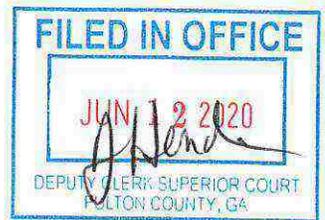


IN THE SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT  
STATE OF GEORGIA



IN RE: ATLANTA JUDICIAL CIRCUIT :  
GUIDELINES FOR EXPANDING :  
IN-PERSON PROCEEDINGS :

ADMINISTRATIVE ORDER

This Court has issued the attached Atlanta Judicial Circuit Guidelines for Expanding In-Person Proceedings (“Guidelines”) pursuant to the Order of the Chief Justice of the Georgia Supreme Court. The Guidelines set forth certain health screening requirements for anyone seeking to enter any of the various Court facilities in this County. The Guidelines also require that everyone entering the Court facilities wear a facemask. Additionally, the Guidelines establish social distancing rules and limitations on the total number of persons who may be admitted to the Court facilities, or to any part of the facilities.

These requirements are hereby made an ORDER of this Court. This Order may be enforced by Sheriff of Fulton County or his lawful deputies, the Marshal of Fulton County or her lawful deputies, and by any other law enforcement officer called upon by this Court for assistance in this regard. Violations of these requirements may be punishable by contempt of court.

IT IS SO ORDERED, THIS 12 DAY OF June, 2020.

Christopher S. Brasher, Chief Judge  
Superior Court of Fulton County  
Atlanta Judicial Circuit

**ATLANTA JUDICIAL CIRCUIT**  
**GUIDELINES FOR EXPANDING IN-PERSON PROCEEDINGS**

**Introduction**

During the Coronavirus Pandemic, Georgia's courts have remained open and have continued to perform their constitutionally and legally mandated duties to protect and enforce the rights of our citizens, albeit in a limited capacity. Georgia's courts in general, and the courts of this Circuit in particular, continue to handle essential and critical functions, and continue to address many court functions by use of technology to conduct proceedings remotely.

The courts of this Judicial Circuit will continue to use technology to conduct judicial proceedings remotely when possible and permissible. In order to safely expand in-person proceedings, however, the following guidelines are being issued pursuant to the Statewide Judicial Emergency Orders signed by the Chief Justice of the Georgia Supreme Court. As mandated by those Orders, these guidelines have been developed in compliance with public health guidance and with the requirements of the United States and Georgia Constitutions and applicable statutes and court rules.

These guidelines are designed to address how expanded in-court proceedings will be conducted to protect the health of litigants, lawyers, court personnel, judges, and the public. More particularly, the guidelines specify: the process for admission to courthouse facilities (including health screening of those entering); the requirements for maintaining appropriate social distancing within courthouse facilities; the sanitization practices to be implemented and followed within courthouse facilities; the availability and use of personal protective equipment (PPE) by courthouse personnel and visitors; and, other changes to court operations necessary to safely conduct more extensive in-person proceedings. These

guidelines may be amended and supplemented from time to time as circumstances require, and they may be enforced through court orders and by the directives of authorized security personnel.

Attached to these Guidelines, and incorporated into them by reference, are documents from the Fulton County Sheriff's Office (FCSO) and the Fulton County Board of Health (FCBOH) which set for procedures and recommendations that were drawn upon in formulating these Guidelines.

### **Guidelines**

#### **I. Sanitization of facilities and installation of signage, social distancing indicators, sanitary barriers, and other protective equipment and supplies prior to expanding in-person proceedings.**

Prior to any significant increase in the volume of in-person proceedings, there shall be a "deep cleaning" of all spaces used by the courts and court-related entities, including all spaces in the courthouse complex and all other facilities used by the courts and court-related entities, including the North and South Courthouse Annex Buildings and the Romae T. Powell Juvenile Justice Center (collectively, "the facilities"). Such cleaning will include the use and application of disinfecting and sanitizing products and methods throughout the facilities. The deep cleaning will be conducted by, or under the direction of, Fulton County Government.

Prior to any significant increase in the volume of in-person proceedings, there shall be installed and applied throughout the entrances, elevators, public spaces, and courtrooms of the facilities sufficient signage informing occupants of social distancing and PPE-use requirements, limitations on the capacity of any space within the facilities, and other pertinent information. Additionally, social distancing indicator markings will be applied at or on entrances/exits, floors, walkways, elevators, escalators, and seating areas indicating appropriate social

distancing intervals. Such signage and markings shall be installed by Fulton County Government.

