

29<sup>TH</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. CHARLES

STATE OF LOUISIANA

IN RE: SEPTEMBER 2020 JURY TRIALS IN DIVISION "D"

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**ORDER CONTINUING CRIMINAL JURY TRIALS IN DIVISION "D"**

Considering advisories issued by the Center for Disease Control ("CDC") and the Louisiana Department of Health concerning the COVID-19 (Coronavirus) outbreak, the public health emergency declarations issued by Governor John Bel Edwards, and on further considering the directives set forth in Orders issued by the Supreme Court of Louisiana, including the May 15, 2020, and June 5, 2020, Orders, and the Supreme Court of Louisiana's determination that cases should move forward at the discretion of the trial judge;

Considering the fact that the State of Louisiana remains in Phase 2 of the Governor's planned return to full activities;

Considering the public health risks associated with summoning large groups of prospective jurors who would be required to sit in relatively close proximity to each other during jury selection and during trial and deliberation, if selected;

Considering the current lack of appropriate equipment needed to maintain social distancing in the courtroom during challenges to individual jurors by attorneys as well as during the trial within the jury box;

Considering the increased and very high risk of severe illness from contracting COVID-19 to persons over the age of 65 and those who suffer from several illnesses identified by the CDC, and that it is not safe for counsel, witnesses, jurors, court staff, defendants, or members of the public to be present in the courtroom for a criminal jury trial;

Considering the Court's reduced ability to obtain an adequate spectrum of prospective jurors due to the public's perception of the risks associated with jury service;

Considering that cases of COVID-19 were diagnosed among employees working at the courthouse; and

Considering that public health professionals have learned that people who are infected but who are asymptomatic or pre-symptomatic contribute to community spread;

**THE COURT ORDERS** that all criminal jury trials currently scheduled for September 2020 are **CONTINUED** pending further orders of the Court pursuant to Louisiana Code of Criminal Procedure Article 701 for just cause, *i.e.*, grounds beyond the control of the State or Court, namely the spread of disease during the COVID-19 pandemic. Therefore, the time period of these continuances will be excluded under the speedy trial article. The Court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and defendants in a speedy trial.

The Court is actively monitoring the current state of the pandemic and developing strategies to mitigate the stated challenges.

Hahnville, Louisiana, this 18<sup>th</sup> day of August, 2020.



Mary Lemmon (Aug 12, 2020 15:47 CDT)

M. LAUREN LEMMON, District Judge,  
Division "D"