

IN THE SUPERIOR COURTS OF CHATTAHOOCHEE, HARRIS, MARION,
MUSCOGEE, TALBOT AND TAYLOR COUNTIES
STATE OF GEORGIA

GEORGIA, MUSCOGEE COUNTY
CLERK'S OFFICE SUPERIOR COURT
FILED IN OFFICE

20-276
EX PARTE No. _____

JUL 20 2020

DEPUTY CLERK

ORDER ON IN-PERSON PROCEEDINGS IN THE CHATTAHOOCHEE JUDICIAL
CIRCUIT

By order of the Chief Justice of the Supreme Court of Georgia, court functions in the Chattahoochee Judicial Circuit have decreased significantly since initial declaration of a Statewide Judicial Emergency on March 14, 2020. A Fourth Order Extending Declaration of Statewide Judicial Emergency was issued on July 10, 2020, such order being incorporated herein by reference, attached hereto and extending prohibition of jury trials until at least August 11, 2020. This latest order contemplates further possible prohibitions on jury trials and most grand jury proceedings after August 11, 2020. While such order permits some non-jury functions, continued risks from the Covid 19/Coronavirus pandemic ("Covid 19") do not allow resumption of anything approximating usual court operations in the Chattahoochee Judicial Circuit.

Pursuant to Sec. V(A) of the order of July 10, 2020, the undersigned Chief Judge of the Chattahoochee Judicial Circuit imposes the following operating restrictions for in-person court proceedings in civil, domestic, criminal, juvenile and administrative proceedings in all classes of courts of Chattahoochee, Harris, Marion, Muscogee, Talbot and Taylor counties:

1. This order shall remain in effect from five o'clock (5:00) p.m. on July 21, 2020 until the earlier of: (a) resumption of jury trials in the Chattahoochee Judicial Circuit; or (b) further order. This order supersedes and replaces all prior guidelines and orders entered for the Chattahoochee judicial circuit for in-person and remote video conferenced proceedings since March 14, 2020.

2. Courts should and are strongly encouraged to continue to use videoconference technology for all hearings except in-person hearings required by law. In exceptional and compelling individual cases where continuance is not justified under the circumstances and it is

impracticable to proceed by videoconference technology, in-person proceedings in strict conformity with this order shall be permitted on a case-by-case basis, such in-person proceedings to be in isolated and rare cases. Such in-person proceedings should not generally be on dockets with other cases. Hearings which cannot be conducted by videoconference technology should generally be postponed or continued whenever it is legally permitted to do so.

Under NO CIRCUMSTANCES shall any person be compelled against their will to appear for live in-person proceedings if the court proceeding or facility in which it is to be held is not in compliance with the above-referenced order of July 10, 2020.

The judge presiding over any given matter has sole discretion to continue a case or to proceed virtually. Preferred platforms for video conference technology include, but are not limited to, Zoom, Microsoft Teams, and WebEx. Which platform to use is a decision committed to the sole discretion of the judge presiding in any given matter. Such proceedings to use video conferencing platforms shall include, but not be limited to, civil non-jury trials and other non-jury adjudicative proceedings where allowed by rules of court (including emergency amendments thereto). In civil, criminal, juvenile and administrative proceedings not otherwise expressly authorized for video conference technology, litigants may expressly consent on the record to remote proceedings.

When video conferencing platforms are used to conduct proceedings, all litigants, counsel, witnesses and other essential court personnel shall abide by such decision. Each judge shall designate staff members under his or her supervision to facilitate and organize video conferenced proceedings. It shall be the sole responsibility of each pro se party and each lawyer to make arrangements for witnesses to testify from remote locations.

3. Until further order, it is contemplated that in-person proceedings shall be the exception, not the rule, in all courts of the Chattahoochee Judicial Circuit. For in-person proceedings required by law, the following guidelines shall apply:

ACCESS TO COURT: All persons arriving for court must wear a face mask covering their mouth and nose. All persons attending any court proceeding shall be required to submit to screening at a location to be determined by the sheriff. This screening shall include questions as to whether the person is experiencing fever, shortness of breath, chills, muscle pain, headache,

sore throat and new loss of taste or smell. Moreover, temporal lobe scanning shall be utilized when readily available to screen entrants arriving for court proceedings, with temperature readings in excess of 100.4 degrees Fahrenheit to be reported immediately to the appropriate judge.