Prior to any significant increase in the volume of in-person proceedings, there shall be installed and erected sanitary barriers in all appropriate areas, including all areas where employees in the facilities have public-facing job duties, including at entrances and security checkpoints, all public service counters, all fixed work locations where members of the public will or are likely to approach and interact, and other areas identified and agreed to. Such sanitary barriers will be installed by Fulton County Government.

Prior to any significant increase in the volume of in-person proceedings, additional hand sanitizer dispensers shall be placed in conspicuous and necessary locations throughout the facilities, and all hand sanitizer stations will be filled with hand sanitizing liquid. Special attention should be paid to placement of hand sanitizing stations at or adjacent to any place at which persons will need to, or likely will be, touching common surfaces, such as elevator lobbies, entrances/exits, escalators, and touch-screen devices. Such hand sanitizing stations shall be placed, filled, and maintained by Fulton County Government.

The foregoing is not intended to be an exhaustive list. Any equipment or supplies that are determined to be needed on a facilities-wide basis shall also be in place prior to any significant increase in the volume of in-person proceedings.

## II. Ongoing sanitization and use of PPE by court personnel and visitors.

Prior to any significant increase in the volume of in-person proceedings, all personnel who work in the facilities will be provided with Personal Protective Equipment (PPE), in the form of face masks. Personnel in public-facing roles will be required to wear face masks at all times while carrying out their public-facing

duties. Adequate PPE to meet these requirements will be provided by Fulton County Government.

All persons entering the facilities through any public entrance will be required to wear a face mask. Prior to any significant increase in the volume of in-person proceedings, provision will be made to have sufficient PPE, in the form of face masks, so that any member of the public who enters the facilities and does not have their own face mask can be provided with one for their use during the time they are within the facilities. Adequate PPE to meet these requirements shall be provided by Fulton County Government.

Regular, ongoing sanitization and cleaning is essential to operations in the facilities, and will be performed at regular intervals in a thorough and visible manner. Regular, ongoing sanitization and cleaning will occur in all high-volume areas of the facilities where the public are admitted throughout the work day, at least every two (2) hours. Special attention in the sanitization and cleaning of public areas will be paid to high-volume and high-touch areas and surfaces, including but not limited to doors, railings, push-button devices, and touch screens. Regular, ongoing sanitization and cleaning in all areas where personnel must carry out their job functions, but where the public are not admitted, will occur at least once per day. Regular, ongoing sanitization and cleaning functions will be performed by or under the direction of Fulton County Government.

III. Health screening and social distancing requirements on county-provided transportation, at entrances to the facilities, in public spaces, in elevators, in public restrooms, and in courtrooms.

In addition to regular security screening, temperature screening of all persons entering will occur at each entrance to the facilities using thermal imaging technology or other no-touch thermometer technology. Per Public Health standards, any person having a body temperature of over 100.4° (one hundred point four degrees) Fahrenheit will be subject to secondary temperature screening. If a body temperature of over 100.4° is confirmed via secondary screening, that person will be denied entry into the facilities. Security/Sheriff's/Marshal's personnel shall record the name and intended destination within the facilities of any person denied entry for a body temperature of over 100.4°, and shall notify the office/courtroom where said person was going of the denial of entry. Any person who is denied entry based upon a fever will be also be told to call the judge's chambers or office where they were going and tell them of the denial of entry, so that any appointment/hearing will be rescheduled.

Additional screening, including asking questions regarding whether entrants have health symptoms consistent with Coronavirus/COVID-19 infection and whether entrants have been exposed to Coronavirus/COVID-19 may also be performed by the security/Sheriff's/Marshal's personnel who are staffing entrances to the facilities. Security/Sheriff's personnel shall record the name and intended destination within the facilities of any person(s) denied entry to the facilities based upon information obtained pursuant to such questions. Any person who is denied entry based upon their answer to these questions will be also be told to call the judge's chambers or office where they were going and tell them of the denial of entry, so that any appointment/hearing will be rescheduled.

Adherence to social distancing requirements (*i.e.*, people should stay at least six feet apart from those with whom they do not live) is essential to safe operations in the facilities, including on any county-provided transportation. In addition to readily visible signage and floor/distance markings as described above, security/Sheriff's/Marshal's personnel shall regularly remind persons entering into and travelling within the facilities to maintain social distancing. Refusal to adhere to appropriate directives to maintain social distancing requirements may be grounds for removal from the facilities or other sanctions. No person should enter any portion of the facilities, including elevators, escalators, restrooms, courtrooms, meeting rooms, or other facilities if appropriate social distancing cannot be accomplished. Security/Sheriff's/Marshal's personnel should monitor adherence to this requirement.

