

## **SUPERIOR COURTS OF WAYNE COUNTY**

### **COVID-19 JURY TRIAL RESUMPTION PLAN**

After consultation with the local committee of judicial system participants (the Committee), including the local leaders of the Georgia Department of Health (DPH), and pursuant to the Supreme Court of Georgia's Sixth Order Extending Declaration of Statewide Judicial Emergency, the Superior Court of Wayne County will implement the following plan for the resumption of in-person jury trials in compliance with current public health guidance. This plan in no way supplants the Brunswick Judicial Circuit's Covid-19 Operating Plan entered May 15, 2020, but shall operate in conjunction therewith. A copy of the Covid-19 Operating Plan is attached hereto as Appendix A.

#### **Jury Summons, Notice and Selection**

- The Brunswick Judicial Circuit's Covid-19 Operating Plan entered May 15, 2020 will be utilized for the screening process of all jurors and other jury trial participants and shall be incorporated herein and followed throughout all trial proceedings.
- Summonses may be issued earlier than normal to ensure that requests for hardship excusals or deferments are timely received and reviewed.
- Summonses will be sent with additional notice information detailing the steps that the court has taken to ensure certain health and safety measures to limit the transmission of COVID-19, including information on cleaning procedures, face covering requirements, and social distancing protocols. A copy of the jury notice is attached hereto as Appendix B.
- The notice will include information about how to contact the court to request a deferment for a COVID-19 related issue.
- A written questionnaire will be included in the notice to identify individuals at increased risk for severe illness from COVID- 19, and persons with known or suspected exposure to or symptoms of COVID-19 so that they can be excused or deferred in advance without requiring them to appear at the courthouse. A copy of the Covid-19 questionnaire is attached hereto as Appendix C.
- Jury selection will take place in the Bennett Courtroom of the old courthouse.

- Juror arrival times on the day of jury selection will be staggered, with one panel of jurors to appear at the courthouse at 9:00 a.m. and the second panel to appear at 1:00 p.m. Jury selection will be livestreamed in Courtroom C of the courthouse annex building such that the proceedings are open to the public.
- The Court will have designated and clearly marked parking for jurors and other trial participants, with appropriate signage to direct individuals and to ensure social distancing.
- Juror seating shall be assigned and juror charts will be utilized.
- Counsel will be permitted to conduct *voir dire* from counsel table.
- Extra alternate jurors may be impaneled if deemed necessary

### **Trial and Jury Deliberations**

- Jury trial proceedings will be conducted in Courtroom C of the courthouse annex building, and jury deliberations will be conducted in the Emergency Operation Center located in the same building to comply with social distancing guidelines.
- All persons not from the same household who are permitted in the courthouse will be required to maintain adequate social distancing of at least a six-foot radius.
- Social distancing directional markers will be placed around the courthouse.
- The maximum number of persons permitted in each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
- Markings or tape will be used to delineate proper socially distanced seating in the courtroom.
- In criminal cases, if space allows courtroom seating will be prioritized for the defendant's immediate family members, victims and their immediate family, and then for members of the general public and media. All jury proceedings will be livestreamed into the Bennett Courtroom such that the proceedings remain open to the public.
- Portable, physical barriers (such as plexiglass) will be utilized in areas where added precautions are appropriate, including but not limited to, between the witness stand and the jury box. Should physical barriers not be feasible, protective face shields will be provided to testifying witnesses.
- Jurors will be provided with single-use notebooks and writing instruments.

- Witnesses will wait in designated rooms or areas where courtroom proceedings cannot be seen or heard and which comport with social distancing guidelines.
- Witnesses will testify without a mask behind plexiglass, or wear a transparent face shield, so that their demeanor can be fully evaluated and so as to ensure that the view of the proceedings and ability to hear is not obscured.
- All participants in sidebar conferences will be required to use appropriate PPE.
- Restroom capacity will be limited at any one time to ensure social distancing. The maximum capacity has been posted on each restroom door. The Court, as appropriate, may designate certain restrooms for the use of jurors and other trial participants only.
- Appropriate CDC/GA DPH signage will be placed in conspicuous areas throughout the courthouse and facilities.
- Use of water fountains shall be prohibited.
- All trial participants shall sign a sign-in sheet, which may be utilized if contact tracing becomes necessary.

# APPENDIX A

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Ronald M. Adams, Clerk of Court, Glynn County

## SUPERIOR COURTS OF THE BRUNSWICK JUDICIAL CIRCUIT

FILED  
CLERK'S OFFICE

### COVID-19 OPERATING PLAN

2020 MAY 15 P 4: 03

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the courthouse buildings, the Superior Courts of the Brunswick Judicial Circuit will implement the following protective measures in compliance with the CDC and GA DPH guidelines:

*Ronald M. Adams*  
CLERK OF SUPERIOR COURT

#### General

1. All judges will comply with the Statewide Judicial Emergency Orders issued by the Supreme Court of Georgia, including with regard to conducting in-person proceedings.
2. All judges will use all reasonable efforts to conduct proceedings remotely, when possible.
3. Pursuant to the Supreme Court's May 11, 2020 Judicial Emergency Order, all other courts conducting in-person proceedings within a Brunswick Judicial Circuit courthouse are strongly encouraged to adopt this Operating Plan so there is uniformity throughout the courts for all litigants and visitors. In addition, all courts are required to conspicuously post the respective courtroom capacity limits in the context of the social distancing guidelines requiring a six-foot distance maintained between all individuals not of the same household, at all times.

