IN THE SUPERIOR COURT OF BURKE COUNTY

CLERK OF SUPERIOR, STATE AND JUVENILE COURT FILED FOR RECORD

STATE OF GEORGIA

2020 JUN 26 PM 2:04

STANDING ORDER FOR COURT PROCEEDINGS

DETA G. SMITH, CLERK BURKE COUNTY, GA.

Pursuant to the THIRD ORDER EXTENDING DECLARATION OF STATEWIDE JUDICIAL EMERGENCY dated June 12, 2020, the following guidelines based on the "Georgia Court Reopening Guide"[1] for conducting court proceedings shall be effective immediately:

PURPOSE: The purpose of this Standing Order is to:

- 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.

DEFINITIONS: "Face mask" means a covering of the mouth and nose but not the rest of the face. "Courthouse" means the Burke County Judicial Center, located at 200 East 6th Street, Waynesboro, GA 30830. "Public area" means all parts of the Courthouse not reserved for staff.

PUBLIC ADMISSION & SCREENING: The following questions shall be posted at the public entrance to the courthouse. Individuals answering YES to any of the following will be directed not to enter the courthouse:

- 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 a fever of 100.0 degrees or higher or who have reported a fever above 100.0 degrees in the past 72 hours.

Individuals exhibiting symptoms of COVID-19 shall be screened. They shall be DENIED entry to the courthouse if they answer YES to any of the above questions or have a fever of 100.0 degrees or higher as determined by a touchless thermometer.

If an individual with a scheduled court date is prohibited from entering the Courthouse for any of the above reasons, the Burke County Sheriff's Office Courthouse Security staff shall contact the specific court for which attendance is mandated and inform the court that the individual is unable to attend due to screening criteria. The person who is prohibited from entry should refer to the information posted at the Courthouse entrance and contact the appropriate court and request further instructions regarding future court attendance.

If an individual with a scheduled court date has other health limitations which make them especially vulnerable to COVID-19 or have other concerns with entering the Courthouse, he or she should refer to the information posted at the Courthouse entrance and should contact the appropriate court to request that their case be rescheduled.

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[1] https://georgiacourts.gov/wp-content/uploads/2020/06/Georgia-Court-Reopening-Guide-FINAL.pdf

Pursuant to CDC guidance[2], all persons admitted to the Courthouse are strongly encouraged to wear face masks while in the public areas of the Courthouse. Masks are available at the entrance for individuals who do not have a mask. Individual offices within each courthouse may implement mandatory wearing of masks due to space and high-volume contact with the public.

For individuals who do not have a court appearance but are accompanying a family member or friend, it is strongly encouraged that they consider not entering the Courthouse. People at higher risk for severe illness[3] and children[4] are strongly discouraged from entering the Courthouse unless they are directly involved in a case.

Everyone in the Courthouse should comply with social distancing protocols[5] and remain six (6) feet apart from other persons in common areas, offices, and courtrooms.

Individuals are strongly encouraged to leave any unnecessary belongings in their vehicle or at home in order to minimize surfaces for possible infection.

EMPLOYEE ADMISSION & SCREENING: With social distancing protocols in place, the Courts recognize that security screening will become more challenging with the increase in public access. Therefore, security staff have requested that each department strongly encourage their respective employees to report to work prior to and no later than 8:30 a.m. This will allow all employees to be swiftly screened and in place before the public arrives. It is anticipated that long lines will form, with individuals standing 6 feet apart to wait their respective turn to access the courthouse. There will be indicators that will direct the public where to stand to comply with social distancing protocols. Any employee caught up in the screening line after 8:30 a.m. will have to wait their respective turn and will be subject to the policies and procedures of their respective department.

DEFENSE COUNSEL IN CRIMINAL MATTERS: With social distancing protocols in mind, defense counsel should make every attempt reasonable to meet with their client(s) prior to court. The Sheriff's Offices should work cooperatively to allow defense counsel to privately meet with their clients in the jail or via remote video while protecting all persons from potential exposure to COVID-19.

VIRTUAL COURT PROCEEDINGS: All judges will continue to use technology to provide an alternative to in-person proceedings. Participating remotely by video conference may be an option in many courts but may differ from court to court and hearing to hearing. Individuals should contact their specified court ahead of time to find out more details. Such virtual court proceedings will follow open court requirements such as live streaming.

IN-PERSON COURT PROCEEDINGS: The Court is employing special procedures to minimize the risk to everyone's health. To accommodate for social distancing and cleaning, court sessions may be staggered with fewer cases scheduled per session. Additionally, seating in the courtroom will be limited to designated seats. Social distancing will be enforced in conferences with staff. Some court sessions may be scheduled in rooms not typically used in order to accommodate social distancing in courtroom spaces. Handling of paperwork will be kept to a minimum.

Persons entering courtrooms must comply with directions given by Courthouse security and/or staff with respect to seating and social distancing. Additionally, absent further direction of the presiding judge in each courtroom, the following capacity limits are established:

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[2] https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html
[3] https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html
[4] https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/children/protect-children.html
[5] https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html

Burke County Judicial Center

Courtroom	Normal Capacity	Social Distancing Capacity
1	160	45
2	108	39
3	100	33
4	100	33

Former Burke County Courthouse

Courtroom		
1	150	43

In the event that a courtroom is at capacity and an individual who is not a party to the case being heard requests entry, notice shall be given to the presiding judge. Accommodation may be provided to include, but not limited to: entry, viewing remotely, etc.

CLEANING & DISINFECTING: All efforts will be made to have court or county personnel clean and disinfect areas of the courtroom between court sessions. All staff and the public are encouraged to follow best practices to prevent infection, including frequent hand washing for at least 20 seconds with soap and water. Hand sanitizer will be available in high use areas along with cleaning supplies for use by staff.[6]

COORDINATION OF COURTROOM NEEDS: As the Courthouse begins to return to full operations, communication will be of utmost importance. In order to ensure that communication remains a priority, a copy of all notices of hearings, calendars and events shall be sent to Court Administrator, Nolan Martin, nmartin@augustaga.gov. The Court Administrator will work with Courthouse security staff to resolve any issues that may arise from the increased need for courtroom space.

INHERENT POWER: Nothing in this proposed plan shall be construed to limit the inherent power of the court. Each assigned judge may direct and control their respective cases and those persons before them in their courtroom as they deem necessary for the administration of justice. This order shall be in effect until further modification, extension or termination.

[6] https://www.cdc.gov/coronavirus/2019-ncov/hcp/hand-hygiene.html

PUBLIC NOTICE: A copy of this Standing Order shall be available in each Clerk of Court's office, posted at or near the Courthouse entrance, posted on the Burke County Clerk of Court's website at burkeclerkofcourt.com, and sent to the Clerk of Supreme Court and the Administrative Office of the Courts.

SO ORDERED, this 26 day of June 2020.

Carl C. Brown Jr.
Chief Superior Court Judge
Augusta Judicial Circuit

Chief State Court Judge
Burke County

Probate Court Judge
Burke County

Chief Magistrate Court Judge
Burke County

Presiding Juvenile Court Judge
Burke County