

FIRST AMENDED

OPERATING RULES FOR THE CARROLL COUNTY JUVENILE COURT

Pursuant the direction of the Second Order Extending Declaration of Statewide Judicial Emergency issued by the Georgia Supreme Court on May 11, 2020 directing courts to establish guidelines for the conducting of business in compliance with public health guidance and the requirements of applicable law, and to protect the health and safety of litigants, attorneys, visitors, court staff, judges and court personnel, and other individuals entering the Juvenile Court facilities, this court implements the following Operating Plan governing procedures for public use of court facilities and hearings.

GENERAL

1. All judges and court personnel will comply with the Emergency Orders issued by the Supreme Court of Georgia and the Chief Judge of the Superior and Chief Judge of the Juvenile Courts of the Coweta Judicial Circuit, as well as the Executive Orders of the Governor of the State of Georgia and State and local health officials regarding operations during the COVID-19 pandemic.
2. As a result of limitations on staff in the office, Juvenile Court public business hours are limited to 9:00 am to 4:00 pm. No public business will be conducted outside these times.
3. The Juvenile Court remains open. However, pursuant to the guidance of the Georgia Supreme Court, the court will attempt to hold hearings by video conference and allow parties appearance by video. Persons filing documents or attending hearings set by this court will be allowed access to the court facilities. However, persons are requested to call the Juvenile Court offices at 770-830-5986 prior to coming to or entering the courthouse to confirm the scheduling of hearings, receive invitations or referrals to their counsel regarding video hearings, have questions answered or otherwise receive direction. Persons needing to receive records that may be produced to the public will be mailed or emailed the documents if possible, and the clerks shall attempt to facilitate the electronic filing of documents with the court.

PUBLIC HEALTH AND SAFETY REQUIREMENTS

4. All persons, including attorneys and their staff and regardless of age, upon entering the juvenile court waiting area and before interacting with court staff, entering the courtroom or any office are directed to enter the public restroom located in the waiting area and to thoroughly wash their hands with soap and water.
5. All persons who enter into the Juvenile Court offices (including the waiting area and the courtroom) will be required to maintain adequate social distancing of at least 6 feet from other persons. Children under the age of 13 will be allowed to remain with their parents but all others shall maintain distancing while in the court offices.
6. The chairs in the waiting area and all other areas of the Juvenile Court where the public is allowed have been spaced to provide for social distancing requirements. Persons in the waiting and other areas are directed to utilize the seating provided and not to stand in the area or move around the area except to conduct business at the clerk's window and to utilize the restrooms.

Persons shall not move the chairs. If all seating provided is occupied then no additional persons shall be allowed in the area.

7. All persons entering the Juvenile Court facilities are requested to wear a mask or similar protective covering over their mouth and nose and to refrain from touching their face. If a person should touch their face they should re-wash their hands.
8. Pursuant to recommendations of the Center for Disease Control, persons who have been diagnosed with COVID-19 or who are exhibiting symptoms of infection with COVID-19 are directed not to come to the courthouse or enter the Juvenile Court facilities. Symptoms include: persistent cough; shortness of breath or difficulty breathing; or at least two of the following: fever, chills, repeated shaking with chills, muscle pain, sore throat, and new loss of taste or smell. Persons with such a diagnosis or symptoms should contact the court and their counsel, if any, and advise the court of their issue prior to the date they should appear in court.
9. Also pursuant to the recommendations of the CDC, persons at higher risk from the effects of COVID-19, which include persons 65 and older, persons suffering from asthma or other chronic respiratory illnesses, persons with HIV, persons who are immunocompromised, persons with liver disease, and persons with other underlying medical conditions placing them at a higher risk, are directed to take extra pre-cautions before coming to juvenile court. This should include calling the clerk at 770-830-5986 prior to coming to the courthouse. Any such person should also seek to appear in any court proceeding via video, and arrange that appearance prior to the date of any hearing and prior to coming to court.

COURT PERSONNEL

10. Court personnel, attorneys and other persons performing regular duties within the Juvenile Court facilities are directed immediately and thoroughly wash their hands upon arrival at Juvenile Court and to regularly wash or sanitize their hands, especially after touching their faces or door handles.
11. Court personnel are directed to wear a mask or similar protective covering over their mouth and nose when they have any interaction with the public within the Juvenile Court facilities. Court personnel are also directed to have the door handles and other surfaces regular touched by the public sanitized on a regular basis during business hours.
12. Court personnel are directed to observe social distancing practices within the Juvenile Court facilities by staying at least 6 feet apart unless otherwise necessary to perform their duties, avoid touching, handling or otherwise potentially affecting items in the work space of others, to disinfect items and areas they have potentially infected on a regular basis, and to remind others of the requirements of this plan and the duties of all personnel to limit potential infection.
13. In the event that a court employee is exhibiting symptoms of infection; has had direct contact with a person who has been tested and is positive for infection; or has themselves been tested and is positive for infection with COVID 19, the employee should not come to work or enter the courthouse but should seek immediate medical advice and care. The employee should also contact the court and Carroll County human resources to inform them of the reason and circumstances around the employee's not coming to work.

