

Probate Court Return to Court Strategy

May 28, 2020

Due to the COVID-19 Pandemic, Judicial Emergency Orders were issued by Chief Justice of the Georgia Supreme Court, Harold Melton, and Chief Judge of the Northeastern Judicial Circuit Kathleen Gosselin. Chief Justice Melton directed courts to develop guidelines for in-court proceedings to protect the health of all involved. To comply with that direction and one from Judge Gosselin, below are the Guidelines of the Hall County Probate Court.

1. All "Basic Measures" for All Courts as stated in the Northeastern Judicial Circuit's Gradual Return Strategy shall be followed, including:
 - ***Social Distancing.*** Individuals will be directed to keep 6 feet between themselves and people who do not live in the same home. Large crowds may not congregate. Signs are posted regarding social distancing.
 - ***Good Hygiene.*** Individuals will be directed to wash their hands or use hand sanitizer frequently. Individuals will be directed to cover their cough or sneeze and properly dispose of tissues. Signs are posted regarding cleanliness.
 - ***Cleaning Surfaces.*** Frequently touched surfaces will be sanitized regularly with disinfectant spray by court employees.
 - ***Face Coverings.*** Face coverings will be required. A sign is posted about how to properly wear your face covering.
 - ***Self-Quarantine Personnel Policy.*** Mandatory self-disclosure and self-quarantine policies are in place requiring employees to immediately alert their department head if they have symptoms, test positive, or have close contact (within 6 feet for 10 minutes or more) with anyone who has tested positive. Any of these require the employee to stay home.
 - ***Screening at Courthouse Entrance.*** Anyone entering the courthouse is subject to screening including questions and a temperature check.
2. All "Global Precautions" for All Courts as stated in the Northeastern Judicial Circuit's Gradual Return Strategy shall be followed, including:
 - ***Face Coverings.*** Face coverings are required in all shared spaces of the Probate Court. Deputies will give face coverings to those who do not bring their own.

Individuals will be instructed that they must keep their mouth and nose covered while inside the Courthouse Annex.

- **Courtrooms.** The Probate Court Courtroom has a maximum capacity of 8 individuals, excluding court personnel. Seating is marked to require social distancing. Visitors to the Court are encouraged to not bring unnecessary guests with them.
- **Overflow Seating.** There is no space for overflow seating in the Courthouse Annex. Probate Court will offer online viewing for individuals who wish to observe proceedings after maximum occupancy is reached.

3. Probate Court Specific Plan for Hearings

- **Jury Trials.** No jury trials will be scheduled until after November 30, 2020. Superior Court guidelines will likely be adopted at that time.
- **Oaths.** Probate Court has been conducting Oaths for Personal Representatives via Zoom videoconference since mid-April and will continue to encourage that as the preferred method. In-person oaths will only be allowed by appointment on cases that are solely waiting on the Oath until expiration of the Judicial Emergency.
- **Essential Hearings.** Probate Court has been conducting essential hearings (those that affect life, health, safety) using a combination of videoconferencing and in-person appearances. This practice will continue as many individuals involved in mental health and guardianship hearings have a fragile health status.
- **Non Essential Hearings.** Probate Court will return to nonessential in-person hearings June 15, 2020. All cases will be specially set to allow interested parties to attend proceedings live whenever they desire. Probate Court will also consider the number of people directly involved in a case and not set a case that needs more than eight individuals in the Probate Court Courtroom, but will find an alternate location.
- **Videoconferencing.** Probate Court will continue to offer videoconferencing via Zoom for all public hearings and has arranged the Probate Court Courtroom to offer the ability to see and hear all parties and counsel as well as the witness and the judge on camera at all times.

4. Applications

- ***Weapons Carry Licensing.*** Applicants are required to complete application demographics and answer questions online before entering the courthouse and are notified of this on the Hall County website. Upon arrival, they wait outside the building until they are instructed to enter. Only 2-3 applicants are allowed inside the Probate Court lobby at any time. Applicants are encouraged to not bring any additional people with them.
- ***Marriage Licensing.*** Applicants are required to complete the application online before entering the courthouse. One couple may be inside the Probate Court lobby at any time. All others will be instructed to wait outside. They may not bring additional people with them.
- ***Filings.*** All filings are encouraged to be through the mail. Individuals may enter the building, give a filing to the Clerk of the Probate Court, and offer payment. They may not review forms, complete forms, ask questions, while in the Probate Court lobby. These actions must be taken at home or done via phone/email.
- ***Records Searching.*** Records researchers are allowed to visit without appointment, but may be asked to leave if others enter the Probate Court lobby to maintain low numbers of people inside the lobby.
- ***All Other Services.*** Everyone is encouraged to call the court or email a clerk to ask questions rather than visit the court in person. The total number of individuals in the lobby at any given time will be limited to 7.

The Probate Court will likely need to change and adjust these plans as time moves forward and better ideas are discovered. When changes happen, the new guidelines will be made available on the internet at <https://www.hallcounty.org/484/Probate-Court>.