PERSONAL PROTECTIVE EQUIPMENT: Personal Protective Equipment (“PPE”), including, but not limited to masks (paper or cloth), **MUST** be worn **CORRECTLY** and cover the wearer’s nose and mouth by all who attend or appear for court in the Chattahoochee Judicial Circuit as follows:

ALL visitors, Columbus Consolidated Government employees, employees of other counties, states and municipalities, litigants, attorneys, witnesses, jurors and courthouse personnel who enter courtrooms, specially designated courtrooms at other government facilities, the common areas of a courthouse immediately adjacent to any courtroom, jury rooms, jury assembly rooms, witness sequestration rooms, judge’s chambers, clerk’s offices, law libraries attendant to the courtrooms, or any other room regularly used when court is in session (“court facilities”) **SHALL** wear a personal protective mask of paper, plastic or cloth. The Court does not have a supply of masks for visitors, but masks will be made available in limited supply by security personnel at the Columbus Consolidated Government Center for visitors to that facility. All arrangements for procuring and fitting a mask must be accomplished and completed in advance of any trial, hearing or other court proceeding and shall not interfere with the timely start of court. Court reporters or interpreters who utilize a stenography or interpreting device requiring the use of a mask may remove their mask while utilizing that device. For purposes of this paragraph, “court facilities” upon which this face covering requirement is imposed shall include the entirety of the Harris County Courthouse, Hamilton, Georgia and the entirety of the Columbus Consolidated Government Center complex, including all floors of the tower, west wing and east wing, Columbus, Georgia.

CONTACT TRACING REQUIREMENTS, FOLLOW UP MEASURES AND INMATES:

All persons over the age of 18 years and the parent or guardian of any minor entering ANY courtroom in the Chattahoochee Judicial Circuit shall be required to register their presence (and the presence of any minor in their company) on a form provided by the sheriff for the purpose of contact tracing, with such persons to provide the court visited, complete names, dates

of birth, physical residential addresses, email addresses and telephone numbers where such persons may be contacted or messages may be left during business hours. Such information shall be maintained and secured by the Sheriff of the county in which court is being conducted until further order. A sample sign-in sheet in compliance with this paragraph is attached to this order. With regard to persons who work in a court facility, any such person with known or suspected Covid-19 infection shall follow all isolation and quarantine measures in accordance with the Georgia Department of Public Health Seventh Amended Administrative Order for Public Health Control Measures and any amendments or subsequent versions thereof or as otherwise directed by their healthcare provider.

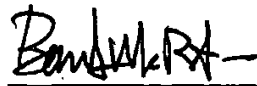
In consultation with his or her county health department, the sheriff of each county in the Chattahoochee Judicial Circuit shall take measures to promote safety and health of inmates and other persons during transportation to and from court as specified in the Georgia Court Reopening Guide and all amendments thereto, such document being attached to this order.

SOCIAL DISTANCING: For all court proceedings, social distancing shall be required. Within all courtrooms, a six foot space must be maintained at all times between persons who do not live in the same household or do not hold the relationship of attorney and client (“unrelated persons”). All unrelated persons attending the proceeding must sit six feet apart in the gallery. The courtroom will be considered “full” when such distancing measures reach capacity of available space in the courtroom. Unrelated persons waiting in hallways, lobbies and other areas outside courtrooms shall maintain social distancing. Visitors to full courtrooms will be admitted on a first come, first served basis as persons exit the courtroom. When capacity is reached in the hallways, lobbies and other areas outside courtrooms, the sheriff shall direct new arrivals to a convenient nearby location where social distancing can be maintained.

4. It is not the intention of any judge of the Chattahoochee Judicial Circuit to impose restrictions beyond what is necessary to ensure the safety of all who enter our courthouses. All judges and court staff anticipate the day when administration of justice returns to its normal course. Until such time, judges and court personnel are urged to work with those who have business before the courts to provide access and a fair and timely hearing of their concerns.

5. Clerks of Court are ordered to post this order to their court websites; at entrances to courthouses and clerk's offices; and at other locations to give maximum public notice.

SO ORDERED, this 17th day of July, 2020. 3:15 pm



**Bemon G. McBride III, Chief Judge
Chattahoochee Judicial Circuit**



SUPREME COURT OF GEORGIA

FILED
Administrative Minutes
July 10, 2020

Thérèse S. Barnes
Clerk/Court Executive

SUPREME COURT OF GEORGIA

**FOURTH ORDER EXTENDING DECLARATION OF
STATEWIDE JUDICIAL EMERGENCY**

On March 14, 2020, in response to the COVID-19 pandemic, the Honorable Harold D. Melton, as the Chief Justice of the Supreme Court of Georgia, issued an Order Declaring Statewide Judicial Emergency pursuant to OCGA § 38-3-61. That Order has been extended three times, with modifications, by orders issued on April 6, May 11, and June 12, 2020. After consulting with the Judicial Council of Georgia, the Judicial COVID-19 Task Force, and other judicial partners, recognizing again that most in-court proceedings compel the attendance of various individuals rather than allowing them to decide how best to protect their own health, and further recognizing that the novel coronavirus continues to spread in Georgia, it is hereby determined that the Order should be extended again.

