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STATE COURT
HENRY COUNTY, GA

JUL 20 2020

STATE COURT OF HENRY COUNTY
STATE OF GEORGIA

FOR
LYNNE M. ROLICARO
CLERK OF STATE COURT, HENRY COUNTY, GA

STANDING ORDER FOR COURT PROCEDURES
DURING JUDICIAL EMERGENCY

IN ACCORDANCE WITH the Fourth Order Extending Declaration of Statewide Judicial Emergency entered on July 10th, 2020, by the Hon. Harold D. Melton, Chief Justice of the Supreme Court of Georgia, the State Court of Henry County, Georgia, in consultation with the Georgia Department of Public Health, hereby adopts the following guidelines for in-court proceedings.

1. **Purpose.** The purpose of these guidelines is to provide for public access to judicial proceedings and a criminal defendant's rights to confrontation and open courtrooms while making reasonable provision for the health and safety of all persons attending court or working in the Judicial Center.
2. **Definitions.**
 - a. "DPH" means the Georgia Department of Public Health.
 - b. "Face mask" means a covering of the mouth and nose but not the rest of the face.
 - c. "Judicial Center" means the Henry County Judicial Center, 44 John Frank Ward Boulevard, McDonough, Georgia.
 - d. "Public area" means all parts of the Judicial Center not reserved for staff.
3. **Directions for those who have, have been exposed to, or are especially vulnerable to, COVID-19.**
 - a. Persons who have been diagnosed with COVID-19; who have been exposed to COVID-19 within 14 days; or who are experiencing fever or cough, shall **NOT** attempt to enter the Judicial Center, but should call the telephone number provided with your court notice, or at the door, to speak with someone from the Court.
 - b. Persons who are immune-compromised or medically fragile, or living in a household with someone who is immune-compromised or medically fragile; or who are over age 65; or who have child care issues due to COVID-19; are invited to call the telephone number provided with your court notice, or at the door, to speak

with someone from the Court. You may be able to avoid appearing in Court at all by calling ahead.

- c. All persons, but particularly those described in paragraphs 3(a) and (b), above, are encouraged to attend any court proceeding by teleconference in lieu of live attendance.
 - d. Anyone who works in the Judicial Center with known or suspected COVID-19 shall be isolated, and any person with COVID-19 exposure likely to result in infection shall be quarantined, in accordance with the DPH Seventh Amended Administrative Order for Public Health Control Measures found at <https://www.gasupreme.us/wp-content/uploads/2020/07/7-Seventh-Amended-Administrative-Order-for-Public-Health-Control-Measures.pdf>, or any subsequent version thereof.
 - e. Court personnel who have been diagnosed with COVID-19 or who have been exposed to it as defined by the Henry County return-to-work protocol shall comply with that protocol before returning to work.
 - f. When there is reason to believe that anyone who works or has visited the Judicial Center 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.
4. **Admission to the Judicial Center.** All persons entering the Judicial Center shall:
- a. Be screened for cough, fever and recent exposure to COVID-19, and
 - b. Wear a face mask at all times while in the public areas of the Judicial Center (provided at the door if needed), and
 - c. Comply with directives of court and security personnel regarding appropriate distancing.
5. **Movement within the Judicial Center.** Persons within the Judicial Center, outside of courtrooms, shall:
- a. Stay at least six feet from all other persons (except those with whom they are related or with whom they traveled to court), to the extent practicable, and
 - b. Not board elevators with other persons except those with whom they are related or with whom they traveled to court, and
 - c. Wear a face mask at all times while in the public areas of the Judicial Center, and

- d. Not congregate or loiter in the hallways in a way which obstructs other persons' access to elevators, offices or courtrooms, and
 - e. Comply with directives of court and security personnel regarding appropriate distancing.
6. **Admission to courtrooms.** Persons entering State Court courtrooms or waiting areas shall:
- a. Sit in one and only one designated area per room, and
 - b. When notified that a room is full, follow instructions for seating elsewhere, and
 - c. Wear a face mask at all times while in the courtroom or any conference room, and
 - d. Comply with directives of court and security personnel regarding appropriate distancing.
 - e. Due to the limited seating, persons with business before the Court are encouraged not to bring nonessential persons with them, especially children.
 - f. Anyone using a pen supplied by the Court must return it as directed for cleaning.
 - g. To allow for distanced seating, each person shall sit in a space marked with a tab. No one shall sit in a space not tabbed. An adjoining courtroom shall also be available for overflow seating, where spectators may observe the proceedings by live audio-video stream. Persons with cases on the calendar shall be given priority for seating in the active courtroom.
 - h. Persons in the overflow seating areas shall maintain order and quiet so that everyone can see and hear the proceedings in the active courtroom.
 - i. Persons who have completed their business with the Court, or who simply want to observe court, are welcome to remain and attend, but may be required to sit in an overflow seating area so that persons with business with the Court can be seated in the active courtroom.
7. **Special court procedures.** Due to the ongoing judicial emergency, the Court is employing special procedures to minimize the risk to everyone's health. To this end:
- a. We are scheduling more court sessions, with fewer cases summoned per session; seating in the courtroom will be limited to designated seats, designed to require distancing; and distancing will be enforced in conferences with staff. Handling of paperwork

will be kept to a minimum. Court personnel will sanitize areas of the courtroom between users.

- b. **To the extent practicable, and as allowed by law and the U.S. Constitution and the Constitution of the State of Georgia, all proceedings will be conducted via teleconference and all participants are strongly encouraged to participate remotely rather than appearing in person.**
 - c. **All State Court proceedings shall be open to the public, by live attendance and/or by online live streaming. A link to view court by live streaming shall be posted on the court's webpage.**
 - d. State Court is conducting no jury proceedings at this time.
8. **Teleconference protocols.** Persons participating in court proceedings by teleconference shall take no actions which disrupt the proceedings. More specifically, participants shall observe the following instructions:
- a. Dress as if in court.
 - b. Sit at up-right chair at a table or desk.
 - c. No food or drinks allowed during session.
 - d. Be in a room or location where no one else can audibly or visually disrupt the proceedings.
 - e. Must participate via audio AND video.
 - f. Must be in a well-lit room or area and must always show face on screen. Do not leave the screen to run errands.
 - g. No hats or headcovers (unless for religious purposes).
 - h. Make sure device is fully charged so no interruption in participation.
 - i. No texting, talking to third parties, net surfing, emailing, or doing anything else during session that would be a distraction.
 - j. No lying down, lounging, driving or leaving the video screen.
 - k. No smoking or vaping.
 - l. No use of profanity.
9. **Contempt of court.** The procedures outlined in this Order are necessary for the safe, efficient operation of the Court. Persons failing to observe these procedures may be attached for contempt of Court.

SO ORDERED, this ^{20th} ___ day of July, 2020.

DocuSigned by:

Ben W. Studdard

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BEN W. STUDDARD, Chief Judge
STATE COURT OF HENRY COUNTY