

**RESOLUTION OF NASSAU COUNTY JURY BOARD**  
**RELATED TO VIDEOCONFERENCING OF MEETINGS**

**WHEREAS**, the Nassau County Jury Board (“Board”) consists of the Justices of the Supreme Court residing in Nassau County, the Nassau County Surrogate and the Judges of the County Court in Nassau County; and

**WHEREAS**, there may be situations in which one or more members of the Board cannot attend a meeting of the Board due to disability, illness, caregiving responsibilities, significant conflicting duties, or other extraordinary circumstances; and

**WHEREAS**, the public interest is best served if Board members facing such extraordinary circumstances are nonetheless able to attend and participate in such meetings remotely; and

**WHEREAS**, the public interest is further served if members of the public are also able to attend meetings remotely; and

**WHEREAS**, Executive Law § 103-a permits public bodies to conduct meetings using videoconferences, which allows members of those public bodies who are unable to attend meetings in person to attend such meetings remotely, and also allows the public to attend such meetings remotely; and

**WHEREAS**, the Board wishes to permit the use of videoconferencing at Board meetings, in order to maximize the ability of Board members and the public to attend meetings of the Board;

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED** that pursuant to Executive Law § 103-a(2)(a), the Nassau County Jury Board hereby authorizes the use of videoconferencing at its Board meetings; and it is further

**RESOLVED** that pursuant to Executive Law § 103-a(2)(b), the Nassau County Jury Board hereby adopts the written procedures attached hereto as Exhibit A to govern member and public attendance at any Board meetings utilizing videoconferencing.

## **Exhibit A**

### **Procedures for Nassau County Jury Board Meeting Videoconferencing**

The following procedures are hereby established to permit the Nassau County Jury Board to use videoconferencing to conduct its meetings.

1. Each member of the Nassau County Jury Board shall be physically present at any meeting of the Board unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes but is not limited to disability, illness, caregiving responsibilities, significant conflicting duties, or any other significant or unexpected factor or event which precludes physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Administrative Judge of the Tenth Judicial District, Nassau County of that fact and the reasons for such inability no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Nassau County Jury Board shall update its notice as soon as practicable to include that information. If it is not practicable for the Nassau County Jury Board to update its notice, the Nassau County Jury Board may reschedule its meeting.
4. If there is a quorum of members participating at one or more physical locations open to the public, the Nassau County Jury Board may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Nassau County Jury Board, but may participate and vote if there is a quorum of members at one or more physical locations open to the public; provided, however, that if a member has a disability as defined in Executive Law § 292 and that disability prevents such member from participating in person at such meeting, such member shall be considered present for the purposes of fulfilling the quorum requirement.
5. Except in the case of executive sessions, the Nassau County Jury Board shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely.

7. The public notice for any meeting utilizing videoconferencing shall inform the public: (i) that videoconferencing will be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.

8. The Nassau County Jury Board shall provide that each open portion of any meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the website for the 10<sup>th</sup> Judicial District Nassau County within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If videoconferencing is used to conduct a meeting, the Nassau County Jury Board shall provide the opportunity for members of the public to view such meeting by video. If the Board authorizes public comment or participation at such meeting, then members of the public will be permitted to participate in the proceedings via videoconference in real time, and the videoconferencing will allow the same public participation or testimony as in person participation or testimony.

10. Meetings of the Nassau County Jury Board conducted using videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.

11. The in-person participation requirements set forth in these procedures shall not apply during a state disaster emergency declared by the Governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law if the Nassau County Jury Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Nassau County Jury Board to hold an in-person meeting.

12. These procedures shall be conspicuously posted on the Nassau County Courts website.