IN THE SUPERIOR COURTS FOR THE WAYCROSS JUDICIAL CIRCUIT
STATE OF GEORGIA

# AMENDED ORDER ESTABLISHING GUIDELINES FOR IN PERSON COURT PROCEEDINGS WAYCROSS JUDICIAL CIRCUIT

On May 14, 2020, the Judges of the Superior Court for the Waycross Judicial Circuit issued their Order Establishing Guidelines for In Person Court Proceedings. Since said date, the respective courts, sheriffs, county commissions, clerks of court, other court personnel, other occupants of the courthouses, lawyers, litigants, and visitors of the six counties of the circuit have endeavored, with varying degrees of success, to comply with the terms of said order. Because of the good faith effort of all, many cases have been heard and disposed of since the issuance of said Order. Despite such efforts, COVID-19 has penetrated the court system in certain counties of the circuit. Since the date of this court's Order Establishing Guidelines for In Person Court Proceedings, the Supreme Court of Georgia has issued two orders extending the Statewide Judicial Emergency (Third and Fourth Extension Orders). In response thereto, this court issues this Amended Order Establishing Guidelines for In Person Court Proceedings.

On July 10, 2020, the Honorable Chief Justice Harold D. Melton of the Supreme Court of Georgia issued the Fourth Order Extending Declaration of Statewide Judicial Emergency, effective July 12, 2020 at 11:59 p.m. (the "Fourth Order").[1] Paragraph IV of said Fourth Order requires that, "No court may compel the attendance of any person for a court proceeding if the court proceeding or the court facility in which it is to be held is not in compliance with this order....." Said paragraph further states, in part:

> (C) Each court shall develop and implement operating guidelines as to how in court proceedings generally and particular types of proceedings will be conducted to protect the health of litigants, lawyers, judges, court personnel, and the public.
>
> (1) The Judicial Council Strategic Planning Committee and the Judicial COVID-19 Task Force have issued a bench card entitled "Georgia Court Reopening Guide," which is included in the Appendix and should be used as the template for

[1] The Fourth Order may be found at https://www.gasupreme.us/wp-content/uploads/2020/07/4th-SJEO-FINAL.pdf

such operating guidelines, which at a minimum should include all subject matters contained therein. Courts should also consider guidance from local health departments and guidance provided by CDC and DPH; if local public health guidance is more restrictive than the bench card, the local public health guidance should be followed instead.

(2) With regard to everyone who works in a court facility, the operating guidelines shall require isolation of any person with known or suspected COVID-19 and quarantine of any person with COVID-19 exposure likely to result in infection, in accordance with the DPH Seventh Amended Administrative Order for Public Health Control Measures, a link to which may be found in the Appendix, or any subsequent version thereof.

(3) When there is reason to believe that anyone who works or has visited a court facility has been exposed to COVID-19, DPH or the local health department shall be notified and notification of persons who may have been exposed shall occur as directed by DPH or the local health department.

Based upon the authority granted to the Superior Courts of the Waycross Judicial Circuit by the said Fourth Order, in the exercise of judicial discretion, the court issues the following order establishing guidelines to protect the health of litigants, lawyers, judges, court personnel, and the public (hereafter referred to as the "Guidelines") for in person court proceedings.

1.

The health of each litigant, lawyer, judge, court personnel, and the public is first and foremost the responsibility of each person. The court cannot guarantee, nor does it attempt to guarantee, that strict adherence to the guidelines will prevent the contraction or spreading of any infectious disease, including but not limited to COVID-19. If any person has an objection to attendance or participation in an in person court proceeding, then such objection shall be made known to the court at least three days prior to the scheduled court proceeding, or as soon as is practicable, and shall accompany such objection with a proposed reasonable accommodation to such attendance. The court will consider the request, and in its discretion, will rule as to which accommodation, if any, is appropriate.

2. Persons Admitted to the Courthouse and Courtroom

A. Courthouse.

The term "Courthouse" and "Court Facility" shall have the same meaning and are used interchangeably herein.

Consistent with the Order Declaring a Judicial Emergency in the Waycross Judicial Circuit dated July 10, 2020 and consistent with the said Georgia Court Reopening Guide, Facemasks (paper or cloth), **shall** be worn by all who enter the courthouse and all who enter a courtroom. The Georgia Court Reopening Guide is attached hereto Exhibit A.