Courts in Georgia have continued to perform essential functions despite the pandemic. The May 11 extension order also encouraged courts to work diligently to address the backlog of pending cases on a case-by-case basis, and the June 12 extension order announced a plan to reimpose as of July 14 many of the deadlines imposed by law on litigants in civil and criminal cases that have been suspended, tolled, or extended since the initial March 14 Order. This order puts that plan into place and will allow more pending and newly filed cases to move forward in the judicial process in an effort to return to more robust court operations. Given current circumstances, however, this order continues the prohibition on all jury proceedings and almost all grand jury proceedings.

As has been the direction since the original Order, all Georgia courts must continue to conduct proceedings, remotely or in-person, in compliance with public health guidance, applicable statutes and court rules, and the requirements of the United States and Georgia Constitutions, including the public's right of access to judicial

proceedings and a criminal defendant's rights to confrontation and an open courtroom. All courts should continue to use and increase the use of technology to conduct remote judicial proceedings as a safer alternative to in-person proceedings, unless required by law to be in person or unless it is not practicable for technical or other reasons for persons participating in the proceeding to participate remotely. This order further delineates the health precautions required for all in-person judicial proceedings and specifies that courts must adopt operating guidelines consistent with the Georgia Court Reopening Guide and any more specific local public health guidance.

Accordingly, the Order Declaring Statewide Judicial Emergency, which would have expired on Sunday, July 12, 2020, at 11:59 p.m., is further extended, effective Sunday, July 12, 2020, at 11:59 p.m., until Tuesday, August 11, 2020 at 11:59 p.m. All Georgia courts shall continue to operate under the restrictions set forth in that Order as extended, with the following clarifications, modifications, and directions. Where this order refers to "public health guidance," courts should consider the most specific current guidance provided by the federal Centers for Disease Control and Prevention (CDC), the Georgia Department of Public Health (DPH), and their local health departments.

I. Continued Prohibition on Jury Trial Proceedings and Most Grand Jury Proceedings

(A) Current public health guidance recommends social distancing and other measures that make it impracticable for courts to protect the health of the large groups of people who are normally assembled for jury proceedings, including jury selection. Accordingly, the suspension of jury trials shall remain in effect and until further order, all courts are prohibited from summoning new trial jurors and grand jurors and from conducting criminal or civil jury trials.

(B) Grand juries that are already impaneled or are recalled from a previous term of court may meet to attend to time-sensitive essential matters, but these grand juries shall not be assembled except when necessary and only under circumstances in which social distancing and

other public health guidance can be followed. A guidance document about the continued authority of grand juries impaneled prior to the issuance of the Order is included in the Appendix to this order. Courts and counsel are reminded that many criminal cases may proceed on accusation and do not require a grand jury indictment.

(C) The Judicial COVID-19 Task Force continues to develop policies, procedures, and templates to allow the safe resumption of jury trials and grand jury proceedings. These materials will be publicized when ready, but it is unlikely that any jury proceedings will begin until September or later.

II. Reimposition of Deadlines on Litigants

(A) As announced in the June 12 extension order, this order hereby reimposes all deadlines and other time schedules and filing requirements (referred to collectively herein as “deadlines”) that are imposed on litigants by statutes, rules, regulations, or court orders in civil and criminal cases and administrative actions and that have been suspended, tolled, extended, or otherwise relieved by the March 14, 2020 Order Declaring Statewide Judicial Emergency, as extended, on the following schedule and with the following exceptions and conditions:

(1) Consistent with Section I above, **deadlines for jury trial proceedings (including statutory speedy trial demands), deadlines for grand jury proceedings, and deadlines calculated by reference to the date of a civil or criminal jury trial or grand jury proceeding shall remain suspended and tolled.** This provision does not apply to deadlines calculated by reference to the date of non-jury (bench) trials. Until grand jury proceedings are generally authorized, statutes of limitation in criminal cases shall also remain tolled.

(2) **All other deadlines imposed on litigants shall be reimposed effective July 14, 2020, as further explained below.**

(3) **In cases that were pending before the March 14 Order, litigants will have the same amount of time to file or act after**

July 14 that they had as of March 14. For example, if an answer in a civil case was due on March 20, that answer will now be due on July 20, and if a criminal defendant's pretrial motions were due on March 23, they will now be due on July 23.

