

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

In Re: Declaration of COVID-19 Petition :
Jury Protocol :

In accordance with Section I(B) of the Sixth Order Extending Declaration of Statewide Judicial Emergency (Sixth Order), a committee has been formed for the purpose of developing a plan for safely resuming jury trials in Peach County. That committee includes the following members:

PEACH COUNTY COMMITTEE TO RESUME JURY TRIALS		
Name	Title	Organization
Connie L. Williford	Superior Court Judge	Macon Judicial Circuit
Anita Howard	District Attorney	Macon Judicial Circuit
Cindy Adams	Deputy Chief Assistant District Attorney	Macon Judicial Circuit
Sandra Matson	Deputy Chief Assistant District Attorney	Macon Judicial Circuit
Mary Beth Tolle	Assistant Public Defender	Macon Circuit Public Defendant's Office
Catherine Whitworth	Assistant Public Defender	Macon Circuit Public Defender's Office
Michaela Jones	County Administrator	Peach County
Tiffany Sandefur	Director of Economic and Community Development; Director of Building, Planning and Zoning	City of Byron
Michael Chidester	Local Attorney; Member of Peach County Bar; Mayor of Byron, GA	Michael L. Chidester, P.C.
Terry Deese	Sheriff	Peach County Sheriff's Office
John Edwards	Captain of Criminal Investigation Division	Peach County Sheriff's Office
Wesley Cannon	Chief of Police	Byron Police Department
Richard Craft	Deputy Director of Training and Development	Department of Public Health; North Central Health District
Rich Bennett	IT Manager	Peach County

Sherry Gonzalez	Clerk of Court	Peach County Superior Court
Shandi Kennedy Zorbanos	Superior Court Staff Attorney	Macon Judicial Circuit
Teresa Belvin	Official Court Reporter to Judge Connie L. Williford	Macon Judicial Circuit

Upon review of the “Guidelines for Resuming Jury Trials” and other relevant material listed in the Appendix of the Sixth Order, and upon consideration of the facilities available for use in Peach County and the circumstances particular to the county, the Committee has established the present plan for resumption of jury trials.

Facilities:

The Committee has determined that while the Peach County Courthouse has sufficient space for bench trials, it does not have adequate space to comply with the Centers for Disease Control and Prevention’s (“CDC”) social distancing guidelines in the context of jury trials in the midst of the COVID-19 pandemic. Therefore, the Committee has designated the Byron Municipal Complex, located at 401 Main Street, Byron, Peach County, Georgia 31008, as the alternate location for holding jury trials. That facility consists of an auditorium that will seat 416 people in a normal seating arrangement that will be adequate for jury selection. It also contains a large room that will be adequate for use as a courtroom, and an additional large room that will be adequate for use as a jury deliberation room with restrooms, breakrooms, etc.

Jury Selection Procedure:

When the suspension of jury trials is lifted, the Superior Court will initiate procedures for conducting jury trials in criminal cases.¹

For those cases to be tried, the Clerk of Superior Court will summon panels of approximately 150 potential jurors, each panel to arrive at different dates and times. Each summons will include a letter from the Court informing the prospective juror of the precautions which have been taken to ensure their safety, and of the guidelines they must follow while in

¹ Jury trials for civil and domestic cases will not be held until August of 2020. At that time, if CDC social distancing guidelines are still in place, jury trials in civil and domestic cases may also be conducted at the Byron Municipal Complex following these same procedures.

attendance (Appendix A). Each summons will also include a juror information form (Appendix B). On this form, prospective jurors will provide their contact information (name, address, cell phone, and email) and provide other juror information. Prospective jurors will be instructed to fill out and return this information form in advance of their reporting day. Prospective jurors may mail or hand deliver the form to the Peach County Superior Court Clerk, 205 W Church Street, Fort Valley, Georgia 31030. Alternatively, if the prospective juror has the ability to scan or take a photo of the form, it may be emailed to Sherry.Gonzalez@gsccca.org. Each summons will also include a COVID-19 questionnaire (Appendix C).