Courthouse personnel **shall** wear facemasks from the entryway of the court facility to their respective workplaces, and thereafter, at the discretion of their respective supervisors.

Persons who are not courthouse personnel **shall** wear a facemask prior to entering the courthouse and continuously thereafter until they exit the courthouse.

Other PPE, such as gloves, may be worn by all persons entering a courthouse.

The Sheriff of each county shall be responsible for administering and enforcing admittance to the courthouse in accordance with this order, public health guidelines, courthouse safety plan, the guidelines established by varying occupants of each courthouse, and other relevant factors in the discretion of each Sheriff.

Other constitutional officers, Magistrate and Probate Judges, and other occupants such as tax assessors, elections office, county commissioners, and other governmental entities that maintain office space in the courthouse shall develop occupancy guidelines consistent with public health guidelines, courthouse safety plans and other relevant factors.

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 rooms, judge's chambers, law libraries attendant to the courtroom, attorney lounges attendant to the courtroom, and any other room regularly used when court is in session.

All persons, including but not limited to courthouse personnel, lawyers, litigants, and visitors **shall** wear a facemask in the courtroom. A court reporter is not required to wear a

facemask while she is using a steno mask or other similar device, but otherwise is required to wear a facemask.

The court has a limited supply of facemasks for use by court personnel. Each county has a limited supply of facemasks for use by visitors to a courtroom. If a visitor does not have access to a facemask, then he or she shall notify the health screening personnel of such need, and a facemask shall be provided to such visitors for so long as limited supplies last.

Additionally, admittance to the Courtroom shall be governed by other public health guidelines, specifically but not by way of limitation, social distancing guidelines. In each courtroom, the number of persons allowed in the visitor section shall not exceed the number that can be admitted in the visitor section of the courtroom while exercising social distancing guidelines. The Sheriff or his designee shall place a marker designating where a person may be seated in accordance with social distancing guidelines. A person may be seated only on a marker. However, if persons in the visitor section reside in the same household, they may be allowed to sit together. Then, the next visitor must be seated on a marker at an appropriate social distance. Once the visitor section is fully occupied using such social distancing guidelines, then no additional persons may enter the courtroom.[2] If an attorney is not engaged in a hearing in progress, she or he shall sit in the visitor section of the courtroom, or may remain outside the courtroom awaiting the calling of her or his case for trial/hearing.

In the front of courtroom, where the hearing/trial is conducted, all persons, including but not limited to the judge, court reporter, clerk, and attorneys and her or his client shall exercise social distancing guidelines. If an attorney and client need closer contact for confidential matters, they shall request to be excused from the courtroom for such contact. Sequestered witnesses shall observe social distancing guidelines, and the Sheriff is ordered to find sufficient rooms to sequester

[2] Each court is encouraged, but not mandated, to provide an overflow room where the proceedings may be watched via a live video feed. The court is aware that based upon the physical attributes of some facilities, this may be easily accomplished, and that based upon the physical limitations of some facilities, this may be more difficult, if not impossible to accomplish. In criminal proceedings, the constitutional right of the Defendant to an open proceeding shall not be abridged, and the application of these guidelines shall not be construed to in any way limit this constitutional right. Furthermore, in all proceedings, the goal is to provide an open forum for public viewing, while at the same time attempting to provide a safer environment based upon existing public health guidelines, and these guidelines shall be interpreted and implemented consistent with such goals.

witnesses while maintaining social distancing guidelines. Furthermore, while court is in session, the Sheriff shall assure that social distancing is being followed by all persons in the courtroom, as the term courtroom is defined in 2(b) above.

3. Health Screening

Health Screening personnel are not trained medical professionals. If anyone has any questions or concerns about his or her health or potential COVID-19 exposure, then such person should contact his or her personal physician, Georgia Department of Public Health, or other qualified medical professional.

On all days that a courthouse is open to the public, a Health Screening shall be conducted on each person entering the courthouse. The Sheriff of each county shall conduct a health screening on each person entering the courthouse by using the tool provided as Exhibit B to this Order. The Sheriffs of each county shall make best efforts to procure sufficient no-contact thermometers for use in measuring the temperature of persons entering the courthouse. If a Sheriff is unable to locate sufficient no-contact thermometers for use by health screening personnel, then the Sheriff shall not be required to take the temperature of those entering the courthouse, but shall ask all questions and document all responses of all persons entering the courthouse on the tool provided on the attached Exhibit B. If any of the questions on the screening tool is answered in the affirmative, then such person shall not be allowed to enter the courthouse. If the person who is not allowed into the courthouse is a litigant or witness in a case scheduled for an in person hearing, then the Sheriff shall immediately notify the court (presiding judge or staff) of the person not so admitted.