#### Judge and Court Staff Health

1. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100.4°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, or having known close contact with a person who is confirmed to have COVID-19 will not report to work or enter the building, and should seek medical advice.
2. Each department within the courthouse will institute protective measures for all employees within that department in compliance with the CDC/GA DPH

guidelines regarding health screening the use of PPE, social distancing and sanitization.

### **Scheduling**

In order to reduce occupancy in the court building at any given time, the judges will coordinate the scheduling of nonessential in-person proceedings.

### **Vulnerable Individuals**

1. Individuals who are over age 65 and individuals of all ages with underlying medical conditions, particularly those not well controlled, including those who suffer from chronic lung disease, moderate to severe asthma, serious heart conditions, immune disorders, diabetes, obesity, chronic kidney or liver disease, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable individuals.
2. Any vulnerable individual who is to appear for an in-person court proceeding may contact the office of the judge presiding over the proceeding to identify him or herself as a vulnerable individual. Vulnerable individuals who are scheduled for court will be accommodated as necessary, with said accommodations being determined by the presiding judge on a case by case basis in compliance with the current CDC/GA DPH guidelines.

### **Social Distancing**

1. All visitors to the courthouse, including attorneys and their staff, who are not from the same household will be required to maintain adequate social distancing of at least 6 feet at all times in all areas of the courthouse.
2. The maximum number of persons permitted in the gallery of each Superior Court courtroom has been determined and posted. The maximum capacity of the courtroom and courtroom seating will be monitored and enforced by court staff and/or the Sheriff. For individual courtroom capacity, see Appendix A hereto.

3. In each courtroom, counsel tables, witness stand, judge's bench, clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space.
4. All non-closed court proceedings shall remain open to the general public as required by law; however, all individuals visiting the courthouse as a spectator or observer not directly involved in a proceeding as an attorney, party litigant or witness, shall be directed to the jury assembly room, or other appropriate room of the courthouse, to view the proceeding electronically.

### Hygiene

Hand sanitizer dispensers have been placed throughout each courthouse and in each courtroom.

### Screening

1. When individuals attempt to enter the court building, Sheriff's deputies will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the courthouse. Each visitor's name and contact information will be collected in the event there is an outbreak and contact tracing needs to be executed. This information will be maintained by security and not available for public dissemination. **All visitors have an affirmative duty to truthfully disclose this information to court personnel.**
2. When individuals attempt to enter the courthouse, Sheriff's deputies will use a thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.4°F will be refused admittance to the courthouse.
3. Inmates being transported from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°F will not be transported to the court building.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including surgical masks and gloves.

**Face Coverings**

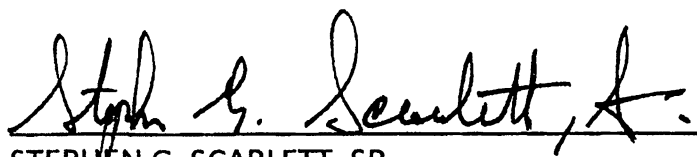
1. All visitors entering the courthouse are required to wear a face covering (surgical mask) at all times.
2. Visitors should supply their own masks. In the event a visitor does not have his or her own mask, a disposable mask will be provided **if the supply is available**.

**Cleaning**

The courthouses and each courtroom will be thoroughly cleaned according to the standards set forth by the CDC and GA DPH after each session of court.

This Operating Plan is implemented with the concurrence of all five active judges of the Brunswick Judicial Circuit and shall apply to all proceedings conducted in any county courthouse and any Superior Court courtrooms within this Circuit.

Date: 5-15-20

  
STEPHEN G. SCARLETT, SR.  
CHIEF JUDGE, SUPERIOR COURTS  
BRUNSWICK JUDICIAL CIRCUIT

THIS NOTICE SHALL BE PROMINENTLY POSTED AT ALL COURTHOUSE ENTRANCES, ON THE OFFICIAL GOVERNMENT WEBSITE OF EACH COUNTY IN THE BRUNSWICK JUDICIAL CIRCUIT, AND SHALL BE DISSEMINATED ELECTRONICALLY TO ALL LOCAL BAR MEMBERS.

# **APPENDIX A**

## **Appling County Courtroom Capacity**

**Gallery – 26**

## **Jeff Davis County Courtroom Capacity**

**Gallery - 24**

## **Wayne County Courtroom A Capacity**

**Gallery – 28**

## **Wayne County Courtroom C Capacity**

**Gallery – 22**

## **Glynn County Jury Assembly Room Capacity**

**Gallery – 36**

## **Glynn County State Court Capacity**

**Gallery – 10**

## **Camden County Jury Assembly Room Capacity**

**Gallery – 24**

## **Camden County Courtroom Capacity**

**Gallery – 18 (with added chairs)**



**THE SUPERIOR COURTS OF WAYNE COUNTY  
BRUNSWICK JUDICIAL CIRCUIT**

Please find enclosed a summons for Grand Jury/Jury Service. As you may know, the criminal justice system has been largely shut down since March 13, 2020, due to the COVID-19 pandemic. Our Supreme Court, in an order dated September 10, 2020, has announced that grand jury and jury trial proceedings in our state may resume so long as specific steps are in place to ensure the safety of our citizens.

