

## **COVID-19 OPERATING PLAN FOR THE FLOYD COUNTY JUVENILE COURT**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges and court personnel, and other individuals entering the buildings housing the courts, this court will implement the following Operating Plan during the existence of the COVID-19 Pandemic

### **GENERAL**

1. All judges and court personnel will comply with the Emergency Orders issued by the Supreme Court of Georgia, including conducting in-person proceedings according to the guidance issued by such court and Governmental directives regarding social distancing, maximum group size, and other restrictions and precautions.
2. All judges and court personnel will use all reasonable efforts to conduct proceedings remotely.
3. The Court Administrator or Court designee will maintain regular communication with the local health authority and will request the Court to adjust this operating plan as necessary.
4. Judges and court personnel will begin setting non-essential in-person proceedings *as approved by the Court* subject to any extensions issued by the Chief Justice of the Georgia Supreme Court as to the COVID-19 Judicial Emergency Orders currently in effect.

### **JUDGE AND COURT STAFF HEALTH**

1. Judges and court personnel and court staff who can perform the essential functions of their job remotely will be allowed to telework when possible unless mandated otherwise by Floyd County Administration or Personnel rules.
2. Judge and Court Staff Monitoring Requirements:
  - (a)The Court will provide a thermometer and all personnel and Judges shall be required to test themselves daily (and if abnormal shall follow those protocols as set out in item three (3) immediately below)
  - (b)At all times any Court personnel or judicial officer exists their office, they SHALL wear a mask
  - (c)Each member of the Court staff shall not utilize ink pens, computers or phones of any other staff member or court personnel.
  - (d)No staff shall congregate or enter any other personnel's work space unless they can remain at least six (6) feet away from any other court personnel
  - (e)Every morning and every afternoon after lunch, each court personnel member shall use hand sanitizer or sanitizing wipes or spray to disinfect door handles and light switches in their individual work spaces . HOWEVER, only disinfectant wipes should be used on phones or computer keyboards and computer mouse devices.
  - (f)In accessing or touching documents, files or other tangible items that may have been previously touched by other court personnel or received from any non-court personnel, ALL COURT PERSONNEL should immediately (after having completed contact with such items) refrain from touching their face, eyes or mouths and SHALL IMMEDIATELY USE HAND SANITIZER.
  - (g)Court personnel SHALL NOT BE ALLOWED TO CONGREGATE IN THE CONFERENCE ROOM FOR LUNCH AND SHOULD TAKE THEIR LUNCH PERIODS IN THEIR RESPECTIVE OFFICES.

3. Judges and court personnel or court staff who feel feverish or have measured temperatures equal to or greater than 99.6°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 will not be permitted to enter the building and should seek medical advice.
4. As stated in item (2) ff this subsection immediately above, all Judges and court personnel and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time.
5. Further Protective Measures: If it is necessary to allow non-court personnel into the office facilities of the juvenile court, such non-court personnel must be supervised (using the standard social distancing criteria). As well, court personnel should require such non-court personnel to have a mask and wear the same. If they do not, the court personnel member should require the non-court personnel individual to wait in the exterior hallway until the non-court person has a mask affixed. Any non-court person should be directed to refrain from touching any items in the juvenile court facility unless otherwise directed by court staff. If such persons do need to touch anything within the facilities, the supervising court personnel immediately after the non-court person leaves the juvenile facilities must sanitize any such items to which the non-court person had contact.