4. Personal Protective Equipment ("PPE")

Facemasks (paper or cloth), **shall** be worn by all who enter the **courthouse** and all who enter a courtroom.

Courthouse personnel **shall** wear facemasks from the entryway of the court facility to their respective workplaces, and thereafter, at the discretion of their respective supervisors.

Persons who are not courthouse personnel **shall** wear a facemask prior to entering the courthouse and continuously thereafter until they exit the courthouse.

All persons, including but not limited to courthouse personnel, lawyers, litigants, and visitors **shall** wear a facemask in the courtroom. A court reporter is not required to wear a facemask while she is using a steno mask or other similar device, but otherwise is required to wear a facemask.

The court has a limited supply of facemasks for use by court personnel. Each county has a limited supply of facemasks for use by visitors to a courtroom. If a visitor does not have access to a facemask, then he or she shall notify the health screening personnel of such need, and a facemask shall be provided to such visitors for so long as limited supplies last.

Other PPE, such a gloves, may be worn by all persons entering a courthouse.

5. Sanitization practices.

The county commissioners of each county shall ensure that custodial or other personnel are sufficiently trained in the method and manner for sanitizing a courtroom, as the term courtroom is defined in paragraph numbered 2 herein. Persons tasked with sanitization practices shall follow guidelines established by the United States Centers for Disease Control ("CDC"), the Georgia Department of Public Health, the county health department, and the provisions of the Georgia Court Reopening Guide.

Courtrooms shall be cleaned and disinfected after each use. To provide as much time after cleaning and disinfecting prior to the next use, such cleaning and disinfecting shall take place as soon after use as is practically and reasonably possible. Certain high traffic areas in the courtroom may need cleaning more often (e.g. between hearings or witnesses), in accordance with public health guidelines.

Each county shall supply hand sanitizer for use in the courthouse and courtroom, which shall be available for use by all persons entering the courthouse and courtroom. Writing instruments shall be personal, disposable, or sanitized after each use and before use by another person in the courtroom.

6. Accommodations for high risk individuals.

The following persons are defined as high risk individuals:

a. Those persons who are 65 years of age or older.

b. Those persons who live in a nursing home or long-term care facility, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes.

c. Those persons who have chronic lung disease.

d. Those persons who have moderate or severe asthma.

e. Those persons who have severe heart disease.

f. Those persons who are immunocompromised. Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medication.

g. Those persons, of any age, with class III or severe obesity.

h. Those persons diagnosed with the following underlying medical conditions: diabetes, liver disease, and persons with chronic kidney disease undergoing dialysis.

If any lawyer, party, or witness falls into one of the above categories of high risk individuals, then the lawyer for such party or lawyer who subpoenaed such witness shall notify the presiding judge or presiding judge's staff of such condition at least three days prior to the scheduled court proceeding, or as soon as is practicable, and shall accompany such notification with a proposed reasonable accommodation for such lawyer, party, or witness. If a party is self-represented, then such party shall follow the same procedure as an attorney for a party. The court will consider the request, and in its discretion, will rule as to which accommodation is appropriate.

7. Isolation and Quarantine

All persons employed in a court facility shall strictly follow the provisions of the State of Georgia Department of Public Health Seventh Amended Administrative Order for Public Health Control Measures[3], the terms of said order being incorporated herein by reference. A copy of said Seventh Administrative Order is attached hereto as Exhibit C. By way of emphasis but not

[3] The State of Georgia Department of Public Health Seventh Amended Administrative Order for Public Health Control Measures may be found at https://www.gasupreme.us/wp-content/uploads/2020/07/7-Seventh-Amended-Administrative-Order-for-Public-Health-Control-Measures.pdf

limitation, the provisions of said Seventh Administrative Order relating to **Isolation and Quarantine** shall be strictly adhered to and enforced. Any person employed in a court facility who fails to strictly follow the provisions regarding Isolation and Quarantine shall be subject to sanction, including but not limited to the contempt powers of this court.

Each person's medical condition is a private matter protected by Georgia law and HIPPA. This protection applies to known or suspected COVID-19 cases and to COVID-19 exposures. However, to the extent that persons voluntarily share such information with persons employed in a court facility, the person receiving such information shall immediately report such information to their supervisor, who in turn shall report such information to any one of the Superior Court Judges in order that the Superior Court Judges may comply with the terms of the said Fourth Order.

