

Jury trials to resume next month in Massachusetts courts

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Jury trials will begin to resume on a limited basis next month, officials announced Thursday, a major step forward after the pandemic prompted courthouses to pause most in-person business and proceedings.

Under a new order from the Supreme Judicial Court, individual courts will start the first phase of reviving jury trials on Oct. 23. Juries will be limited to six people, and each participating court location will hold no more than one trial at a time to avoid excessive crowding that could render social distancing impossible.

Courts can empanel new grand juries, though the SJC said they will be subject to conditions aimed at minimizing risks. The chief justice of each Trial Court department will work with the Trial Court's chief justice to decide which cases go to jury trials in Phase 1, which will last until at least February 2021, according to the SJC.

A second phase of the resumption of jury trials is scheduled for February, but could change based on public health metrics. Courthouses have been open to the public since July for limited services that cannot be handled virtually or are able to be transacted more smoothly in person, and that practice will continue during the first phase of trials. Judges will also continue to schedule and conduct bench trials both remotely and physically.

The plans generally align with recommendations the Jury Management Advisory Committee outlined in July, one part of which called for trial cases to be limited temporarily to less

serious topics such as minor criminal charges and civil matters.