IV. Notice and enforcement on limitations on the numbers of persons admitted to the courthouse facilities in general, and to any particular area within the courthouse facilities.

Prior to any significant increase in the volume of in-person proceedings, there shall be established limitations on, and posted notices regarding, the maximum number of persons who can be admitted to the facilities, and into every particular area of the facilities. These limitations on the numbers of persons to be admitted shall be based upon how many persons can enter and remain in the facilities while maintaining all social-distancing requirements. The determination of these limitations will be through consultation among the Chief Judges, the Sheriff's Office, Marshal's Office, the District Attorney, the Solicitor General, the Clerk of Superior and Magistrate Court, and the Administrators of the State and Superior Courts.

Once these limitations are established, prominent signage will be erected throughout the facilities describing the limitations on the number of persons who may enter and remain in the facilities, and in every particular area of the facilities, including: courtrooms, meeting rooms, conference rooms, offices providing direct public service activities, elevators, waiting areas, assembly areas, and every other area of the facilities. Signage shall be erected and maintained by Fulton County Government. The limitations described above shall be enforced by Sheriff, Marshal, and other security personnel.

V. Procedures for protecting courthouse personnel in the conduct of their job functions.

In order to ensure a safe working environment for all courthouse personnel, everyone who works in the facilities should be tested for COVID-19 and be found to be free from the virus before returning to duty. Fulton County will provide access to testing at no cost at multiple facilities, including mobile facilities at or near the courthouse facilities. Individual courthouse personnel will receive their own test results, and those results will not be shared with anyone else. However, courthouse personnel should not return to duty unless they have tested negative.

In addition to the other measures, limitations, and requirements set out in these Guidelines, including the enhanced cleaning, social distancing, physical sanitary barriers, PPE requirements for entrance to the facilities, and health screening for entrants, additional steps will be taken to protect courthouse personnel and others working in the facilities prior to any significant increase in the volume of in-person proceedings. These steps will include, but are not limited to: work-from-home policies; limiting the number of employees occupying common workspaces based on social distancing requirements, having on-hand adequate PPE, cleaning, and sanitizing supplies and equipment for use by

courthouse personnel and others working in the facilities; and, limiting face-to-face customer service interactions to necessary situations, with adequate physical sanitary barriers in place.

#### VI. Procedures for recommencement of inmate transfers to courthouse facilities.

Upon satisfactory completion of the measures set forth in Section I of these Guidelines, criminal proceedings involving incarcerated defendants will resume in the Courthouse. Initially, transportation of inmates from the Sheriff's detention facilities (the County Jail, the South Annex, etc.) will be limited to three-person vans in which each defendant travels in a separate, secure compartment. Until a greater volume can be safely transported and safely secured in the Courthouse's holding cells, there will be a maximum of eight van transports per day for a total of 24 inmates delivered daily to the Courthouse.

Every inmate will be required to wear his/her jail-issued face mask at all times while in the Courthouse. Other than in the holding tanks in the basement of the Justice Center Tower (where multiple inmates can be held at safe distances), inmates will not share cells while in the Courthouse. This will limit each courtroom to two inmates maximum at any one time, with adjacent courtrooms that share holding cells not operating at the same time. (*E.g.*, on days when Courtroom 8-A is handling criminal matters involving incarcerated defendants, 8-B will be unable to do so.) Consequently, calendaring will be coordinated to allow each judge an equal opportunity to conduct criminal proceedings while ensuring the safety of inmates, attorneys, sheriff's personnel, and other staff.

These headcount and adjacency limitations will allow defense counsel to meet and confer with clients privately and at a safe distance while in the lock-up space, as there will be at most two inmates in the lock-up area at any one time, with each inmate having his own cell.

Calendars will, as mentioned, need to be coordinated so that courtrooms that share holding cells are not handling criminal matters involving incarcerated defendants at the same time. The Chief Judges of State, Superior, and Magistrate Court will develop a schedule that ensures reasonable access to inmates for all three classes of courts consistent with the public safety measures described herein.