8. Resources.

All individuals should educate themselves about the relative dangers of attending gatherings of people, including in person court proceedings. The CDC, Georgia Department of Public Health, county health departments, Georgia Court Reopening Guide, the Fourth Order, and State of Georgia Department of Public Health Seventh Amended Administrative Order for Public Health Control Measures are excellent resources for use in such educational process. Each individual is responsible for his or her education in this matter.

9. Implementation

Except as otherwise specified herein, the Sheriff of each county, in the exercise of his discretion, shall be responsible for implementation of these guidelines.

This Order shall be enforced in accordance with its terms and as consistent with the Fourth Order, Georgia Court Reopening Guide, and the State of Georgia Department of Public Health Seventh Amended Administrative Order for Public Health Control Measures. Such documents are incorporated herein by reference.

10. Publication and Dissemination of Guidelines.

This order and guidelines shall be published on the website for the Superior Courts of Georgia First Administrative District, on the website of each Clerk of Court and County Government (if such websites exist), and at the entrance to each courthouse. A copy of this order

shall be available at the Clerk of Superior Court office of each county within the Waycross Judicial Circuit, and shall be prominently posted in each courthouse where similar public announcements are posted. Furthermore, this Order shall be submitted to the Administrative Office of the Courts at *https://georgiacourts.gov/covid-19-court-operating-guidelines-form/* to be posted at *https://georgiacourts.gov/covid-19-court-operating-guidelines/* as a centralized website available to litigants, lawyers, and the public.

11. Duration

This order shall be effective until termination of the Chief Justice of the Supreme Court of Georgia's Order Declaring Statewide Judicial Emergency as extended.

SO ORDERED on this the 16th day of July, 2020.

DWAYNE H. GILLIS, Chief Judge
Waycross Judicial Circuit

JEFFREY H. KIGHT, Judge
Waycross Judicial Circuit

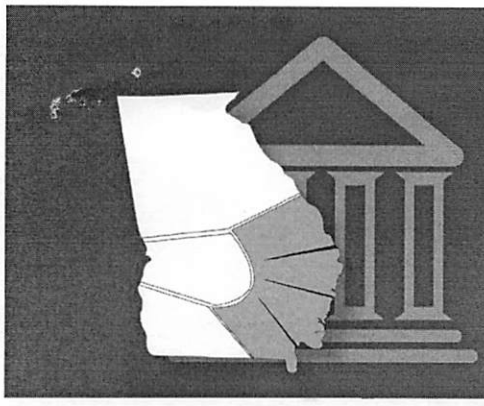
J. KELLY BROOKS, Judge
Waycross Judicial Circuit

ANDREW C. SPIVEY, Judge
Waycross Judicial Circuit

# Exhibit A

# Georgia Court Reopening Guide

(Comprised of 5 pages not including this page)



# Georgia Court Reopening Guide

Judicial Council Strategic Plan Standing Committee

When the courts reopen, certain general practices will need to be followed to ensure the health and safety of both court employees and the public. Due to the wide variety of courts across the State, it is impossible to create a one-size-fits-all COVID-19 policy that will work for both small and larger localities. There are, however, certain general practices that could be applied to all courts and adjusted where necessary to meet the unique needs of each court. The practices presented here are to assist all Georgia courts meet the challenges of resuming operations in the wake of the public health emergency caused by COVID-19.

## Guiding Principles

- 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.

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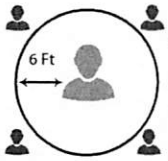
Special thanks to Dr. Mark Swancutt, Fulton County Board of Health

# 1 General Infection Control Measures

**Require** all employees and the public to wear a mask or face covering when entering the court facility. If possible, provide a mask to employees and members of the public seeking entry who do not have one.




**Limit room capacity** throughout the court facility. Calculate room capacity using the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person. Use your best judgment to adjust this calculation to the specific layout of each room and to accommodate cohabitating groups sitting together.