### **SCHEDULING OF HEARINGS**

#### **(NOTE: AS WELL ALL MATTERS SHALL OPERATE UNDER THE GUIDELINES OF THE JUVENILE COURT COVID-19 BEST PRACTICES PROTOCOLS**

1. The following court schedules are established to reduce occupancy in the court building: Until such time as full in person courtroom hearings recommence, the court shall follow these protocols:
  - (a) ESSENTIAL HEARINGS
 

(note: the court considers PPH hearings, Detention Hearings and any matter that would affect the actual “liberty interest” of a party, OR is such that MUST be heard to prevent actual harm to any individual)

As to *essential hearings*, the same shall be scheduled under the normal rules existing in the provisions of Title 15 of Chapter 11 of the Official Code of Georgia Annotated with the following requirements:

    - (i)the Clerk of court or such other designated court personnel member shall notify all parties or participants PRIOR to such hearing that they MUST APPEAR WEARING MASKS AND MUST USE HAND SANITIZER WHEN ENTERING INTO THE COURTROOM AND UPON THEIR EXIT FROM THE COURTROOM
    - (II)All parties should be notified that extraneous individuals will not be allowed to be physical present but may have access to the proceeding as allowed by Rule 12.2 via the courts YouTube <sup>TM</sup> live channel.

## (b) NEW NON-ESSENTIAL HEARINGS

(note: The Court considers any hearing that does not have an IMMEDIATE effect of depriving an individual of a “liberty interest” or would not have the effect of preventing an IMMEDIATE HARM to an individual as non-essential)

(i) non-essential hearings shall be scheduled as best as can be done using the time lines established by the provisions of Title 15, Chapter 11 of the Official Code of Georgia Annotated AND SHALL BE SCHEDULED AS REMOTE VIDEO HEARINGS USING ZOOM (**AGAIN PLEASE REVIEW THE BEST PRACTICES POLICY OF THE COURT UNDER COVID-19**)

(ii) **NEW** Hearings shall be set for SPECIFIC TIMES and shall be allocated sufficient lengths for hearings normally associated with such types of hearings. **DUE TO THE NECESSITY OF EXPANDING AVAILABLE COURT TIMES, COURT (FOR ANY NEW HEARINGS BEING SCHEDULED) WILL BEGIN AT 9:00 A.M. (OR AT 8:30 A.M. depending on volume of cases for that day’s calendar FOR ANY SCHEDULED NON-ESSENTIAL HEARINGS.**

FOR EXAMPLE: hearings should be scheduled no closer together than one (1) hour, ..... thus for a.m. calendars, there would be the availability of FOUR hearings, for p.m. calendars there would be the availability of FOUR hearings. Any hearing not completed within the designated one hour slot will be continued for completion to another day and time slot at the next available opportunity.

## (c) EXISTING NON-ESSENTIAL HEARINGS

(note: these are hearings that have already been scheduled for existing cases)

(i) these cases have already established court dates and morning or afternoon designations.

(ii) AS to these cases the Clerk shall create a new hearing calendar and those cases shall be placed in the designated available time (i.e. a.m. OR p.m.) but shall be set for hourly time slots (or if the calendar has too many cases already set, then revert to half hour settings) as referenced in subsection (ii) in subsection (b) immediately above.

## (d) DELINQUENCY PROCEEDINGS\*

**\*NOTE; DELINQUENCY MATTERS HAVE ISSUES INVOLVING THE “CONFRONTATION CLAUSE” AND UNTIL THE JUDICIAL EMERGENCY ORDER EXPIRES IN ITS ENTIRETY, (UNLESS THERE IS A WAIVER OF THE CONFRONTATION CLAUSE AND CONSENT TO PROCEED BY REMOTE VIRTUAL HEARING, SUCH MATTERS WILL BE CONTINUED UNTIL AFTER THE JUDICIAL EMERGENCY ORDER TERMINATES) HOWEVER, if the child is in detention, the court will deem the case as an ESSENTIAL hearing and the scheduling and in court hearing requirements set out in item 1(a) of this Subsection.**

(i) Arraignments shall be scheduled as regularly done under non-COVID processes of the Court.

(ii) the child's counsel should be provided contact information with the child and shall be MANDATED to talk with the child PRIOR TO THE SCHEDULED ARRAIGNMENT

(iii) child's counsel SHALL provide an appropriate "social distancing" facility for the child and the parent and the attorney to utilize a video phone, or computer with web communication capacity to engage in the ZOOM arraignment or other delinquency or CHINS hearing.

