

FILED IN OFFICE

2/25/21

*Theresa A. Baine*

SUPREME COURT OF GEORGIA

IN THE SUPERIOR COURTS OF  
CHATTAHOOCHEE, HARRIS, MARION, MUSCOGEE, TALBOT, AND  
TAYLOR COUNTIES STATE OF GEORGIA

ORDER ON RESUMPTION OF  
JURY TRIALS

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Ex Parte No. \_\_\_\_\_

**ORDER ON RESUMPTION OF JURY TRIALS**

WHEREAS, on March 14, 2020, by order of the Chief Justice of the Supreme Court of Georgia, a Statewide Judicial Emergency was declared, and ten subsequent Orders have extended the statewide emergency and continued the prohibition of jury trials in the Chattahoochee Judicial Circuit; and

WHEREAS, an order dated September 10, 2020 from the Chief Justice directed the Chief Judge of each judicial circuit in Georgia to convene for each county in their circuit, a local committee to develop detailed guidelines for the safe resumption of jury trials in their county; and

WHEREAS, the Chief Judge of the Chattahoochee Judicial Circuit has convened for each county within said circuit, a local committee to develop guidelines for the safe resumption of jury trials; and

WHEREAS, each local committee has now developed, finalized and submitted to the undersigned Superior Court judges guidelines for safe resumption of jury trials in each county of the Chattahoochee Judicial Circuit, such guidelines for each respective county being attached hereto and incorporated by reference in this Order as: Exhibit "A", Chattahoochee County; Exhibit "B", Harris County; Exhibit "C", Marion County; Exhibit "D", Muscogee County; Exhibit "E", Talbot County; and Exhibit "F", Taylor County.

IT IS HEREBY ORDERED that each county's Plan for Resuming Jury Trials is made an Order of the Court and each such plan shall be immediately implemented at the time the Chief Justice of the Supreme Court of Georgia authorizes the resumption of jury trials to proceed and shall remain in effect until further Order.

IT IS FURTHER ORDERED that the Superior Court Clerk of each county file this Order and post said Order on any website maintained by their office to be utilized by the public, attorneys, parties, witnesses, and any other court participant.

IT IS FURTHER ORDERED that the Sheriff of each county post this Order in a public manner in the affected courthouse location and at each entry point of the courthouse.

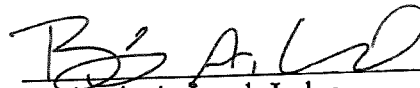
IT IS FURTHER ORDERED that a copy of this Order shall be served upon the judges and clerks of all courts sitting within the jurisdictions affected, such service to be accomplished through reasonable means to assure expeditious receipt: and

IT IS FURTHER ORDERED that notice of this Order shall be disseminated by appropriate means to the affected parties, counsel for the affected parties and the public.

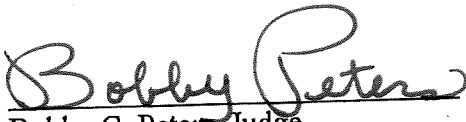
SO ORDERED, this the 23<sup>rd</sup> day of February 2021.



Bemon G. McBride, III, Chief Judge  
Chattahoochee Judicial Circuit



Benjamin A. Land, Judge  
Chattahoochee Judicial Circuit



Bobby G. Peters, Judge  
Chattahoochee Judicial Circuit



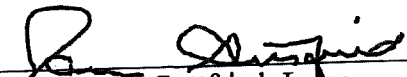
William C. Rumer, Judge  
Chattahoochee Judicial Circuit



Arthur L. Smith, III, Judge  
Chattahoochee Judicial Circuit



J. Ronald Mullins, Jr., Judge  
Chattahoochee Judicial Circuit



Maureen C. Gottfried, Judge  
Chattahoochee Judicial Circuit



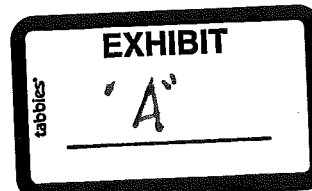
## CHATTAHOOCHEE JUDICIAL CIRCUIT

# CHATTAHOOCHEE COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

December 2, 2020

### COMMITTEE MEMBERS:

Hon. Ron Mullins, Superior Court Judge, Chair  
Chief Superior Court Judge, Bemon G. McBride, Ex officio Member  
Hon. James McGlaun, Probate Court Judge  
Ms. Julia Slater, District Attorney  
Mr. Moffett Flournoy, Circuit Public Defender  
Mr. W. John Wilson, Assistant Circuit Public Defender  
Ms. Laura Marion, Clerk of Superior Court  
Ms. Tami Wade, Chief Deputy Clerk of Superior Court  
Sheriff Hank Lynch, Chattahoochee County Sheriff's Office  
Mr. Gerald Douglas, County Commission Chairman  
Ms. Laura Lee Bernstein, County Manager  
Ms. Renee Barrett, 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. Robert Wadkins, Jr., Attorney  
Mr. Steve Hodges, Attorney  
Mr. Edward F. Berry, Court Administrator



By Order entered September 10, 2020, Chief Supreme Court Judge Harold Melton, in his Sixth Order Extending Statewide Judicial Order, directed the Chief Judge of each Judicial Circuit to convene for each county in their circuit, a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials." That 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 as soon as possible and 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 as a whole on two occasions: October 15, 2020 and on November 12, 2020. This report was adopted by email consent of all committee members.

## GENERAL CONSIDERATIONS

### Summoning the Jury Pool

This Plan contemplates the summoning of prospective jurors for one civil or criminal jury trial. The designated prospective Jury Assembly Area (JAA) will be the Chattahoochee County Recreation Center (Roscoe Robinson Activity Center) located at 127 Industrial Park Road, Cusseta, Georgia 31805.

When jurors are initially summoned, the Clerk will create a **Summons Packet** that will be mailed to prospective jurors as follows:

- ☐ The Summons shall direct jurors to report to the Chattahoochee County Recreation Center at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns. Information will also be posted on the Superior Court Clerk's website at [www.chattahoocheeclerkofcourt.com](http://www.chattahoocheeclerkofcourt.com).
- ☐ The Summons Packet will contain information expressing the Court's appreciation for the jurors' service, assuring jurors of the Court's concerns for their safety, informing jurors in summary form of the steps that will be taken to protect them while serving as jurors.
- ☐ The Summons Packet will contain a questionnaire which asks for the jurors' contact information (name, address, cell phone number, and email), other questions designed to reduce the time required by jury selection, and a series of questions to determine whether they are in a category of persons identified by the Centers for Disease Control and Prevention (CDC) as being at an increased risk for severe illness from COVID-19.
- ☐ Jurors will be sent an Excusal Request Form that temporarily waives the requirement that it be notarized before submission.

### JAA and Courthouse Physical Space Preparation

- In addition to the on-going extra-ordinary sanitizing and cleaning of the interior space of the JAA and the Chattahoochee County Courthouse, prior to the arrival of summoned jurors, those areas that jurors will come in contact with, will be sanitized and cleaned adequately.

