

**IN THE SUPERIOR COURT OF UPSON COUNTY
STATE OF GEORGIA**

**TEMPORARY PROTOCOL FOR NON-JURY HEARINGS DURING THE STATEWIDE
JUDICIAL EMERGENCY RELATING TO THE COVID-19 PANDEMIC**

In recognition of and response to the need, as expressed in the Second Order Extending Declaration of Statewide Judicial Emergency filed May 11, 2020 (hereafter, "the judicial emergency order"), the following procedures for In-Court Proceedings as addressed in Paragraph 4 of the judicial emergency order are adopted and shall be applicable for the duration of said judicial emergency or as they shall hereafter be amended:

1.

Screening Upon Courthouse Entry

At the courthouse entrance, a sign conforming to that contained in Exhibit 1 attached hereto shall state the requirement that all persons seeking entry must respond to minimal, but necessary, questions concerning whether they currently have COVID-19 or certain recognizable symptoms of the disease. The Sheriff shall make those inquiries of those who seek to enter the courthouse and shall also administer an infrared test of the temperature of each such person. Entry shall be denied according to CDC guidelines. This will include anyone with a fever, having been exposed to someone with COVID-19 within the last 30 days, or having traveled outside the United States within the last 30 days, or who has other symptoms such as shortness of breath, cough, chills or respiratory problems.

2.

Social Distancing Measures

The Sheriff and the Judge presiding over court shall instruct all courtroom attendees to be respectful of others and observe all social distancing recommendations of the Center for Disease Control (hereafter "CDC") including maintaining a distance of at least six feet from others who do not reside in the same household. To assist with compliance, the courtroom and all other rooms within the courthouse where courtroom attendees may be sequestered shall be marked. A letter from the Clerk requesting compliance (Exhibit 2 attached hereto) shall accompany all hearing notices.

Hand sanitizer shall be available for all courtroom attendees. The microphones, desktops, and other commonly touched items within the courtroom shall be sanitized before and after each hearing. Masks and other personal protective equipment (hereafter "PPE") shall be available for those within the courtroom and their use encouraged, but not required.

3.

Limitations Upon the Number of Attendees

Whenever possible, the time for hearings shall be staggered so as to reduce the number of persons present in the courtroom who are involved in matters other than the ongoing hearing. The Judge and Clerk shall preview proposed calendars prior to finalization to assure the best "staggering" of cases to achieve social distancing. Should the number of persons present in any portion of the courthouse exceed that number who may remain safely distant from others in that room, the Sheriff shall ask those who are not essential to the hearing to remove to an area outside the courthouse. In determining who is essential to the hearing, the Sheriff may consult with the judge; in any event, priority seating shall exist for all parties to the ongoing hearing and their

lawyers, necessary court personnel, members of the press, and supporters of a party in that order. The sidewalks and entry into the courthouse shall be marked with tape at six-foot intervals and those waiting to enter must maintain that separation.

4.

Accommodations for High-Risk Individuals

Every reasonable accommodation shall be made for individuals over the age of 60 and those with pre-existing conditions recognized by the CDC as rendering an individual at an increased risk from COVID-19. Such accommodations may include, among others, excusing the person from attendance, isolating the person from others, permitting that person to participate via videoconference, etc.

5.

Publication of This Protocol

This protocol shall be recorded on the minutes of the Court and made available in notices of court calendars, on the website of the Clerk of Superior Court, and shall be posted in prominent places within, and at the entrance to, the courthouse. This protocol shall become effective immediately upon the signatures of at least three of the judges listed hereinbelow.

[Signatures on following page]

HONORABLE CHRISTOPHER EDWARDS

Chief Judge of Superior Court

 5-15-20

HONORABLE W. FLETHER SAMS

Judge of Superior Court



HONORABLE SCOTT L. BALLARD

Judge of Superior Court



HONORABLE BENJAMIN D. COKER

Judge of Superior Court

Exhibit 1

ATTENTION

- **Do you have a fever, cough, shortness of breath or any "Flu Like" Symptoms?**
- **Have you been diagnosed with COVID-19?**
- **Have had any contact with anyone who has been diagnosed with or has symptoms of COVID-19?**
- **Have you been asked to self-quarantine by any medical professional ?**

IF THE ANSWER IS YES TO ANY OF THE ABOVE PLEASE DO NOT ENTER. NOTIFY A DEPUTY IMMEDIATELY FOR FURTHER DIRECTION CONCERNING YOUR COURT APPEARANCE.

