



**THE TRIAL COURT OF MASSACHUSETTS  
EXECUTIVE OFFICE OF THE TRIAL COURT**

John Adams Courthouse  
One Pemberton Square, 1M  
Boston, MA 02108

**Paula M. Carey**  
Chief Justice of the Trial Court

**Jonathan S. Williams**  
Court Administrator

November 23, 2020

Andrea Harrington  
Berkshire County District Attorney  
7 North Street  
P.O. Box 1969  
Pittsfield, MA 01201

Dear District Attorney Harrington:

I write in response to your November 18, 2020 letter concerning the resumption of jury trials in Berkshire County.

Please be assured that the Trial Court has been working since the start of the pandemic on addressing all aspects of modified court operations, including jury trials. Furthermore, we share your concerns about not having an appropriate space in Berkshire County in which to conduct jury trials. However, we need to ensure that the location or locations that are ultimately selected are safe for all participants, including jurors, parties, attorneys, and court personnel. Accordingly, we contracted with Tighe & Bond, and they began conducting assessments of our buildings in August 2020, starting with locations identified in the July 31, 2020 Jury Management Advisory Committee (JMAC) [Report and Recommendations](#) to the Justices of the Supreme Judicial Court on the Resumption of Jury Trials in the Context of the COVID-19 Pandemic. The locations in the JMAC report were identified based on square footage and building configuration. An assessment of Berkshire Superior Court was conducted on October 2, 2020. The building system analyses aided us in determining that we are unable to safely bring additional people into certain buildings in order to conduct jury trials. Once the assessments were completed, and even before we received the final reports, we began exploring other options. We plan to publish the building assessment reports as they are completed.

The Trial Court has been actively collaborating with the Division of Capital Asset Management & Maintenance (DCAMM) to identify appropriate spaces in which to conduct jury trials in each county in Massachusetts, and unfortunately, it has proven to be more challenging to secure space in some counties than in others. However, we have made some appreciable progress in identifying and obtaining space to conduct jury trials at the Berkshire Mall. To that end, I have asked Associate Court Administrator John Bello to connect with you, as we welcome your offer of assistance, and we are hopeful that together we can move the ball forward with respect to that location. Once we have secured a location where we will be able to safely conduct jury trials, we anticipate being able to set forth a reasonable timetable for the resumption of jury trials in Berkshire County in relatively short order.

I thank you for reaching out, and we look forward to working with you and your office to find a way forward during this challenging time.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula M. Carey". The signature is fluid and cursive, with the first name "Paula" being the most prominent.

Paula M. Carey

Chief Justice of the Trial Court