

**Memo**

**March 12, 2021**

**RE: Civil Jury Trials-Greenville County**

**From: Perry H. Gravely, Chief Administrative Judge-Civil**

Based on the Order from the South Carolina Supreme Court, Jury Trials may begin after April 5, 2021. After careful deliberation, the schedule and procedure for addressing the backlog of jury trials is set forth below.

Terms of Court. For the next several months in Greenville County, Civil trials will be conducted the 1<sup>st</sup> and 4<sup>th</sup> week of each month and Criminal trials will be conducted on the 2<sup>nd</sup> and 3<sup>rd</sup> weeks of each month—even though the docket published by Court Administration may state something different. We will not be holding Criminal and Civil Court during the same week. At this point, we do not anticipate having more than 1 Judge conduct trials during any given week. Civil Terms for the next several months will be the following Weeks: April 26 (Verdin), May 24 (Kinlaw), June 1 (Sprouse) and June 21 (Kinlaw). Note that May 3 is a Chambers week and May 31 is Memorial Day.

Date Certain Trials. For now, all cases which had been scheduled for Date Certain Trials have been postponed. Since trials will take a little longer because of COVID protocol, we do not believe that most of these cases could be tried in 1 week. When the terms of Courts for July-December, 2021 have been published, we will then schedule Status Conferences at which time we will address all request for Date Certain Trials which had been set in 2020 and this year.

Roster Meeting. Most every unresolved case which was on a roster last year, except for Date Certain Trials, has been placed on the “Current Roster” for the Virtual Roster Meeting scheduled for **March 17, 2021** beginning at 10am. The times are staggered, so the Attorneys/Parties will need to review the published roster to determine the time slot for your case. At the roster meeting, Attorneys /Parties should be prepared to report the status of their cases. If neither side is able to attend, please consult with the opposing side and email Lyndall Coker with the status of your case.

Order of Cases. For the “Current Roster”, the cases will be called according to the date of filing. There are certain cases which have priority according to certain statutes. We may not be able to try all cases in the exact order due to length of trials and time constraints. All cases from the March 17 Roster Meeting will be placed on the April 26 roster and ALL CASES not reached will roll over to the next terms as listed above. Continuances will only be granted for exceptional circumstances. All attorneys and parties should monitor the roster regularly to determine when their case may be reached and be ready for trial when called. If not ready for trial, then the parties should consider a dismissal under Rule 40(j).

Jury Qualification. The qualification process creates one of the biggest logistical issues since we cannot have an entire jury venire and all attorneys in the Jury Assembly room. We will have to handle jury qualification by dividing the pool into panels at separate times. We are looking into conducting the venire, for qualification only, by WebEx, so that all attorneys with cases on the roster will have the opportunity to review this process. For the actual selection of jurors for a particular case, all attorneys will be allowed to appear in person.

The Court is very aware that this is a frustrating time and that some of these measures will cause further delays. Unfortunately, there is only so much we can do with the required parameters. Please remain patient with the Court, Clerk staff, opposing counsel and parties. We need to assure that we provide access to the Court System in a safe environment. This may be a slow process for the next several months, but hopefully we will back to full speed before too long. Also, as we proceed, changes in this process may be warranted and we will continue to update you on any such changes. Thanks for your cooperation in this endeavor.