(4) **In cases filed between March 14 and July 13, 2020**, the time for deadlines will begin running on July 14. For example, if a civil complaint was filed in June and the answer would have been due 30 days later, that 30-day period will begin on July 14 and the answer will be due on August 13.

(5) **In cases filed on or after July 14, 2020**, litigants shall comply with the normal deadlines applicable to the case.

(6) If the reimposed deadline falls on a **weekend or legal holiday**, the deadline will as normal be the next business day. See OCGA § 1-3-1 (d) (3).

(7) Any **extension of time** for a litigant's filing or action that was granted by a court, or was agreed or consented to by the litigants as authorized by law, before July 14, 2020 shall also extend the time for that filing or action after July 14. For example, if a litigant's filing was initially due on March 10 but she was granted a 10-day extension of that deadline (to March 20), the filing will be due on July 24 (10 days after July 14).

(8) Litigants may be entitled to additional time based on the provisions of a local judicial emergency order applicable to their case if such an order tolled applicable deadlines before the March 14, 2020 Order Declaring Statewide Judicial Emergency or tolls applicable deadlines after July 14, 2020.

(9) The tolling and suspension of deadlines imposed on **litigants** in civil and criminal cases that are **calculated by reference to terms of court** shall be lifted as of July 14, 2020, and any regular term of court beginning on or after July 14 shall count toward such deadlines. See also the May 4, 2020 Guidance on Deadlines and Time Limits Defined by Reference to Terms of Court included in the Appendix.

(10) The 122 days between March 14 and July 14, 2020, or any portion of that period in which a statute of limitation would have run, shall be excluded from the calculation of that statute of limitation.

(11) Litigants may apply in the normal way for extensions of reimposed deadlines for good cause shown, and **courts should be generous in granting extensions particularly when based upon health concerns, economic hardship, or lack of child care.**

(B) Recognizing the substantial backlog of pending cases, **deadlines imposed on courts shall remain suspended and tolled.** All courts should nevertheless work diligently to clear the backlog and to comply with usual deadlines and timetables to the extent safe and practicable.

(C) If before July 14 a court reimposed deadlines by order in a specific case based on the authority to do so granted by prior extension orders, **the case-specific order reimposing deadlines shall control over the deadlines for the same filings or actions reimposed by this statewide order.**

(D) If in a divorce or adoption case a time period required by law actually passed or passes before the court entered or enters a consent order, consent judgment, or consent decree regarding the divorce or adoption, such order, judgment, or decree shall not be invalid based on any suspension or tolling of the applicable period by the March 14 Order as extended.

III. Proceedings Conducted Remotely Using Technology

(A) All courts should continue to use and increase the use of technology to conduct remote judicial proceedings as a safer alternative to in-person proceedings, unless required by law to be in person or unless it is not practicable for technical or other reasons for persons participating in the proceeding to participate remotely.

(B) Courts should understand and utilize the authority provided and clarified by the emergency amendments made to court rules on videoconferences and teleconferences.

(C) Courts may compel the participation of litigants, lawyers, witnesses, and other essential personnel in remote judicial proceedings, where allowed by court rules (including emergency amendments thereto). Such proceedings, however, must be consistent with public health guidance, must not impose undue burdens on participants, and must not be prohibited by the requirements of the United States or Georgia constitutions or applicable statutes or court rules.

(D) In civil, criminal, juvenile, and administrative proceedings, litigants may expressly consent in the record to remote proceedings not otherwise authorized and affirmatively waive otherwise applicable legal requirements.

(E) Courts must ensure the public's right of access to judicial proceedings and in all criminal cases, unless affirmatively waived in the record, a criminal defendant's rights to confrontation and an open courtroom.

IV. In-Person Proceedings Under Guidelines for Safe Operations

(A) Courts have discretion to conduct in-person judicial proceedings, but only in compliance with public health guidance and with the requirements of the United States and Georgia constitutions and applicable statutes and court rules, including the public's right of access to judicial proceedings and a criminal defendant's rights to confrontation and an open courtroom.

(B) No court may compel the attendance of any person for a court proceeding if the court proceeding or the court facility in which it is to be held is not in compliance with this order, including in particular large calendar calls. Courts are also prohibited from compelling in-person participation in any court-imposed

alternative dispute resolution session that is to be conducted in a manner inconsistent with applicable public health guidelines.