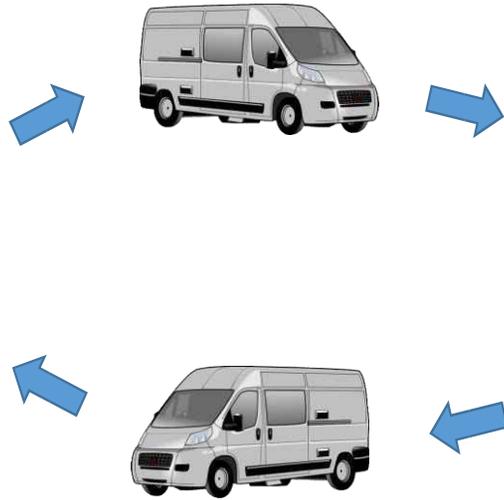
So long as these transportation and housing constraints described above remain in effect, no judge will be able to have more than four inmates in the Courthouse at one time: two in the courtroom holding cells and two in a holding tank in the basement. Only after the two inmates in the courtroom holding cells have been excused and returned to the basement holding tanks will the Sheriff's team bring up the next two and start the process of transporting more inmates from the jail to the Courthouse. It is expected that this process of six inmates in and six inmates out can be repeated up to four times during the business day to achieve the 24-inmate goal.

This pacing will require each judge to generate several calendars for the day s/he is handling criminal matters involving incarcerated defendants. Unlike past practice, when a court might publish a single calendar of twenty defendants with a single start time of 9:00am, under the limited-capacity procedures that will be in place as the Courthouse is reopened, courts will need to publish separate calendars for each delivery of inmates to ensure that the inmates are timely delivered and, more importantly, that members of the public who may be attending the proceedings, have a more precise time to appear. Thus, a single courtroom may have criminal calendars for 9:00am, 11:00am, 1:00pm, and 3:00pm, each with two defendants on it.

To the extent that Courtrooms cannot be open to accommodate public viewing, best efforts will be made to allow criminal hearings and proceedings to be live-streamed via the internet or broadcast to public viewing areas so that

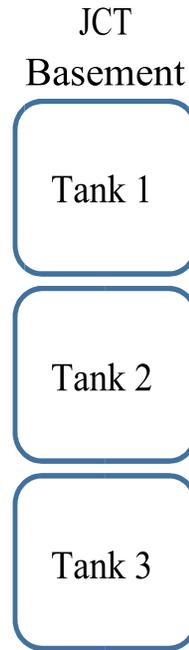
interested members of the public can see and hear the proceedings. Additionally, virtual participation via video-conference will remain an option for lawyers and witnesses, provided that both the State and the defense consent. That virtual connection may be broadcast throughout the courtroom so that all in-court participants and observers will be able to see and hear the virtual participants. Regardless of the nature and setting of the hearing, all criminal proceedings shall comply with open courts requirements through in-person accessibility, access via video link, or live-streaming within the Courthouse complex to areas set aside for public viewing. Notice of how the proceeding will comply with the open courts requirements will be publicly displayed and available.

# INMATE MOVEMENT

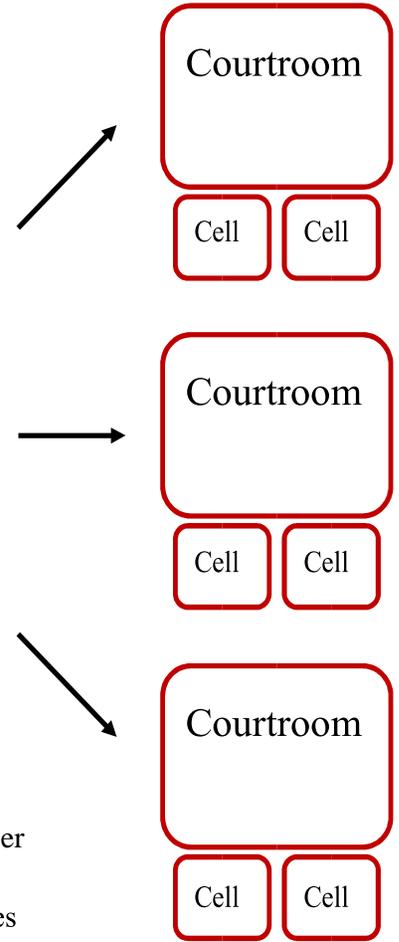


- Initially transport only from Rice Street
- Up to eight vanloads per day

- Two vans available
- Vans hold three inmates safely and separately



- Two inmates per holding tank
- First six inmates delivered directly to courtrooms



- Three courtrooms per day receive inmates
- Courtrooms hold staggered calendars: 9am, 11am, 1pm, 3pm
- Only two inmates delivered to a courtroom at a time
- Each inmate held in separate cell
- Maximum of eight inmates per day per courtroom
- Adjacent courtrooms do not hold court on same day

## II. Procedures for limiting the number of persons summoned to any proceeding, and for staggering the start dates and times of proceedings.