- HVAC and air handling components: The courthouse and Recreation Center HVAC and air handling systems will be monitored by facilities maintenance. The filters will be checked and changed regularly based on current recommended intervals.
- Automatic Hand Sanitizing Stations: Automatic no touch hand sanitizer dispensers will be available prior to and after security check-in, as well as throughout the courthouse and outside the courtrooms.
- Protocols for Masks and Face Coverings: All persons entering the JAA and the courthouse shall be required to wear masks or other face coverings to enter. Masks and face coverings must remain in proper position over the nose and mouth, unless otherwise instructed by the judge. Any person that arrives without a mask will be provided one at the checkpoint. Any visitor that refuses to wear a mask will be prohibited from entering. Signs outside the courthouse shall inform entrants of mask and face covering requirements.
- Protocols for Social Distancing: Outside and inside the JAA and courthouse, signs and notices will be posted in prominent places to remind visitors to socially distance. Proper socially distanced seating will be clearly delineated.

### **Security at Check-In**

On the morning of 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. Jurors reporting before their summoned time will not be checked in and they will be directed to wait outside until their report time arrives.
- ☐ Health Screenings: Everyone entering the courthouse or other designated facility 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 having been diagnosed with COVID-19 in the previous 14 days, or in contact over the previous 14 days with someone who has been diagnosed with COVID-19, or are concerned they may have been exposed or infected, they will not be permitted to enter and will be instructed to return to their automobile to await further instructions. The trial judge and the Superior Court Clerk will be immediately notified in order to consider releasing the prospective juror from service.
- ☐ If any prospective juror reports having experienced a persistent cough, difficulty breathing, or has had a fever above 100.4 degrees within the previous three days, they will not be permitted to enter and will be instructed to report to an area designated for isolation. The trial judge and the Superior Court Clerk will be immediately notified in order to consider releasing the prospective juror from service.
- ☐ Social Distancing: The JAA will have been set up with chairs properly social distanced.
- ☐ Physical Barriers: The Superior Court Clerk/Jury Manager and the Sheriff's office along with their staff will check in jurors at the JAA and the courthouse, observing proper social distancing while also wearing masks or face coverings.
- ☐ Clear Masks/Face shields: Court personnel will provide transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors.
- ☐ Nightly Deep Cleaning: Building Maintenance will sanitize the JAA and other publicly used areas each evening.

## **Excusals and/or Deferrals**

- Prior to jurors reporting on the date of their service, the court and Clerk's office 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 and/or the Superior Court Clerk.
- The Summons Packet to be mailed to the prospective jurors 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 existing excusal form will be modified to temporarily waive the requirement that it be notarized before submission. Prospective jurors will be instructed that, in order to be considered for a deferral or excusal, the excusal form must be returned 10 days prior to their date of service.
- The Chattahoochee County Superior Court Clerk'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 reporting as well, to assure that prospective jurors who wake up feeling ill can receive instructions prior to coming to the courthouse.

## **Impaneling Process**

The Clerk will summon approximately 250 total prospective jurors.

- Expected reporting percentages are unknown at this time, but the reporting times below will allow for an orderly check-in based on a traditional 33% response rate.
  - 8:30am – Jurors 1-75
  - 9:00am – Jurors 76-150
  - 9:30pm – Jurors 151-250
- Morning Check-In
  - After all jurors are checked-in, The Superior Court Clerk 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 Clerk regarding when and where to report.
- 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 JAA.
- An appropriate number of Sheriff's deputies and bailiffs will provide support during the impaneling process.

## **Jury Selection**

Jury Selection (voir dire) will take place in the JAA in an area so designated; however, procedures may be modified by the Judge and the clerk's office, with appropriate communication to be provided to the jurors.

Once the Jury has been chosen in voir dire, the prospective jurors that were not chosen to serve on the jury, will be given instructions regarding their possible service in other cases or be excused with their service concluded.

The jury members selected in voir dire will be impaneled at the JAA and the Court will instruct the Jury to report to the appropriate Courtroom in the Chattahoochee County Courthouse. The Court, the trial participants and the jurors will transport themselves from the JAA to the courthouse.

Upon arriving at the courthouse, the jury will be met by bailiffs and/or sheriff's deputies that will instruct them where to be seated to await further instructions from the court.

OCGA § 15-12-131 requires that the court place a panel of 12 in the jury box "upon the request of either party." The jury box, under this plan, will include part of the traditional gallery.

Jurors selected will be seated in the "jury box" as defined herein and given further instructions for service.

## **Courtroom Layout**

The courtroom gallery will be converted into the jury box, and jurors placed at seats which are 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 of the trial 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 arranged so that the jury will be able to see and hear the attorneys for all parties.
- Witnesses will be positioned so that counsel, the parties, 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 a way as to not require them to hold the microphone. If not available, all participants will use wired microphones to ensure that the jury will be able to hear the proceedings.

## 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 will be required.
- ☐ Judges, court staff, bailiffs, lawyers, and jurors will all wear masks during the trial unless otherwise instructed by the judge.
- ☐ 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.
- ☐ Witnesses will testify while wearing a clear face mask.
- ☐ Bailiffs will meet the jurors just past security, at the designated time, and escort them to the designated areas.
- ☐ The judge shall provide jurors with a point of contact if a juror is potentially exposed to COVID-19 or experiencing symptoms of COVID-19.
- ☐ 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 which will be visible to all.

- Witnesses will testify wearing a clear face mask.
- The lectern will be moved if trial participants are unable to see and hear. Attorneys will be asked to display PDFs, digital photos, and PowerPoint presentations on television monitors or other media mounted in the courtroom. A document camera may also be used 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.
- 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

The existing jury deliberation room will not be utilized due to the space restrictions. Instead, jurors will use the courtroom as a jury deliberation room.



- The Jury Deliberation Room (courtroom) will be arranged so that jurors are socially distanced.
- 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 may 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 when 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 and restrooms will be cleaned and disinfected nightly.

### **Public Viewing Rooms**

Due to the jury being seated in the traditional gallery, the families of participants and the general public may not be able 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 can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, unless attendees are from the same household. All persons in the room must keep their masks on at all times. A deputy will be stationed in the viewing rooms.



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

## Health Measures at the Chattahoochee County Courthouse

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.

For more detailed information, please visit [www.Chattahoocheeclerkofcourt.com](http://www.Chattahoocheeclerkofcourt.com).

### What We're Doing:

Health Screenings

Face Coverings

Social Distancing

Cleaning

Disinfecting

Staggered Report Times

Smaller Jury Pools

*We thank you for your service and look forward to having you at the Chattahoochee County Courthouse!*

### HAVE COVID-19 QUESTIONS?

Please don't hesitate to contact us! 706-989-3424 or [www.Chattahoocheeclerkofcourt.com](http://www.Chattahoocheeclerkofcourt.com)

## COVID-19 Juror Questionnaire

Name:	
Cell Phone: Land Line:	
Email:	
1. Are you over the age of 65?	
2. Do you have any serious underlying medical conditions such as high blood pressure, chronic lung disease, diabetes, severe obesity, severe asthma, severe heart disease, or cancer?	
3. Are you or have you recently undergone chemotherapy or another medical treatment that has caused your immune system to be compromised?	
4. 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 1-3 above might be at increased risk.	
5. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?	

