



CHATTAHOOCHEE JUDICIAL CIRCUIT

MUSCOGEE COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

November 20, 2020

COMMITTEE MEMBERS:

Hon. Benjamin A. Land, Superior Court Judge, Chair
Hon. Bemon G. McBride, Chief Superior Court Judge, Ex officio Member
Hon. Andy Prather, Chief State Court Judge
Hon. Benjamin Richardson, State Court Judge
Hon. Steve Smith, Municipal Court Judge
Hon. Marc E. D'Antonio, Probate Court Judge
Ms. Julia Slater, District Attorney
Ms. Suzanne Goddard, Solicitor General
Mr. Alonza Whitaker, Chief Assistant District Attorney
Mr. Donald Kelly, Assistant District Attorney
Mr. William Hocutt, Assistant District Attorney
Mr. Ray Daniel, Assistant District Attorney
Mr. Moffett Flournoy, Circuit Public Defender
Mr. Steve Craft, Assistant Circuit Public Defender
Ms. Danielle Forte, Clerk of Superior Court
Ms. Yoshi Leonard, Deputy Clerk of Superior Court
Mr. Chris Acosta, Deputy Clerk of Superior Court
Ms. Vivian Bishop, Clerk of Municipal Court
Sheriff Donna Tompkins, Muscogee County Sheriff's Office
Lt. Mike Dailey, Muscogee County Sheriff's Office
Sheriff-Elect Greg Countryman
Ms. Lisa Goodwin, Assistant City Manager
Ms. Sonya Kibble, Jury Manager
Ms. Inna Russell, Court Reporter
Mr. Shane Walker, Information Technology
Mr. Jeremy Miles, Information Technology
Ms. Kimberly Fuller, Nurse Manager, Georgia Dept. of Public Health
Ms. Josephine Gosa, Epidemiologist, Georgia Dept. of Public Health
Ms. Brandi Nelson, Epidemiologist, Georgia Dept. of Public Health
Mr. Mark Jones, District Attorney-Elect
Mr. Chris Breault, Attorney
Mr. Brandon Peak, Attorney
Mr. Robert Wadkins, Jr., Attorney
Mr. Steve Hodges, Attorney
Ms. LaRae D. Moore, Attorney
Mr. Anthony Johnson, Attorney
Mr. Edward F. Berry, Court Administrator

By Order entered September 10, 2020, Chief Justice Harold Melton, in his Sixth Order Extending Statewide Judicial Emergency, directed the Chief Judge of each Judicial Circuit to convene for each county in his or her circuit a local committee of judicial system participants for the purpose of developing a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials." Such Order directed that court operating guidelines for in-person proceedings incorporating final jury trial plans shall be submitted to the Administrative Office of the Courts (AOC) before the jury trial process begins.

These plans seek to apply previously adopted "COVID-19 Safe Operating Guidelines" to the specific context of jury proceedings.

The Committee met on three occasions, October 21, 2020, November 5, 2020, and November 19, 2020. This report was adopted by consent of the committee members, without objection, on November 19, 2020.

GENERAL CONSIDERATIONS

Summoning the Jury Pool

When jurors are initially summoned, the Jury Manager will create and mail a Summons as follows:

- The Summons shall direct jurors to report to the Columbus Ice Rink located at 400 4th Street, Columbus, Georgia at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns. Additionally, the Jury Manager's website, <https://columbusga.gov/jury>, shall be updated, and the same information will be posted on the website.
- The Summons packet will contain information expressing the Court's appreciation for the jurors' service, assuring those jurors of the Court's concerns for their safety, informing those jurors in summary form of the steps that will be taken to protect them while serving as jurors, and providing contact information for jurors to call with health-related questions or concerns.
- Questionnaires will also be utilized for jurors, asking for the jurors' contact information (name, address, cell phone number, and email), other questions designed to reduce the time required for jury selection, and a series of questions to determine whether they are in a category of persons identified by the Centers for Disease Control ("CDC") as being at increased risk for severe illness from COVID-19. The Jury Manager will work on enabling her website to function so that jurors can fill out these questionnaires online. Jurors without online access will be instructed to contact the Jury Manager's office so that these COVID-related questions can be answered.
- Jurors will be sent an Excusal Request Form that waives the requirement that it be notarized before submission.