(C) Each court shall develop and implement operating guidelines as to how in-court proceedings generally and particular types of proceedings will be conducted to protect the health of litigants, lawyers, judges, court personnel, and the public.

(1) The Judicial Council Strategic Planning Committee and the Judicial COVID-19 Task Force have issued a bench card entitled "Georgia Court Reopening Guide," which is included in the Appendix and should be used as the template for such operating guidelines, which at a minimum should include all subject matters contained therein. Courts should also consider guidance from local health departments and guidance provided by CDC and DPH; if local public health guidance is more restrictive than the bench card, the local public health guidance should be followed instead.

(2) With regard to everyone who works in a court facility, the operating guidelines shall require **isolation** of any person with known or suspected COVID-19 and **quarantine** of any person with COVID-19 exposure likely to result in infection, in accordance with the DPH Seventh Amended Administrative Order for Public Health Control Measures, a link to which may be found in the Appendix, or any subsequent version thereof.

(3) When there is reason to believe that anyone who works or has visited a court facility has been exposed to COVID-19, DPH or the local health department shall be notified and **notification** of persons who may have been exposed shall occur as directed by DPH or the local health department.

(4) **To the extent operating guidelines previously implemented by courts do not comply fully with the requirements of this order, courts shall develop and implement revised guidelines within 10 days of this order.**

(D) Courts of different classes that share courthouse facilities or operate in the same county should coordinate their operating guidelines,

and should seek to coordinate operating guidelines with non-judicial entities sharing courthouse facilities.

(E) Each court must submit its operating guidelines to the Administrative Office of the Courts at <https://georgiacourts.gov/covid-19-court-operating-guidelines-form/> to be posted at <https://georgiacourts.gov/covid-19-court-operating-guidelines/> as a centralized website available to litigants, lawyers, and the public. Operating guidelines also should be prominently posted at courthouse entrances and on court and local government websites to provide advance notice to litigants, lawyers, and the public.

(F) Operating guidelines shall be modified as public health guidance is modified, and shall remain in effect until public health guidance indicates that they are no longer required.

V. Discretion of Chief Judges to Declare More Restrictive Local Judicial Emergencies

(A) Nothing in the Order Declaring Statewide Judicial Emergency as extended and modified limits the authority of the Chief Judge of a superior court judicial circuit under OCGA §§ 38-3-61 and 38-3-62 to add to the restrictions imposed by the statewide judicial emergency, if such additional restrictions are constitutional, necessitated by local conditions, and to the extent possible ensure that courthouses or properly designated alternative facilities remain accessible to carry out essential judicial functions. A Chief Judge may impose such additional restrictions only by a properly entered order.

(B) No court may disregard the restrictions imposed by the Order as extended and modified.

VI. Guidance on Application of the Order

Included in the Appendix are several guidance documents that clarify the application of the Order in particular contexts. Additional guidance documents may be posted on the AOC's website at <https://georgiacourts.gov/judicial-council/aoc/>. Guidance related to the tolling of deadlines should be read in light of the reimposition of deadlines by this order and by orders in specific cases.

VII. Professionalism

With regard to all matters in this challenging time, all lawyers are reminded of their obligations of professionalism. Judges are also reminded of their obligation to dispose of all judicial matters promptly and efficiently, including by insisting that court officials, litigants, and their lawyers cooperate with the court to achieve that end, although this obligation must not take precedence over the obligation to dispose of matters fairly and with patience, which requires sensitivity to health and other concerns raised by court officials, litigants and their lawyers, witnesses, and others.

VIII. Notice Provisions

(A) Notice will be provided as to the expected termination of the Order as extended and modified at least one week in advance to allow courts to plan for the transition to fuller operations.

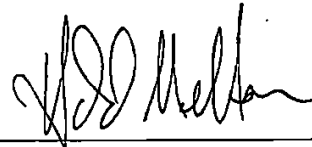
(B) The clerks and court administrators of trial courts that conduct jury trials and convene grand juries will be provided sufficient notice of the resumption of jury proceedings to allow the complicated process of summoning potential jurors to be completed.

(C) The impact of COVID-19 varies across the state, and the level of response and adjustment will likewise vary among courts. Courts should make available to the public the steps they are taking to safely increase operations while responding to the COVID-19 pandemic.

Recognizing that not all courts have a social media presence or website, the Administrative Office of the Courts will continue to post court-specific information as it becomes available on the AOC website at <https://georgiacourts.gov/covid-19-preparedness/>.