Additionally, on the day of service, you will be screened at the courthouse 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. Are you currently experiencing any cough, difficulty breathing, or fever above 100.4 degrees, or have you experienced any such symptoms in the last three days?

If your answer is yes to either question *on the day of your service*, you should call the Clerk of Court's office immediately to request a deferral. Failing to appear without justifiable cause may place you in contempt of court.

Questions?

Call the Chattahoochee County Superior Court Clerk's Office at 706-989-3424.

## Juror Questionnaire

Please complete this Questionnaire online at [www.chattahoocheeclerkofcourt.com](http://www.chattahoocheeclerkofcourt.com). If you are unable to complete it online, please complete it by hand and return to: Superior Court Clerk's Office, P.O. Box 120, Cusseta, GA 31805. Jurors without online access should call the Superior Court Clerk's office at 706-989-3424.

### PART ONE: WILL BE USED BY COURT 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.

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.
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.
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.
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.
9. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?

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 Superior Court Clerk'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 Superior Court Clerk's Office, P.O. Box 120, Cusseta, GA 31805

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.

<p>Have you testified as a witness in any case? If so, please state when and where.</p>
<p>Have you ever served on a trial jury? If so, please answer the following:</p> <p>Where, when, and how many times?</p> <p>Did you reach a verdict?</p> <p>Was your service (Circle One): Civil Criminal Both</p>
<p>List any organizational, religious, civic, community, professional, special interest, or political groups of which you are a member:</p>
<p>List any hobbies, spare-time activities, and outside interests:</p>
<p>List all newspapers, magazines, TV and radio programs, including talk shows, or any computer-based media that you regularly rely on for news:</p>
<p>How do you feel about the prospect of serving as a juror?</p>

**This Questionnaire should be answered online. Look for the Juror Questionnaire link at [www.chattahoocheeclerkofcourt.com](http://www.chattahoocheeclerkofcourt.com) . If you do not have online access, you may mail the completed Questionnaire to Superior Court Clerk, P.O. Box 120, Cusseta, GA 31805.**

**Questions or no online access?  
Call the Superior Court Clerk's Office at 706-989-3424  
THANK YOU FOR YOUR SERVICE!**



## CHATTAHOOCHEE JUDICIAL CIRCUIT

# HARRIS COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

December 10, 2020

### COMMITTEE MEMBERS:

Hon. Maureen Gottfried, Superior Court Judge, Chair  
Chief Superior Court Judge, Bemon G. McBride, Ex officio Member  
Hon. Thomas Lakes, Probate Court Judge  
Ms. Julia Slater, District Attorney  
Mr. William Lizenby, Assistant District Attorney  
Mr. Moffett Flournoy, Circuit Public Defender  
Mr. Eric Webb, Assistant Circuit Public Defender Ms.  
Stacy Haralson, Clerk Superior Court  
Sheriff Mike Jolley, Harris County Sheriff's Office  
Lt. Glenn Pressley, Harris County Sheriff's Office  
Mr. Cody Jolley, Harris County Court Services  
Ms. Kathy Bostic, Court Reporter  
Mr. Alex Santiago, Information Technology  
Ms. Quinnara Terry, Nurse Manager, Georgia Dept. of Public Health  
Ms. Karen Norman, Georgia Dept. of Public Health  
Ms. Josephine Gosa, Epidemiologist, Georgia Dept. of Public Health  
Ms. Brandi Nelson, Epidemiologist, Georgia Dept. of Public Health  
Ms. Julie Sizemore, Georgia Dept. of Public Health  
Mr. Mark Jones, District Attorney Elect  
Mr. Chris Breault, Attorney  
Mr. Robert Watkins, Attorney  
Mr. Steve Hodges, Attorney  
Mr. Edward F. Berry, Court Administrator

By Order entered September 10, 2020, Chief Supreme Court Judge Harold Melton, in his Sixth Order Extending Statewide Judicial Order, directed the Chief Judge of each Judicial Circuit to convene for each county in their circuit, a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials" included in the Appendix to this order. Guidance for safely conducting jury trials is being developed by the Judicial COVID-19 Task Force and will be provided to local committees. Court operating guidelines for in-person proceedings incorporating final jury trial plans shall be submitted to the Administrative Office of the Courts (AOC) as soon as possible and 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 as a whole on three occasions, October 5, 2020, October 19, 2020, and November 16, 2020. This report was adopted by email consent of all committee members.

## GENERAL CONSIDERATIONS

### Summoning the Jury Pool

This Plan contemplates the summoning of prospective jurors for one civil or criminal jury trial. The designated prospective Jury Pool Assembly Area (JPAA) will be the Harris County Community Center, located at 7509 GA Hwy 116, Hamilton, GA 31811. Pretrial proceedings will take place at the Harris County Courthouse the morning prior to the Jury Pool reporting times. The trial participants will then transport themselves to the JPAA.

A Public Service video will be linked to the Superior Court Clerk's website featuring Chief Justice Harold Melton of the Georgia Supreme Court. When jurors are initially summoned, the Clerk will create a Summons Packet that will be mailed to prospective jurors as follows:

- ☐ The Summons shall direct jurors to report to the Harris County Community Center at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns. A web address will be made available where they can view a health and safety video and a contact person to call with further questions or concerns. Information will also be posted on the Superior Court Clerk's website at [www.harrisclerkofcourt.com](http://www.harrisclerkofcourt.com).
- ☐ 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.
- ☐ The Summons Packet will contain a questionnaire asking for the jurors' contact information (name, address, cell phone number, and email), other questions designed to reduce the time required by jury selection, and a series of questions to determine whether they are in a category of persons identified by the CDC as being at an increased risk for severe illness from COVID-19.

- ☐ Jurors will be sent an Excusal Request Form that temporarily waives the requirement that it be notarized before submission.

### **Jury Pool Assembly Area (JPAA) and Courthouse Physical Space Preparation**

- In addition to the on-going extra-ordinary sanitizing and cleaning of the interior space of the JPAA and the Harris County Courthouse prior to the arrival of summoned jurors, those areas that jurors will come in contact with, will be sanitized and cleaned adequately.
- HVAC and air handling components – The JPAA and the courthouse HVAC system will be monitored by facilities maintenance. The filters will be checked and changed regularly based on current recommended intervals.
- Hand Sanitizing Stations – Automatic no touch or limited touch hand sanitizer dispensers will be available prior to and after security check-in, as well as throughout the buildings and outside the courtrooms.
- Protocols for Masks and Face Coverings – All entrants to the buildings are required to wear masks or other face coverings prior to entry. Masks and face coverings must remain in proper position over nose and mouth, unless instructed by the judge to remove them. Any person that arrives without a mask will be provided one at the checkpoint. Any visitor that refuses to wear a mask will be prohibited from entering the courthouse. Signs outside the courthouse will inform entrants of mask and face covering requirements.
- Protocols for Social Distancing – Outside and inside the buildings, signs and notices are posted in prominent places to remind visitors to socially distance. Proper socially distanced seating will be clearly delineated.