In addition to observing the limitations established by these Guidelines on the occupancy of the facilities and any particular area of the facilities, including courtrooms, carefully managing the number and timing of court hearings, trials, and other proceedings is essential to maintaining adequate social distancing and minimizing the risk of virus transmission. Staggering the start times of proceedings will permit the orderly entrance of persons into the facilities and minimize crowding and wait-times, given the expected increased time necessary to enter. Specifically, all courts are urged to specially set matters for hearings at specific times and at intervals that are realistic and appropriate for the case type(s) involved.

Calendars for proceedings shall be limited in the number of in-person participants to no more than what can be safely accommodated in the courtroom or other space pursuant to the occupancy limitation established as discussed above. Likewise, the start times of proceedings should be staggered so as to not have proceedings overlap, permitting opportunities to clean seating and workspaces between proceedings. Moreover, start times and dates for proceedings must be staggered among the various courts, and among the judges on the several courts, so as to appropriately limit the number of persons entering into the facilities at any one time. The procedures for limiting the number of persons summoned to any proceeding, and for staggering the start dates and times of proceedings will be formulated by agreement among the courts.

### VIII. Procedures for recommencement of juror usage.

Upon being permitted by the Supreme Court to recommence juror use, this Circuit will take a phased approach to reintroducing jurors and jury trials. Prior to having jurors report, non-jury trials will take place. The Courts will determine when it is appropriate and safe for jurors to return to the courthouse.

An informational insert addressing COVID-19 concerns will accompany the summons and will be posted on the State and Superior Court's websites. The insert will detail the sanitizing measures in place (to include the frequent cleaning of the Jury Assembly Room and restrooms), staff precautions and social distancing measures - all to bolster juror confidence. Hand sanitizer stations will be placed throughout the Jury Assembly Room. Sanitary barriers will be installed at the juror check-in desk, and all staff will be wearing PPE. A dedicated member of the County's maintenance team will be present in the Jury Assembly Room for sanitizing while jurors are present.

To help enforce proper social distancing, chairs will be removed from the Jury Assembly Room and taped off at a distance of at least six (6) feet. Wall, floor, and standing signage will be placed throughout the Jury Assembly Room reminding jurors of social distancing practices; the juror lounge, vending and coffee machines will be cordoned off.

Subject to further order of the Supreme Court or of this Court, petit jury trials will precede grand juror selection and proceedings. The Chief Judge and his colleagues will act to ensure trials are prioritized and coordinated to regulate the number of jurors summoned to court. Priority will be given to the most time-sensitive criminal trials. Initially, trials will occur in the four larger courtrooms on the first floor of the Justice Center Tower, which will limit the need for elevator access and will provide the most space for voir dire. Additionally, trial may be staggered during the week, so that jury selection for different trial occurs on

different days. Following the trials of the most time-sensitive cases, the Court will determine which cases proceed next.

It is expected that jurors will report for voir dire directly to the courtrooms, which will reduce large groups of jurors waiting in the Jury Assembly Room. Once in the courtroom for voir dire, and following juror selection, jurors will be seated in the gallery in staggered positions, rather than the jury box, to maintain social distancing requirements. Juror deliberation will also take place in the courtroom. As circumstances require, courtroom proceedings may be live-streamed in a separate large area for family and the public at large so as to conform to open courts requirements.

After the initial most time-sensitive trials are completed and logistical issues are resolved, the Court, as empowered by the Supreme Court, or by and through Georgia law, will determine the appropriate time to summon grand jurors so that the indictment process can resume.

**Reopening  
Plan  
Provided by  
Fulton County  
Sheriff's Office**

# Reopening Plan

The Fulton County Sheriff's Office **Court Services** will do the following:

- Sanitize the JCC prior to the re-opening date proposed by DREAM;
- Establish 160 Pryor Street as an **employees' only entrance**;
- Place COVID-19 floor markers, at all entrances, to indicate the six-foot social distancing stand-off area;
- Check the temperature of people entering the building at all entrances via thermal imaging;
- Post COVID-19 educational and instructional literature at all entrances;
- Encourage **social distancing** by adding signage throughout the Superior and State Court Complex--deputies and security specialist will enforce the social distancing recommendations;



# Reopening Plan

The Fulton County Sheriff's Office **Court Services** will do the following:

- Add signage in the elevator lobbies encouraging **no more than four** people per elevator;
- Establish guidelines regarding the public entering the building with face masks;
- Require Deputies and Security Specialists to wear **PPE** specific to their work assignment, and
- Disinfect the security checkpoint work areas and equipment, to include the personal property bins;