Excusals and/or Deferrals

Prior to jurors reporting on the date of their service, the Court and the Jury Manager will work cooperatively to determine whether any prospective juror should be excused or have their service deferred due to medical concerns. Any deferral or excusal will be solely at the discretion of and upon approval of the assigned judge.

- The existing Excusal Form will be modified to temporarily waive the requirement that it be notarized before submission.

The Summons packet to be mailed will instruct prospective jurors to call a phone number if they have COVID-19 related questions and/or are seeking an excusal for COVID-19 related reasons. The packet will also instruct prospective jurors that in order to be considered for a deferral or excusal, the form must be returned 10 days prior to their date of service.

- The Muscogee County Jury Manager's office will receive phone calls, answer any questions, and vet any request before sending the person's contact information to the assigned judge's office.
- Staff will be available by phone on the day of the reporting as well, so that prospective jurors who wake up feeling ill can receive instructions *before* reporting for jury duty.

Court Facilities: Columbus Ice Rink, Civic Center, and Government Center; Physical Space Preparation

As outlined in this plan, the Court intends to use the Columbus Ice Rink, Civic Center, and Government Center for jury trials, with juror reporting taking place at the Columbus Ice Rink, voir dire and jury selection taking place at the Civic Center, and the remainder of the trial taking place at the Government Center. In this plan, these facilities are sometimes collectively referred to as "court facilities."

- In addition to the ongoing extraordinary sanitizing and cleaning of the interior space of the court facilities, those areas that jurors will come in contact with will be sanitized and cleaned adequately prior to the arrival of summoned jurors for jury service.
- Nightly Deep Cleaning – Building Maintenance will sanitize the jury assembly areas and all other publicly used areas in the court facilities each evening before jurors are expected to return.
- HVAC and air handling components – The HVAC systems will be monitored by facilities maintenance and will be checked regularly based on current recommended intervals.
- Automatic Hand Sanitization Stations – Automatic no touch hand sanitizer dispensers will be available throughout the court facilities, including prior to and after security check-in and outside the entrance to each courtroom.
- Protocols for Masks and Face Coverings – All entrants of the court facilities shall be required to wear masks or other face coverings to enter these buildings. Masks and face coverings must remain in proper position over the nose and mouth, unless otherwise instructed by the presiding judge. As long as supplies last, any person that arrives without a mask will be provided one at the checkpoint. Any visitor who refuses to wear a mask will be prohibited from entering. Any prospective juror who refuses to wear a mask will be prohibited from entering, and the prospective juror's name will be reported to the Judge. Signs outside of the court facilities will inform entrants of mask and face covering requirements.
- Protocols for Social Distancing – Outside and inside of the court facilities, signs and notices will be posted in prominent places to remind jurors to socially distance. Proper socially distanced seating will be clearly delineated.

Juror Reporting and Check-In; Location: Columbus Ice Rink

Jurors will report for jury service at the Columbus Ice Rink. On the day of reporting for jury service, jurors will encounter the following safety precautions:

- Controlled check-in – Because of the potential bottlenecks and long lines at security and check-in, juror summons will include staggered report times. Prospective jurors reporting before their summoned time will not be checked in but will be directed to wait outside until their report time arrives.
- Health Screenings. Everyone entering the court facilities will be screened for illness and COVID-19 exposure and will sign in with their name, address, and phone number for the purpose of contact tracing.
- If any prospective juror reports any of the following, they will not be permitted to enter any of the court facilities but will instead be instructed to report to an area designated for isolation, and the presiding judge and Jury Manager will be promptly notified so that a decision can be made concerning the release of the prospective juror from further service: (a) a diagnosis of COVID-19 in the previous 14 days, (b) contact over the previous 14 days with someone who has been diagnosed with COVID-19, (c) a concern that the juror may have been exposed or infected by COVID-19, (d) a persistent cough, (e) difficulty breathing, (f) a fever with a temperature over 100.4 degrees within the previous three days.
- Social Distancing – The court facilities will be set up with chairs and seats that comply with the six feet social distance recommendation of public health authorities.
- The Jury Manager and/or her staff will check in prospective jurors in the designated area of the Columbus Ice Rink, keeping distances of 6 feet and also wearing masks or face coverings.

