MEMORANDUM AND ORDER

TO: Addison County Bar Association

FR: Alison Arms, Presiding Judge, Mahady Courthouse

DT: July 29, 2020

RE: Jury Restart, Addison County

 I hope this finds you and your families well.

On July 27, 2020 undersigned was provided with a copy of the Supreme Court Jury Restart Committee: Report on Resumption of Criminal Jury Trials (Jul. 20, 2020)(hereinafter Report). There, the Committee identified Addison County as a court wherein jury trials, once commenced, may consist of no more than six jurors. The purpose of this Memorandum and Order is to identify those trial ready cases wherein the parties agree to six-person juries in an effort to formulate a unit plan for resumption of trials in Addison County consistent with other guidance in the Report.

 Jury draw will not occur for cases which are currently scheduled for jury draw to occur in September 2020, yet the pretrial hearings which are currently scheduled for September 15, 2020 will be held. The pretrial hearings will be more in the nature of a status conference. The Report suggests multiple steps to ensure the safe resumption of trials which are dependent upon decision making by the Court Administrator’s Office and others which are not expected in time to allow for commencement of trials in September 2020. One of the preliminary steps requires an assessment of the number of cases to be tried as an initial matter and on an ongoing basis as we undertake our preparations.

In order to assess the volume of cases to be tried, all practitioners representing clients charged with pending criminal cases that are trial ready (currently scheduled for a pretrial and draw) should notify the Addison County Criminal docket clerk in writing by August 30, 2020 as to whether trial by judge, six-person or twelve-person jury is requested. Requests for an update of this nature made be made periodically on an ongoing basis.

I’m happy to answer any questions that folks have about resuming trials to the extent that I have them. Please feel free to forward your questions to Becky.penberthy@vermont.gov.

Hon. Thomas Carlson is the incoming Presiding Judge in Addison County, beginning on September 8, 2020. Updates regarding trial readiness will be communicated to the Bar as they develop by either Judge Carlson or myself.

Thank you all for your patience and understanding with this process.

Alison Arms