- **Provide the public with access** to handwashing and multiple hand sanitizer stations throughout the facility.
- **Provide signage** to direct the public to bathrooms for handwashing and hand sanitizer stations.
- **Request that housekeeping personnel clean and sanitize bathrooms and other areas** more frequently and adequately to control the transmission of COVID-19.
- **Restrooms should be well-stocked** with soap and paper towels at all times.
- **Post signage limiting restroom capacity** to facilitate social distancing.
- **Prohibit the use** of water fountains.
- **Consider physical barriers** like plexiglass to protect court employees and the public.
- **Permit employees and the public to wear their own protective equipment**, including a face covering.
- **Any person not wearing a mask** should remain at least ten feet away from other people.
- **Ventilation system:** Work with public health to evaluate ventilation needs. The CDC recommends improving central air filtration to a MERV-13 filter or the highest compatible with the filter rack, as well as sealing the edges of the filter to limit bypass.
- **Locate additional space:** Identify other government facility space to provide more room, e.g., commission meeting rooms, jury assembly rooms, auditoriums, etc.
- **Coordinate your efforts** with the other tenants in your building to ensure uniform practices throughout the facility.
- **Isolate persons who become symptomatic** while in the court facility until they are able to leave and remove others from any rooms they have occupied.
- **Consult a public health or medical professional** if you have questions or need help adapting these guidelines to your unique circumstances.

### Maintain Safe Behavioral Practices

- ✓ Frequently wash hands or use alcohol-based (at least 60 percent alcohol) hand sanitizer when soap and water are not available.
- ✓ Wear a mask or other face covering. If wearing a mask would negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ Avoid touching eyes, nose, and mouth.
- ✓ Stay at least six feet (about two arms' length) from other people.
- ✓ Stay home when sick.
- ✓ Clean and disinfect frequently touched objects and surfaces, including door handles, security bins, countertops, public access computers, and seating throughout the facility.

# 2 Provide Notice to the Public of Increased Health and Safety Measures

**Modify the existing hearing notice** to include that the court has taken certain health and safety measures to limit the transmission of COVID-19.

2 Continued next page

## 2 Provide Notice to the Public of Increased Health and Safety Measures continued

**Add information to the existing hearing notice** about how to contact the court to request a continuance in the event that the noticed party:

- ✓ Is currently infected with COVID-19 or in quarantine due to exposure to a person with COVID-19.
- ✓ Is a member of an immune-compromised or medically fragile population (or living in a household with someone who is immune-compromised or medically fragile).
- ✓ Is over age 65.
- ✓ Has small children but does not have child care due to COVID-19.

**Include information about how to request a reasonable and necessary accommodation** in advance of arriving to court, such as an interpreter.

**Post adequate signage** to provide the public with instructions on how to comply with health and safety measures.

**Post signage and floor decals** to direct the flow of foot traffic throughout the court facility.

# 3 Provide Healthy and Safe Access to the Courtroom

### SCREENING

**Establish a process to screen individuals for COVID-19 before entering the court building** and the courtroom.

**Ask a series of questions** to each individual before or upon entry to the building, such as:

- ? 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 been tested for the virus and the result of such test.
- ? If possible, take the temperature of each individual seeking to enter the building with a no-contact thermometer and deny entry to anyone with a fever of 100.0 degrees or higher. Persons reporting a fever above 100.0 degrees in the past 72 hours should also be denied entry.
- ? Any person denied entry for health reasons should have his or her case continued and be advised to seek medical evaluation and testing.
- ? The following information should be collected from any person denied entry for health reasons: name, contact information, the court he or she was scheduled to attend and why, and the specific reason for denying entry.

### STAGING

**Individuals should not congregate** in common areas while waiting to access the courtroom.

**Design a process to facilitate social distancing** while individuals wait to enter the courtroom, such as:

- ✓ Floor or sidewalk markings to keep individuals six feet apart.
- ✓ Outdoor distancing so individuals can spread out.
- ✓ Waiting in cars.
- ✓ Set up a tent where individuals can wait in compliance with social distancing measures.
- ✓ Call or send a text message when it's time to enter the building.

### FLOW

**Control the route** that people will take through your building to access the courtroom to encourage social distancing, such as:

- ✓ Roping or taping off certain seating areas or hallways.
- ✓ Placing arrows on the floors to direct foot traffic.
- ✓ Requiring people to enter through one door and exit through another.
- ✓ Limiting elevator capacity to facilitate social distancing (e.g., two person maximum) and offering the stairs as an alternative route.

# 4 Maintain a Healthy and Safe Courtroom

**Maintain a six foot distance** in the courtroom between individuals who do not reside together to facilitate adequate social distancing.

