

OGEECHEE CIRCUIT JUVENILE COURT COVID-19 OPERATING PLAN

BULLOCH, EFFINGHAM, JENKINS, & SCREVEN COUNTIES

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 and Chief Superior Court Judge, 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. Juvenile Court will rely upon Superior Court's Court Administration Office, who maintains regular communication with the local health authority for updates and suggestions for modifications of this Operating Plan.
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 or Chief Superior Court Judge as to the COVID-19 Judicial Emergency Orders currently in effect.

JUDGE AND COURT STAFF HEALTH

1. Juvenile Court staff who wish to telework should meet with their direct supervisors and Court Administrator Annette Rainer.
2. Judge and Court Staff Monitoring Requirements:
 - (a) Juvenile Court Staff shall follow the requirements of the Chief Superior Court Judge's Order directing screening of judges and staff who enter the building.
 - (b) All court personnel should regularly wash their hands and use hand sanitizer consistent with CDC Guidelines.
3. Juvenile Court Staff shall follow the guidelines set by the Chief Superior Court Judge as to potential exposure to or presenting symptoms of COVID-19.

SCHEDULING OF HEARINGS

The following court schedules are established to reduce occupancy in the court building. Juvenile Court will follow Uniform Juvenile Court Rule 12.1 and 12.2 when conducting hearings by phone or video conference. In the event a party is unable to participate in a video hearing, said party or counsel for said party shall contact the Clerk of court or such other court personnel as may later be designated by the court to make alternate arrangements for participation.

Until such time as full in person courtroom hearings recommence, the court should follow these protocols:

1. ESSENTIAL HEARINGS

Essential hearings are subject to interpretation; however, some matters that fall into the essential function category are, at a minimum:

- (a) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available;
- (b) juvenile court delinquency detention hearings and emergency removal matters.

Factors that could be considered in determining if a hearing is essential are:

- Whether or not there has been a finding a probable cause finding after a preliminary hearing or waiver thereof for a child who has been removed from the home into foster care or detention
- Whether or not there has been an adjudication of delinquency for a child who remains detained after a detention hearing or a waiver thereof;
- Whether or not any party has filed a petition and/or motion requesting an immediate change in a child's custodian/guardianship circumstances.

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 except that, at the court's discretion, said hearings may be held via videoconferencing so long as said hearing(s) comport with due process of law.

2. NON-ESSENTIAL HEARINGS

- (a) Non-essential hearings shall be scheduled using the timelines established by the provisions of Title 15, Chapter 11 of the Official Code of Georgia Annotated and the tolling periods in the Judicial Emergency Orders AND SHOULD BE SCHEDULED AS REMOTE VIDEO HEARINGS when practical to do so.
- (b) A "calendar call" may be conducted by the Court and further direction given as to times assigned per case OR the Clerk of court or such other designated court personnel member shall assign specific times assigned to each case and notify all attorneys, CASA, probation and pro se litigants. Attorneys shall provide all video conference information to their clients and witnesses.
- (c) If any litigant does not have access to the technology necessary to participate in a video conference, the court should direct the pro se litigant or their attorney to contact the assigned clerk and alternate arrangements should be made to allow the litigant to participate in the hearing. If necessary that a continuance be granted to effectuate alternative arrangements, the court should grant such a continuance for good cause shown.

3. DELINQUENCY and CHINS ADJUDICATION HEARINGS and CONTEMPT MATTERS

- a. All delinquency and CHINS adjudication hearings and contempt matters shall be held in-person unless said requirement is waived by the parties.
 - b. In each case where a delinquency or CHINS adjudication hearing or a contempt matter is required, the court should inquire of the parties whether they are amenable to conducting a videoconference hearing. If the parties do not desire to do so, the court may, at the court's discretion, enter an order in any individual case requiring the time requirements set forth under the normal rules existing in the provisions of Title 15 of Chapter 11 of the Official Code of Georgia Annotated to be instituted and thereafter schedule an in-person hearing following the guidelines and directives set forth herein OR the court may continue the matter until after the Judicial Emergency Order terminates.
4. Access for public - The court shall ensure that the public has access to view all hearings that are open to the public pursuant to O.C.G.A. 15-11-700. Should said access be restricted to internet access only, the court shall adhere to the notice and procedure requirements set forth in Amended Uniform Juvenile Court Rule 12.2 (e)(4).
 5. Recording of hearings – Regardless of the method of hearing, Uniform Juvenile Court Rule 13 shall apply.
 6. Uniform Juvenile Court Rule 12.2 shall be followed when conducting video conference hearings. Courts shall ensure confidential attorney-client communication is possible so that clients and attorneys have a private means of communications when in different locations.
 7. For all hearings in which parties consent to having the matter heard via video conference, the consent should be made on the record.

“VULNERABLE PERSONS”

1. “Vulnerable Persons” are defined as 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 Court and/or Clerks should include information with notices and/or 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 should also be posted in conspicuous locations around the court building.
3. Every effort should be made to eliminate the need for vulnerable persons to attend court in person. Should the court be unable to make such accommodations, vulnerable persons who are scheduled for court will be accommodated by being provided masks if they do not have their

own and by additional efforts to ensure that their exposure to communicable diseases is reduced to the greatest extent possible. If necessary that a continuance be granted to effectuate such accommodations, the court should grant such a continuance for good cause shown.

SOCIAL DISTANCING IN THE COURTHOUSE AND COURTROOM

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. Juvenile office non-court common areas, shall be closed to group gatherings.
4. Traditional seating assignments will be altered so that social distancing shall occur.
5. The maximum number of persons permitted in the courtroom during *live hearings* will be limited to 1 person per 113 feet so that appropriate social distancing can occur. Judges may take into consideration the number of people attending from the same household when calculating the maximum number of people permitted in the courtroom. All parties, attorneys, witnesses and other persons in the Courtroom are asked wear masks at all times unless otherwise permitted by the Judge. The maximum capacity of the courtroom will be monitored and enforced by court staff.
6. In the event more than the maximum number of people allowed per courtroom are required to be present for a hearing, Juvenile Court will attempt to find another location so that appropriate social distancing can occur.

HYGIENE

1. Hand sanitizer shall be available in all public areas.
2. COVID-19 /Pandemic protocols and safety procedures have been and will remain posted in multiple locations throughout the courthouse.


SCREENING

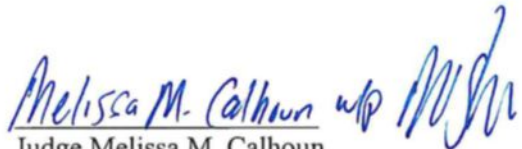
Screening shall be conducted pursuant to the Order issued by the Chief Superior Court Judge.

FACE COVERINGS

1. All individuals entering the court are strongly encouraged 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.

Date: 7/16/2020


Judge Donald O. Sheppard, III
Judge, Ogeechee Judicial Circuit


Judge Melissa M. Calhoun
Judge, Ogeechee Judicial Circuit