

**IN THE SUPREME COURT OF THE STATE OF ALASKA**  
**SPECIAL ORDER OF THE CHIEF JUSTICE**  
**ORDER NO. 8441**

Update regarding COVID-19 and Presumptive Jury Trial Sites

During the pandemic, the chief justice issued several orders regarding some presumptive jury trial sites that had size limitations with social distancing requirements.<sup>1</sup> On April 22, 2022, Chief Justice Special Order [8398](#) provided an update that the Centers for Disease Control and Prevention's (CDC) Community Level<sup>2</sup> is the appropriate tool to

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<sup>1</sup> The Chief Justice issued Special Orders [8259](#), [8289](#), and [8290](#) regarding the need to relocate some presumptive jury trial sites due to social distancing related size restrictions in courtrooms. For misdemeanor trials, this included:

- Anagoon trials would occur in Sitka;
- Hoonah and Yakutat would occur in Juneau;
- Kake trials would occur in Petersburg;
- Unalakleet trials would occur in Nome; and
- St. Paul and Sand Point trials would occur in Anchorage.

For felony trials, this included:

- Petersburg trials would occur in Ketchikan;
- Wrangell trials would occur in Ketchikan;
- Naknek trials would occur in Dillingham;
- Cordova and Glennallen trials would occur in Valdez;
- Unalaska trials would occur in Anchorage or Dillingham;
- Seward trials would occur in Kenai;
- Delta Junction trials would occur in Fairbanks; and
- Tok trials would occur in Fairbanks.

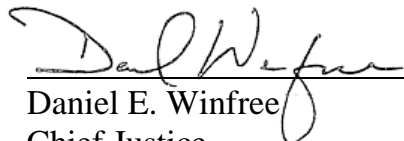
<sup>2</sup> CDC adopted COVID-19 Community Levels, a tool to help communities decide what prevention steps to take based on the latest data. See [www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html](http://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html).

determine if a presumptive trial site can be used. On August 11, 2022, the CDC updated its guidance and no longer recommends that people social distance and stay six feet from others.<sup>3</sup> The guidelines regarding masks have not changed. This order recognizes the updated CDC guidance to determine if a presumptive trial site can be used.

IT IS ORDERED:

1. When the CDC COVID-19 Community Level alert levels come down below the high level after two consecutive weekly readings, courthouses in the communities listed in footnote 1 may be used as presumptive trial sites, provided that jurors and courtroom participants can comply with Order [8440](#).
2. Jury trials already scheduled at a specific court location when this order is issued will remain at the scheduled location.
3. Regardless of the CDC COVID-19 Community Level, the presiding judge has discretion to continue to suspend a location as a trial site based on local conditions or courtroom specific issues.

DATED: August 17, 2022

  
Daniel E. Winfree  
Chief Justice

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