**Limit Courtroom Capacity**

Do not schedule more individuals to arrive at the courtroom (including staff) than the square footage of the courtroom can accommodate to allow for social distancing.

One way to calculate room capacity is to use the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person.

**Continue to conduct virtual hearings** by video conference or teleconferencing whenever possible.

**Consider providing a live** YouTube, Facebook, Zoom or other link to individuals who want to see what is going on in the courtroom but cannot be present due to room capacity.

**Rotate individuals in and out** of the courtroom as quickly as possible to limit contact.

**Use microphones** capable of picking up audio from a safe distance or clean close proximity microphones after each use. Court employees should wear gloves and hold handheld microphones if used.

**Limit contact** with shared documents and exhibits as much as possible. Present documents and exhibits electronically if possible and appropriate.

**Conduct bench conferences in a room that provides for adequate social distancing** (defendant may need to waive his or her presence if necessary).

**Disinfect the courtroom** after each proceeding or as frequently as practicable.

**Consider Staggered Scheduling**

Under normal circumstances, it is common to have large calendar calls in many courts where many people report at one time.

To maintain adequate social distancing, stagger the arrival of persons participating in proceedings to ensure that a large number of individuals do not arrive at the same time.

For example, if a courtroom can accommodate twelve people, do not schedule your normal 50 person calendar for 8:30 a.m. Rather, schedule the first group of 12 for 8:30 a.m. and the second group of 12 for 10:00 a.m., etc.

# 5 Healthy and Safe Court Employees

**Implement staggered shifts** for all court employees and implement teleworking for all possible court employees.

**Discourage employees from sharing** phones, desks, offices, surfaces, or other equipment.

**Provide for adequate spacing** between employee workstations to facilitate social distancing.

**Provide a separate entrance** to the court facility for employees, if possible.

**If six feet of separation is not possible**, consider options like plexiglass barriers and frequently disinfecting shared surfaces, such as table tops, door knobs, elevator buttons, pens, security bins, etc.

**Require all employees to wear face coverings** at all times.

**Consider temperature checks** of employees when employees report to work each day with a no-contact thermometer.

**Require employees who exhibit signs of illness** to stay home or seek medical attention.

**Provide courtroom employees with adequate personal protective equipment**, including face coverings.

**Courtroom employees should be trained** on best practices to prevent infection, including frequent hand washing for at least 20 seconds with soap and water.

**Clean and disinfect offices daily** or as frequently as possible.

# 6 Healthy and Safe Jurors and Potential Jurors

**The number of jurors and potential jurors should be limited to the amount a room or facility can accommodate** with social distancing and other infection control measures.

**Potential jurors:**

- Likely to have more conflicts than prior to COVID-19 (e.g., childcare, looking for work, or working in the medical field).
- Will likely have health concerns about being around a group of strangers.

**Jury selection may take longer** due to social distancing and other infection control measures.

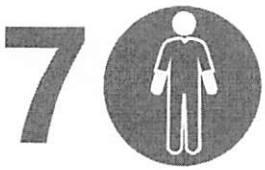
**Jury holding and deliberations:**

- Likely cannot take place in a typical jury room due to size.
- Use a larger room, such as the courtroom or another large meeting room to facilitate social distancing.
- Turn off video and audio recording in the room if the jury is deliberating there.
- Limit jury deliberations to two hours at a time with 15-minute breaks to go outside into fresh air and/or separate from each other. Jurors should not deliberate for more than eight hours per day.

**Provide** individual boxed lunches and bottled water to jurors. Vending machines should be wiped down regularly and have a hand sanitizing station nearby.

**Juror transportation:** If jurors are shuttled to the court facility, provide for proper spacing in transport vehicles and sanitize vehicles after each use. Jurors should stay six feet apart while waiting for the shuttle.

**Require all jurors to wear a mask** or face covering while in the court facility and the juror shuttle, if applicable. If wearing a mask would make it difficult to evaluate the demeanor of jurors or otherwise negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.



# 7 Healthy and Safe Inmates and Detainees

- **Use video conferencing** for proceedings whenever possible.
- **Screen inmates and detainees** for COVID-19 symptoms before transport to court.
- **Work with law enforcement** to provide for proper spacing in transport vehicles and masks for inmates and detainees during transport. Stagger arrivals and departures to facilitate spacing in transportation vehicles and holding areas.
- **Sanitize transport vehicles** after use.
- **Label holding areas** to provide for social distancing.
- **Sanitize holding areas**, restraints, and other commonly used items after each use.
- **Make hand sanitizer available** to inmates and detainees.
- **Require** all inmates and detainees to wear a mask or face covering while in the court facility. If wearing a mask would negatively impact an inmate or detainee's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- **Ensure** deputies who are required to be in close proximity to inmates and detainees have face coverings and gloves.