# Reopening Plan

The Fulton County Sheriff's Office Inmate **Transfer Unit** will do the following:

- Deliver the initial group of inmates, requested by the various courts, no later than 8:30 am each day;
- Limit the seating on transport **buses** to one inmate per seat (15 inmates);
- Limit the seating in transport **vans** to one inmate per compartment (3 inmates) ;
- Follow the same protocol for SB440 inmates
- Separate vulnerable inmate populations (age 60+, compromised immune systems, etc.);
- Require deputies to wear a **N-95** or **FFP2** face mask;
- Require deputies to wear nitrile gloves when conducting inmate searches. Moreover, deputies are encouraged to wash/sanitize their hands before and immediately after searching an inmate;



# Reopening Plan

The Fulton County Sheriff's Office Inmate **Transfer Unit** will do the following:

- Require Inmates to wear the jail issued face mask and to respect the *Center for Disease Control's 2 meters standard*, where possible;
- Disinfect transport buses, vans and handcuff equipment immediately after each use (including radio, phone, handcuffs, handcuff keys, etc.); and
- Adhere to the Fulton County Sheriff's Office **Infectious Communicable Disease** policy

The specified safety protocols may be adapted based on the evolving guidance from the CDC, judicial service demands and the logistical capabilities of the Fulton County Sheriff's Office.



**FULTON COUNTY BOARD OF  
HEALTH RECOMMENDATIONS  
REGARDING EXPANDED  
COURT PROCEEDINGS**



# Fulton County Board of Health Recommendations for Gradual Resumption of Jury, Hearing, and Trial Practice Activities in the Fulton County Courthouse and Justice Tower

June 11, 2020

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### **General Statement of Purpose**

The purpose of this document is to provide guidance from the Fulton County Board of Health (FCBOH) for managing courthouse activities in a safe manner during the gradual re-opening of function during the COVID-19 pandemic. The ultimate goal is to achieve full functioning while protecting all people from the risk of contracting the virus, with the awareness that there will be a slow start and a gradual increase in courtroom activities.

The primary techniques to protect against the spread of COVID-19 are hand hygiene, face masks, and physical distancing. This means frequent hand-washing or use of hand sanitizers, the use of masks by all people, and maintaining distances of at least six feet between individuals.

### **Transportation for Jurors to the Courthouse**

Have the number of individuals who will use the shuttle bus space themselves at least six feet apart while waiting for the bus.

Limit the number of individuals using the shuttle bus so that individuals are able to sit six feet apart from one another.

Require a mask for all those utilizing the shuttle bus. This protects the driver and other passengers.

Encourage people to use their own masks if they have them. Cloth masks are preferable and two-layer masks are better than single-layer masks although both are acceptable.

### **Building Entrances**

Station security personnel outside the building to maintain space between those members of the public waiting to enter the building.

Allow a separate entrance for employees.

Place tape or paint lines along the sidewalks at the entrances to the building to indicate the appropriate six feet of spacing between people waiting in line.

Have those people not wearing masks move to the back of the line, and/or ask them to provide ten feet of spacing.

In inclement weather, provide tents for cover as needed for the lines that will develop as you are screening people coming in.

Provide masks for those not wearing masks as they wait in line.

### **Entrance Procedure**

Screen entrants by asking if they have been in contact with someone known to have COVID-19 in the last 14 days

Screen entrants by asking if they have any of the following symptoms of COVID-19, or have had them within the past ten days:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Note that the CDC may update the symptoms known to be associated with COVID-19 from time to time, so it is recommended that prior to any re-opening, and from time to time thereafter, the courts refer to the CDC website for the most up to date guidance at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

For those reporting fever within the past 72 hours, do not allow entry.

Screen entrants for current fever of 100.4 or greater.

Calibrate the temperature devices according to package instructions **to provide if someone's** temperature is high; however, understand there can be some variability in the readings. Err on the side of caution – if any one result out of three attempts is 100.4 or greater, refuse the person entry into the building.

For those who test with a high temperature, provide them with a recommendation to seek medical evaluation and testing.

At the regular security screening location, ensure that personnel have a schedule and process for wiping down the containers that people put their belongings in to have them screened.

Provide sanitizing wipes for visitors to use after they retrieve their belongings from the bins used to send the items through the scanner.

Locate hand sanitizer stations just past security, and encourage visitors to use hand sanitizer after leaving security and proceeding further. Hand sanitizer should contain at least 60% alcohol; alcohol spray is acceptable.

