

## **SUPERIOR COURTS OF APPLING 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 Appling 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.

#### **Venue For Jury Selection**

- Jury Assembly: Venue for Jury Selection will be the Crossties Facility. There is audio technology in this facility in place. There is suitable space for all jurors while conforming to social distancing guidelines. Crossties facility is large enough to hold 100-120 socially distanced people, which will allow 2-3 juries to be empaneled.

#### **Jury Notification and Selection**

- Summonses will 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 shall include information about how to contact the court to request a deferment in the event of a Covid related issue
- A written questionnaire shall 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.

- Jurors will be summonsed in morning and afternoon panels of 60 and if necessary, spread over several days.
- Markers and tape will be used to delineate proper socially distanced seating in the facility.
- All potential jurors will be required to wear face masks or face shields.
- Attorneys and court personnel will wear face masks or face shields at all times.
- Jurors will be taken in order and given assigned seating and pre-numbered fans indicating their juror numbers to ensure each juror is seated in his or her designated seat at all times
- The courtroom, tables, podium and microphones will be thoroughly cleaned and sanitized between jury panels. Microphones will be cleaned between users, where necessary

### **Jury Trial**

- The large courtroom at the Appling County courthouse will be utilized for jury trials. Markers and tape will be used to delineate proper socially distanced seating in the courtroom. All persons will be required to wear face masks or face shields at all times. If space is available, there will be a portion of the courtroom seating marked off for the general public with social distancing guidelines enforced.
- Eight jurors will be seated in the left-side jury box with the remaining 6 jurors in designated seating in the audience portion on the left side. Jurors will be spaced appropriately, and extra chairs will be added to allow seating for entire jury panel. The first 4 rows of chairs in audience will be designated as juror seating.
- The Courthouse Annex Commissioner's Meeting Room will be used as the jury deliberation room to ensure proper distancing.
- Jurors shall have designated parking spots and signs shall be placed throughout the parking lot and courthouse to guide jurors and ensure social distancing.
- Three smaller jury rooms upstairs will be utilized for juror recesses and breaks, with the jurors spaced appropriately pursuant to the size of the

room. For example, there could be 6 jurors placed in jury room on far left, 5 jurors placed in the jury room on the back right, and 3 jurors placed in the back left corner. Jurors will use designated jury restrooms upstairs.

- Attorneys may meet with their clients during trial downstairs in the room across from the holding cell for confidential communications. Attorneys are to stay at their tables throughout trial but may lower their masks when conducting *voir dire* or questioning a witness.
- Witnesses will be placed in the small courtrooms downstairs during trial where the courtroom proceedings cannot be seen or heard.
- Witnesses shall testify without a face mask, but may wear a transparent face shield while testifying if so desired. The witness stand will be thoroughly sanitized after each witness.
- Markers and tape will be used to delineate proper socially distanced seating in the courtroom.
- In criminal cases, courtroom seating will be prioritized for the defendant's immediate family members, victims and their immediate family, and if space allows for members of the general public and the media. If space is limited, those who cannot sit in the courtroom can observe the trial by livestreaming of the proceedings.

### **Public Health and Safety Generally**

- All persons, including employees and members of the public, shall properly wear a mask or face covering when entering the courthouse and shall continue to wear a mask until they have exited the building. Proper wear means full coverage of a person's nose and mouth. A face covering, medical or cloth mask or a transparent face shield shall be acceptable. If a person presents without a mask or face covering, a mask will be provided to them. Individuals who cannot wear a mask for Americans with Disabilities Act (ADA) reasons will be provided a transparent face shield.
- Social distancing shall be enforced.
- All persons entering the courthouse will be screened for Covid-19 symptoms and exposure pursuant to the current guidelines and this Circuit's Covid-19 Operating Plan entered May 15, 2020. All persons will be required to enter through one door and exit through another.
- Signs will be prominently displayed requiring mask or other face covering at all times while in the courthouse, and encouraging proper social distancing and frequent hand washing.

- Social distancing directional markers will be placed around the courthouse, at the security check-in area, in elevators, and in stairwells. The markers will encourage using the stairs as an alternative to elevators.
- Elevator capacity will be limited to facilitate social distancing (e.g., two person maximum).
- Automatic (touchless) hand sanitizer dispensers will be installed at courthouse entrances, near security checkpoints, and in every room where trial participants or the public will be present.
- Restrooms to be used by jurors and other trial participants during breaks will be clearly designated and a limited number of people will be allowed in the restrooms at a time. Restrooms will be sanitized after breaks and at the end of the day.
- Use of water fountains shall be prohibited.
- Frequently touched objects and surfaces, including door handles and elevator buttons, shall be frequently cleaned throughout the courthouse.

# 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:

#### 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**

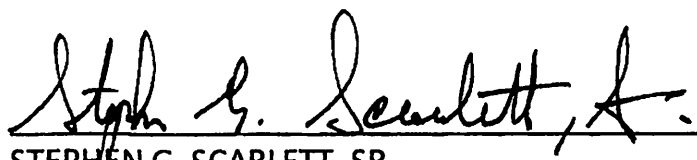
1. All visitors entering the courthouse are required to wear a face covering (surgical mask) at all times.
2. Visitors should supply their own masks. In the event a visitor does not have his or her own mask, a disposable mask will be provided **if the supply is available**.

**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)**

# APPENDIX B

## IN THE SUPERIOR COURTS OF APPLING COUNTY BRUNSWICK JUDICIAL CIRCUIT

Please find enclosed a summons for grand jury/jury service. Due to the COVID-19 pandemic, the criminal justice system in our State has been largely shut down since 13, 2020. By order dated September 10, 2020, our Supreme Court announced that grand jury and jury proceedings in Georgia 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, the Appling County Clerk of Superior Court, law enforcement, the District Attorney's Office, the victims of crime, and the accused, we are grateful 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 appearing at Court for jury selection:

- Upon receipt of your summons, please call the Appling County Superior Court Clerk at 912-367-8126 to confirm your appearance and receive instructions for reporting. You will be asked to provide your contact information 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.
- Upon your arrival to the jury selection facility, you will be directed to the main entrance and COVID-19 screening station, where your temperature will be taken and you will be asked a series of questions to ensure you are not suffering from any COVID-19 symptoms and determine whether you have been exposed to anyone with COVID-19.
- 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.

## APPENDIX B

- 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.
- The marked areas in the facility meet the social distancing requirements as set out by the Supreme Court and the Brunswick Judicial Circuit. Please sit only in the marked areas, as this will allow for sufficient distance among all prospective jurors.
- The facility will be sanitized prior to your arrival and frequently throughout the day.

Accompanying this notice and summons is a questionnaire for you to complete and return. Any information disclosed therein 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 questions or concerns, please do not hesitate to contact your Clerk of Court at 912-367-8126.

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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>		