Impaneling Process

- Expected reporting percentages are unknown at this time, but the reporting times below should allow for an orderly check-in based on historical reporting patterns.
 - 8:30 am – Jurors 1-50
 - 9:00 am – Jurors 51-100
 - 9:30 am – Jurors 101-150
 - 10:00 am – Jurors 151-200
- Seating of the jury pool
 - All prospective jurors that make up the jury pool will be seated in an appropriately socially distanced area of the Columbus Ice Rink.
 - After the prospective jurors are checked in, the Jury Manager will notify the assigned judge.
 - Non-qualified jurors will be excused and their service concluded.
 - Remaining jurors will be sworn in and given further instruction from the Jury Manager regarding when and where to report.
- An appropriate number of bailiffs will provide support in all of the procedures outlined.

Voir Dire and Jury Selection; Location: Civic Center

Voir dire and jury selection will take place at the Civic Center (located adjacent to the Columbus Ice Rink). The qualified prospective jurors (or panel of such jurors if directed by the Court) will be escorted from the Columbus Ice Rink to the appropriately prepared area of the Civic Center.

The area where voir dire and jury selection shall take place will be laid out in courtroom fashion. There will be a bench for the judge, tables for the participants of the trial and seating for the panel and the public. All will follow CDC guidelines.

Deputy Sheriffs and bailiffs will provide support in all of the procedures outlined.

These procedures may be modified as necessary by the Judge and/or the Jury Manager (with approval of the judge) with appropriate communication to the jurors.

Once the Jury has been selected, the prospective jurors that were not selected to serve on the jury will be instructed to return to the Jury Manager for further instructions.

All Other Trial Proceedings Will Take Place at The Government Center

After the jury has been impaneled at the Civic Center, the Court will instruct the jurors who are selected to serve on a jury to report to the appropriate courtroom in The Government Center. The Court, the trial participants, and the jurors will transport themselves from the Civic Center to The Government Center.

Upon arriving at designated courtroom at The Government Center, the jurors will be met by bailiffs who will take charge of them until further direction is provided by the Court.

Courtroom Layout

Under this plan, the courtroom gallery will be converted into the jury box, and jurors will be placed at seats marked every 6 feet in order to comply with social distancing requirements.

- Court Personnel will be stationed in accordance with CDC guidelines.
- The court reporter will be located in an area of the court that allows the court reporter to see and hear any participant that is speaking.
- Witnesses will be placed in the witness box, the traditional jury box, or any other place the court feels necessary for the jury and participants to be able to see and hear the witness without impediment.
- Tables will be rearranged so that the jury, the parties, and counsel will be able to see each other and see the witnesses.
- Witnesses will be positioned such that counsel, the parties, the presiding judge, the court reporter and jurors will be able to see and hear the witness. Jurors will be instructed to let the judge know if they are having any difficulty hearing or seeing.
- Attorneys will be asked to speak so that everyone in the courtroom is able to hear the proceedings. If available, attorneys will use wireless microphones that can be attached in such a way as to not require them to hold the microphone.

TRIAL

General Protocols

The assigned trial judge will conduct proceedings in accordance with all constitutional and statutory requirements, seeking to ensure a fair and impartial trial while doing so within the confines of public health guidelines.

- Masks are generally required.
 - Judges, court staff, bailiffs, lawyers, and jurors will all wear masks during the trial unless otherwise instructed by the judge.
 - At the discretion of the presiding judge, court participants may be directed to use transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors or any other issue that may hinder effective communication.
 - Unless otherwise directed by the presiding judge, witnesses in criminal cases will testify while wearing a clear face mask. These clear masks will be provided by the Court so that the parties, counsel, jurors, the Court, and others can better see their faces while they are testifying.
 - At the sole discretion and judgment of the presiding judge, the judge, trial participants, and jurors may be permitted to remove their masks while speaking, provided that the person removing his or her mask is at least 10 feet away from anyone else.
- Due to difficulties guiding the jurors throughout the court facilities, it is anticipated that trials will require the use of more than the usual number of bailiffs.
 - Bailiffs will meet the jurors just past security, at the designated time, and escort them to the designated areas. Only four (4) persons at a time will be allowed on the elevator at the Government Center.
 - Any juror capable of taking the stairs who desires to do so will be directed to the stairwell, and they may take the stairs.
- The judge shall provide jurors with a point of contact if potentially exposed to COVID-19 or experiencing symptoms of COVID-19. Such jurors should not be required to report to jury duty.
- Any juror who does not pass the temperature check or COVID screening questions will be brought to the judge's attention immediately.