# Exhibit B

# Health Screening Tool

(Comprised of 1 page not including this page)

_____ County Courthouse

COVID-19 Health Screening

Date: _____

*Protocol Questions:*

**1. In the last 14 days have you traveled out of the country or to or from any areas in which COVID-19 is particularly active?**

**2. Have you had contact with anyone with confirmed COVID-19 in the last 14 days?**

**3. Have you had any of these symptoms in the last 10 days?**

- **Fever greater than 100**
- **Cough, difficulty breathing/Shortness of breath**
- **Chills, muscle pain, sore throat, headache, or recent change in taste or smell?**

**4. Have you been tested for the virus and if yes, the result of said test.**

**5. Are you currently experiencing fever over 100 degrees, difficulty breathing or cough?**

| Name and Telephone Number of Person Screened | Position | Temp at Screening | Cleared Survey | Screener Initials |
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# Exhibit C

# State of Georgia Department of Public Health Seventh Amended Administrative Order or Public Health Control Measures

(Comprised of 4 pages not including this page)

GEORGIA DEPARTMENT OF PUBLIC HEALTH

Kathleen E. Toomey, M.D., M.P.H., Commissioner / Brian Kemp, Governor

2 Peachtree Street, NW, 15th Floor
Atlanta, Georgia 30303-3142

dph.ga.gov

# STATE OF GEORGIA
# DEPARTMENT OF PUBLIC HEALTH
# SEVENTH AMENDED[1] ADMINISTRATIVE ORDER
# FOR PUBLIC HEALTH CONTROL MEASURES

**WHEREAS,** on March 14, 2020, Governor Brian P. Kemp issued Executive Order 03.14.20.01, declaring a Public Health State of Emergency in Georgia due to the impact of Novel Coronavirus Disease 2019 (COVID-19); and

**WHEREAS,** on March 16, 2020, the Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution; and

**WHEREAS,** the Public Health State of Emergency has been extended through and including July 12, 2020; and

**WHEREAS,** the Centers for Disease Control and Prevention ("CDC") recommends that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

**WHEREAS,** the number of cases of COVID-19 in the state of Georgia continues to grow; and

**WHEREAS,** COVID-19 presents a severe threat to public health in Georgia; and

**WHEREAS,** COVID-19 is a severe respiratory disease that is transmitted primarily through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS,** although the vast majority of Georgians are complying with public health recommendations and guidance for the isolation of persons with symptoms of COVID-19, I have received reliable reports that a small number of persons may be behaving in a way that contributes to the spread of this disease in the community; and

**WHEREAS,** I have determined that it is necessary and appropriate to require persons who:

- have received a positive lab-confirmed test for COVID-19, or
- are suspected to have COVID-19 based on symptoms recognized by the CDC, or
- have been in close contact with a person with known or suspected COVID-19

to isolate or quarantine themselves at home, in order to slow the spread of COVID-19, reduce the number of people who will become infected, and avoid unnecessary strain on Georgia's healthcare system.

[1] This Fourth Amended Administrative Order amends and supersedes the prior Orders issued on March 21 and 23, April 3 and 15, May 5 and 12, and June 2, 2020.

**NOW, THEREFORE,** in accordance with O.C.G.A. §§ 31-2A-4(4) and 31-12-4, Chapter 511-9-1 of the Rules of the Georgia Department of Public Health ("Department"), and Governor Kemp's Executive Orders,

**IT IS HEREBY ORDERED** as follows:

Isolation

1. *Persons With Known COVID-19.* Upon notification by a healthcare provider, public health official, or clinical laboratory of a positive laboratory-confirmed test for COVID-19, the person testing positive for COVID-19 shall immediately isolate himself or herself at home or another location approved by the Department.

2. *Persons With Suspected COVID-19.* Upon notification by a healthcare provider or public health official that COVID-19 infection is diagnosed or suspected based on symptoms, the person with suspected COVID-19 infection shall immediately isolate himself or herself at home or another location approved by the Department. As of the date of this Order, the CDC recognizes the following symptoms of COVID-19 infection: fever (a measured temperature over 100.4 degrees Fahrenheit or a feeling of feverishness), 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, or diarrhea.

