

IN THE 11TH JUDICIAL DISTRICT OF THE STATE OF NEBRASKA

IN RE: TEMPORARY)
PROCEDURES REGARDING) ADMINISTRATIVE ORDER RE: JURY TRIALS
JURY TRIALS IN RESPONSE)
TO THE COVID-19 PANDEMIC) IN THE COUNTY COURTS
)

The state of emergency in Nebraska due to the COVID-19 pandemic continues and in response thereto, on November 6, 2020, the Chief Justice of the Nebraska Supreme Court issued an Administrative Order. Such order determined the pandemic conditions in the state require “precautions to limit the spread of COVID-19” and the order advised judges in each judicial district to devise a uniform plan of measures designed to limit the transmission of COVID-19 to court staff, litigants, attorneys and other participants including prospective jurors.

The Nebraska Department of Health and Human Services (NDHHS) reported during the week of November 14th through 20th 2020, nearly 2,400 Nebraskans tested positive for COVID-19 every day, a rate five times higher than in the Spring of 2020. Over the twelve days before November 14, 2020, the number of confirmed cases in Nebraska increased from 82,400 to 109,280, a 32.6 % increase and more than 17.5% of tests were positive for COVID-19. The number of persons hospitalized during the six weeks before November 20, 2020 tripled and average deaths per day rose from 3.1 to 19.9.¹ COVID-19 pandemic infections and deaths are increasing at an exponential rate and Nebraska’s health-care system is at risk of exceeding the capacity of hospitals to care for the sick and dying.

Therefore, IT IS ORDERED:

1. All civil and criminal cases scheduled for a jury trial to commence on or before January 15, 2020 before any county judge in the 11th Judicial District of Nebraska are continued pending further order of the courts.

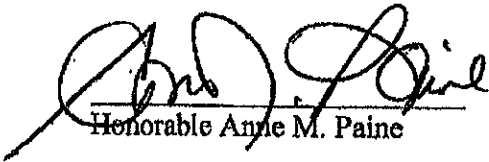
¹ *Coronavirus COVID-19 Nebraska Cases*, Neb. Dep’t. Health and Hum. Servs., <https://bit.ly/3ehVdWk> (last accessed November 23, 2020).

2. With respect to jury trials in criminal cases, due to the increasing rate of COVID-19 infections and the effects of adherence to public health recommendations concerning court operations,² and because of the courts' inability to safely summon, assemble and retain an adequate cross-section of jurors and the inability to safely protect litigants, attorneys, witnesses, and other participants in judicial proceedings, the district courts find the interests of public safety and the protection of court personnel, litigants, attorneys, and jurors and the community from the spread of the virus constitute good cause for the periods of delay resulting from such continuances.

3. The county courts of the 11th Judicial District may vacate, extend, or amend this order as local circumstances may require on or after January 15, 2021.

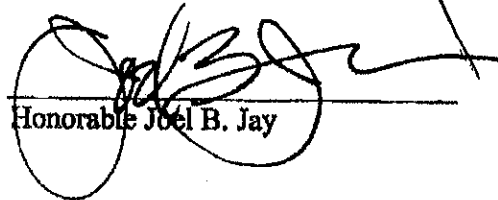
Dated this 24th day of November 2020.

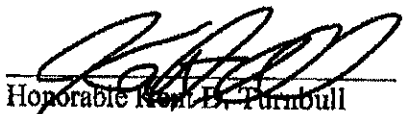
BY THE COURT:


Honorable Annie M. Paine


Honorable Edward D. Steenburg


Honorable Jeffrey M. Wightman


Honorable Joel B. Jay


Honorable Neil B. Turnbull

² Court System COVID-19 PLAYBOOK, Global Center for Health Security, University of Nebraska Medical Center, https://www.unmc.edu/healthsecurity/_documents/Court-System-Playbook.pdf (last accessed Nov. 23, 2020).