

IN THE COUNTY COURT OF THE 15TH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA.

COUNTY CRIMINAL DIVISION “B”

IN RE: DIVISIONAL GUIDELINES ON REQUIRING
MASK REMOVAL DURING JURY TRIALS

In Re: Divisional Guidelines on Requiring Mask Removal During Jury Trials

The Court has been presented with one or more motions seeking to have the Court require testifying witnesses and prospective jurors remove his or her mask while on the witness stand or responding to inquiries during voir dire.

The Chief Judge has entered Administrative Orders addressing this subject. These guidelines are to be construed in a manner consistent with those Administrative Orders.

The guidelines are not to be construed as the “policy” of this Court. Rather, the contents herein are merely advisory and offer this Court’s understanding of its obligations and limitations.

The Court’s view is that whether a prospective juror or a testifying witness should be asked to remove a mask is to be resolved based on the particular circumstances at the time removal is requested. The Court does not believe it has the authority to require anyone in the courtroom to remove a mask if that person refuses in light of current public health concerns. However, the Court will entertain an ‘ore tenus’ motion to ask a prospective juror while participating in ‘voir dire’ or witness testifying at trial to remove a mask. Lack of clarity in understanding a masked person’s responses or determining credibility will be primary grounds for requesting mask removal. In the event the Court

grants a party's request that a prospective juror or testifying witness remove a mask, and the person refuses the Court's request, the Court will discuss with the parties the appropriate response from the Court.

Entered at West Palm Beach, Florida, this 23rd day of February, 2021.



LEONARD HANSER
County Court Judge

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15th Judicial Circuit website