerk** will administer the oath to the panel.
2. **IMPANELING – QUALIFICATIONS AND LEGAL EXCUSES (CCP EXEMPTIONS)** 
   1. The **Judge** will test qualifications and exemptions (See the Impaneling Protocol.)
      1. The **Judge** or the **Emcee** can explain that people can “Raise their hands” in response to a question using the “raise hand” function at the bottom of the participant listing. (See initial instructions from **Emcee** in IV above).
      2. The **Judge** may question jurors about their disqualification or exemption in the main room by calling on jurors by Juror Number. (The list of participants will sort alphabetically which will be by number here).
      3. The **Judge** may hear from potential jurors about any other reasons why they are unable to serve. Examples may include financial hardship, illness, or extended absences. The Judge may release a juror for any reasonable excuse.
      4. If a person is disqualified or excused, they may leave the Zoom meeting upon being released by the **Judge**.
      5. The **Clerk** (or designee) shall record any people disqualified or excused in the Google Sheet.
      6. The **Emcee** should keep a list of the juror numbers who ask to discuss their qualification or legal excuse “at the bench”. They will then be called in one by one.
3. **BENCH CONFERENCE INSTRUCTIONS**
   1. While the **Judge** is talking, the Host will create a new set of breakout rooms. There will be two rooms for jurors (in case they are needed later) and the “Bench Conference” room.
      1. The **Host** should make sure the settings for this room are changed to **Manually assign participants**
      2. The Host should assign the **Clerk** to the Bench Conference room in order to record any potential jurors who are excused in the Google Sheet.
      3. The Emcee should track the names/numbers of jurors who wish to speak to the judge at the bench. This may be best accomplished by asking people to raise their hands on the app. This brings them to the top of the participant list.
   2. When the **Judge** is ready for bench conferences, the Host will assign the **Judge**, the **ADA**’s, the **Clerk**, and the first juror to the Bench Conference breakout room. The **Emcee** will remain in the main room and watch the Teams chat.
   3. The **Judge**, **ADA’s** will meet with the prospective juror. If the **Judge** excuses the juror, they are released and free to leave the meeting. If the **Judge** does not excuse the juror, they leave the breakout room and return to the main meeting.
   4. The **Clerk** then notifies the **Emcee** via the Teams Chat that they are ready for the next juror.
   5. The **Emcee** announces the Juror Number of the next juror on the list who asked to speak at the bench.
   6. The **Host** assigns that person to the Bench Conference room.
   7. When the last person is sent into the Bench Conference Room, the Emcee will post that fact in the Teams Chat.
   8. Once all jurors have been heard, everyone in the Bench Conference Room shall exit the room and return to the main room.
4. **IMPANELING – CHALLENGES TO THE ARRAY**
   1. The **Judge** asks whether there are any challenges to the array.
   2. The **Judge** shall note whether any challenges have been received from the jail.
5. **IMPANELING – EXPLAIN NEXT STEPS AND BREAK**
   1. **BREAK** – The **Emcee** announces a 10-minute break and reminds jurors to remain in the zoom meeting and not log off.
6. **IMPANELING OPTION - SPLITTING THE GROUP**.
   1. If the Judge wants to be able to view all participants on one screen, then the
      1. If the decision is made to split the group, the Host shall create enough breakout rooms for each group of jurors plus one room for Bench Conference. (This can be done earlier).
      2. The Host should make sure the rooms are set to be **manually assigned**.
      3. The Host should assign jurors except those in the first group to the breakout rooms.
      4. Once jurors return from break, the **Emcee** should announce:

“The **Judge** will be talking with you about issues related to the kinds of cases that may come before the grand jury. To make this easier, you will be questioned in groups. In a few moments, some of you will be placed into breakout rooms. A notice will show up on your screen saying that you have been assigned to a breakout room. Click “Enter Breakout Room” to enter the room. You should remain logged in while you are in the breakout room. Once the **Judge** is ready for you, you will be asked to exit the breakout room. Thank you for your patience and cooperation.

