

IN THE MUNICIPAL COURT OF THE CITY OF TUCKER

DEKALB COUNTY

STATE OF GEORGIA

UPDATED OPERATING COURT PROCEDURES FOR COVID-19

DATE: February 8, 2021

*

*

*

STANDING ORDER ON COURT PROCEDURES

WHEREAS, the Governor of the State of Georgia determined that a Public Health State of Emergency exists in the State of Georgia due to the spread of the Coronavirus/COVID-19, and whereas that state of emergency constitutes a "judicial emergency" pursuant to O.C.G.A. 38-3-60 et seq. see O.C.G.A. 38-3-60 (2);

WHEREAS, pursuant to O.C.G.A. 38-3-61, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, has ORDERED AND DECLARED a Statewide Judicial Emergency in the State of Georgia. The nature of this emergency is the continued transmission of COVID-19 throughout the State and the potential infection of those who work in or are required to appear in court.

WHEREAS, the Honorable Chief Justice Harold D Melton, Georgia Supreme court has entered multiple Orders on the subject, that may be amended and/or renewed;

WHEREAS, the Judicial Emergency substantially restricts the normal functioning of the judicial system as it relates to interaction between individuals, including public court sessions;

WHEREAS, it is necessary and proper to adopt guidelines to ensure public safety and protect the health of the public, litigants, court personnel, lawyers, and all others whom the

court may come in contact, in keeping the general public health guidelines and the Order of Chief Justice Melton;

WHEREAS, Tucker Municipal Court formulated a plan to reopen the Court, dated May 26, 2020, and pursuant to the Supreme Court's Order dated May 11th, 2020, and has since updated their court procedures for COVID-19 date February 8th, 2021, incorporated herein by reference and shall continue to operate under the restrictions set forth in the initial Georgia Supreme Court Chief Justice's Order Declaring Judicial Emergency;

NOW THEREFORE, the Court hereby Orders as follows:

Regularly scheduled in-person Court sessions shall resume on May 26, 2020. All in-person Court Sessions shall be conducted using the following procedures:

Prior to entry into Tucker Municipal Court individuals, including court personnel, will be required to:

- A. Have their temperature taken with non-contact stand-alone temperature stand (cleaned and disinfected according to manufacturer's instructions and CDC guidelines) and will be refused admittance if temperature reading is 100.4°F (38.0°C) or above.
- B. Respond to the following questionnaire and be refused admittance with any positive answers to the following:
 - a. Fever of 100.4°F in last 24 hrs?
 - b. New Respiratory Symptoms (cough, shortness of breath)?
 - c. Domestic travel (other than by auto/in-state in the last 14 days especially areas with high COVID-19 rates)?
 - d. Contact with family members under treatment for COVID-19 in the last 14 days?
 - e. Contact with COVID-19 patients in a community setting (churches, meetings, dining)?
 - f. Complaints of recent changes in sense of taste/smell?
 - g. Have you been tested for COVID-19 with a positive or pending results?
- C. Every individual including court personnel will be required to wear a face covering that always covers the nose and mouth while inside the Tucker Municipal Court. Masks will be provided to individuals who do not have one. Gloves will also be provided to an individual who would like to wear them.
- D. Shall continue the use of technology to conduct remote judicial proceedings as a preferred alternative to in-person proceedings.
- E. Hand sanitizer is provided at check-in and throughout the courtroom for individuals to use while inside the Tucker Municipal Court.

- F. Anyone who refuses a, b, c, or d above, will not be admitted inside Tucker Municipal Court and will be asked to wait inside their car until all other cases have been resolved and all other defendants have left the court.
- G. Anyone who violates these rules after entering the building may be subject to Contempt of Court and face other penalties such as incarceration.
- H. Only defendants, witnesses, victims, and attorneys will be allowed inside the courtroom at first to help with limiting the number of individuals and social distancing. Any friends or family will be asked to wait in their vehicle due to COVID-19 restrictions and will be let in accordingly to our COVID-19 occupancy level of 35.
- I. The number of individuals allowed in the courtroom including court personnel, shall be limited to 35.
- J. All individuals shall maintain a minimum of six feet apart except when speaking with the solicitor, consulting with counsel, or filling out required paperwork.
- K. Chairs inside the courtroom will be spaced six feet apart. Some chairs will be marked with a sticker that states "Seat Closed Due to Social Distancing" to help with limiting the occupancy level.
- L. Sanitized Pens will be available to individuals stating such. Once the pen is used, the individual will place it inside the used pens bucket where court personnel will sanitize according to CDC guidelines before placing it back into the sanitize bucket of pens.
- M. The courtroom will be cleaned and sanitized before, between, and after all court sessions.

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve

Chief Justice Harold D. Melton of the Supreme Court with a copy of our updated and adopted order for Best Practices and Guidelines for Operating Municipal Courts During the COVID-19 Recovery, and the Administrative Office of the Courts.

IT IS FURTHER ORDERED that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public. Notice of the issuance of this Order and a copy thereof shall be published upon the City of Tucker

Municipal Court website and shall be posted prominently upon all entrances to the City of
Tucker Municipal Court.

IT IS SO ORDERED this 8th day of February 2021.

A handwritten signature in black ink, appearing to read 'Steve Nicholas', written over a horizontal line.

Steve Nicholas, Chief Judge

City of Tucker Municipal Court