### **Security at Check-In**

On the day of service, jurors will report to the JPAA and 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. Jurors reporting before their summoned time will not be checked in and directed to wait outside until their report time arrives. Appropriate signage will be properly placed to guide prospective jurors to the correct entrance of the Community Center
- ☐ Health Screenings. Everyone entering the courthouse is 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 having been diagnosed with COVID-19 in the previous 14 days, or in contact over the previous 14 days with someone who has been diagnosed with COVID-19, or that they are concerned they may have been exposed or infected, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- ☐ If any prospective juror reports having experienced a persistent cough, difficulty breathing or fever above 100.4 degrees within the previous three days, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge

- and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- ☐ Social Distancing – The Jury Pool Assembly Areas (JPAA) have been set up with chairs properly social distanced according to CDC guidelines.
  - ☐ Physical Barriers – The staff of the Superior Court Clerk and the Harris County Sheriff's Office will check in prospective jurors in the JPAA and jurors the courthouse, keeping distance in 6 ft and also wearing masks or face coverings.
  - ☐ Badges – Jurors will proceed to the table outside the jury room to pick up their juror badge off the table instead of staff handing it to them. The badges will be placed in single rows across the table.
  - ☐ Clear Masks/Face shields – Court personnel will use transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors.
  - ☐ Nightly Deep Cleaning – Building Maintenance will sanitize the JAA and other publicly used areas each evening.

### **Excusals and/or Deferrals**

Prior to jurors reporting on the date of their service, the Court and Clerk's office 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 and/or the Superior Court Clerk.

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. They will also instruct prospective jurors that in order to be considered for a deferral or excusal, the form must be returned as soon as they are aware of any COVID-19 related concerns.

The Harris County Superior Court Clerk'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 coming to the courthouse.

### **Impaneling Process**

The Clerk will summon the appropriate number of prospective jurors to make up the jury pool.

- ☐ Expected reporting percentages are unknown at this time, but the reporting times below will allow for an orderly check-in.
- ☐ 1:00 pm – Jurors 1-50
- ☐ 1:30 pm – Jurors 51-100
- ☐ 2:00pm – Jurors 101-150

#### **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 JPAA.

#### After Check-In of Jury Pool

- ☐ After all jurors of the jury pool are checked-in, The Superior Court Clerk 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 Superior Court Clerk regarding when and where to report.

#### Seating of Qualified Prospective Jurors

- ☐ The first panel of qualified prospective jurors will be escorted to the appropriately prepared room or area of the Community Center for Jury Selection (voir dire).
- ☐ The room or area 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. All will follow CDC guidelines.
- ☐ An appropriate number of Deputy Sheriffs and bailiffs will provide support in all of the procedures outlined.

### **Jury Selection**

Jury Selection (voir dire) will take place in area designated to accommodate voir dire. However, procedures may be modified by the Judge and the clerk's office, with appropriate communication to the jurors.

OCGA § 15-12-131 requires that the court place a panel of 12 in the jury box "upon the request of either party." The "jury box" will be an area designated by the court that will adhere to CDC guidelines of social distancing. Chairs or other appropriate seats will be socially distanced.

Once the Jury has been chosen by voir dire, the prospective jurors that were not chosen to serve on the jury, will be instructed to return to the initial jury pool area and the Superior Court Clerk for further instructions.

The Jury will be impaneled at the JPAA and the Court will instruct the Jury to report to the appropriate Courtroom in The Harris County Courthouse. The Court, the trial participants and the jurors will transport themselves from the JPAA to the courthouse.

Upon arriving at the courthouse, the jury will be met by bailiffs and/or sheriff's deputies that will instruct them where to be seated to await further instructions from the court.

Jurors selected will be seated in the "jury box" and given further instructions for service. The jury box, under this plan, will be the traditional gallery.

### **Courtroom Layout**

The courtroom gallery will be converted into the jury box, and jurors 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 of the trial 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 arranged so that the jury will be able to see and hear the parties and counsel.
- Witnesses will be positioned such that counsel, the parties, 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 a way as to not require them to hold the microphone. If not available, all participants will use wired microphones to ensure that the jury will be able to hear the proceedings.

## **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 sole discretion and judgment of the presiding Judge; trial participants, attorneys, and jurors may be permitted to remove their masks while speaking.
  - Witnesses will testify while wearing a clear face mask.
- Due to difficulties guiding the jurors throughout the courthouse, it is anticipated that trials will necessitate 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 courtroom. Due to limited elevator capacity, it will require the use of two bailiffs—one on the 3rd floor with the jurors getting off the elevator, and one on the ground floor with the jurors waiting to board.
  - Any juror capable of taking the stairs who desires to do so, will be directed to the stairwell and they may take the stairs to the 3rd floor.
- The judge shall provide jurors with a point of contact if potentially exposed to COVID-19 or experiencing symptoms of COVID-19. They should not be required to report.
- 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 media to be able to be seen by participants.

- Witnesses 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 be asked to display PDFs, digital photos, and PowerPoint presentations on television monitors mounted in the courtroom. 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. Handling of evidence will be limited to comply with CDC guidelines while respecting the Constitutional rights of the defendant. The Parties shall raise any issues they may have concerning the handling of evidence for a ruling from the Court.
- 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 and Break Room**

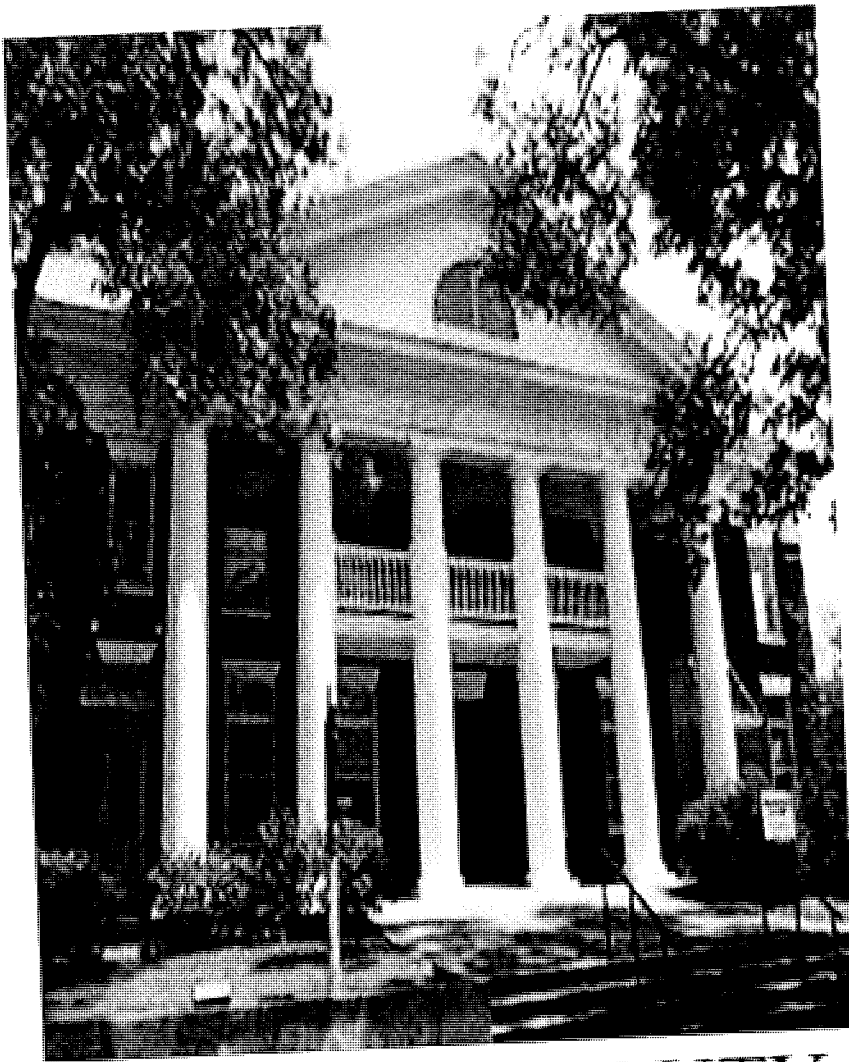
Existing jury deliberation rooms will not be utilized due to the space restrictions. Instead, jurors will use the neighboring courtroom as a jury deliberation and break room.

