

FOR IMMEDIATE RELEASE
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Delaware Courts pause jury trials in response to increasing COVID 19 cases

Delaware Court facilities remain open, but will transition back to Phase Two restrictions, grand jury proceedings, bench trials, and hearings will continue

Today, Chief Justice Collins J. Seitz, Jr., in consultation with the other Justices of the Delaware Supreme Court and the Presiding Judges of all state courts, announced that the Delaware Courts will postpone jury trials and transition back to Phase Two of the Delaware Courts' four-phase reopening plan.

The change is being made based on public health guidance and advice from the courts' infectious diseases expert, Dr. Alfred Bacon, M.D. "There has been a concerning rise in the number of COVID-19 cases in Delaware, putting a strain on the state's healthcare system. We believe it is prudent at this time to pause our reopening plans until the situation stabilizes. By stepping back to Phase Two restrictions we will once again limit the number of people at our court facilities – both visitors and staff – to limit the possible spread of COVID-19. It is important to note that the Delaware Courts will not be closing to the public like we did in March. Court facilities will remain open to the public. The transition back to Phase Two means that some restrictions that had been lifted in October will be re-imposed," said Chief Justice Seitz. "Based on the advice we are receiving, and what other state courts are doing, we think stepping back to Phase Two is the safest course of action until after the holiday season. We will continue to monitor the situation, and reassess the public health concerns after the first of the year. The health and safety of judicial branch employees, the Delaware Bar, and the public is our top priority."

During Phase Two, Delaware Court facilities will remain open to the public but the staffing levels and building capacity will decrease from 75 percent to 50 percent. In addition, no more than 10 visitors will be allowed in any courtroom. Proceedings involving non-incarcerated individuals can continue, including non-jury civil and criminal trials. Grand jury proceedings will also continue. In most cases this means Delaware Courts will continue to conduct business whenever possible through video or audio conferencing technology and employees will work remotely. The Delaware courts will always be available to handle emergency matters, whether civil or criminal.

The Delaware Courts launched the four-phase reopening plan (available on the courts' website here: <https://courts.delaware.gov/aoc/courtsreopeningplan.pdf>) with Phase One commencing on June 8, 2020 and Phase Two, following quickly thereafter, on June 15, 2020. The Delaware Courts moved to Phase Three on October 5, 2020. Earlier this month the Chief Justice signed the eighth 30-day extension of the judicial emergency order which was first declared in response to the pandemic on March 16, 2020. The latest order, returning the Delaware Courts to Phase Two of the reopening plan can be found here: <https://courts.delaware.gov/rules/pdf/COVIDOrder13.pdf>.

The Delaware Courts continue to provide the public and members of the Bar with regular updates on changes to court operations on the Court's COVID-19 response page: <https://courts.delaware.gov/aoc/covid-19>.

For the latest information on COVID-19, please visit the State of Delaware's informational website on COVID-19 at: de.gov/coronavirus. Anyone with a question about COVID-19, whether related to medical or social service needs, should call Delaware 2-1-1. Individuals who are deaf or hard of hearing can text their ZIP code to 898-211. Hours of operation are 8 a.m. to 9 p.m. Monday through Friday; 9 a.m. to 5 p.m. Saturday and Sunday. Questions can also be submitted by email at DPHCall@delaware.gov.