(iv) if such is not available, the Court will provide a facility upon request for such participants to be at the Courthouse to engage in such procedure as set out in this subsection.

### **"VULNERABLE PERSONS"**

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable persons.
2. The Clerks will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are "vulnerable persons" of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice with this information will be posted in conspicuous locations around the court building.
3. Vulnerable persons who are scheduled for court will be accommodated by being provided masks if they do not have their own and by being given the opportunity to access the hearings via video conferencing.

### **SOCIAL DISTANCING**

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet.
2. No more than two individuals not from the same household should collectively use an elevator.
3. The County indicates that restrooms have been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity and all staff and non-staff persons should comply with such restrictions.
4. Juvenile office non-court common areas, shall be closed to group gatherings.

The maximum number of persons permitted in the courtroom during *essential live hearings* will be limited to the actual parties and court staff. Witness will be excluded until called into the Courtroom. All parties, attorneys, witnesses and other persons in the Courtroom SHALL WEAR MASKS, and if they have none the Court will provide the same to them and the SHALL WEAR THEM AT ALL TIMES. ALL COURT AND NON-COURT PERSONNEL SHALL UTILIZE HAND SANITIZER UPON ENTRY TO AND EXIT FROM THE COURTROOM. NO COURT

PERSONNEL OR NON-COURT PERSONS SHALL BE ALLOWED WHILE IN THE COURT ROOM TO BE WITHIN SIX FEET OF EACH OTHER. The maximum capacity of the courtroom will be monitored and enforced by court staff.

5. The COURT ADMINISTRATOR shall arrange for and facilitate the marking of all seating areas in the courtroom to identify safe and appropriate seating locations appropriate to comply with rules for social distancing in the seating.

In the courtroom, the counsel tables shall be limited to one chair, witness stand, judge's bench, and clerk, court reporter, and bailiff seating and shall be arranged in such a way so that there is social distancing of at least 6 feet between each space.

### **HYGIENE**

1. Hand sanitizer shall be placed at the entrance to the courtroom
2. Tissues shall be placed in the courtroom, at counsel tables, at the witness stand, on the judges and court personnel' benches.
3. COVID-19 /Pandemic protocols and safety procedures have been and will remain posted in multiple locations throughout the juvenile court facilities.

### **SCREENING**

1. When individuals attempt to enter the court building, they shall continue to be screened by Sheriff's Officer personnel who will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the court building. The Sheriff shall affix a sticker indicating that such non-judicial personnel have passed screening. No non-court personnel who does not have a "screened" sticker will be re-routed to the front entryway to the Courthouse to be screened.
2. When non-court individuals attempt to enter the courtroom, the Sheriff's Deputy shall utilize a thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the juvenile court facilities.
3. Inmates being transported from the jail or youth that are detained being transported from the YDC to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°F will not be transported to the court building. **HOWEVER, THE COURT WILL ATTEMPT (IN ORDER TO AVOID THE PHYSICAL PRESENCE OF SUCH INDIVIDUALS UNLESS CONSTITUTIONAL ISSUES OF DUE PROCESS REQUIRE THE PHYSICAL PRESENCE OF SUCH INDIVIDUALS) TRY TO UTILIZE VIDEO CONFERENCE PRESENCE OF SUCH INDIVIDUALS FOR ALL COURT PROCEEDINGS UNTIL FURTHER NOTICE.**
4. Staff who are screening individuals entering into the juvenile court facilities shall wear masks and if they do not provide their own will be provided one from court supplies.

## FACE COVERINGS

1. All individuals entering the court will be required to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided.
3. Individuals who will be required to be in and remain the court building shall be required to wear masks not only while physically in the juvenile court facility, but as well at all times while in the court building.