**THANK YOU
SHERIFF DAN KILGORE**

Upton County Georgia

State of Georgia vs. _____

Hearing: Date/Time

Special Instructions

Dear Sir or Madam:

The above-styled case has been set for a hearing in the Upson County Courthouse for the date and time specified above. Please note that you will need to arrive a least 15 minutes prior to your appointed time. Please be prepared to go through a security checkpoint where your temperature will be taken with an Infrared thermometer. You will be given a PPE mask and encouraged to wear the mask while on the premises. You will be allowed to remove your mask once inside the courtroom.

We graciously ask that you limit the number of people who attend court with you. Due to the CDC guidelines for social distancing we have limited space in the courtroom for the audience.

If you have been diagnosed with COVID 19, recently been exposed to someone who has tested positive to COVID 19, have symptoms of COVID-19, or are in the high-risk category, please let us know so that we can make special accommodations for your court appearance.

While in or entering the Courthouse please maintain a social distance of at least 6 feet from anyone not living in your household.

Clerk

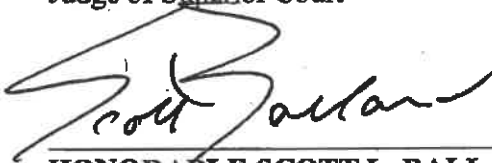
HONORABLE CHRISTOPHER EDWARDS

Chief Judge of Superior Court



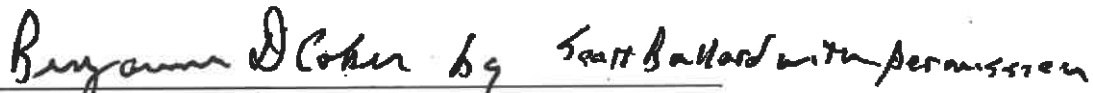
HONORABLE W. FLETHER SAMS

Judge of Superior Court



HONORABLE SCOTT L. BALLARD

Judge of Superior Court



HONORABLE BENJAMIN D. COKER

Judge of Superior Court

FILED & RECORDED
SUPERIOR COURT CLERK'S OFFICE
UPSON COUNTY, GEORGIA
Date: 7/17/2020 Time: 8:56 AM
TERESA HARPER, SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF UPSON COUNTY
STATE OF GEORGIA

FIRST AMENDMENT TO COURTHOUSE GUIDELINES FILED MAY 18, 2020

The Upson Order for Temporary Protocol for Non-Jury Hearings during the Statewide Judicial Emergency relating to the COVID-19 pandemic filed on May 18, 2020 is hereby amended as follows:

1.

All Courthouse employees and the public shall wear a mask or face covering when entering the court facility. Masks shall be provided to those seeking entry who do not have one. Face masks or coverings shall be worn at all times, unless waived by a Judge for specific reasons. Anyone allowed to not wear a mask shall be required to maintain increased social distance of ten (10) feet or more or be located behind protective glass or acrylic barriers or shields.

2.

Any Courthouse employee testing positive for COVID-19 shall be isolated, in accordance with the Department of Public Health (DPH) Seventh Amended Administrative Order for Public Health control measures. Anyone with COVID-19 exposure likely to result in infection shall be quarantined in accordance with the aforesaid Order.

3.

When there is reason to believe that anyone who works in or has visited a court facility has been exposed to COVID-19, the local Health Department and the Chief Judge of this Court shall be notified. All resulting protocols mandated by the local Department of Health or DPH, in response to notification, shall be followed.

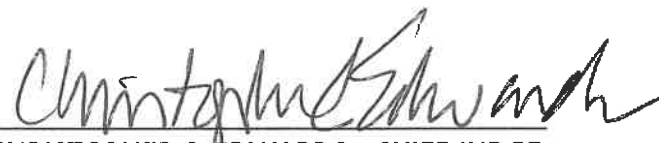
4.

Shared areas of the courtrooms shall be disinfected prior to court, and between court sessions.

5.

All requirements of the original Order filed June 8, 2020, not modified by this Order shall remain in effect.

SO ORDERED this 16 day of July, 2020, with the majority of the Judges consenting.


CHRISTOPHER C. EDWARDS, CHIEF JUDGE
UPSON SUPERIOR COURT
GRIFFIN JUDICIAL CIRCUIT