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James M. Biernat Jr., Chief Judge
16th Judicial Circuit Court,
Macomb County Probate Court,
42nd District Courts

News



For Immediate Release

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Jury Trials and Safety



In order to insure that civil litigants and criminal defendants rights are protected and as part of the phased reopening mandated by the State Supreme Court (more info available at <https://courts.michigan.gov/News-Events/covid19-resources/Documents/ReturntoFullCapacityGuide.pdf>) the 16th Judicial Circuit Court began resuming jury trials this week. On Monday of this week, the first jury selection was conducted remotely via Zoom by Judge Michael E. Servitto. On Tuesday of this week, the first in-person jury selection was conducted at the Courthouse by Chief Judge James M. Biernat, Jr. The jury selection process went smoothly in both cases, and numerous safeguards are in place to assure the health and safety of everyone reporting to jury duty.

In order to protect the health of the most vulnerable during the pandemic, the Court has been allowing postponements for anyone who is in a high risk category or caring for someone in a high risk category. Everyone is asked if they fall into these categories when filling out their jury questionnaire, and they are allowed an automatic deferral of their jury service if they do. Anyone who has been exposed to COVID-19, has been diagnosed with the disease, or is experiencing symptoms associated with COVID-19, will also have their service postponed.

They may contact the jury clerk for a postponement. Under no circumstances are they permitted in the courthouse.

Everyone arriving at the Courthouse for Jury Service must check in at MacombCheckIn.com. This app asks a series of health questions, and when you have completed the survey and the jury room is ready for people to enter, they receive a text message. If a juror does not have a cell phone or a smartphone, they can check in at a kiosk at the courthouse and wait for further instructions from security. To avoid bottlenecks and insure social distancing while checking in, a few jurors receive text messages to enter at a time. Additionally, everyone is scanned with a touchless thermometer before entering the building.

All surfaces in the Courthouse are being cleaned regularly and in accordance with applicable guidelines. No one is allowed to enter the building without face masks, and face masks will be provided for any juror who needs them. Hand sanitizer, gloves, and disinfectant wipes are also available in the jury room and in the courtrooms. The jury room and the courtrooms have been configured to ensure that 6 foot separation be maintained at all times, with significantly reduced seating to accommodate social distancing. Elevator capacity is limited. And the business conducted on any given floor of the building is being limited to ensure adequate spacing.

The Court is continuing to follow the guidelines established by the Supreme Court and the State Court Administrative Office in the return to jury trials. A summary of the new standards, from State Court Administrator Tom Boyd, is available here: <https://courts.michigan.gov/News-Events/covid19-resources/COVID19/09-25-20-RecommendedMetricsForJuryTrials.pdf>

Chief Judge James M. Biernat, Jr. stated “The Constitutional right to trial by jury is one of the most fundamental rights on which our system of justice is based. A free society like ours depends on ensuring that everyone’s rights are respected. In order to balance our legal duties with the safety of the public, we are doing everything possible to ensure the safety of all prospective jurors. I want to thank everyone for their understanding and their willingness to ensure that the rule of law is respected in these trying times.”

For more information see our video regarding Jury Duty and Safety from the link below:

[Jury Duty and Safety Video - 16th Judicial Circuit Court and Macomb County Probate Court](#)

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