## CLEANING

1. The Sheriff's Office shall insure that Court building cleaning staff will clean the common areas of the juvenile court so that common spaces are cleaned at least every daily when no live court is held and every two hours when live court is held.
2. The Sheriff's Deputy assigned to the courtroom during live court hearings shall be responsible to insure the wearing of masks of all individual's in the courtroom and shall insure that all non-court individuals entering the courtroom shall as well sanitize their hands with hand sanitizer and shall insure they do the same upon exiting the courtroom. As well, such Deputy shall then wipe or spray disinfectant on any item touched by such non-court individual.
3. At the end of each day the courtroom is used, the Sheriff's Office shall insure that the Courtroom is disinfected on any and all surfaces that have been touched by non-judicial personnel.
4. At the end of each day the courtroom is used, the Clerk shall insure that the Courtroom is disinfected on any and all surfaces that have been touched by judicial personnel.

Date: 5/6/2020

\_\_\_\_\_  
 Judge C. Gregory Price  
 Juvenile court of Floyd County , GA



*This policy shall remain in effect until such time as terminated by directive of the Chief Presiding Judge of this Court or until such time as the same may be amended by such Judicial official.*

**FLOYD COUNTY JUVENILE COURT BEST PRACTICE PROCEDURES**  
**FOR COURTS IN ZOOM HEARINGS INVOLVING SELF-REPRESENTED LITIGANTS**

1. Important Information:

a. Lack of Internet or Reliable Internet:

The Court recognizes that many people do not have access to the internet, or reliable internet, in the home. Public access to the internet is available in certain places like libraries, coffee shops, and other local options but there are serious privacy issues and in fact even these in the “shelter in place” circumstances we are under may not even be available or safe.

b. Pro Se Litigants with limited Phone Data/Call Minutes or no access to phone or computer or tablet:

Some people may only have phones with a limited number of call minutes or data plan minutes, so they may not be able to use their phones to participate in a video hearing or even to participate by phone. The Court will need to provide an available isolated web linked video location at the courthouse for those *necessary participants* to engage or must establish a “social distancing arrangement in the Courtroom *solely for those individuals only*. (however, there should be in the courtroom at least one socially distance court personnel and one socially distanced deputy at all times). The pro se litigant should have a mask on at all times, and if they appear without one, the court will provide one. The should be required by the deputy to use hand sanitizer before entering the courtroom and as they leave the courtroom. After the pro se litigant leaves the courtroom, all surfaces touched by the pro se litigant should be wiped with disinfectant towels and the area where the pro se litigant sat should be sprayed with disinfectant spray.

c. Email:

At the beginning of every hearing the Court or some Court Personnel SHAL obtain email addresses of all Pro Se Litigants. The Court recognizes that some may not have email and some of those who have an email address may not be able to check their email due to a lack of internet access. Further still, some that do have email may not understand the importance of checking their email regularly for information about their case. The Court or Court personnel must explain the need to check email daily or arrange an alternative way to contact Pro Se Litigants for notice of upcoming hearings.

d. Consequences of Failing to Act:

Many people do not understand the consequences of failing to respond to a case or act timely in a case. While in open court, the Judge will explain these consequences to Pro Se litigants. At the time of any Pro Se Litigant's contact with court personnel, such personnel should as well advise the Pro Se Litigant of consequences of failing to respond to a case or act timely in a case.

e. Plain Language.

When communicating orally or in writing with a PRO SE LITIGANT, ALL court personnel should use short, clear sentences and avoid legalese.

2. Notice of Hearing and Materials to Provide with Notice to Pro Se Litigants

a. Send written notice in plain language by mail to the address on file when possible.

Note: Comment: Email notice is challenging for the above-mentioned reasons.

b. Contents of Notice of Hearing.