(D) Pursuant to OCGA § 38-3-63, notice and service of a copy of this order shall immediately be sent to the judges and clerks of all courts in this State and to the clerk of the Court of Appeals of Georgia, such service to be accomplished through means to assure expeditious receipt, which include electronic means. Notice shall also be sent to the media, the State Bar of Georgia, and the officials and entities listed below and shall constitute sufficient notice of the issuance of this order to the affected litigants, counsel for the affected litigants, and the public.

IT IS SO ORDERED this 10th day of July, 2020, and effective July 12, 2020, at 11:59 p.m.

A handwritten signature in black ink, appearing to read "H. D. Melton", written over a horizontal line.

Chief Justice Harold D. Melton
Supreme Court of Georgia

APPENDIX

Guidance on Tolling of Filing Deadlines (March 27, 2020)

Guidance on Tolling of Statutes of Limitation (April 6, 2020)

Guidance on Deadlines and Time Limits Defined by Reference to Terms
of Court (May 4, 2020)

Guidance on Grand Juries (May 4, 2020)

Further Guidance on Grand Juries (May 11, 2020)

Georgia Court Reopening Guide (June 11, 2020)

DPH Seventh Amended Administrative Order for Public Health Control
Measures (June 16, 2020)

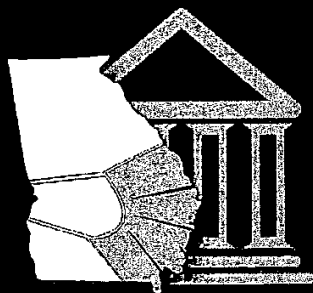
cc:

Governor Brian P. Kemp
Lt. Governor Geoff Duncan
Speaker David Ralston
State Bar of Georgia
Administrative Office of the Courts
Judicial Council of Georgia
Council of Superior Court Clerks of Georgia
Department of Juvenile Justice
Criminal Justice Coordinating Council
Council of Accountability Court Judges
Georgia Commission on Dispute Resolution
Institute of Continuing Judicial Education of Georgia
Georgia Council of Court Administrators
Chief Justice's Commission on Professionalism
Judicial Qualifications Commission
Association County Commissioners of Georgia
Georgia Municipal Association
Georgia Sheriffs' Association
Georgia Association of Chiefs of Police
Georgia Public Defender Council
Prosecuting Attorneys' Council of Georgia
Department of Corrections
Department of Community Supervision
Georgia Court Reporters Association
Board of Court Reporting
State Board of Pardons and Paroles
Constitutional Officers Association of Georgia
Council of Magistrate Court Clerks
Council of Municipal Court Clerks

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the
minutes of the Supreme Court of Georgia.
Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 , Clerk



Georgia Court Reopening Guide



Judicial Council Strategic Plan
Standing Committee

When the courts reopen, certain general practices will need to be followed to ensure the health and safety of both court employees and the public. Due to the wide variety of courts across the State, it is impossible to create a one-size-fits-all COVID-19 policy that will work for both small and larger localities. There are, however, certain general practices that could be applied to all courts and adjusted where necessary to meet the unique needs of each court. The practices presented here are to assist all Georgia courts meet the challenges of resuming operations in the wake of the public health emergency caused by COVID-19.

Guiding Principles

- ✓ Reduce the transmission of COVID-19 among court employees and the public.
- ✓ Maintain healthy court operations and facilities for the public.
- ✓ Maintain a healthy work environment for court employees.
- ✓ Exercise flexibility when applying these guidelines to ensure each litigant receives a fair hearing as required by law.

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Healthy and Safe Inmates and Detainees

Special thanks to Dr. Mark Swancutt, Fulton County Board of Health

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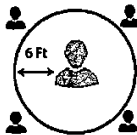


General Infection Control Measures



members of the public seeking entry who do not have one.

Require all employees and the public to wear a mask or face covering when entering the court facility. If possible, provide a mask to employees and



Limit room capacity throughout the court facility. Calculate room capacity using the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person. Use your best judgment to adjust this calculation to the specific layout of each room and to accommodate cohabitating groups sitting together.