- The Jury Deliberation Room and Break Room (neighboring courtroom) will be rearranged so that jurors are seated at tables in the well facing the gallery and the remaining jurors seated in the first two rows of the gallery.
- 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 when 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 nightly.

### **Public Viewing Rooms**

Due to the jury being seated in the traditional gallery, the public will not be able 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 and participants' families can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, unless attendees are from the same household. All persons in the room must keep their masks on at all times. A deputy will be stationed in the viewing rooms.



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

### ▪ Health Measures at the Harris County Courthouse

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.

For more detailed information, please visit [www.harrisclerkofcourt.com](http://www.harrisclerkofcourt.com).

*We thank you for your service and look forward to having you at the Harris County Courthouse!*

### HAVE COVID-19 QUESTIONS?

Please don't hesitate to contact us! 706-628-4944 or [www.harrisclerkofcourt.com](http://www.harrisclerkofcourt.com)

#### What We're Doing:

Health Screenings

Face Coverings

Social Distancing

Cleaning

Disinfecting

Staggered Report Times

Smaller Jury Pools

## COVID-19 Juror Questionnaire

Name:	
Phone:	
Email:	
1. Are you over the age of 65?	
2. Do you have any serious underlying medical conditions such as high blood pressure, chronic lung disease, diabetes, severe obesity, severe asthma, severe heart disease, or cancer?	
3. Are you or have you recently undergone chemotherapy or another medical treatment that has caused your immune system to be compromised?	
4. 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 1-3 above might be at increased risk.	
5. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?	

Additionally, on the day of service, you will be screened at the courthouse 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. Are you currently experiencing any cough, difficulty breathing, or fever above 100.4 degrees, or have you experienced any such symptoms in the last three days?

If your answer is yes to either question *on the day of your service*, you should call the Clerk of Courts office immediately to request a deferral. Failing to appear without justifiable cause may place you in contempt of court.

Questions?

Call the Harris County Superior Court Clerk's Office at 706-628-4944.

## Juror Questionnaire

Please complete this Questionnaire online at [www.harrisclerkofcourt.com](http://www.harrisclerkofcourt.com) . If you are unable to complete it online, please complete it by hand and return to: Harris County Superior Court Clerk's Office, P.O. Box 528, Hamilton, GA 31811. Jurors without online access should call the Superior Court Clerk's office at 706-628-4944.

### PART ONE: TO BE SHARED WITH THE COURT 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.

5. <b>Voluntary Response:</b> 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.
6. <b>Voluntary Response:</b> 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.
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.
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.
9. Are you requesting to defer your jury service to a later date because of answering “yes” to any of the above questions?

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 Superior Court Clerk’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 Harris County Superior Court Clerk, Hamilton, GA 31811



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 [www.harrisclerkofcourt.com](http://www.harrisclerkofcourt.com). If you do not have online access, you may mail the completed Questionnaire to Harris County Superior Court Clerk, P.O. Box 528, Hamilton, GA 31811.**

**Questions or no online access?**

**Call the Superior Court Clerk's Office at 706-628-4944**

**THANK YOU FOR YOUR SERVICE!**



## CHATTAHOOCHEE JUDICIAL CIRCUIT

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# MARION COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

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November 24, 2020

### COMMITTEE MEMBERS:

Hon. William Rumer, Superior Court Judge, Chair  
Chief Superior Court Judge, Bemon G. McBride, Ex officio Member  
Hon. Heather Stuart, Probate Court Judge  
Ms. Julia Slater, District Attorney  
Mr. Ray Daniel, Assistant District Attorney  
Mr. Moffett Flournoy, Circuit Public Defender  
Mr. Eric Webb, Assistant Circuit Public Defender  
Ms. Joy Smith, Clerk Superior Court  
Sheriff Darrell Neal, Marion County Sheriff  
Mr. George Neal, Jr., County Commission Chairman  
Mr. Justin Strickland, County Manager's Office  
Ms. Sylvia Russell, County Manager's Office  
Ms. Renee Barrett, 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. Robert Wadkins, Attorney  
Mr. Steve Hodges, Attorney  
Mr. Edward F. Berry, Court Administrator

By Order entered September 10, 2020, Chief Supreme Court Judge Harold Melton, in his Sixth Order Extending Statewide Judicial Order, directed the Chief Judge of each Judicial Circuit to convene for each county in their circuit, a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials" included in the Appendix to this order. Guidance for safely conducting jury trials is being developed by the Judicial COVID-19 Task Force and will be provided to local committees. Court operating guidelines for in-person proceedings incorporating final jury trial plans shall be submitted to the Administrative Office of the Courts (AOC) as soon as possible and 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 14, 2020 via Zoom, October 22, 2020 to walk through possible alternative sites for jury trials, and November 9, 2020 via Zoom. This report was adopted by email consent of all committee members on November 24, 2020.

## GENERAL CONSIDERATIONS

### **The Courthouse**

The Marion County courthouse claims that it is the oldest Georgia courthouse still in operation as a courthouse.

The Marion County courthouse was built in 1850. The average man in 1850 was five feet seven inches tall. He weighed 145 pounds. This was 170 years ago. The courtroom is small, and it is upstairs on the second floor.

To socially distance each individual juror for voir dire would result in only 16 jurors seated in the courtroom for voir dire. This is far from an adequate number to pick a jury, it would require three staggered panels of 16 at a minimum for voir dire (48 jurors on a regular criminal jury trial).

If the case involved two criminal Defendants, then you have to bring a minimum of 60 jurors, and maybe more for two criminal defendants. This is roughly three panels staggered, but with no place to wait inside the courthouse.

To seat a grand jury in Marion County would require about 45 jurors to get grand jury empaneled, and again, this would be three staggered shifts for voir dire.

In ordinary times, Monday, October 26, 2020, would be the day that the Superior Court would convene to select a grand jury, arraignment, and call the civil docket for jury trials. That is on hold.

The 1850 courthouse has other limitations that are of concern. To enter the courthouse, there is only one door to pass through for security. The other two doors on the first floor are locked down for security. The first floor is composed of offices for the Probate Court, the Tax office, and the Clerk's office for the Superior Court. The fourth office is an auxiliary office for the Sheriff. All offices are moderately small.

There is only one stairwell to go up to the courtroom. It is a tight stairwell.