On arriving at the Byron Municipal Complex on the set date and time, prospective jurors will be stopped by an employee stationed outside of the building for temperature checks and dispensing face masks. Weather permitting, prospective jurors will also complete the COVID-19 questionnaire outside; if not, prospective jurors will be allowed to enter the building to fill out the COVID-19 questionnaire while maintaining social distancing. If the answer to each question is “No,” prospective jurors will be given a face shield and will be allowed to proceed to the Jury Selection room (auditorium). If the answer to any question is “Yes,” the prospective juror will be dismissed.² No more than 120 prospective jurors will be allowed to enter the Jury Selection room during each time period. The sidewalks and hallways of the premises will all be marked with tape to allow for social distancing of at least six feet, and seating within the building will be spaced at six feet or more. Hand sanitizer will be placed at the entrance of each room and within each room to be used as needed. Masks or face shields will be required to be worn upon entering the building and when in the hallways. When the prospective jurors are being questioned in the auditorium or when court is in session, they shall wear only the face shield.

Once all reporting jurors have been screened and seated, the Court will administer the oath, explain the procedure to be followed, and entertain excuses from jurors regarding their service for the week. A handheld microphone may be utilized to hear the jurors clearly, if necessary. This microphone will be cleansed by court personnel wearing gloves in between each use. After the Court entertains excuses, the attorneys will begin their voir dire process. Once a jury of twelve (and between two and four alternates) has been selected from the panel of jurors, those remaining

² There will be an exception if the prospective juror only answers “Yes” to the question “Have you previously tested positive for COVID-19?” In that event, follow-up questions will be asked to discern whether the positive test was remote enough in time and whether the prospective juror has recovered enough to comply with the Centers for Disease Control’s guidelines as of the time of questioning.

from the panel will be given further instructions for reporting at a later date, if necessary, for the completion of the trial term. The remaining jury of twelve (and between two and four alternates) will be instructed on when and where to report for service, and then be dismissed for the rest of the day. Once the entire first panel of jurors has been dismissed, the seats in the auditorium will be cleansed in accordance with CDC guidelines before an additional panel of jurors arrives.

Trial Procedure:

The normal procedure for conducting jury trials will be modified to some extent. For example, each witness will be given a face shield to wear during their testimony. During breaks, jurors will either be escorted outside the building, weather permitting, or allowed to enter the jury deliberation room with a bailiff present. If it is necessary to discuss a matter on the record but outside of the jury's presence, the jury will be escorted into the jury deliberation room to wait. Once the jury receives the case for deliberation, they will be escorted to the jury deliberation room to deliberate. For those trials lasting several days, jurors will be appropriately screened each morning when they report to the Byron Municipal Complex. There will be ample room in the courtroom at the Byron Municipal Complex for social distancing at all times for all necessary parties and court participants, and additional safety precautions will be taken as needed.

As for access by the public, because social distancing must be maintained, priority will be given to family members of the accused and the alleged victim(s). In the event socially distanced capacity has been reached in the courtroom, others wishing to attend the trial will be provided a link to view a livestream of the proceeding on their own device(s).

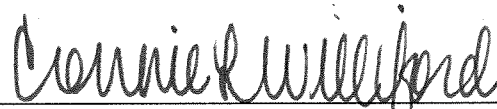
Concerning sanitation, bailiffs will be responsible for providing clear face shields to each witness as they enter the courtroom to testify and spraying disinfectant or otherwise sanitizing the witness chair and surrounding surfaces after each witness testifies. Bailiffs will not handle or touch any PPE equipment. The courtroom, auditorium, jury deliberation room, bathrooms, and common areas will be thoroughly cleansed at the end of each day's proceedings, taking extra precaution to wipe down and spray all surfaces with disinfectant. With regards to exhibits and demonstrative evidence, overhead projection will be used to the extent consistent with the rules of evidence; otherwise, gloves will be provided for handling these items and hand sanitizer will be passed around for each juror's use after handling any such exhibit..

Notification:

These guidelines will be made available to the public well in advance of the trial week. In addition to being posted at the Peach County Superior Court, they will be published on the Peach County website. A copy will also be provided to those attorneys whose cases are to be tried.

SO ORDERED this 23rd day of February, 2021.

Honorable Howard Z. Simms
Chief Judge, Superior Courts
Macon Judicial Circuit



Honorable Connie L. Williford
Presiding Judge, Peach County Superior Court
Macon Judicial Circuit

Appendix A



CHAMBERS OF THE SUPERIOR COURTS

MACON JUDICIAL CIRCUIT
601 MULBERRY STREET
SUITE 310
MACON, GEORGIA 31201

Chambers of
Judge Connie L. Williford

Telephone: (478) 621-6328
Email: mwood@maconbibb.us

_____, 2021

Dear Prospective Juror:

You are being summoned for service as a Juror for the Peach County Superior Court of the Macon Judicial Circuit. With all that has happened in the last year concerning COVID-19, I realize you may be concerned about reporting and serving in this capacity. I wanted to write separately and assure you that the Court has gone to great lengths to ensure your health and safety while you are with us. The procedures we have implemented under the guidance of the Department of Public Health will enable you to perform your duties as a Juror in a safe and comfortable environment. These procedures include the following:

- We have designated the Byron Municipal Complex as the alternative location for conducting both the jury selection process and jury trials to allow for social distancing.
- During jury selection, no more than 120 prospective jurors will be in the auditorium at a time, although the auditorium can seat approximately 416 jurors in a normal seating arrangement.
- All persons entering the Byron Municipal Complex will be asked the now familiar "COVID questions," along with having their temperature checked before being allowed to proceed into the building.
- Masks will be required upon entering the building. If you do not have a mask, one will be provided for you. Face shields will be provided and will be utilized during jury selection and during the trial.
- Social distancing will be required at all times. Seating is appropriately marked with at least six feet of distance between seats.
- Hand sanitizer will be available at the entrance of each room we will utilize within the Byron Municipal Complex. There will also be access to restrooms for handwashing.
- All rooms and common areas will be thoroughly cleansed and disinfected each night.

While these added precautions might make court procedures a little more cumbersome, they allow us to continue the business of the court while protecting those citizens called to participate in the process. Jury service is the responsibility – and legal obligation – of citizens of the United States and of the State of Georgia. Thank you in advance for the service you will provide in the administration of justice for the Peach County Superior Court.

Sincerely,

Connie L. Williford
Presiding Judge

"I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its Constitution." - Jefferson

Appendix B

JUROR INFORMATION FORM

IMPORTANT: Please complete form and return it as soon as possible.

The information requested is that generally asked by attorneys when selecting a jury.

Date to appear: _____ Reporting time: _____ Summons No: _____ Juror ID: _____

Name and Address: _____

Home Phone _____ Cellular Phone _____

Email Address _____

Date of Birth ____/____/____ Your Age: _____ Place of Birth _____

Are you a United States Citizen? **YES** **NO**

Marital Status: Married Divorced Widow(er) Single Separated

If married Name of Spouse: _____ Age of Spouse: _____

Do you have Children? **YES** **NO**

If YES Number of females: _____ Age(s): _____ Number of males: _____ Age(s): _____

YOUR CURRENT EMPLOYER

SPOUSE'S CURRENT EMPLOYER

If married

Name: _____

Name: _____

Type of Work: _____

Type of Work: _____

of Years: _____

of Years: _____

Have you ever been convicted of a felony crime in state or federal court? **YES** **NO** If yes, when and where: _____

If yes, have your civil rights been restored? **YES** **NO** ← If yes, please bring documentation indicating same.

Have you resided in Peach County, GA for at least SIX MONTHS prior to DATE TO APPEAR? **YES** **NO**

Have you been charged with a felony offense and are you presently participating in any of the following programs (concerning that pending felony offense): Pre-Trial Release or Diversion; Drug, Mental Health, or Veterans Court? **YES** **NO**

You may mail or hand deliver this form to the Peach County Superior Court Clerk at 205 W Church St., Fort Valley, GA 31030. Alternatively, you may scan the form or take a clear and complete photo and email it to Sherry.Gonzalez@gsccca.org.

Appendix C

COVID-19 QUESTIONNAIRE

Date to appear: _____ Reporting time: _____ Summons No: _____ Juror ID: _____

Name and Address: _____

Home Phone _____ Cellular Phone _____

Email Address _____

PLEASE READ EACH QUESTION CAREFULLY	PLEASE CIRCLE THE ANSWER THAT APPLIES TO YOU	
Have you experienced any of the following symptoms in the past 48 hours: <ul style="list-style-type: none"> • fever or chills • cough • shortness of breath or difficulty breathing • fatigue • muscle or body aches • headache • new loss of taste or smell • sore throat • congestion or runny nose • nausea or vomiting • diarrhea 	YES	NO
Within the past 14 days, have you been in close physical contact (6 feet or closer for a cumulative total of 15 minutes) with: <ul style="list-style-type: none"> • Anyone who is known to have laboratory-confirmed COVID-19? <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Anyone who has any symptoms consistent with COVID-19? 	YES	NO
Are you isolating or quarantining because you may have been exposed to a person with COVID-19 or are worried that you may be sick with COVID-19?	YES	NO
Are you currently waiting on the results of a COVID-19 test?	YES	NO
Have you previously tested positive for COVID-19? If so, when? _____	YES	NO