

WSR 24-16-103
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED ) ORDER
NEW RULE GR 41—JURY ) NO. 25700-A-1577
SELECTION BY USING REMOTE )
TECHNOLOGY )

The BJA Remote Proceedings Work Group, having recommended the adoption of the proposed new rule GR 41—Jury Selection by Using Remote Technology, and the Court having considered the proposed new rule, and a majority having determined that the proposed new rule as revised by the Court will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j) (1), the revised proposed new rule will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 7th day of June, 2024.

Table with 2 columns of names: Johnson, J.; Madsen, J.; Owens, J.; Stephens, J. on the left; Gonzalez, C.J.; Yu, J.; Montoya-Lewis, J. on the right.

GR 41
JURY SELECTION BY USING REMOTE TECHNOLOGY
[NEW]

(a) Scope of rule. This rule addresses the procedures for conducting jury selection using remote technology.

(b) Jury selection using remote technology. In all cases, jury selection may be conducted using remote technology in which all participants can simultaneously see, hear, and speak with each other. The technology should be of sufficient quality to ensure participants are easily seen and understood.

(c) Procedures prior to jury selection. The court may divide the venire into smaller groups and determine the number of remote participants per voir dire session. The court shall confirm with prospective jurors that they can participate in jury selection using remote technology. The court shall not excuse potential jurors from jury service who cannot participate in jury selection using remote technology due to lack of resources or access and shall arrange for alternative methods, including but not limited to in-person voir dire, for such potential jurors.

(d) Juror remote appearance. The juror's demeanor and appearance shall remain their own as if they were in person and shall not be manipulated or altered.