Note (1): Clerks should make sure all notices state that the hearing will occur by video conferencing software, Zoom, and that the party should not to appear in person at the courthouse. (See exhibit "A")

Note (2): If Hispanic Pro Se litigants are involved, the Clerk should include a short notice in Spanish that they may request translated copies upon request.

c. The Clerk will provide a notice either be email or in paper format that shows a step-by-step instructions in plain language on how to access and use Zoom, including a contact Court staff member who can assist them if needed. (See exhibit "A")

d. The Clerk shall provide to Pro Se Litigants a step-by-step information in plain language on court procedure for hearings, including how to submit exhibits for the hearing and list a contact person who can assist them if needed. (See exhibit "B")

e. Upon any contact with a Pro Se Litigant, Clerk personnel shall obtain from such Pro Se Litigants the following information:

- i. Their phone number and email address, if any;
- ii. Lack of internet or reliable internet;
- iii. Lack of ability or limited ability to access the hearing by phone;
- iv. Lack of ability to submit evidence electronically;
- v. Lack of childcare or coverage for other caregiver responsibilities;
- vi. Whether they are ready to have the hearing or need a continuance;
- vii. How long they think the hearing or trial will take to present their side of the story, including witnesses and evidence;
- viii. Whether they need any ADA accommodations;
- ix. Whether they, or a witness, needs an interpreter, and if so, what language(s); and
- x. How many witnesses they want to testify on their behalf.



### 3. Procedures for Hearings involving Pro Se litigants:

- a. At the beginning of the hearing the Court shall address any existing or potential technical difficulties by inquiring of the litigants as follows:
  1. Ask litigants about the reliability of their computer, internet, or phone.
  2. Tell litigants what to do if they experience problems with their internet, computer, or phone, such as instructing the litigant to click on the Zoom link again if their connection drops, or to call back in to the Zoom number provided.
  3. Provide litigant with a call back number not associated with the Zoom hearing in case they cannot reconnect. (706-291-5180)
  
- b. Review what will happen during the hearing in plain language.
  
- c. Provide information about the proceeding and any procedural requirements involved, including how to upload evidence. If the litigant is participating by phone only, tell the litigant how to provide their evidence to the court.
  
- d. Oath. If a party is unable to participate by video, have them recite the oath while on the phone rather than require a notary.
  
- e. Tell any Pro Se Litigant that notices of future court hearings will be emailed to the email address they have provided to the Clerk and that they should constantly check the same for notices from the court or copies of Court documents and orders that will be sent to such email address. **COURT PERSONNEL SHALL MAKE SURE THAT PRO SE LITIGANTS PROVIDE A VIALBE EMAIL ADDRESS FOR THEMSELVES OR SOME OTHER PERSON WHO WILL ALLOW THEM ACCESS TO EMAIL TO RECEIVE SUCH TRANSMISSIONS FROM THE COURT..**
  
- f. Tell the litigants what will happen next, what is expected of them, Review next steps and inform them of the next hearing date, if known.

**JUDGE C. GREGORY PRICE  
 JUVENILE COURT OF FLOYD COUNTY, GA  
 ROME JUDICIAL CIRCUIT**



**(Exhibit “A”)****NOTICE**

The hearing to which this notice refers SHALL BE CONDUCTED VIA VIDEO CONFERENCING ONLY USING “ZOOM”. **YOU SHOULD NOT APPEAR AT THE COURTHOUSE** (except if you wish to apply for counsel prior to the hearing--- you may not wait until the day of hearing to apply for counsel and must do so at least five (5) days prior to the same).

You may join the Hearing through Zoom as follows:

**How to join a Zoom meeting on desktop by downloading the app**

1. Download the Zoom desktop app on your Mac or PC.
2. Open the Zoom app.
3. Click join a meeting.
4. Enter the meeting ID and your name, and set audio/video permissions.

**How to join a Zoom meeting on desktop via meeting invite link**

1. Click on the meeting invite URL that the host shared via email or text.
2. Open the Zoom app.
3. Approve the request for permission to use your computer's audio and camera. Depending on the meeting's set-up, you may enter the meeting right away, you may need to wait for the host to arrive first or you may be placed into a waiting room that the host controls. Once you're in the meeting, learn [how to see everyone on Zoom](#) in the grid format.

