



Trial Courts
OF THE
Northeastern Judicial Circuit

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DAWSON AND HALL COUNTIES

COVID-19 Safe Operating Guidelines
June 1, 2020

On March 13, 2020, Chief Judge Kathlene Gosselin declared a judicial state of emergency due to the COVID-19 pandemic. A statewide emergency declaration was entered by the Chief Justice of the Georgia Supreme Court the next day. Pursuant to these orders, all non-essential proceedings in all courts were immediately suspended. Judge Gosselin's local order expired on May 31, 2020 while the statewide order has been extended through June 12, 2020.

As the NEJC initiates an exit from this state of emergency, it will not simply be a return to the things as they were. Instead, in accordance with the latest guidelines from federal and state officials, as well as critical input from local hospital leaders, the courts will see a gradual return of both personnel and services/proceedings.

In Justice Harold D. Melton's *Second Order Extending Declaration of Statewide Judicial Emergency*, he directs that prior to conducting extensive in-person proceedings, each court should develop written guidelines as to how in-court proceedings "will be conducted to protect the health of litigants, lawyers, judges, court personnel, and the public." The guidelines below are a first step toward each class of court developing their own specific policies and procedures.

BASIC MEASURES		
ALL COURTS	<p>COVID-19 is a respiratory illness thought to spread primarily through droplets expelled when someone speaks, breathes, coughs, sneezes, etc.</p> <p>Exposure is riskiest during close contact – defined as being within 6 feet of an infected person for about 10 minutes. Transmission is also thought to be possible from touching surfaces where droplets have settled and then touching your nose, mouth, or eyes.</p> <p>The following six <u>Basic Measures</u> are critical to fighting the risk of an outbreak in our court community.</p>	<p>Resources:</p> <p>Centers for Disease Control and Prevention</p> <p>Georgia Department of Public Health</p>

	<ol style="list-style-type: none"> 1. Social Distancing Keep 6 feet between yourself and people who do not live with you. Do not allow crowds to congregate. 2. Good Hygiene Wash your hands with soap and water frequently, particularly after touching shared surfaces such as doorknobs, handles, tables, etc. Use hand sanitizer provided, and be sure to cover up coughs or sneezes and properly dispose of tissues. 3. Cleaning Surfaces Frequently touched surfaces should be regularly wiped down with a disinfectant. This is in addition to the cleaning done by custodial staff. 4. Face Coverings Face coverings are intended to trap droplets from leaving the wearer’s mouth and nose. They should always be worn when in close contact with another person, as well as in public or common areas. 5. Self-Quarantine Personnel Policy Mandatory self-disclosure and self-quarantine policies require employees to immediately alert their department head if they are experiencing any symptoms, have tested positive, or have had close contact with anyone who has. If so, they are required to stay at home. 6. Screening Measures at Entrances While the courthouse remains open to the public, anyone entering is subject to the additional screening measures as ordered by the Chief Judge. These measures will include digital temperature checks. 	<p>Northeast Georgia Health System</p> <p>NEJC.org</p>
SCREENING ENTRANTS	<p>By amended order entered June 1, 2020, courthouse deputies shall continue screening all employees and any other visitors by using an infrared thermometer and asking the following questions:</p> <ol style="list-style-type: none"> 1. Have you or anyone you have been in contact with in the last 14 days, tested positive for COVID19 or have/has contacted a medical professional or otherwise been concerned that you may have been exposed or infected with COVID19? 2. Are you currently experiencing or have you experienced any symptoms of difficulty breathing, a persistent cough, or a fever of 100.5 degrees or greater in the past 14 days? 	<p>Current Order Expires July 12, 2020</p>

	<p>Anyone registering a fever and anyone answering yes to either question will be directed not to enter.</p> <p>Persons not permitted to enter should provide security with the following information: name, contact information, the court they were scheduled to attend and why, and the reason for denying entry.</p>	
<p>GLOBAL PRECAUTIONS</p>	<p>All persons entering judicial facilities must comply with the directives of court or security personnel; anyone not in compliance may be directed to leave or risk being held in contempt.</p> <p><u>Face Coverings:</u> Persons entering are required to wear face coverings over their mouth and nose</p> <ul style="list-style-type: none"> ▪ Must wear them in all public areas, including the courtrooms, unless otherwise directed by the judge ▪ Disposable facemasks available at all facility entrances ▪ Dawson County will not require them at the front entrance, but they are required in the 3rd and 4th floor courtrooms <p><u>Hand Sanitizer</u> Widely available throughout the building, including elevator lobbies</p> <p><u>Water Fountains</u> Water fountains in the public hallways have been temporarily disabled</p> <p><u>Additional Cleaning</u> In addition to the normal cleaning, custodial staff will:</p> <ul style="list-style-type: none"> ▪ Sanitize doorknobs/push bars/handles ▪ Sanitize elevator buttons/handrails ▪ Sanitize courtroom surfaces as needed ▪ Courtrooms sanitized each day after use <p><u>Social Distancing</u> Signs posted throughout the building</p> <ul style="list-style-type: none"> ▪ Reminding and requiring visitors to keep 6 feet of physical distance between them, unless from the same household ▪ Hallway seating removed except for chairs spaced 6 feet apart ▪ Front entrance will be marked so as to identify appropriate spacing between persons that may be standing in line ▪ Breezeway and Annex entry to be similarly marked ▪ Elevator capacity limited to 2 persons at a time, unless from the same household 	