- o **Provide the public with access** to handwashing and multiple hand sanitizer stations throughout the facility.
- o **Provide signage** to direct the public to bathrooms for handwashing and hand sanitizer stations.
- o **Request that housekeeping personnel clean and sanitize bathrooms and other areas** more frequently and adequately to control the transmission of COVID-19.
- o **Restrooms should be well-stocked** with soap and paper towels at all times.
- o **Post signage limiting restroom capacity** to facilitate social distancing.
- o **Prohibit the use** of water fountains.
- o **Consider physical barriers** like plexiglass to protect court employees and the public.
- o **Permit employees and the public to wear their own protective equipment**, including a face covering.
- o **Any person not wearing a mask** should remain at least ten feet away from other people.
- o **Ventilation system:** Work with public health to evaluate ventilation needs. The CDC recommends

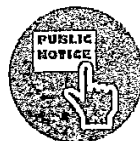
Maintain Safe Behavioral Practices

- ✓ Frequently wash hands or use alcohol-based (at least 60 percent alcohol) hand sanitizer when soap and water are not available.
- ✓ Wear a mask or other face covering. If wearing a mask would negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ Avoid touching eyes, nose, and mouth.
- ✓ Stay at least six feet (about two arms' length) from other people.
- ✓ Stay home when sick.
- ✓ Clean and disinfect frequently touched objects and surfaces, including door handles, security bins, countertops, public access computers, and seating throughout the facility.

improving central air filtration to a MERV-13 filter or the highest compatible with the filter rack, as well as sealing the edges of the filter to limit bypass.

- o **Locate additional space:** Identify other government facility space to provide more room, e.g., commission meeting rooms, jury assembly rooms, auditoriums, etc.
- o **Coordinate your efforts** with the other tenants in your building to ensure uniform practices throughout the facility.
- o **Isolate persons who become symptomatic** while in the court facility until they are able to leave and remove others from any rooms they have occupied.
- o **Consult a public health or medical professional** if you have questions or need help adapting these guidelines to your unique circumstances.

2



Provide Notice to the Public of Increased Health and Safety Measures



Modify the existing hearing notice to include that the court has taken certain health and safety measures to limit the transmission of COVID-19.

2 Continued next page

2 Provide Notice to the Public of Increased Health and Safety Measures continued

Add information to the existing hearing notice about how to contact the court to request a continuance in the event that the noticed party:

- ✓ Is currently infected with COVID-19 or in quarantine due to exposure to a person with COVID-19.
- ✓ Is a member of an immune-compromised or medically fragile population (or living in a household with someone who is immune-compromised or medically fragile).
- ✓ Is over age 65.
- ✓ Has small children but does not have child care due to COVID-19.

Include information about how to request a reasonable and necessary accommodation in advance of arriving to court, such as an interpreter.

Post adequate signage to provide the public with instructions on how to comply with health and safety measures.

Post signage and floor decals to direct the flow of foot traffic throughout the court facility.



3



Provide Healthy and Safe Access to the Courtroom



SCREENING

Establish a process to screen individuals for COVID-19 before entering the court building and the courtroom.

Ask a series of questions to each individual before or upon entry to the building, such as:

- ? Whether or not they have traveled to or from any areas in which COVID-19 is particularly active.
- ? If they have, within the past ten days, experienced symptoms of COVID-19, including: cough, shortness of breath or difficulty breathing, fever above 100.0 degrees, chills, muscle pain, sore throat, headache, or new loss of taste or smell.
- ? If they have been in contact with someone known to have COVID-19 within the last 14 days.
- ? If they have been tested for the virus and the result of such test.
- ? If possible, take the temperature of each individual seeking to enter the building with a no-contact thermometer and deny entry to anyone with a fever of 100.0 degrees or higher. Persons reporting a fever above 100.0 degrees in the past 72 hours should also be denied entry.
- ? Any person denied entry for health reasons should have his or her case continued and be advised to seek medical evaluation and testing.
- ? The following information should be collected from any person denied entry for health reasons: name, contact information, the court he or she was scheduled to attend and why, and the specific reason for denying entry.

STAGING

Individuals should not congregate in common areas while waiting to access the courtroom.

Design a process to facilitate social distancing while individuals wait to enter the courtroom, such as:

- ☉ Floor or sidewalk markings to keep individuals six feet apart.
- ☉ Outdoor distancing so individuals can spread out.
- ☉ Waiting in cars.
- ☉ Set up a tent where individuals can wait in compliance with social distancing measures.
- ☉ Call or send a text message when it's time to enter the building.

FLOW

Control the route that people will take through your building to access the courtroom to encourage social distancing, such as:

- ☉ Roping or taping off certain seating areas or hallways.
- ☉ Placing arrows on the floors to direct foot traffic.
- ☉ Requiring people to enter through one door and exit through another.
- ☉ Limiting elevator capacity to facilitate social distancing (e.g., two person maximum) and offering the stairs as an alternative route.



Maintain a Healthy and Safe Courtroom

Maintain a six foot distance in the courtroom between individuals who do not reside together to facilitate adequate social distancing.