**How to join a Zoom meeting through a web browser**

You don't need to install any extra software to join or even host a Zoom meeting. You can do it all through a web browser.

1. Click on the meeting invite URL that the host shared via email or text.
2. A new tab will open on your preferred web browser. If you don't have the Zoom desktop app installed, the page will urge you to download the app.
3. Ignore that and skip down to the small print: "If you cannot download or run the application, join from your browser."
4. Click the highlighted text in "join from your browser".
5. Sign in with your name to join the meeting.

**How to join a Zoom meeting on mobile (iPhone, Android)**

1. Download the Zoom app for iOS or for Android on Google Play, and set it up using your contact information — which the host can use to "call" you. Then, either
2. Your app will ring when the host "calls" you (*Accept the call*)  
*or*
3. Open the mobile app.
4. Tap on "Join a Meeting."
5. Enter the meeting ID and your name and set audio/video permissions.  
*or*
6. Tap on the meeting invite URL that the host shared via email or text, which will open the Zoom app. *The app may ask for permission to use your phone's camera.*

Again, depending on the meeting's set-up, you may enter the meeting right away, you may need to wait for the host to arrive first or you may be placed into a waiting room that the host controls.

**(Exhibit “A”-Hispanic)**

## AVISO

La audiencia a la que se refiere este aviso SE REALIZARÁ A TRAVÉS DE LA CONFERENCIA DE VIDEO SOLAMENTE UTILIZANDO "ZOOM". NO DEBE APARECER EN EL TRIBUNAL (excepto si desea solicitar asesoramiento antes de la audiencia --- no puede esperar hasta el día de la audiencia para solicitarlo y debe hacerlo al menos cinco (5) días antes del mismo).

Puede unirse a la Audiencia a través del Zoom de la siguiente manera:

Cómo unirse a una reunión de Zoom en el escritorio descargando la aplicación

5. Descargue la aplicación de escritorio Zoom en su Mac o PC.
6. Abra la aplicación Zoom.
7. Haga clic en unirse a una reunión.
8. Ingrese la ID de la reunión y su nombre, y configure los permisos de audio / video.

Cómo unirse a una reunión de Zoom en el escritorio a través del enlace de invitación a la reunión

4. Haga clic en la URL de invitación a la reunión que el anfitrión compartió por correo electrónico o mensaje de texto.
5. Abra la aplicación Zoom.
6. Apruebe la solicitud de permiso para usar el audio y la cámara de su computadora.

Dependiendo de la configuración de la reunión, puede ingresar a la reunión de inmediato, es posible que deba esperar a que llegue el anfitrión primero o que lo coloquen en una sala de espera que controla el anfitrión.

Una vez que esté en la reunión, aprenda a ver a todos en Zoom en el formato de cuadrícula.

Cómo unirse a una reunión de Zoom a través de un navegador web

No necesita instalar ningún software adicional para unirse o incluso organizar una reunión de Zoom. Puede hacerlo todo a través de un navegador web.

6. Haga clic en la URL de invitación a la reunión que el anfitrión compartió por correo electrónico o mensaje de texto.
7. Se abrirá una nueva pestaña en su navegador web preferido. Si no tiene instalada la aplicación de escritorio Zoom, la página lo instará a descargar la aplicación.
8. Ignore eso y pase a la letra pequeña: "Si no puede descargar o ejecutar la aplicación, únase desde su navegador".
9. Haga clic en el texto resaltado en "unirse desde su navegador".
10. Inicie sesión con su nombre para unirse a la reunión.