Locate security personnel to the extent possible outside elevator banks, and also locate signage outside elevator banks and within the elevators to ensure that no more than two people ride together in any one elevator.

Encourage use of stairs where possible.

### **Masking Procedures**

For individuals who do not have their own masks, provide a mask for them to wear in the building, and make sure to tell them they must keep them on while they are around other people. Instruct people that the mask must cover the nose and mouth, not just the mouth.

If the county or court determines they will allow unmasked citizens/litigants/jurors in the building, then remind those unmasked individuals to remain ten feet away from others.

**Recommend signage at the entrance to read “To protect yourself and others, wear your mask at all times and remain at least six feet away from others. If you choose not to wear a mask, or if anyone around you is not wearing a mask, remain at least ten feet away from the unmasked individual.”**

### **Scheduling Recommendations**

To the extent possible, it is recommended that arrival times for jury selections and for typically high-occupancy activities such as calendar calls and criminal arraignments be staggered to minimize clustering of people outside the entrance, within the shuttles or prisoner transportation vehicles, within holding areas, and within hallways/elevators/stairwells.

### **Jury Holding Recommendations**

For rooms with bench seating, put masking tape “x” marks on those spots on the benches, each at least six feet from the other to designate where you want individuals to sit. Ensure personnel are aware if unmasked individuals are present, in order to skip an additional space between seats for further separating those who refuse to wear masks.

For rooms with removable chairs, orient the seating so each chair is at least six feet in all directions from any other.

Make sure your six foot considerations include calculations in all four directions (ensure spacing in front and behind each person in addition to next to them to their left and right).

### **Recommendations for Excusing Jurors or Granting Continuances**

Individuals who are over 65 years of age, those with any medical conditions listed below, and those who are symptomatic or have been in close contact with another person who has COVID-19, are required by the Georgia Department of Public Health to quarantine at home, and should not be commanded to report for jury duty or to appear as counsel or a litigant on a calendar, both due to the chance they could contract or spread the illness by appearing in public, but also because they could be charged with a misdemeanor violation of the Georgia Department of Public Health’s Administrative Order (“AO”) related to COVID-19 by doing so. See AO at [www.dph.georgia.gov](http://www.dph.georgia.gov). While this quarantine requirement will remain in place for these individuals through the current version of the Administrative Order for thirty (30) days after the Governor’s State of Public Health Emergency expires, the Board of Health recommends the same precautions continue for a period of time thereafter as may be necessary to minimize the risk of spread of the virus, as determined by the courts in consultation with the Board of

**Health.** Certain court activities may be considered “essential” activities that would allow appearance in court for individuals who may fit into the medically fragile categories, but who do not have symptoms and have not been in close contact with someone with COVID-19. However, as the individuals in the medically fragile category are both more likely to contract and, therefore, more likely to transmit COVID-19, it is recommended that their participation be limited to the extent feasible.

**Conditions included in the definition of “medically fragile” are:**

- 65 years old or older
- Individuals living in a nursing home, long term care, or similar facility
- Individuals with chronic lung disease
- Individuals with moderate to severe asthma
- Those with severe heart disease
- People who are immunocompromised. This includes but is not limited to those undergoing cancer treatment, with bone marrow or organ transplants, with immune deficiencies, poorly controlled HIV or AIDS, those with immunological conditions that require prolonged use of corticosteroids, or other disease-modifying medications
- People Class III or severe obesity at any age
- People with diabetes
- People with liver disease
- People with chronic kidney disease, especially those undergoing dialysis

### **Voir Dire Recommendations**

Allow prospective jurors to sit in the audience area for voir dire questioning. The number of jurors that can be examined en masse will be determined by the area of the seating.

Prospective jurors should wear masks and maintain distance at six feet between each person in all directions.

A court employee may carry a microphone in the situation where an individual prospective juror must answer a question. The person carrying the microphone can wear gloves and should use a wipe to clean the microphone after the juror answers the question.

### **Transportation of Incarcerated Individuals to the Court**

Work with law enforcement to ensure litigants or witnesses in custody are provided a face covering before they arrive at the courthouse facility.

Maintain six feet of distance between the inmate and others to the extent possible and ensure the deputies who are required to be in close proximity to the inmate have face coverings and gloves.

Stagger the times for arrivals and departures of incarcerated individuals in order to allow law enforcement the ability to provide adequate spacing in transportation vehicles and all holding areas.

### **Courtroom Setup and Recommended Protocols**

Once the seating is determined for each room, post a maximum revised occupancy number outside the door to the courtroom. Provide remove viewing in rooms where possible.