✔ Limit Courtroom Capacity

Do not schedule more individuals to arrive at the courtroom (including staff) than the square footage of the courtroom can accommodate to allow for social distancing.

One way to calculate room capacity is to use the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person.

Continue to conduct virtual hearings by video conference or teleconferencing whenever possible.

Consider providing a live YouTube, Facebook, Zoom or other link to individuals who want to see what is going on in the courtroom but cannot be present due to room capacity.

Rotate individuals in and out of the courtroom as quickly as possible to limit contact.

Use microphones capable of picking up audio from a safe distance or clean close proximity microphones after each use. Court employees should wear gloves and hold handheld microphones if used.

Limit contact with shared documents and exhibits as much as possible. Present documents and exhibits electronically if possible and appropriate.

Conduct bench conferences in a room that provides for adequate social distancing (defendant may need to waive his or her presence if necessary).

Disinfect the courtroom after each proceeding or as frequently as practicable.

✔ Consider Staggered Scheduling

Under normal circumstances, it is common to have large calendar calls in many courts where many people report at one time.

To maintain adequate social distancing, stagger the arrival of persons participating in proceedings to ensure that a large number of individuals do not arrive at the same time.

For example, if a courtroom can accommodate twelve people, do not schedule your normal 50 person calendar for 8:30 a.m. Rather, schedule the first group of 12 for 8:30 a.m. and the second group of 12 for 10:00 a.m., etc.



Healthy and Safe Court Employees

Implement staggered shifts for all court employees and implement teleworking for all possible court employees.

Discourage employees from sharing phones, desks, offices, surfaces, or other equipment.

Provide for adequate spacing between employee workstations to facilitate social distancing.

Provide a separate entrance to the court facility for employees, if possible.

If six feet of separation is not possible, consider options like plexiglass barriers and frequently disinfecting shared surfaces, such as table tops, door knobs, elevator buttons, pens, security bins, etc.

Require all employees to wear face coverings at all times.

Consider temperature checks of employees when employees report to work each day with a no-contact thermometer.

Require employees who exhibit signs of illness to stay home or seek medical attention.

Provide courtroom employees with adequate personal protective equipment, including face coverings.

Courtroom employees should be trained on best practices to prevent infection, including frequent hand washing for at least 20 seconds with soap and water.

Clean and disinfect offices daily or as frequently as possible.



Healthy and Safe Jurors and Potential Jurors

The number of jurors and potential jurors should be limited to the amount a room or facility can accommodate with social distancing and other infection control measures.

Potential jurors:

- ✓ Likely to have more conflicts than prior to COVID-19 (e.g., childcare, looking for work, or working in the medical field).
- ✓ Will likely have health concerns about being around a group of strangers.

Jury selection may take longer due to social distancing and other infection control measures.

Jury holding and deliberations:

- ✓ Likely cannot take place in a typical jury room due to size.
- ✓ Use a larger room, such as the courtroom or another large meeting room to facilitate social distancing.
- ✓ Turn off video and audio recording in the room if the jury is deliberating there.
- ✓ Limit jury deliberations to two hours at a time with 15-minute breaks to go outside into fresh air and/or separate from each other. Jurors should not deliberate for more than eight hours per day.

Provide individual boxed lunches and bottled water to jurors. Vending machines should be wiped down regularly and have a hand sanitizing station nearby.

Juror transportation: If jurors are shuttled to the court facility, provide for proper spacing in transport vehicles and sanitize vehicles after each use. Jurors should stay six feet apart while waiting for the shuttle.

Require all jurors to wear a mask or face covering while in the court facility and the juror shuttle, if applicable. If wearing a mask would make it difficult to evaluate the demeanor of jurors or otherwise negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.



Healthy and Safe Inmates and Detainees

- ✓ **Use video conferencing** for proceedings whenever possible.
- ✓ **Screen inmates and detainees** for COVID-19 symptoms before transport to court.
- ✓ **Work with law enforcement** to provide for proper spacing in transport vehicles and masks for inmates and detainees during transport. Stagger arrivals and departures to facilitate spacing in transportation vehicles and holding areas.
- ✓ **Sanitize transport vehicles** after use.
- ✓ **Label holding areas** to provide for social distancing.
- ✓ **Sanitize holding areas**, restraints, and other commonly used items after each use.
- ✓ **Make hand sanitizer available** to inmates and detainees.
- ✓ **Require** all inmates and detainees to wear a mask or face covering while in the court facility. If wearing a mask would negatively impact an inmate or detainee's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ **Ensure** deputies who are required to be in close proximity to inmates and detainees have face coverings and gloves.