Cómo unirse a una reunión de Zoom en dispositivos móviles (iPhone, Android)

7. Descargue la aplicación Zoom para iOS o Android en Google Play, y configúrela usando su información de contacto, que el anfitrión puede usar para "llamarlo". Entonces también

8. Su aplicación sonará cuando el host lo "llame" (acepte la llamada)

o

9. Abra la aplicación móvil.

10. Toque "Unirse a una reunión".

11. Ingrese la ID de la reunión y su nombre y configure los permisos de audio / video.

o

12. Toque la URL de invitación a la reunión que el anfitrión compartió por correo electrónico o texto, lo que abrirá la aplicación Zoom. La aplicación puede pedir permiso para usar la cámara de su teléfono.

Nuevamente, dependiendo de la configuración de la reunión, puede ingresar a la reunión de inmediato, puede que tenga que esperar a que llegue el anfitrión primero o puede que lo coloquen en una sala de espera que controla el anfitrión.

**(Exhibit “B”)****NOTICE AS TO COURT PROCEEDINGS**

**Once you are allowed into your court hearing on Zoom, the following procedure will be used:**

- (1). The Court will call the case by name of child and case number
  - (2). The court will then identify on the record who are present for the hearing.
  - (3). The Court will announce the type of case that is being heard
  - (4). The Court will advise all parties as to their right to an attorney and advise how to obtain a court appointed lawyer (this should have already been done by you before this hearing!!!)
  - (5) The Court will then inquire as to whether a full hearing is necessary and discuss as well any issues under due process or confrontation clause.
  - (6) The court will then ask if the parties wish to make opening statements and allow if requested
  - (7) The court will inquire as to the Rule of Sequestration of witnesses if any witnesses are to testify
  - (7) Court will then require movant to proceed on their case and upon completion of the same will allow the responding party the same right. Witnesses may be called. If witnesses are called the opposite party may cross examine those witnesses.
  - (8) Court will ask at conclusion of evidence if any party wishes to make a closing argument and will allow the same
  - (9) The Court may make a ruling at that time, or take the case under advisement and issue a ruling shortly after the close of the hearing, usually within 48 hours.
  - (10) If the Court rules against you, you may then have the right to file an appeal which shall either be a direct appeal OR a discretionary appeal.
- (If you have any questions about the Court procedures, you should consult an attorney).

**(Exhibit “B”-Hispanic)****AVISO SOBRE PROCEDIMIENTOS JUDICIALES**

**Una vez que se le permita su audiencia judicial en Zoom, se utilizará el siguiente procedimiento:**

- (1) El tribunal llamará al caso por el nombre del niño y el número del caso
- (2) Luego, el tribunal identificará en el registro quienes están presentes para la audiencia.
- (3) El Tribunal anunciará el tipo de caso que se está escuchando
- (4) El Tribunal informará a todas las partes sobre su derecho a un abogado y cómo obtener un abogado designado por el tribunal (¡esto ya debería haberlo hecho usted antes de esta audiencia!)
- (5) Luego, el Tribunal preguntará si es necesaria una audiencia completa y también discutirá cualquier asunto bajo el debido proceso o la cláusula de confrontación.
- (6) El tribunal preguntará si las partes desean hacer declaraciones de apertura y lo permitirán si así se solicita
- (7) El tribunal preguntará sobre la Regla de Secuestro de testigos si alguno de ellos testifica
- (7) El tribunal requerirá que el solicitante proceda con su caso y, una vez completado, le otorgará a la parte demandada el mismo derecho. Se pueden llamar testigos. Si se llama a los testigos, la parte contraria puede interrogar a esos testigos.
- (8) El tribunal preguntará a la conclusión de la evidencia si alguna de las partes desea presentar un argumento de cierre y permitirá la misma
- (9) El Tribunal puede tomar una decisión en ese momento, o tomar el caso bajo aviso y emitir una decisión poco después del cierre de la audiencia, generalmente dentro de las 48 horas.
- (10) Si el Tribunal falla en su contra, entonces puede tener el derecho de presentar una apelación que será una apelación directa O una apelación discrecional. (Si tiene alguna pregunta sobre los procedimientos del Tribunal, debe consultar a un abogado).