

JUL 24 2020

IN THE PROBATE COURT OF MITCHELL COUNTY
STATE OF GEORGIA
ORDER CONCERNING OPERATIONS AT THE MITCHELL COUNTY PROBATE
COURT DURING THE STATEWIDE JUDICIAL EMERGENCY

In light of the continuing public health emergency occasioned by the Covid-19 virus, this Court's Order of March 16th, 2020, as amended by Orders on April 3rd, 2020 April 22, 2020, and May 13th, 2020 is further amended to read as follows:

WHEREAS, the Honorable Harold E. Melton, Chief Justice of the Supreme Court of Georgia did on March 14, 2020 Order and Declare a Statewide Judicial Emergency in the State of Georgia; and

WHEREAS, such Order has been subsequently amended and clarified by Chief Justice Melton several times most recently on July 10, 2020; and

WHEREAS, such Order Declaring Statewide Judicial Emergency, as subsequently amended and clarified, severely curtails the operation of the judicial branch of our state in order to attempt to slow the spread of Covid-19, consistent with recommendations of the World Health Organization and the Center from Disease Control; and

WHEREAS, the Probate Court of Mitchell County is further the Local Vital Records Custodian and Registrar, responsible for the issuance of birth and death certificates and is further charged with the approval of Permits for the Disposition of Human Remains; and

WHEREAS, this Court finds it will severely hamper its ability to conform to the Order of the Supreme Court of Georgia unless it continues to take steps to reduce or delay the transmission of the Covid-19 virus to the public and to its staff.

NOW THEREFORE, and in accordance with the said Order Declaring Statewide Judicial Emergency, as subsequently amended and clarified, and in order to give effect to said Order's terms, the Court HEREBY ORDERS AS FOLLOWS:

- (1) The Court shall continue to hear and address as provided by law all:
 - (A) Orders to Apprehend (a/k/a "1013s");
 - (B) Petitions for Involuntary Treatment and similar Petitions regarding Mental Health;
 - (C) Emergency Petitions for the Appointment of a Guardian and/or Conservator;
- (2) With regard to all other Petitions or Motions, they may be filed in person by appointment only, but may continue to be filed by mail
- (3) The Court will continue issuing marriage licenses, but by appointment only and the parties shall be provided forms to complete and return to the Court prior to such appointment; only the parties to the marriage will be allowed in the Probate Court Office; until further order of the Court, the Court will cease to conduct wedding ceremonies, except those scheduled prior to the declaration of Judicial Emergency;
- (4) Birth Certificates shall be available in person by appointment only until further order of the Court, and will continue to be available via mail and via electronic means with the certificates sent to the purchaser via mail;
- (5) Except for requests from funeral homes or morticians, who should follow the procedures previously in effect, Death Certificates shall be available in person

by appointment only until further order of the Court, and will continue to be available via mail and via electronic means with the certificates sent to the purchaser via mail;

- (6) Permits for the Disposition of Human Remains shall continue to be issued under procedures previously in effect.
- (7) Georgia Weapons Carry Licenses shall renewed by appointment only commencing May 14, 2020, the expiration of those that would have expired from March 16 2020 though May 12, 2020 but for the aforesaid order of the Supreme Court of Georgia, or which could have been renewed during said period, shall have an additional 60 days added to their renewal period;
- (8) New Applications for Georgia Weapons Carry Licenses shall be issued by appointment only;
- (9) No more than two (2) persons are permitted in the Probate Court office at the time and no person not required for a transaction shall be permitted in the Probate Court Office, for example, no minors shall be permitted to accompany their parent in the Probate Court office despite such parent having business before the court;
- (10) Cloth or paper face coverings, mask or other similar forms of PPE are required to be worn by all persons entering the Probate Court office. Homemade face coverings (patterns for which can be found at: [/www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html](http://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html)) or even a t-shirt or other similar cloth item wrapped to cover one's nose and mouth will suffice to meet this requirement.
- (11) No one coughing or sneezing or displaying signs of an upper respiratory tract infection will be permitted to remain in the Probate Court office, but if such person's presence is necessary for the Court to carry out its essential functions, as defined in the Georgia Supreme Court's Order Declaring Statewide Judicial Emergency, as subsequently amended and clarified, in which case they contact the court via telephone to provide for a meeting elsewhere on the Mitchell County Courthouse grounds.
- (12) The public shall have the right of access to all judicial proceeding except as prohibited by law.
- (13) The Probate court may continue to use technology to conduct remote proceedings where practical and appropriate;
- (14) Courtroom security staff shall ensure physical distancing in courtroom public common areas, galleries of courtrooms, wells of the courtroom, hallways, elevators, restrooms, and other locations where the public may gather. All persons in the courtroom shall practice physical distancing, which shall be enforced by courtroom security. No courtroom shall be filling at more than 33% capacity.
- (15) All spectators, attorneys, parties, witnesses, court personnel and courtroom security shall be required to wear an appropriate face mask or face covering before entering the courtroom. This requirement shall be enforced by courtroom security.
- (16) Hand sanitizer dispensers should be available at various locations around the courthouse, including at the entry and exists from the courtroom. Pens should not be shared between court participants.