There is only one prisoner's elevator from the first floor up/down to the courtroom. The elevator is an open "cage." It is small. It is not an elevator as we know one or could use.

The well before the bench has two counsel tables shared by all attorneys and parties. It would be difficult to social distance even the lawyers and the parties at both tables, much less each table from the other table.

The court reporter sits in front of the bench, but he is not six feet away from at least one lawyer or a party at counsel table.

The witness on the witness stand is less than six feet away from the judge, and within the six feet zone of several of the jurors in the box.

The jury box is very tight and it is within six feet of the Defendant's table.

The only bathrooms available for lawyers, staff, and the public would be one upstairs bathroom in the jury room, and two bathrooms on the ground floor, but these are marked "Staff Men" and "Staff Women."

In April, 2020, an earlier grand jury was delayed. The Superior Court Clerk stated that many grand jurors told her that they did not want to come to the courtroom because of COVID. The citizens knew how crowded it would be. Of course, the subpoenaed grand jurors were told not to come but wait for future calls.

After considering the space that is the Marion County courthouse, the committee chair, the Sheriff, the Clerk of Court, the County Manager, and others, talked about other venues and visited the site that appears to answer most of our concerns.

Therefore, the committee has agreed that the courthouse function will be moved to the "old middle school" located on 100 Burkhalter Avenue, Buena Vista, Georgia 31803. This is 0.0275 miles away from the Marion County courthouse.

This facility is presently used by the County Commission as well as other offices connected to the county.

The Chief Judge will sign and enter the appropriate order dedicating the use of said building as the courthouse in Marion County until further order of the court.

### **How to Go Forward – Article in *Daily Report*, November 3, 2020, Page 1**

*Just two weeks after lifting a seven-month suspension of in-person jury trials, the chief justice of the Supreme Court of Georgia has signaled that nothing in that order is irreversible, given that "COVID is not nearly done with us just yet."*

*Chief Justice Harold Melton told an emergency meeting of the Judicial Council of Georgia on Oct. 26, "Nothing that we said in that previous order is irreversible.... If you need to roll back any [trial] proceedings, at the local level, you can."*

*"We as a court are not mandating anything," Melton told judges who attended the virtual emergency meeting. "What we did initially is place a suspension on jury trials. Now that suspension is removed. It's up to you guys to figure out how you want to do that, [and] the pace you decide to do that. We don't intend to get in the way of your judgment, nor do I think you want us to."*

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<sup>1</sup> In the community, this building is known as the "Old Middle School," and I will use that term in this order.

*“We do want you to be mindful and careful,” he added. “The most recent reports are the winter is going to be rough. ... So let’s continue to exercise sound judgment.”*

\* \* \*

*Given the fact that the projections for the COVID spread are not favorable, it is advisable, I think, that we have as many options as possible on the table,” [Melton] said.*

Therefore, being mindful of the COVID virus and its virulence, the trial court will proceed, but it will be tempered by the judgment that the court can stop, if necessary.

### **Summoning the Jury Pool**

This Plan contemplates the summoning of prospective jurors for one civil or criminal jury trial. The designated prospective Jury Pool Assembly Areas (JPAA) will be in the old Middle School in the auditorium<sup>2</sup> and in the cafeteria (now the meeting room for the county commissioners).<sup>3</sup>

When jurors are initially summoned, the Clerk will create a Summons Packet that will be mailed to prospective jurors as follows:

- ☐ The Summons shall direct jurors to report to the old Middle School located on 100 Burkhalter Avenue, Buena Vista, Georgia 31803 at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns.
- ☐ 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.
- ☐ The Summons Packet will contain a questionnaire asking for the jurors’ contact information (name, address, cell phone number, and email), other questions designed to reduce the time required by jury selection, and a series of questions to determine whether they are in a category of persons identified by the CDC as being at an increased risk for severe illness from COVID-19.
- ☐ Jurors will be sent an Excusal Request Form that temporarily waives the requirement that it be notarized before submission.

### **Courthouse Physical Space Preparation at 100 Burkhalter Avenue, Buena Vista, Georgia**

- In addition to the on-going extra-ordinary sanitizing and cleaning of the interior space of the old Middle School prior to the arrival of summoned jurors, those areas that jurors will come in contact with, will be sanitized and cleaned adequately.  
Marion County facilities maintenance personnel will utilize a fogger to clean and sanitize the courtroom area, the jury assembly areas, bathrooms, and any other areas jurors may go during trial or hearings.

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<sup>2</sup> The auditorium measures 30 feet wide by 70 feet long. The auditorium stage is 30 feet wide and 20 feet long. This is total square footage of 2,700.

<sup>3</sup> The cafeteria is 30 feet by 50 feet. This is total square footage of 1,500.

It has been represented that this fogger gives a clean surface for 21 days. Nevertheless, the judge can order additional cleanings if the judge orders or if a juror requests it. These foggers are used also by teachers in this area.

- HVAC and air handling components – The old Middle School HVAC system will be monitored by facilities maintenance and provided with new filters that will be installed within 24 hours of the arrival of summoned jurors. The filters will be checked and changed regularly based on current recommended intervals. Also, the judge can order a change of filters at any time.
- Automatic Hand Sanitization Stations – Automatic no touch hand sanitizer dispensers are available prior to and after security check-in. Therefore, two gravity and automatic dispensers will be available before a juror goes through security, and a second dispenser at the end of the security check-in.
- Protocols for Masks and Face Coverings – All entrants to the buildings are required to wear masks or other face coverings to enter the courthouse. Masks and face coverings must remain in proper position over nose and mouth, unless instructed by the judge to remove them. Any person that arrives without a mask will be provided one at the checkpoint. Any visitor that refuses to wear a mask will be prohibited from entering the courthouse. Signs outside the courthouse will inform entrants of mask and face covering requirements.
- Protocols for Social Distancing – Outside and inside the buildings, signs and notices are posted in prominent places to remind visitors to socially distance. Proper socially distanced seating will be clearly delineated.

### **Security at Check-In**

On the morning of service and each day thereafter for the length of the jury trial, jurors will report to the JPAA and 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. Jurors reporting before their summoned time will not be checked in and directed to wait outside until their report time arrives.
  - ☐ Health Screenings. Everyone entering the courthouse is 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 having been diagnosed with COVID-19 in the previous 14 days, or in contact over the previous 14 days with someone who has been diagnosed with COVID-19, or that they are concerned they may have been exposed or infected, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
  - ☐ If any prospective juror reports having experienced a persistent cough, difficulty breathing or fever above 100.4 degrees within the previous three days, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- Sheriff Deputies will take the temperature of each entrant with a no-touch thermometer.