On behalf of the judges of this circuit, its clerk, law enforcement, the Office of the District Attorney, the victims of crime, and the accused, we are grateful that you are willing to sacrifice your time to meet this civic obligation. We take your safety and physical health seriously. The following are some of the guidelines put in place that will assist in keeping you safe while serving on the Grand Jury.

- Upon receipt of your summons, please call the Wayne County Clerk of Superior Court at 912-427-5930 to confirm your appearance and receive instructions for reporting. You will be asked to provide your phone number to the Clerk so you can be notified in the event anything changes before your reporting date.
- To ensure your safety, the number of persons reporting for jury selection is reduced and reporting times are staggered. To allow for sufficient time and space to check individuals into the jury selection facility, please plan to arrive at the facility at least 30 minutes prior to your scheduled reporting time.
- As you come to the front of the courthouse, you will be met outside by bailiffs who will ask you a series of questions to ensure that you are not suffering from any symptoms of the COVID-19 virus and to determine whether you have been exposed to anyone with the COVID-19 virus. Your temperature will be taken.
- All persons entering the facility will be required to wear a face mask; or, if you have a medical reason you cannot wear a mask, you must wear a transparent face shield. If you do not have one, the county will provide one for you. Out of respect for you, the courthouse staff and those particularly involved in the Grand Jury process will be wearing masks as well.

- The Brunswick Judicial Circuit's COVID-19 Trial Resumption Plan<sup>1</sup> will be observed and enforced at all times. This includes social distancing requirements, limiting the number of persons in the facility, hand sanitizing stations throughout the facility, and the requirement to wear a mask at all times.
- There are marked areas in the courtroom that meet the social distancing requirements as set out by the Supreme Court and the Brunswick Judicial Circuit. Please sit in the marked areas. This will allow for sufficient distance between the individual jurors.
- The courtroom will be sanitized prior to your arrival and frequently throughout the day.

Accompanying this notice and summons is the enclosed questionnaire. As soon as possible, please fill out the questionnaire and return it per its instructions. Any information disclosed by you will be reviewed by the court for COVID-19 screening purposes and promptly filed under seal. Excusal or deferment of jury service shall be at the discretion and approval of the presiding judge.

The criminal justice system cannot function without the involvement of our citizens. We need you. We recognize that there may be reasons why you believe that you cannot serve; however, the legal reasons to be excused from jury service are limited. If you have any concerns, please do not hesitate to contact your Clerk of Court at 912-427-5930.

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<sup>1</sup> The Circuit's COVID-19 Trial Resumption Plan may be accessed online by visiting <https://georgiacourts.gov/covid-19-court-operating-guidelines>.

# APPENDIX C

## COVID-19 HEALTH SURVEY

NAME \_\_\_\_\_

JUROR # \_\_\_\_\_

PHONE # \_\_\_\_\_

EMAIL \_\_\_\_\_

QUESTIONS	YES	NO
<ul style="list-style-type: none"><li>DO YOU CURRENTLY HAVE ANY SIGNS/SYMPTOMS OF A RESPIRATORY INFECTION SUCH AS FEVER, COUGH, SHORTNESS OF BREATH, BODY ACHES, OR SORE THROAT?</li></ul>		
<ul style="list-style-type: none"><li>DO YOU HAVE A FEVER (MORE THAN 100.4 F) ?</li></ul>		
<ul style="list-style-type: none"><li>HAVE YOU HAD ANY SYMPTOMS OF RESPIRATORY ILLNESS (COUGH, NASAL CONGESTION) IN THE PAST 14 DAYS?</li></ul>		
<ul style="list-style-type: none"><li>HAVE YOU COME INTO CLOSE CONTACT (WITHIN 6 FEET) WITH SOMEONE WHO HAS A LABORATORY-CONFIRMED COVID-19 DIAGNOSIS WITHIN THE LAST 14 DAYS?</li></ul>		
<ul style="list-style-type: none"><li>ARE YOU CURRENTLY IN QUARANTINE DUE TO EXPOSURE TO A PERSON INFECTED WITH COVID-19?</li></ul>		
<ul style="list-style-type: none"><li>ARE YOU A MEMBER OF AN IMMUNE COMPROMISED OR MEDICALLY FRAGILE POPULATION OR DO YOU LIVE IN A HOUSEHOLD WITH SOMEONE WHO IS IMMUNE COMPROMISED OR MEDICALLY FRAGILE?</li></ul>		
<ul style="list-style-type: none"><li>ARE YOU OVER THE AGE OF 65?</li></ul>		
<ul style="list-style-type: none"><li>DO YOU HAVE SMALL CHILDREN BUT DO NOT HAVE CHILDCARE DUE TO COVID-19?</li></ul>		