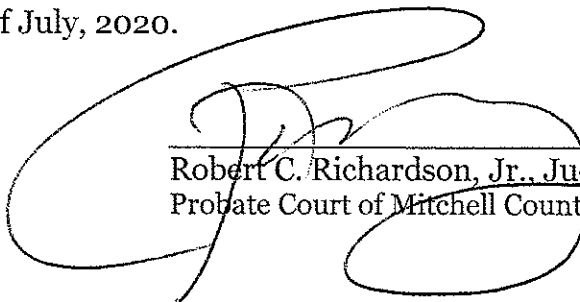
- (17) No person who has Covid-19 or has had exposure to Covid-19 that is likely to result in infection shall enter any court facility in which the Probate Court is located. All attorneys, parties, and witnesses with Covid-19, suspected Covid-19, or who has had exposure to Covid-19 likely to result in infection shall immediately notify the Probate Court of their condition.
- (18) All persons desiring to enter the courtroom shall practice physical distancing while waiting to enter the courtroom and waiting to go through the metal detectors. Individuals will be allowed to enter only through one door of the courtroom. All individuals shall be subject to a temperature check prior to any court proceeding. Such temperature check shall be conducted by courtroom security or their designee. Individuals feeling feverish or with measured temperatures equal to or greater than 100 degrees Fahrenheit, 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, or having known close contact with a person who is confirmed to have Covid-19 will not be permitted in the courtroom.
- (19) Sanitizing of the courtroom shall be routinely and regularly performed both before and after all court proceedings, On days during which hearing are held, the courtroom shall be sanitized during the day.
- (20) Attorneys, parties and witnesses 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 shall notify the Clerk, and the Court shall consider excusing such person and/or granting a continuance.
- (21) All witness subpoenas shall state that if the witness has Covid-19, has been running a fever experiencing any Covid-19 symptoms or if anyone in the witness' home has been running a fever, or if the witness has come into contact with a Covid-19 patient then they should notify the Court immediately.
- (22) Anyone who works in a court facility in which the Probate Court has offices that has known or suspected Covid-19 or any such person with Covid-19 exposure likely to result in infection shall be isolated and/or quarantined in accordance with the DPH Seventh Amended Administration Order for Public Health Control Measures, a copy of which is attached hereto as Exhibit A.
- (23) When there is reason to believe that anyone who works in or has visited a court facility has been exposed to Covid-19, DPH or the local Health Department shall be notified by the employer of such person in the case of a person who works in the court facility or by the entity providing security for the court facility in the case of persons visiting the court facility and notification of persons who may have been exposed shall occur as directed by DPH or the local Health Department.
- (24) All hearings shall promptly commence at the time scheduled. All persons appearing for appointments for non hearing matters arrive at the appointed time.

FURTHER ORDERED that adherence to the terms of this Order may be enforced by the Court's contempt power;

FURTHER ORDERED that this Order shall remain in effect until further order of the Court.

FURTHER ORDERED that a copy of this Order shall be posted at the entry of the office of the Probate and shall be provided to the Board of Commissioners and to the Sherriff of Mitchell County.

So ORDERED this 24th day of July, 2020.



Robert C. Richardson, Jr., Judge
Probate Court of Mitchell County, Georgia



Exhibit A

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 AMENDED¹ 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.

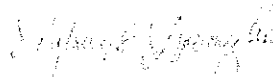
Staff members of the Department remain available at 866-PUB-HLTH (866-782-4584) to provide assistance and counseling to persons subject to this Administrative Order concerning their illness or exposure and their compliance with this Order. During the period of isolation or quarantine, the ability of 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