

Re: Guidelines For Court Proceedings For Courts In The Lowndes County State Court of the Southern Judicial Circuit (In compliance with the Fourth Order Extending Declaration Of Statewide Judicial Emergency)

The coronavirus has significantly disrupted the judicial system. A Fourth Order Extending Declaration of Statewide Judicial Emergency has now been issued. That Order extends the prohibition of any jury trials at least until Friday, August 11, 2020 at 11:59pm. While it does allow for the resumption of some non-jury court functions, the restrictions and limitations do not allow all proceedings to continue. Please refer to that Order for information as to the parameters for operation of the courts. To comply with Section Four of the Chief Justice's Order, this memorandum will serve as the written guidelines for proceedings in the State Court for Lowndes County of the Southern Judicial Circuit. This Court shares courthouse facilities and operates in the same County as other classes of courts and, therefore, also hereby adopts any guidelines set forth by the Superior Court of Lowndes County of the Southern Judicial Circuit as well as the Lowndes County Board of Commissioners, a non-judicial entity, with whom this Court shares courthouse facilities.

Access: Anyone coming to the courthouse to attend any court proceeding will be required to submit to a screening at the entrance to the courthouse. The particular area for the screening will be determined by security. This screening will include questions as to whether the person is experiencing fever, shortness of breath, persistent cough or sore throat, or any other symptoms of respiratory infection. The visitor will also be asked questions concerning their travel and possible exposure to COVID-19 within the last fourteen days. As the availability of equipment permits, each person's temperature will be taken using a no-touch thermometer. Should concerns be raised as a result of this screening, the Court will immediately be notified, and a decision will be made as to whether that person will be allowed in the building. If they are not permitted entry, the particular Court/Judge presiding in their proceeding is to be contacted so that the matter can be heard by alternative remote means or continued to a later date.

Social Distancing: For all court proceedings, social distancing will be required. Within the courtrooms, there has been established and marked a six-foot space between every person. For example, a litigant must sit at one end of the table and his/her counsel at the other end. Members of the public attending the proceeding must sit six feet apart in the gallery; the courtroom will be considered "full" when that distancing has reached its capacity. In the hallway and lobby outside of the courtrooms the seating will be marked at six-foot intervals; those in the hallway will be required to abide by this distancing. When capacity has been reached in the hallway, security will help others to a "spillover" location in another courtroom or outside the building to wait until space is available.

Personal Protective Equipment (PPE): All persons entering the courthouse for business must wear face masks or face covering. Further, all participants in litigation will be required to wear protective masks in the courtrooms and while in the courthouse. This includes counsel, parties and witnesses. Members of the public attending the proceedings must wear masks; if a sufficient number of masks are available to

security or to the court, then members of the public will be provided same and required to wear them at all times when in the building, courtroom or the hallway.

Remote Judicial Proceedings: All judges will continue to use technology to provide an alternative to in person proceedings. Our preferred methods are Microsoft Teams, Zoom and WebEx (accommodations might be possible for alternative platforms on an availability and cases by case basis). Whether to use these platforms in a pending matter will be within the sole discretion of the judge presiding in that case. Should the decision be made to use this alternative, litigants, lawyers, witnesses and other essential personnel must comply with this decision (See Section Three of the Chief Justice's Order). No proceeding, whether in person or remote, will be conducted if doing so would violate a constitutional right of a litigant.

Types of Proceedings: Each judge will determine whether to hold each type of proceeding in person or remotely, provided that any proceeding held complies with all of the following:

- a. The Chief Justice's Fourth Order Extending Declaration of Statewide Judicial Emergency;
- b. The Guidelines for Court Proceedings for Courts in the Southern Judicial Circuit;
- c. The Guidelines for Court Proceedings for Courts in the Lowndes County State Court of the Southern Judicial Circuit;
- d. The Governor's Statewide Emergency Order;
- e. All Local and Public health guidelines;
- f. The requirements of the United States and Georgia Constitutions, applicable statutes and court rules; and
- g. The public's right of access to judicial proceedings.

In careful consideration of these requirements, the presiding judge will decide whether to limit the number of hearings, whether to stagger the times for appearance, etc. Questions as to whether and how a proceeding will be conducted are to be addressed to the judge for that proceeding. These guidelines will remain in effect at least as long as any Judicial Emergency Order exists. The length and degree of restriction may also depend on what is deemed necessary in the Southern Judicial Circuit and allowed by statute (See O.C.G.A. §§ 38-3-61 and 38-3-62). It is not the intention of any judge of this court to impose any restriction for any period of time beyond what is absolutely necessary to ensure the safety of all who enter our courthouse. We will work with all who have business before the court to find a way to provide access and a fair hearing for their concerns.