- ☐ Social Distancing – The Jury Pool Assembly Areas (JPAA) have been set up with chairs properly social distanced. The auditorium of the old Middle School will be the Jury Pool Assembly Area.  
The Auditorium can hold 46 persons properly social distanced.  
Up to 27 overflow jurors if needed will be seated in the County Commission Meeting Room (cafeteria).  
There will be a total of 73 prospective jurors seats available.
- ☐ Physical Barriers – The staff of the Superior Court Clerk and the Marion County Sheriff's Office will check in prospective jurors in the JPAA and jurors the courthouse, keeping distance in 6 ft and wearing masks or face coverings.
- ☐ Badges – Jurors will proceed to the table outside the jury room to pick up their juror badge off the table instead of staff handing it to them. The badges will be placed in single rows across the table.
- ☐ Overflow seating – In the event that there are overflow jurors, they will be directed to go to the County Commissioner's Meeting Room (formerly the cafeteria) where 27 persons can be seated in a social distanced manner. Streaming will be accomplished so that jurors can participate in each venue if needed. If necessary, there are classrooms available. Each classroom is approximately 30 feet x 20 feet, and the rooms were vacant when visited.
- ☐ Clear Masks/Face shields – Court personnel will use transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors.
- ☐ Nightly Deep Cleaning – Building Maintenance will sanitize the JAA and other publicly used areas each evening.
- ☐ Judges and the law clerk(s) and the judicial assistants and, attorneys (defense attorneys and district attorneys, and their support staff) shall be health screened each day of the jury trial as they enter.
- ☐ Any prospective juror who has been diagnosed with Covid-19, or the prospective juror is concerned that the prospective juror has been exposed or infected or is symptomatic shall remain in their personal car and beep the horn and flash their car lights to alert the deputies to come to the car. Any such prospective juror shall remain in their car until the judge can rule on releasing said juror.

### **Excusals and/or Deferrals**

Prior to jurors reporting on the date of their service, the court and Clerk's office 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 and/or the Superior Court Clerk.

The Summons Packet to be mailed to the prospective jurors 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. They will also instruct prospective jurors that to be considered for a deferral or excusal, the form must be returned 10 days prior to their date of service.

The Marion County Superior Court Clerk'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 coming to the courthouse.



## Impaneling Process

- The Clerk will summon approximately 120 prospective jurors to make up the jury pool.
- Expected reporting percentages are unknown at this time, but the reporting times below will allow for an orderly check-in of a traditional 40% response rate.
  - 8:30am – Jurors 1-50
  - 9:00am – Jurors 51-100
  - 9:30pm – Jurors 101-120 (subject to call-in)
- Seating of the jury pool
  - The first 46 jurors will be seated in the auditorium and the next 27 in the Commissioners' Meeting Room, formerly the school cafeteria.
  - An excess overflow will be seated in two nearby classrooms. Social Distancing will be observed. The classrooms are 30 feet by approximately 20 feet.
- Morning Check-In
  - After all jurors of the jury pool are checked-in, The Jury Manager will notify the assigned judge to come to the Superior Court Courtroom (Auditorium) and then to the Commissioner's Meeting Room (formerly cafeteria).
  - Non-qualified jurors will be excused, and their service concluded.
  - Remaining jurors will be sworn in and given further instruction from the Superior Court Clerk regarding when and where to report.
- Seating
  - The first twelve jurors and alternates will be seated in the Superior Court Courtroom (Auditorium). The first row will not be used.
  - The room or area 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. All will follow CDC guidelines.
- An appropriate number of Deputy Sheriffs and bailiffs will provide support in all the procedures outlined.

## Jury Selection

- Jury Selection (voir dire) will take place in Superior Court courtroom/ Auditorium. However, procedures may be modified by the Judge and the clerk's office, with appropriate communication to the jurors.
  - OCGA § 15-12-131 requires that the court place a panel of 12 in the jury box "upon the request of either party." The jury box, under this plan, will be the area in front of the raised stage in the Auditorium. Again, the first row will be empty. The 12 jurors in the "box" will be socially distanced.
  - During individual voir dire, the remaining perspective jurors will be assembled in the Commissioners meeting room, formerly the cafeteria or other room where they can socially distance while waiting to be called.
- Once all prospective jurors have been questioned, the attorneys will strike the jury **without** bringing the prospective jurors back in the auditorium.
- Jurors selected will be seated in the "jury box" and given further instructions for service.

## **Courtroom Layout**

The area in front of the stage in the Auditorium will be converted into the jury box, and jurors placed at seats marked every 6 feet circumference to comply with social distancing requirements. No jurors will be placed in the first row.

- The Judge's Bench will be in the middle of the Auditorium stage.  
A separate table for the prosecutor will be to the right of the judge, and the defense table will be to the left of the Judge's Bench.  
Court Personnel will be stationed in accordance with CDC guidelines.
- The court reporter will be in an area of the court that allows the court reporter to see and hear any participant of the trial that is speaking.
- Witnesses will be seated in front of the Judge's Bench, or any other place the court feels necessary for the jury and participants to be able to see and hear the witness without impediment.
- Witnesses will be positioned such that counsel, the parties, 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, participants will use wireless or wired microphones.

## **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 sole discretion and judgment of the presiding Judge; trial participants, attorneys, and jurors may be permitted to remove their masks while speaking.
  - Witnesses will testify while wearing a clear face mask.
- Due to difficulties guiding the jurors throughout the courthouse, it is anticipated that trials will necessitate 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 courtroom.
- The judge shall provide jurors with a point of contact if potentially exposed to COVID-19 or experiencing symptoms of COVID-19. They should not be required to report.
- Any juror who does not pass the temperature check or COVID screening questions will be brought to the Judge's attention immediate

## **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 media to be able to be seen by participants.

- Witnesses will testify wearing a clear face mask provided to them by the court.
- The lectern will be easily moved in the event trial participants are unable to see and hear. Attorneys will be asked to display PDFs, digital photos, and PowerPoint presentations on television monitors mounted in the courtroom. A document camera should also be used 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.
- 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**

- A classroom within the old Middle School will be designated the Jury Deliberation Room.
- The classroom will be furnished with twelve (12) chairs and tables that will allow the seating of the jurors. The classroom is approximately 20 feet x 31 feet. If necessary, an alternate room for the jury would be the Commissioners' room (cafeteria).
- 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 when 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 nightly.

### **Public Viewing Rooms and/or separate Teacher's Rooms for consultation with victim families, etc. and defendant's families, etc.**

The Auditorium/Courtroom can appropriately accommodate socially distanced public spectators. In the event social distancing is not possible, separate classrooms will be set up to accommodate overflow public viewing as well as the trial participants family and friends.

- 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 can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, unless attendees are from the same household. All persons in the room must keep their masks on at all times. A deputy will be stationed in the viewing rooms.



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

### ▪ Health Measures at the Marion County Courthouse

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.

*We thank you for your service and look forward to having you at the Marion County Courthouse!*

### HAVE COVID-19 QUESTIONS?

Please don't hesitate to contact us! 229- 649-7321 or [Joy.Smith@GSCCCA.org](mailto:Joy.Smith@GSCCCA.org)

### What We're Doing:

Health Screenings

Face Coverings

Social Distancing

Cleaning

Disinfecting

Staggered Report Times

Smaller Jury Pools

## COVID-19 Juror Questionnaire

Name:	
Phone:	
Email:	
1. Are you over the age of 65?	
2. Do you have any serious underlying medical conditions such as high blood pressure, chronic lung disease, diabetes, severe obesity, severe asthma, severe heart disease, or cancer?	
3. Are you or have you recently undergone chemotherapy or another medical treatment that has caused your immune system to be compromised?	
4. 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 1-3 above might be at increased risk.	
5. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?	