Presentation and Handling of Evidence

Courtroom evidence should be displayed to the jurors in a digital format whenever possible, making use of appropriately sized television monitors or other appropriate media that can be seen by participants.

- Unless otherwise directed by the presiding judge, witnesses in criminal cases will testify wearing a clear face mask.
- The lectern will be easily moved in the event trial participants are unable to see and hear. Attorneys will display documents, digital photos, and PowerPoint presentations on television monitors or other appropriate media in the courtroom and shall have completed all logistical and technical preparations for such presentations before trial. A document camera may also be used to display images of any paper document evidence.

- There will be certain items that cannot be displayed in a digital format, and the attorneys will be directed to seek guidance from the Court regarding the handling and presentation of such evidence.
- Attorneys will present their case from the lectern and seek permission from the Court before moving freely about the courtroom. Otherwise, they will remain at counsel table and the lectern.
- Attorneys will be provided wipes and will be responsible for wiping down the lectern and anything else they touched before returning to their table. They will also be asked to wipe down their table at the end of the day.

Jury Deliberation Room

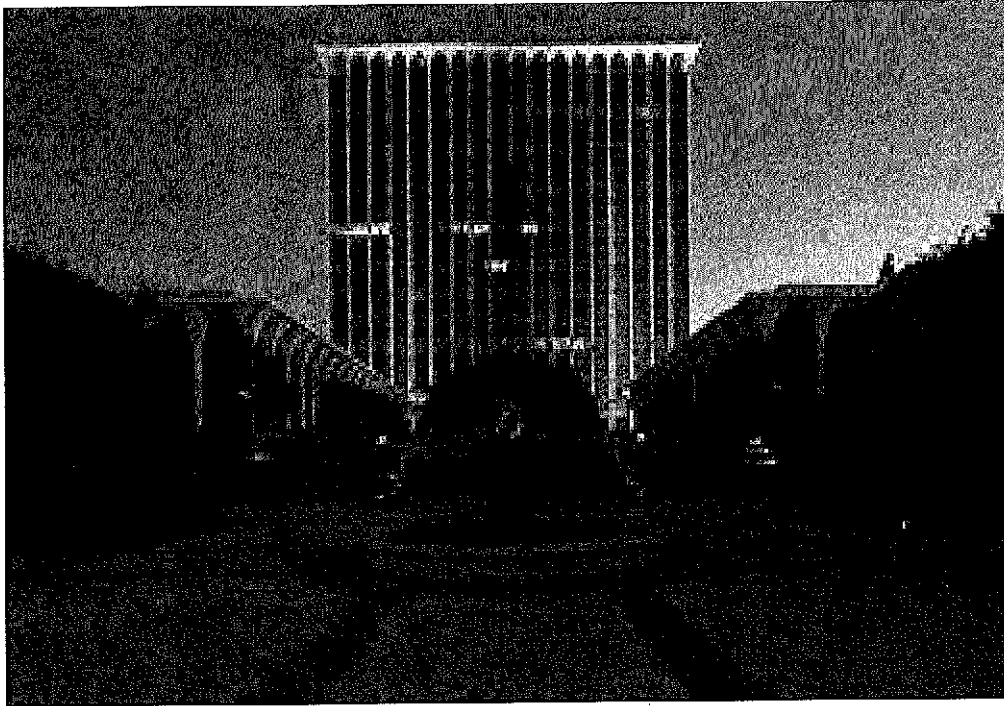
Existing jury deliberation rooms will not be utilized for jury deliberations due to the space restrictions. Instead, jurors will use an available courtroom, the courtroom where the trial occurred, or such other place designated by the Court that will accommodate a socially distanced jury.