* + 1. The Host should then open the breakout rooms. All jurors except the ones in the first group should be placed in breakout rooms.
    2. The **Judge** should then proceed to Questioning Jurors about types of cases.

1. **HARDSHIP/PERSONAL EXCUSES**
   1. After the **Judge** has responded to any objections to jurors, the **Judge** may hear from potential jurors about any other reasons why they are unable to serve. Examples may include financial hardship, illness, or extended absences.
   2. The Host (or a designee) will keep a list of jurors who request a bench conference.
   3. The Host will assign the **Judge**, **ADA**’s and the designated **Asst. Clerk** to the Bench Conference breakout room.
   4. The **Judge**, **ADA**’s, and the designated **Asst. Clerk** will meet with the prospective juror. If the **Judge** excuses the juror, they are released and free to leave the meeting. If the **Judge** does not excuse the juror, they leave the breakout room and return to the main meeting.
   5. The **Asst. Clerk** then notifies the **Emcee** that they are ready for the next juror.
   6. The **Emcee** announces the Juror Number of the next juror on the list who asked to speak at the bench.
   7. The Host assigns that person to the Bench Conference room.
   8. Once all hardship/personal excuses have been heard, the **Judge**, **ADA**’s, and **Asst. Clerk** will exit the breakout room and return to the main room.
   9. If the group has been split into smaller groups,
      1. the **Judge** or the **Emcee** tells the remaining panelists that they will be placed in a breakout room and to wait until they are told to return.
      2. The Host assigns the people in the main room to a breakout room and sends them.
      3. The Host or a designated **Asst. Clerk** enters the breakout room with the next group and directs the that group to exit the room and return to the main room. (“Leave Room” button)
      4. The **Judge** then proceeds to question this group in the same manner described above.
      5. Once all groups have been questioned, the Host will close the breakout rooms so all remaining potential jurors are in the main room.
      6. the **Judge** will proceed with the Selection of Grand Jurors below.
   10. If the group was not split, proceed with Selection of Grand Jurors below.
2. **SELECTION OF GRAND JURORS**
   1. The **Clerk** shall confirm the list of remaining potential jurors by calling the names of all jurors who remain according to the list in the Google sheet.
   2. The **Judge** or the **Emcee** will announce a short break to let the **Judge** select jurors. Jurors are instructed to remain in the meeting room but can turn off their cameras so long as they can hear to rejoin when the break is over.
   3. The Host will pause the live stream if possible.
   4. The Host will place the **Judge**, **ADA**’s and **Clerk** (or designee) in the Bench Conference Breakout Room.
   5. The **Judge** shall select 12 Grand Jurors and 4 Alternates from the list of remaining potential jurors.
   6. The **Judge** shall appoint a Foreperson and Assistant Foreperson.
   7. The **Judge**, **ADA**’s and **Clerk** will leave the Bench Conference breakout room and return to the main room.
   8. The Host will restart the livestream.
   9. The Host can close breakout rooms at this point.
   10. The **Judge** shall announce the names of the Grand Jurors and Alternates as well as the name of the Foreperson and Assistant Foreperson.
   11. The **Clerk** shall record the names of the Grand Jurors and Alternates in the Google Sheet. They shall record the name of the Foreperson and Assistant Foreperson.
   12. The **Judge** releases those potential jurors who were not selected. They are free to log off from the meeting.
3. **SWEARING OF GRAND JURY AND READING OF THE CHARGE.**
   1. The **Clerk** administers the oath to the Grand Jurors and Alternates.
   2. The **Judge** reads the Charge to the Grand Jury.
   3. The **Judge** provides any further instructions or closing statements.
   4. The **Emcee** (or **D.A.**) provides information about orientation and next steps.
   5. Meeting adjourns.
   6. **THE HOST SHOULD TURN OFF THE LIVE STREAM.**