

**IN THE SUPERIOR COURT FOR
THE LOOKOUT MOUNTAIN JUDICIAL CIRCUIT**

STATE OF GEORGIA

**AMENDED ORDER ESTABLISHING GUIDELINES FOR IN-PERSON COURT
PROCEEDINGS IN THE LOOKOUT MOUNTAIN JUDICIAL CIRCUIT**

On May 11, 2020, the Honorable Chief Justice Harold D. Melton of the Supreme Court of Georgia issued the Second Order Extending Declaration of Statewide Judicial Emergency addressing the continuation of essential court services and the re-opening of non-essential court services. Based upon the authority granted to the Superior Courts and in the exercise of judicial discretion, the court issues the following order establishing guidelines to protect the health of litigants, attorneys, judges, court personnel and the public for in-court proceedings.

1.

Each and every person has a duty and a right to protect their own personal health. As attendance at court proceedings is often mandatory rather than optional, the Court must consider the public health concerns of all citizens that utilize our courthouses. If an individual objects to in-person attendance and/or is considered to be high risk, that should be immediately made known to the Court in order that alternative arrangements can be made for the resolution of his or her business.

2.

Number of Persons Admitted to the Courthouse or Courtroom.

A. Courthouse.

Admittance to the courthouse will be in the discretion of the Sheriff of each county, consistent with public health guidelines, courthouse safety plan and this Order. Other offices in

our government buildings (Clerk of Court, Tax Commissioner, Elections, etc.) may adopt these guidelines or create different ones for use in their particular office spaces.

B. Courtroom.

The term “courtroom” shall include, but not be limited to, the common areas of the courthouse immediately adjacent to a courtroom, jury rooms, jury assembly rooms, witness sequestration areas, judges’ chambers, law libraries, and any other room regularly used when court is in session.

Social distancing of 6 (six) feet will be required and enforced by the Sheriff in all areas of the courthouse. Once the courtroom is fully occupied using 6-foot social distancing guidelines, no additional persons may enter.

3.

Health Screening

Health screening shall be conducted on each person entering the courthouse by the Sheriff’s office. This screening will include the personal health questions contained in the Covid-19 Health Screening form attached, hereto, as Exhibit A. As the availability of equipment permits, each person’s temperature will be taken using a no-touch thermometer. Each county Sheriff shall make best efforts to obtain no-contact thermometers for this purpose.

4.

Personal Protective Equipment

Personal Protective Equipment (PPE) is designed to protect both the individual wearing it and all others with whom he or she comes into close contact with. All person entering the courthouse will wear a protective mask or face covering. Limited supplies exist and will be available at the security entrance to each courthouse. Each county Sheriff shall make best efforts

to obtain a steady supply of face masks. Exceptions may be granted by the presiding judge for good cause.

5.

Remote Judicial Proceedings

All judges shall continue to use technological alternatives whenever possible (Zoom, WebEx). The decision to utilize remote or in-person proceedings is in the sole discretion of the presiding judge.

Judges may require and compel the participation of litigants, lawyers, witnesses, and other essential personnel in remote judicial proceedings where allowed. Judges may allow, but not require, attorneys to be present in the courtroom with the judge during otherwise video conference at his or her discretion.

6.

Remote Working of Staff and Employees

Remote working of all attorneys, staff, and employees is encouraged whenever possible.

7.

Publication of Dissemination of Guidelines

This Order and guidelines shall be published on the Lookout Mountain Judicial Circuit website and posted at the entrance to each courthouse. A copy of this order shall also be filed with the Clerk of Superior Court of each county within the Lookout Mountain Judicial Circuit.


8.

Duration

This Order shall be effective until termination of the Declaration of Judicial Emergency by the Supreme Court of Georgia. This Court is authorized to impose additional restrictions or

guidelines should the situation in a particular county or courthouse require such by O.C.G.A §
38-3-61 AND § 38-3-62.

SO ORDERED THIS 24 DAY OF July, 2020.


KRISTINA COOK GRAHAM
CHIEF JUDGE, SUPERIOR COURT
LOOKOUT MOUNTAIN JUDICIAL CIRCUIT

