

FILED

IN THE STATE COURT OF JENKINS COUNTY
STATE OF OERGIA

2021 MAR -5 PM 4: 34

Re:)	TRACEY L. HERRINGTON
)	CLERK OF COURTS
Safe Resumption of In-Court Proceedings)	JENKINS COUNTY GA
)	

**SECOND ORDER FOR THE SAFE RESUMPTION
OF IN-COURT PROCEEDINGS
DURING THE CORONAVIRUS (COVID-19) PANDEMIC**

IN ACCORDANCE WITH the existing Orders of the Chief Justice of the Georgia Supreme Court, the State Court of Jenkins County (“Court”), Georgia adopts and requires compliance with the following guidelines for all persons attending in-court proceedings. This Order contemplates that the Sheriff of Jenkins County is responsible for the safety of the courthouse and it is, therefore, Ordered that a deputy shall be stationed at the single entrance into the courthouse the take temperatures, ask health related questions and give directions as may be required herein. A deputy shall also be stationed at the entrance to the courtroom to enforce compliance with this Order.

This Order shall remain in effect until otherwise modified or rescinded.

1. **All persons entering the courtroom for appearances before the Court shall abide by Coronavirus (COVID-19) guidelines as promulgated by the Centers for Disease Control and Prevention (“CDCC”).**
2. **Directions for persons infected with, recently exposed to, or who are especially vulnerable to COVID-19:**
 - a. No individual actively infected with COVID-19, as determined by diagnosis or positive test, shall be allowed to enter the courtroom.
 - b. Persons who know they have been in contact with another individual who has tested positive with COVID-19 within the immediately preceding 14 days shall not be allowed access to the courtroom.
 - c. Persons with other health issues which make them especially vulnerable to COID-19, as determined by the current guidelines of the CDC, are invited to call the telephone number provided with your court notice, or request at the courtroom door, to speak to someone in authority on behalf of the Court. Admission shall be determined on a case-by-case basis.
 - d. Subparagraphs a. through c. above require the execution of a screening document which will be made available upon appearance by court personnel.

3. **Admission to the Jenkins County State Court Courtroom.** All persons entering the courtroom **SHALL:**
- a. Be subject to health screening by security personnel which may include the use of equipment to obtain no-contact body temperature readings.
 - b. **WEAR A FACE MASK AT ALL TIMES** while in the courtroom. Face mask means a covering of both the mouth and nose.
 - c. Comply with directives of court and security personnel regarding appropriate distancing.
 - d. All persons entering the courtroom are admonished to refrain from any physical contact with other individuals (unless accompanied by a friend or relative living in the same home), including handshakes, elbow bumps or any other such physical greeting or gesture. Additionally, to the extent possible, all individuals are strongly encouraged to limit physical contact with doors or other surfaces.
 - e. Although a close relative may be allowed to assist or provide morale support for a defendant in a criminal proceeding, all persons are **strongly encouraged** to NOT bring nonessential persons with them to court.
 - f. The Court will attempt to provide new or sanitized pens for the purpose of signing documents and a receptacle for leaving the pen to be reused after being sanitized, all persons are encouraged to bring their own pen to sign required paperwork. It is the intent of the Court to have two containers available for the selection of a pen and the disposal of the pen after use should the person required to execute a document does not have a pen.
4. **Special Procedures.** During the judicial emergency, the Court is employing procedures to minimize the risk to everyone's health. To this end, the Court is scheduling more court sessions, with fewer cases summoned per session. Arraignment dockets will be separated into two-hour sessions with limited numbers per session. The Court understands that Uniform Traffic Citations may state a time for the appearance of the accused, cases will be handled on a first come-first served basis. Only twenty-five accused shall be admitted for the 9:00 o'clock a.m. session. All who arrive later shall assigned for a later session and shall give a cell phone number to the deputy. Those so assigned shall wait in their vehicle or at another location outside the courthouse until the time the case is assigned or until they are called to come into court.

Seating in the courtroom will be limited to designated seats, designed to require distancing. Appropriate distancing will be enforced by security personnel, so all persons shall respond to directions without delay or controversy. The courtroom will be sanitized completely following each daily series of court sessions.

5. **Jury Trials.** Although currently existing Orders from the Chief Justice of the Georgia Supreme Court do not permit jury trials due to high numbers of Coronavirus (COVID-19) cases in the state, it is expected that jury proceeding shall be allowed in the near future. When allowed to do so, the Court will set a

date for jury trials. Persons selected and given notice to appear as potential jurors may contact the Clerk of Court if health issues or concerns might impact the juror's ability to function as a juror. The names of those persons will be provided by the Clerk to the Judge who may seek further information. Only the Judge may excuse a person from abiding by the directives in a Jury Summons.

The Court will impanel no more than 30 jurors in the courtroom, spaced at least six feet apart. For each case to be tried, six jurors and one alternate juror will be selected. Upon trial of the case the six jurors will be spaced at safe distances apart from all participants in the trial and each other in the main courtroom. All requirements set forth above for all persons attending Court apply to jurors. Deliberations shall take place in the Jury Room which is of sufficient size to permit safe social distancing of the jury panel.


The Clerk shall provide each juror summoned to appear in court for a trial a copy of this Order along with the Jury Summons.

6. **Virtual Proceedings.** The Court will allow certain matters to be held virtually using technology specified by the Court. At present, equipment and software necessary for such proceedings is limited. The Court has encouraged the Jenkins County Board of Commissioners to allow the installation of equipment at the earliest possible time.

Persons desiring virtual hearing must apply to the Court for such consideration not less than 10 days prior to the scheduled session. Upon approval by the Court, special instructions for the virtual session shall be provided by the Court and this may require rescheduling the hearing date. It is the intent of the Court to stream proceedings of court sessions, as may be required to be available to the public by law, on YouTube or Facebook or some similar, readily available, media outlet. Information about court dates and instructions for logging onto such media will be available on the Jenkins County, Georgia website or a new website to be created for the Jenkins County Courts.

7. **Arraignment by Mail.** All persons noticed to appear for arraignment may enter a "Not Guilty" plea by mail. Persons who wish to do so must contact State Court Solicitor General, Duff Ayes, at (478) 401-0355 for permission to do so and directions as to the proper procedure. Should an accused NOT be permitted to plea by mail OR should the accused fail to follow the directions of the Solicitor General, he or she MUST appear in court in person.
8. **Contempt of Court.** The procedures outlined in the Order are necessary for the safe, efficient operation of the Court during this pandemic. Persons who fail to observe this Order may be found to be in contempt of court and subject to fines or incarceration.

SO ORDERED, this 5th day of March 2021.



R. H. Reeves, III, Judge
Jenkins County State Court