

IN THE SUPREME COURT OF THE STATE OF ALASKA
SPECIAL ORDER OF THE CHIEF JUSTICE
ORDER NO. 8322

Update regarding COVID-19 and Civil Jury Trials

Under the authority of Supreme Court Order No. 1957 and further to Special Order of the Chief Justice No. 8213,

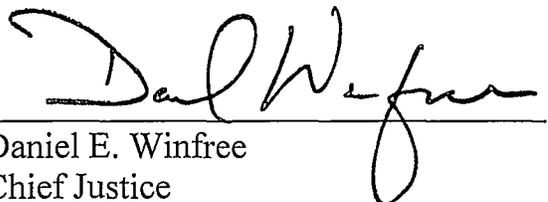
IT IS ORDERED:

1. All in-person civil jury trials are suspended until November 1, 2021. This suspension does not apply to trials (such as presumptive death trials) in which videoconference proceedings have been approved.

2. The presiding judge may allow an in-person civil jury trial before November 1, 2021, at the request of a trial judge or of the parties. A party may request such an order by making a motion to the assigned trial judge. The trial judge shall make findings on all relevant factors and submit a recommendation to the presiding judge for decision. When making this decision, the presiding judge shall consider all relevant factors, including:
 - a. The parties' positions;
 - b. The age of the case;
 - c. The number of required participants;
 - d. The expected length of the trial;
 - e. The facilities available for the trial;

- f. The prejudice suffered by any party from proceeding or not proceeding to trial;
 - g. The need to prioritize criminal trials;
 - h. Any local quarantine requirements or other health mandates; and
 - i. The COVID-19 case counts and case rates for the area or location as set forth in the Alaska Department of Health and Social Services Coronavirus Response Hub Summary Table 2c (<https://alaska-coronavirus-vaccine-outreach-alaska-dhss.hub.arcgis.com>).
3. All trial participants shall follow the safety precautions outlined in Special Order of the Chief Justice No. 8310 or any superceding orders.
 4. Trials ordered under paragraph 2 shall follow the jury selection procedures and trial procedures listed in Chief Justice Order No. 8194 sections C and D or any superceding orders, except face shields are not permitted unless to accommodate an American with Disabilities Act (ADA) issue. Trial judges shall continue to use pretrial conferences and other tools to monitor pretrial discovery, resolve pretrial disputes, and encourage settlement.
 5. The presiding judge may approve a request for a jury trial to be conducted by videoconference by agreement of the parties. All other court proceedings shall be conducted by teleconference or videoconference whenever possible.

DATED: August 31, 2021


Daniel E. Winfree
Chief Justice

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