- The Jury Deliberation Room will adhere to CDC guidelines for social distancing.
- The bailiff will have a supply table with extra disposable masks, hand sanitizer, paper towels, gloves, tissues, juror pads and pencils, bottled water, and disinfecting spray. Jurors should keep up with their own items, so as to prevent sharing.
- Jurors will be assigned a seat by the bailiffs and should use the same seating area for the duration of the trial.
- Jurors will be permitted to leave at lunchtime and return, or the judge may decide to bring in meals for the jurors. Jurors will be permitted to bring in their own food; however, there will be no community refrigerator available.
- Jurors with dietary restrictions, or who prefer to bring their own food, should do so in a personal size cooler bag which will remain in the jury room.
- Jurors will abide by social distancing guidelines at all times, including while they are consuming food.
- Bailiffs will be stationed outside of each door to the jury room and shall keep the area secure.
- Bailiffs will escort jurors to the closest restrooms.
- Jury rooms will be cleaned and disinfected regularly but no less than nightly.

Public Viewing Rooms

Due to the jury being seated in the traditional gallery, there may not be sufficient room for the public and other spectators to attend and view the proceedings in person.

- A closed-circuit video stream will be set up so that a camera will be aimed at the well of the courtroom.
- The stream will be displayed in rooms to be identified, where members of the public, participants' families, and other spectators can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, and attendees will be required to sit 6 feet apart unless they are from the same household. Unless otherwise directed by the presiding judge, all persons in the room must keep their masks on at all times. A deputy and/or bailiff will be stationed in each viewing room that is utilized for the trial.



A SAFE JURY DUTY EXPERIENCE... IS OUR TOP PRIORITY.

Health Measures at the Muscogee County Court Facilities

The Chattahoochee Judicial Circuit is dedicated to protecting your health and the health of our employees, visitors, and community. As we begin to resume jury proceedings, our commitment to fighting the spread of COVID-19 has not changed. We are adhering to public health guidelines, modifying check in procedures, reconfiguring courtrooms, and educating you, a prospective juror, about the measures taken. Thank you for your commitment to our community and county and for helping us resume safe jury trials.

For more detailed information, please visit <https://columbusga.gov/jury>.

We thank you for your service and look forward to having you at our Court facilities.

HAVE COVID-19 QUESTIONS?

Please don't hesitate to contact us! 706-653-4310 or jury@judicialcircuitga.gov.

What We're Doing:

Health Screenings

Face Coverings

Social Distancing

Cleaning

Disinfecting

Staggered Report Times

Juror Questionnaire

Please complete this Questionnaire online at <https://columbusga.gov/jury>. If you are unable to complete it online, please complete it by hand and return to: Columbus Jury Manager's Office, P.O. Box 1340, Columbus, GA 31902. Jurors without online access should call the Jury Manager's office at 706-653-4310.

PART ONE: FOR COURT USE ONLY

Name:

Telephone:

Email Address:

Date of Birth:

1. Have you ever been diagnosed with COVID-19, tested positive for COVID-19, been in contact during the last 14 days with someone who has been diagnosed with or tested positive for COVID-19, or been concerned for any reason that you may have been exposed to or infected with COVID-19? If so, please explain.
2. Have you been asked to self-quarantine by any healthcare provider within the last 14 days? If so, please explain.
3. Have you within the last 14 days been on a cruise, traveled outside the United States, or traveled to any area where a coronavirus quarantine was in effect? If so, please explain.
4. Have you had any of the following symptoms within the last 14 days: fever, chills, cough, shortness of breath, new loss of taste or smell, nausea, vomiting, or diarrhea? If so, please explain.

<p>5. Do you have any serious underlying medical conditions such as cancer, chronic kidney disease, chronic obstructive pulmonary disease, obesity, serious heart conditions, sickle cell disease, or type 2 diabetes mellitus? If so, please explain.</p>
<p>6. Is your immune system compromised for any reason, including a prior organ transplant, chemotherapy, other medical treatment, or any other reason? If so, please explain.</p>
<p>7. Do you live with or care for someone considered to be at an increased risk of severe illness from COVID-19? Anyone who would answer "yes" to questions 1-6 or who is above the age of 65 above might be at increased risk. If so, please explain.</p>
<p>8. Are you a healthcare worker or employed in any other occupation that places you in direct contact with COVID-19 patients or places you at higher risk of possible exposure to COVID-19? If so, please explain.</p>
<p>9. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?</p>

Additionally, on the day of service, you will be screened at the entrance and asked the following questions:

1. Have you been diagnosed with COVID-19, or been in contact over the last 14 days with anyone who has been diagnosed with COVID-19, or been concerned for any reason that you may have been exposed or infected with COVID-19?
2. Have you had any of the following symptoms within the last 14 days: fever, chills, cough, shortness of breath, new loss of taste or smell, nausea, vomiting, or diarrhea?