	<p><u>Courtroom Seating</u></p> <ul style="list-style-type: none"> ▪ Each courtroom has a “maximum capacity” based on proper distancing ▪ Maximum capacity does not include court personnel, and should not be exceeded except at the judge’s direction ▪ Litigants and visitors are encouraged not to bring nonessential persons with them, especially children ▪ Persons with cases on the calendar will be given priority for seating 	
SUPERIOR COURT		
GENERAL	<p>All offices resume normal operating hours</p> <p><u>In-Person Proceedings</u> Only schedule if the hearing is one that cannot reasonably be held via videoconference</p> <ul style="list-style-type: none"> ▪ As determined by the assigned judge ▪ No jury trials until August 2020 <p><u>Large Calendars</u> The number of attendees is expected to exceed the courtroom’s maximum seating capacity</p> <ul style="list-style-type: none"> ▪ Trial weeks, arraignments, calendar calls, etc. ▪ Scheduled in consultation with the Courts Coordinator so as to avoid overcrowding <p><u>Small Calendars</u> The number of attendees is <i>not</i> expected to exceed the courtroom’s maximum seating capacity</p> <ul style="list-style-type: none"> ▪ Staggered hearing times throughout the day, rather than a morning calendar and afternoon calendar ▪ To be scheduled at each judge’s discretion <p><u>Maximum Seating Capacities</u> Does not include Court Personnel</p> <ul style="list-style-type: none"> ▪ Courtroom 401: 23 people ▪ Courtroom 402: 23 people ▪ Courtroom 403: 23 people ▪ Courtroom 404: 23 people ▪ Courtroom 202: 23 people ▪ Jury Assembly Room: 40 people <p><u>Designated Alternate Location</u> Chicopee Woods Agricultural Center designated as an alternate courthouse location for the duration of the judicial emergency,</p>	Beginning June 1, 2020

	<p>currently June 12, 2020</p> <ul style="list-style-type: none"> ▪ Hearings scheduled where proper distancing may be hard to ensure in the courthouse 	
DOMESTICS	<p><u>Video Proceedings</u> Resume non-essential hearings by Zoom only, or with very limited in-person attendance</p> <ul style="list-style-type: none"> ▪ Judges’ offices to schedule, with training and assistance from Court Administration ▪ Priority will be given to those hearings which were cancelled as a result of the emergency order ▪ If any party objects to conducting the hearing by Zoom, the case may be removed from the calendar by contacting the judge’s office (the case will then be postponed until in-person proceedings resume) ▪ If a hearing will require extensive evidence or multiple witnesses, etc., the case may not be appropriate for a video hearing. All hearings are scheduled and conducted at the discretion of the assigned judge ▪ Livestream to YouTube if the judge is not physically on the bench ▪ “Zoom stations” available on the 4th floor for any litigant unable to join by their own device or internet connection <p><u>In-Person Proceedings</u> Non-essential, in-person proceedings resume</p> <ul style="list-style-type: none"> ▪ Make every reasonable effort to schedule and conduct the proceeding via Zoom first ▪ Refrain from scheduling any calendars expected to exceed the maximum capacity of a courtroom ▪ Advise litigants of the screening measures and mask mandate before they come to court 	<p>Began May 11, 2020</p> <p>Beginning June 15, 2020</p>
GENERAL CIVIL	<p><u>Motions and Hearings</u> Make every reasonable effort to schedule and conduct proceedings via Zoom</p> <ul style="list-style-type: none"> ▪ With the consent of the parties and at the discretion of the assigned judge ▪ A request for an in-person proceeding may delay the matter being heard <p><u>In-Person Proceedings</u> Scheduled at the assigned judge’s discretion</p> <ul style="list-style-type: none"> ▪ Refrain from scheduling any hearings expected to exceed the maximum capacity of a courtroom 	<p>Beginning June 15, 2020</p>