3. Each isolated person shall avoid unnecessary physical contact with any and all persons and shall comply fully with the Isolation Protocol attached to this Order, which may be updated from time to time based on CDC guidance.

4. Each isolated person shall remain in isolation until such time as he or she no longer presents a risk of infection to the public, as determined by the Isolation Protocol then in effect. As of the date of this Administrative Order, the Isolation Protocol requires an isolated person to remain in isolation until either:

    - the person's fever has been gone for at least seventy-two (72) hours, without taking fever-reducing medication, and
    - the person's other symptoms have shown progressive improvement, and
    - at least ten (10) days have elapsed from the date symptoms began,

    **or**

    - for a person who was placed under home isolation due to a laboratory-confirmed positive test result, but who has

experienced no symptoms of COVID-19, until at least ten (10) days have elapsed since the date of the person's first positive diagnostic test.

5. Isolated persons should monitor their symptoms and seek prompt medical attention if worsening symptoms develop, as instructed in the Isolation Protocol. An exception to the requirement for isolation applies in the event of an emergency, such as a fire or natural disaster, or if the person's health condition worsens and he or she requires treatment in a healthcare facility.

6. Each isolated person shall cooperate with state and local public health personnel by answering questions as necessary to identify and locate those persons with whom the isolated person has been in close contact (within six (6) feet for fifteen (15) minutes or more) beginning two (2) days before symptoms began or, for isolated persons who have experienced no symptoms of COVID-19, beginning two (2) days before the test sample was obtained. If requested by public health personnel, the isolated person shall provide a list of the locations visited by the isolated person during the time frame that he or she may have been able to transmit the disease.

Quarantine

7. *Persons With COVID-19 Exposure Likely to Result in Infection.* Upon notification by a healthcare provider, public health official, or isolated person of exposure to COVID-19 based on close contact (within six (6) feet for fifteen (15) minutes or more) with a person who must be isolated as provided herein, the person so exposed shall immediately quarantine himself or herself at home or another location approved by the Department.

8. Each quarantined person shall remain at home or in the approved quarantine location for a period of fourteen (14) days from the person's last known exposure to COVID-19. An exception to the requirement for quarantine applies in the event of an emergency, such as a fire or natural disaster, or if the person requires treatment in a healthcare facility. Health care providers, emergency medical services workers, first responders, and other critical infrastructure workers may continue to work, in consultation with their workplace occupational health program and if necessary to ensure adequate staffing, so long as they are asymptomatic, don masks while on duty, and comply with all other quarantine requirements for the duration of the fourteen (14) day period.

9. During the period of quarantine, the quarantined person shall take his or her temperature twice per day and monitor any symptoms of respiratory illness. If at any time the quarantined person experiences symptoms of COVID-19, including cough, shortness of breath or difficulty breathing, fever (a measured temperature

over 100.4 degrees Fahrenheit or a feeling of feverishness), chills, muscle pain, sore throat, or new loss of taste or smell, the quarantined person shall be considered a person with suspected COVID-19 and shall follow the requirements for isolation set forth above.

Staff members of the Department remain available at 866-PUB-HLTH (866-782-4584) to provide assistance and counseling to persons subject to this Administrative Order concerning their illness or exposure and their compliance with this Order. During the period of isolation or quarantine, the ability of persons subject to this Order to communicate with others outside the isolation or quarantine site, including their ability to exchange confidential communications with legal and medical advisors of their own choosing, will be preserved and facilitated to the extent possible without jeopardizing the integrity of the isolation or quarantine.

Failure to comply with this Order is a misdemeanor offense pursuant to O.C.G.A. § 31-5-8. If the Department has reasonable grounds to believe that a person subject to quarantine or isolation refuses to comply with the requirements of this Order, the Department may provide information to law enforcement as necessary to ensure compliance and facilitate criminal prosecution.

Further, any person who refuses to isolate or quarantine himself or herself as required by this Order may be subject to such further action as may be necessary to protect the public's health.

This Administrative Order shall remain in effect for thirty (30) days following the end of the Public Health State of Emergency declared in Executive Order 03.14.20.01 and as extended thereafter.

**SO ORDERED,** this 16th day of June, 2020.

Kathleen E. Toomey, M.D., M.P.H.
Commissioner
State Health Officer

Attachment:
Georgia Department of Public Health Isolation Protocol