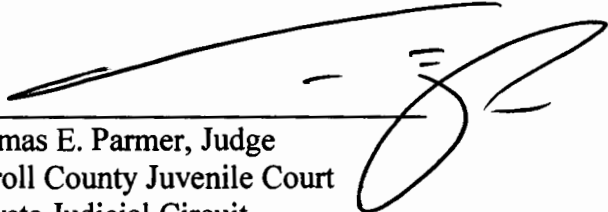
HEARINGS

14. For the duration of the judicial emergency, all hearings for essential matters as defined under the Emergency Orders shall be set on a timely basis balancing the parties' rights and public health concerns. Judges and court personnel will begin setting non-essential proceedings *as approved by the Court* subject to the ability of the court to safely and legally conduct the hearings. Following the termination of the judicial emergency, the Juvenile Court shall continue to hold hearings, to the extent required or allowed under applicable laws and ordinances, using safety measures outlined herein to protect the health and welfare of the public, litigants and court personnel.
15. Pursuant to Rule 12 of the Uniform Rules of Juvenile Courts, to the extent possible and allowed under applicable legal and constitutional requirements, all parties, counsel and witnesses shall appear for any hearing set by the court via video conference to be scheduled by the court. If a party cannot appear by video, the party will be allowed access to participate in all parts of the hearing in the courtroom or an alternative room in the Juvenile Court offices through a computer and monitor which is set for access to the video hearing.
16. In conformity with OCGA 15-11-700(b) and the direction of the March 31, 2020, Order of the Supreme Court, if a hearing that is conducted by video is required by law to be open to the public, the public will be allowed access to the courtroom or an alternative room in the Juvenile Court offices provided with a computer and monitor which is set for access to the video hearing. Only counsel, parties and called witnesses will be allowed to participate in any way in the hearing and the public shall not touch or otherwise interfere with the monitoring equipment. The court shall exclude from the public access or from participation in the video hearing any person that interferes with the orderly conduct of the hearing.
17. In the event that a hearing is conducted with persons appearing in the courtroom, persons shall be limited in the courtroom as follows: the presiding judge; the clerk on duty; deputies providing courtroom security; a bailiff; counsel for the parties in the case being heard by the court; parties to the case being heard by the court (for an agency party this will be one representative); and six (6) additional persons who will be seated on the public benches at designated locations marked in red. This is the maximum number of people who can be in the courtroom and maintain safe distancing pursuant to a study performed by the county EMA director. Preference for courtroom access on the public benches will be given to the placement or foster parents of the child at issue, a Child's CASA or a CASA representative, an additional representative of DFCS or DJJ (who is directly involved in or the supervisor for the matter being addressed by the court); a staff person assisting counsel; and an immediate family member of a party. These access limitations will also apply to access to the courtroom for viewing a video hearing in the courtroom. In the event that these limitations infringe upon public hearing requirements, an alternative viewing room with access to audio and video broadcasts of the court proceedings may be made available. Similar limitations will be applied to alternative viewing rooms or other court facilities based on the advice of the county EMA director. Designated seating will be marked in the courtroom or any alternative viewing room

to ensure proper social distancing and all persons are directed to utilize designated seating spaces.

18. All persons, prior to entry into the courtroom shall be asked a series of questions as outlined in the Georgia Court Reopening Guide issued by the Judicial Council Strategic Plan Standing Committee. If temperature or other symptom screenings are made available to the court or required by ordinance, the persons will also be required to undergo that screening before entry. If the responses to the questions or results of other screenings indicate that the person is at special risk from or a risk to others do to possible COVID-19 contagion, then that person shall not be allowed into the courtroom and shall be instructed to leave the courthouse and to seek immediate medical care. If that person's presence is necessary for the conduct of the hearing, then the hearing shall be continued to a later, appropriate date and time.
19. All persons entering the courtroom for a hearing, including security and court personnel, are directed to wear a mask or similar protective covering over their mouth and nose. If a person does not have a mask and they are a party or an essential participant in a proceeding, they will be provided one to the extent the court has disposable masks available. Otherwise the person will not be allowed in the courtroom, and if their presence is necessary for the hearing to be conducted, the hearing will be temporarily recessed to allow the person to obtain a face covering or re-set to a later date. The covering may be temporarily removed for clarity of testimony by witnesses or statements by counsel and the court.
20. The court will endeavor to provide hand sanitizer at counsel tables and otherwise within the courtroom subject to supplies, and all persons are requested to make liberal use of these products in the event they touch their face or touch items touched by others.

ADOPTED AND ORDERED, as amended, this 13th day of July, 2020.



Thomas E. Parmer, Judge
Carroll County Juvenile Court
Coweta Judicial Circuit