Ensure plexiglass or similar material sneeze guards between the bench and the court reporter; between the bench and the witness stand; between the bench and the clerk; and one for each counsel table to allow spacing between counsel and client.

For the courtrooms toured in the Fulton County Superior Court, locating the jurors in the gallery and the witness in the jury box would tend to provide adequate spacing for the witness to testify without a mask on, to ensure the jurors are able to see the facial expressions and reactions of the witness, and hear the witness very clearly.

Providing directional microphones from above that witnesses, judges, or counsel do not speak into directly, and cannot touch, is preferred for amplification. If that is not an option, asking the

speakers to remain about two feet from the microphone, and wiping down the microphones between users is recommended.

Providing a movable, transparent, plexiglass barrier for counsel to use to separate from the jurors when arguing is recommended, to allow counsel to remove their mask but to protect the jurors from the farther-traveling breath produced when orating.

Provide a transparent, plexiglass barrier with the ability for document pass-through from counsel to witness/clerk/bench. A separate table adjacent to these may be an alternative if no document pass-through is available. Provide or recommend utilizing gloves for handling of shared documents.

Also use a guard that has a document pass-through for the barrier between counsel and clients, as well, in order to facilitate the passing of written notes between them rather than close whispering during the course of the hearing.

### **Public Access to Hearings**

Considering the limited space in the courtrooms, utilizing live stream for most viewers is recommended where possible to minimize the number of people in any courtroom.

### **Hallways**

Do not allow groups to congregate in hallways in groups of more than two.

### **Restrooms**

Allow no more than one or two people in a restroom at any one time, depending upon the size of the restroom. Have markers on floor outside the restroom for spacing six feet apart.

### **Break-out Rooms:**

Allow access to small break-out rooms for no more than two masked individuals, for no more than fifteen minutes at a time.

### **Approaching the Bench**

Consider having the guests in the gallery leave the courtroom for sidebars or conversations between counsel and the bench that would normally involve approaching the bench and having close conversation. Consider using the plexiglass or similar material between attorneys and the judge.

### **Vending and Lunches**

Provide individual boxed lunches for jurors.

Provide bottled water or pitchers of clean water and prohibit use of water fountains.

For vending machines or convenience snack or food kiosks or stores, provide a hand sanitizing station immediately adjacent to these machines, and ensure the high-touch surfaces are regularly wiped down.

### **Jury Deliberation**

Jurors should deliberate for no more than 2 hours at a time with 15-minute breaks between each 2-hour session to allow them to go outside the building into fresh air or separate from one another within the building as they prefer. Total time in deliberation should be no more than 8 hours in any one day.

### **Protocols if a Participant Becomes Symptomatic**

Establish protocols for how to suspend or reconvene hearings or trials in the event the Judge, Jurors, or Litigants/Counsel develop symptoms of COVID-19, described hereinabove. If a person becomes symptomatic while they are in the facility (either as noticed by others or as self-reported), take the following steps:

- isolate them from others immediately until they are able to leave;
- remove others from any rooms they have occupied;
- question them to name or point out anyone they were in close contact with at the facility that day (where close contact is considered unmasked contact close than six feet apart for longer than ten minutes with normal speaking, or anyone having been within ten feet, masked or unmasked, during a cough or sneeze);
- provide them with the BOH handout directing them to a testing facility and providing quarantine recommendations;
- place a call to DREAM to arrange for special cleaning of the areas they have occupied;
- notify those people the symptomatic individual identified as having close contact that the person has reported symptoms and provide that close contact with the BOH handout.

### **Information Centers or Other Touch Screen and High-Touch Area**

Consider providing stylus options for guests at any touch screen locations, with one cup labeled clean with styluses that have been sanitized and are available for use, and another cup labeled dirty for used styluses that are awaiting sanitizing by staff.

Have any doors open that can remain open safely to avoid having people push or pull them to open or close. For doorways that require pulling open, provide a hand sanitizer station on the other side.

Ensure frequent wiping of door handles and push buttons that operate handicap accessible doorways.

### **Other Considerations**

Ensure signage is in English and Spanish.

Ensure sanitizing stations may be reached by those in a wheelchair.

Consider wheelchair users in the placement of sneeze guards.

Utilize HEPA filters in all air handling units.

If staff use desk fans, ensure the wind generated by the fan is pointed away from others, and towards the air handling return (not the intake) unit.

Provide a generous amount of tissues, trashcans to dispose of the tissues, soap and water in bathrooms, hand sanitizers, gloves, and common disinfectants for high-touch areas. Bleach is not necessary.

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