If your answer is yes to either question *on the day of your service*, you should call the Jury Manager's office immediately to request a deferral. Failing to appear without justifiable cause may place you in contempt of court, so please call with any health concerns you may have.

PART TWO: TO BE SHARED WITH ATTORNEYS FOR THE PURPOSE OF EXPEDITING THE JURY SELECTION PROCESS

Name:
What is your gender? What is your age? Do you consider yourself (Circle One): Caucasian African-American Asian Hispanic American Indian Other
What was the last year of school that you finished? Circle one. Elementary Junior High High School Vocational/Technical Junior College College Graduate School Post-Graduate Studies Other If your education is above high school, list the major area of study and/or degree(s) earned:
Are you currently attending school? If so, what course of study?
Have you ever had any legal education, training, or experience?
While in school, did you attend (Circle One): Public Private Home School
Do you have plans to continue your education? If so, what are those plans?
Have you or any member of your immediate family ever received training or education in any of the sciences, e.g., medicine, physics, engineering, etc.? If so, please explain.

Are you currently employed? If so, please provide the following information:

Your occupation and a brief description of your
job: _____

Name of your employer: _____

Length of time you have been at your current job: _____

Number of hours you work per week: _____

Do you supervise others at your job? Yes or No. If yes, how many? _____

Are you supervised by others? _____

Do you have a second job? Yes or No. If yes, please give the name of your employer:

Have you ever owned or operated a business?
If so, when and what kind of business?

List all jobs, other than your current job, you have had as an adult:

Are you retired?
If so, from where are you retired?

Have you ever served in the military?
If so, what branch, when did you serve, and what was your highest rank?

What is your current marital status (Circle One): Single Married Widowed Separated
Divorced

If you are currently married, how many years?

If you are currently married, where is your spouse employed and what is his/her occupation?

If you are divorced or widowed, what was your spouse's occupation?

Do you have children?

If so, how many and what are their ages?

If you have children that are currently in school, do they attend (Circle One): Public Private
Home School

If your children work, what are their occupations?

Have you or any member of your immediate family ever been employed in law enforcement or prosecutorial work? (e.g., sheriff's office, police, district attorney, corrections)?

If so, what type of work and for what agency?

Have you or any member of your family ever been employed in the healthcare field?

Have you or any member of your immediate family ever been the victim of a crime?
If so, please give a brief description.

Does any member of your immediate family suffer from any disability, handicap, or other infirmity?
If so, please explain.

Do you have any physical problems that might interfere with your service as a juror?
If so, please explain.

If you would like to request to be excused based on any health issue, please submit a written request accompanied by a doctor's letter and mail it to Jury Manager, P.O. Box 1340, Columbus, GA 31902

Have you ever been convicted or pled guilty or nolo contendere to a felony charge?
If so, please explain.

If convicted of a felony, were your civil rights restored? If so, when?

Do you have a felony charge pending against you now?

Have you ever been a party to a lawsuit?
If so, please describe the lawsuit and the outcome:

Have you ever had a claim asserted against you?
If so, please describe the claim.

Have you ever asserted a claim against someone for personal injuries or property damage?
If so, please describe the claim you asserted.

Have you testified as a witness in any case?
If so, please state when and where.

Have you ever served on a trial jury?
If so, please answer the following:

Where, when, and how many times?

Did you reach a verdict?

Was your service (Circle One): Civil Criminal Both

List any organizational, religious, civic, community, professional, special interest, or political groups of which you are a member:

List any hobbies, spare-time activities, and outside interests:

List all newspapers, magazines, TV and radio programs, including talk shows, or any computer based media that you regularly rely on for news:

How do you feel about the prospect of serving as a juror?

This Questionnaire should be answered online. Look for the Juror Questionnaire link at <https://columbusga.gov/jury>. If you do not have online access, you may mail the completed Questionnaire to Jury Manager, P.O. Box 1340, Columbus, GA 31902.

Questions or no online access?

Call the Jury Manager's Office at 706-653-4310

THANK YOU FOR YOUR SERVICE!