IN THE SUPERIOR COURTS OF THE
PATAULA JUDICIAL CIRCUIT INCLUDING
THE COUNTIES OF CLAY, EARLY, MILLER, QUITMAN,
RANDOLPH, SEMINOLE AND TERRELL
STATE OF GEORGIA

IN RE: Guidelines for Court Operations)
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)

ORDER

Whereas, the Governor has determined that a Public Health Emergency exists in the State of Georgia due to the novel Coronavirus/Covid-19 ("COVID-19"), and the ongoing public health state of emergency as declared by the Governor in various recent orders including orders on March 14, 2020, and April 8, 2020, and a statewide judicial emergency exists as declared by the Chief Justice Harold D. Melton of the Supreme Court of Georgia on March 14, 2020, April 6, 2020, May 11, 2020, June 12, 2020, and July 10, 2020, the Judges of the Superior Courts of the Pataula Judicial Circuit adopt the following Guidelines for the conduct of in-person criminal, civil and accountability court proceedings.

These Guidelines are made with a view to allow courts to, in the words of Chief Justice Melton, "dispose of all judicial matters promptly and efficiently, including by insisting that court officials, litigants, and their lawyers cooperate with the courts to achieve that end, although this obligation must not take precedence over the obligation to dispose of matters fairly and with patience, which requires

sensitivity to health and other concerns raised by court officials, litigants and their lawyers, witnesses and others" and shall remain in effect through the duration of the statewide judicial emergency. These Guidelines shall be posted at the public entrance of each courthouse in the Pataula Judicial Circuit and a copy provided to the Sheriffs and Clerks of the Superior Courts. These Guidelines shall remain in effect until further order of the Court.

GUIDELINES

1. Persons entering the courthouse for the purpose of attending court proceedings shall be subject to screening by a law enforcement officer which shall include a body temperature scan and asking certain health-related questions. The following persons **shall not** be admitted into the courtroom:
   a. persons who have been diagnosed with COVID-19, within the last thirty (30) days; or
   b. persons with a temperature of 100 degrees Fahrenheit or more, or have had a temperature of 100 degrees Fahrenheit within the last 72 hours.

   The following persons **may not** be admitted into the courtroom:
   c. persons who have within the last thirty (30) days had contact with anyone who has been diagnosed with COVID-19;
   d. persons who are experiencing, or have with the last thirty (30) days experienced respiratory illness, shortness of breath, persistent cough, sore throat, difficulty breathing, chills, muscle pain, headache or loss of taste or smell;
   e. persons who have been asked to quarantine by any healthcare provider or persons who reside with someone who has been asked to quarantine by a healthcare provider within the last thirty (30) days; or
   f. persons who have traveled to or from any area in which COVID-19 is particularly active.

2. Persons who are not admitted into the courthouse for any of the above reasons shall be provided by the Court with alternative means of observing court proceedings.

3. 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.

4. Persons entering the courthouse for the purpose of attending court proceedings shall:
   a. be required to wear a mask that covers his or her mouth and nose;
   b. remain six (6) feet away from other persons at all times including while entering and leaving the courtroom; and
   c. sit only in assigned seating inside the courtroom.

Individuals should not congregate in common areas in the courthouse.

5. Parties and their attorneys are required to wear a mask except when directly addressing the Court or questioning witnesses. However, parties and their attorneys are encouraged to wear a mask even when addressing the Court or questioning witnesses provided that court reporters are able to understand and take down statements.

6. Parties and attorneys not wearing a mask when directly addressing the Court or questioning witnesses shall remain ten (10) feet away from other persons.

7. Persons who have been subpoenaed as witnesses may be asked to remain outside of the courthouse or seated in a designated area until a court official calls you in person or over your telephone to enter. If a person who has been subpoenaed as a witness has experienced any of the conditions in Item 1 above, please notify a court official.

8. If a person is an older adult, at risk for severe illness, asthmatic, pregnant, breastfeeding or otherwise at risk for COVID-19 or if your health care providers have instructed said person to refrain from attending gatherings of people, then he or she is strongly encouraged not to enter the courthouse, and may be provided with alternative method of viewing the proceedings as available.

9. Pursuant to Chief Justice Melton's May 11, 2020 Order, the Court may limit the number of occupants in the courthouse, interior areas, and courtrooms based upon their size.

10. Attorneys arguing or presenting before the Court shall notify the Court if they, a member of their staff, their client, witness, expert, or any other person in court for a scheduled court proceeding have COVID-19, tested positive for COVID-19 or have been exposed to a person known to have been diagnosed with COVID-19 prior to that scheduled court proceeding.

11. The Sheriffs of this judicial circuit shall notify the Court, the District Attorney, and the Circuit Public Defender no later than the next business day of any person who tests positive for COVID-19 that is being housed within their detention facility.

12. Per Chief Justice Melton's Fourth Order Extending Declaration of Statewide Judicial Emergency dated July 10, 2020, 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 Department of Public Health Seventh Amended Administrative Order for the Public Health Control Measures, or any subsequent version thereof, a link to which may be found in the Appendix of said Fourth Order.

13. It shall be the responsibility of the head of a county department with offices in a court facility to notify either Judge Henry L. Balkcom, IV, or Chief Judge T. Craig Earnest when there is reason to believe that anyone who works within or visits a facility housing a department of this Court has COVID-19, tested positive for COVID-19 or been exposed to COVID-19.

14. All courts operating within this judicial circuit shall at a minimum conduct themselves in accordance with this Court's order.

15. The Court may impose without prior notice other rules in addition to these Guidelines in order to promote the health and safety of the public, litigants and their lawyers, and court personnel.

With regard to the Service of this Order:

a. the respective Sheriffs of Clay, Early, Miller, Quitman, Randolph, Seminole and Terrell Counties shall post a copy of this Order on their public notification site and in the courthouses;

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b. the County Commissioners of Clay, Early, Miller, Quitman, Randolph, Seminole and Terrell Counties shall post a copy of this Order on their public notification site;

c. the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us; and

d. the undersigned shall immediately notify and serve the Administrative Office of the Courts with a copy of this Order, such service to be accomplished via electronic submission at https://georgiacourts.gov/covid-19-court-operating-guidelines-form/; and

e. the undersigned shall immediately notify and serve a copy of this Order on the judges and clerks of all classes of court sitting within the Pataula Judicial Circuit and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt.

So **ORDERED**, this 20th day of July, 2020.

T. Craig Earnest
Chief Judge of Superior Courts
Pataula Judicial Circuit

Henry L. Balkcom IV
Judge of Superior Courts

CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the above and foregoing ORDER, IN RE: Guidelines for Court Operations upon the following named persons:

Supreme Court of Georgia
Chief Justice Harold D. Melton
Therese Barnes, Clerk barnest@gasupreme.us

Georgia Court of Appeals
Patty Bender, Deputy Clerk coaefast@gaappeals.us

Judicial Council of Georgia
Administrative Office of the Courts
https://georgiacourts.gov/covid-19-court-operating-guidelines-form/

Hon. Henry L. Balkcom, IV
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Hon. Tracy Moulton
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This 20th day of July, 2020

Sharon Williams

Sharon Williams, Judicial Administrative
Assistant to Chief Judge T. Craig Earnest

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