	<ul style="list-style-type: none"> ▪ Advise litigants of the screening measures and mask mandate before they come to court 	
CRIMINAL	<p>Prioritize hearings where a defendant can waive his presence, and make every reasonable effort to conduct the proceedings via Zoom</p> <p><u>Jail Hearings</u> Use Starleaf or Zoom videoconferencing, rather than transport</p> <ul style="list-style-type: none"> ▪ Courts Coordinator to serve as host and liaison to the jail, until those duties can be handed off to the judges' offices staff ▪ Rotation for Reserved Use of Video Equipment: <ul style="list-style-type: none"> - Monday – Judge C. Andrew Fuller (8:30-10, 2-5:00) - Tuesday – Judge Kathlene F. Gosselin (3:00 to 5:00) - Wednesday – Judge Bonnie C. Oliver (8:30 to 1:00) - Wednesday – Judge Clint G. Bearden (3:00 to 5:00) - Thursday – Judge Jason J. Deal (8:30 to 1:00) - Friday – Judge Jason J. Deal (3:00 to 5:00) <p><u>Arraignments and Calendar Calls</u></p> <ul style="list-style-type: none"> ▪ Encourage ADAs and defense attorneys to speak prior to coming into the courtroom ▪ Calendars may be reduced and staggered report times ▪ Use of Jury Assembly Room and other empty courtrooms 	Beginning July 1, 2020
JURY TRIALS	<p>Prioritize cases where defendant is in jail</p> <p><u>Scheduling</u> Reset all previously scheduled jury calendars for 2020</p> <ul style="list-style-type: none"> ▪ Re-create a Master AOC Calendar starting with jury trials ▪ No more than two judges conducting jury trials at a time, whether State or Superior Court ▪ 4 total trial weeks per judge <p><u>Jury Selection and Deliberations</u> To Be Determined</p>	Beginning August 2020

STATE COURT		
GENERAL	<p>All offices resume normal operating hours</p> <p><u>In-Person Proceedings</u> Only scheduled if the hearing is one that cannot reasonably be held via videoconference</p> <ul style="list-style-type: none"> ▪ As determined by the assigned judge ▪ No jury trials until August 2020 <p><u>Large Calendars</u> The number of attendees is expected to exceed the courtroom's maximum seating capacity</p> <ul style="list-style-type: none"> ▪ Trial weeks, arraignments, etc. ▪ Scheduled in consultation with the Courts Coordinator so as to avoid overcrowding <p><u>Small Calendars</u> The number of attendees is <i>not</i> expected to exceed the courtroom's maximum seating capacity</p> <ul style="list-style-type: none"> ▪ May be achieved by staggering hearing times throughout the day, rather than a morning calendar and afternoon calendar ▪ To be scheduled at each judge's discretion <p><u>Maximum Seating Capacities</u></p> <ul style="list-style-type: none"> ▪ Courtroom 201: 22 people ▪ Courtroom 101: 23 people ▪ Courtroom 102: 32 people ▪ Jury Assembly Room: 40 people 	Beginning June 1, 2020
CRIMINAL	<p>Prioritize hearings where a defendant can waive his presence, and make every reasonable effort to conduct the proceedings via Zoom</p> <p><u>Jail Hearings</u> Use Starleaf or Zoom videoconferencing, rather than transport</p> <ul style="list-style-type: none"> ▪ Courts Coordinator to serve as host and liaison to the jail, until those duties can be handed off to the judges' offices staff ▪ Rotation for Reserved Use of Video Equipment: <ul style="list-style-type: none"> - Tuesday – Judge Larry A. Baldwin (8:30 to 1:00) - Thursday - Judge John G. Breakfield (8:30 to 1:00) - Friday – Judge B.E. Roberts (8:30 to 1:00) 	

	<p><u>Arraignments</u> Reset all previously scheduled calendars for the remainder of 2020</p> <ul style="list-style-type: none"> ▪ Re-create a Master AOC Calendar that starts with jury trials and Arraignments <ul style="list-style-type: none"> - Scheduled in consultation with Courts Coordinator and the Master AOC Calendar - Endeavor to keep any previously noticed arraignment dates ▪ Reduced Calendar Sizes and Extra Days <ul style="list-style-type: none"> - Scheduled Tuesdays to Fridays, with staggered report times - Start with backlog of cases that were cancelled ▪ Traffic Bureau Division <ul style="list-style-type: none"> - Judges to work with Courts Coordinator and Solicitor to determine new dates for new citations - Solicitor to provide new dates to law enforcement 	
<p>JURY TRIALS</p>	<p>Prioritize cases where defendant is in jail</p> <p><u>Scheduling</u> Reset all previously scheduled calendars for the remainder of 2020</p> <ul style="list-style-type: none"> ▪ Re-create a Master AOC Calendar that starts with jury trials ▪ No more than two judges conducting jury trials at a time, whether State or Superior Court ▪ 4 total trial weeks per judge <p><u>Jury Selection and Deliberations</u> TBD</p>	<p>Beginning August 2020</p>