Additionally, on the day of service, you will be screened at the courthouse 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. Are you currently experiencing any cough, difficulty breathing, or fever above 100.4 degrees, or have you experienced any such symptoms in the last three days?

If your answer is yes to either question *on the day of your service*, you should call the Clerk of Courts office immediately to request a deferral. Failing to appear without justifiable cause may place you in contempt of court.

Questions?

Call the Marion County Superior Court Clerk's Office at 229-649-7321.

# NOTES



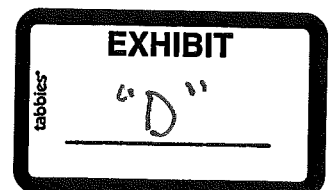
## CHATTAHOOCHEE JUDICIAL CIRCUIT

# 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 4<sup>th</sup> 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**

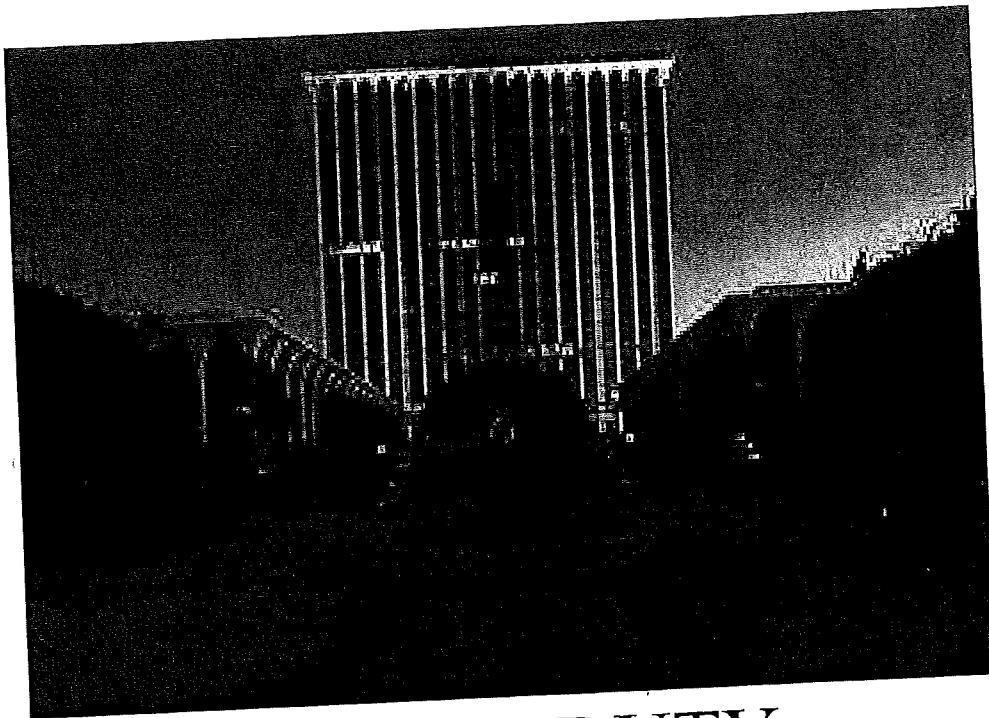
Existing jury deliberation rooms will not be utilized for jury deliberations due to the space restrictions. Instead, jurors will use an available courtroom, the courtroom where the trial occurred, or such other place designated by the Court that will accommodate a socially distanced jury.

- 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 [judicial.circuit@ga.gov](mailto:judicial.circuit@ga.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.



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.

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.

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.

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.

9. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?

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!**



## CHATTAHOOCHEE JUDICIAL CIRCUIT

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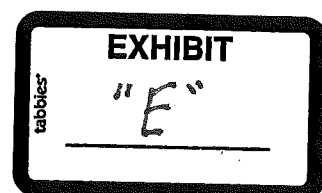
# TALBOT COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

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December 3, 2020

### COMMITTEE MEMBERS:

Hon. Arthur L Smith, III, Superior Court Judge, Chair  
Chief Superior Court Judge, Bemon G. McBride, Ex officio Member  
Hon. John Terry, Probate Court Judge  
Ms. Julia Slater, District Attorney  
Mr. Sadhana Dailey, Assistant District Attorney  
Mr. Moffett Flournoy, Circuit Public Defender  
Mr. Steve Craft, Assistant Circuit Public Defender  
Ms. Penny Mahone, Clerk Superior Court  
Sheriff Bobby Gates, Talbot County Sheriff's Office  
Ms. Mindy Sampson, 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. Edward F. Berry, Court Administrator



By Order entered September 10, 2020, Chief Supreme Court Judge Harold Melton, in his Sixth Order Extending Statewide Judicial Order, directed the Chief Judge of each Judicial Circuit to convene for each county in their circuit, a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials". That 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) as soon as possible and 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 as a whole on 2 occasions, October 15, 2020, October 23, 2020. This report was adopted by email consent of all committee members.

## **GENERAL CONSIDERATIONS**

### **Summoning the Jury Pool**

This Plan contemplates the summoning of prospective jurors for one civil or criminal jury trial. The designated prospective Jury Assembly Area (JAA) will be the Central High School Gymnasium located at 945 N. Washington Avenue, Talbotton, Georgia 31827.

When jurors are initially summoned, the Clerk will create a Summons Packet that will be mailed to prospective jurors as follows:

- ☐ The Summons shall direct jurors to report to the Central High School Gymnasium at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns. Information will also be posted on the Superior Court Clerk's website at [www.Talbotclerkofcourt.com](http://www.Talbotclerkofcourt.com).
- ☐ 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.
- ☐ The Summons Packet will contain a questionnaire asking for the jurors' contact information (name, address, cell phone number, and email), other questions designed to reduce the time required by jury selection, and a series of questions to determine whether they are in a category of persons identified by the CDC as being at an increased risk for severe illness from COVID-19.
- ☐ Jurors will be sent an Excusal Request Form that temporarily waives the requirement that it be notarized before submission.

### **JAA and Courthouse Physical Space Preparation**

- In addition to the on-going extra-ordinary sanitizing and cleaning of the interior space of the JAA and the Talbot County Courthouse, prior to the arrival of summoned jurors, those areas that jurors will come in contact with, will be sanitized and cleaned adequately.
- HVAC and air handling components – The courthouse HVAC and air handling system will be monitored by facilities maintenance. The filters will be checked and changed regularly based on current recommended intervals.



- Automatic Hand Sanitizing Stations – Automatic no touch hand sanitizer dispensers will be available prior to and after security check-in, as well as throughout the courthouse and outside the courtrooms.
- Protocols for Masks and Face Coverings – All entrants of the courthouse shall be required to wear masks or other face coverings to entering these buildings. Masks and face coverings must remain in proper position over nose and mouth, unless otherwise instructed by the judge to remove them. Any person that arrives without a mask will be provided one at the checkpoint. Any visitor that refuses to wear a mask will be prohibited from entering. Signs outside the courthouse shall inform entrants of mask and face covering requirements.
- Protocols for Social Distancing – Outside and inside the courthouse, signs and notices will be posted in prominent places to remind visitors to socially distance. Proper socially distanced seating will be clearly delineated.

### **Security at Check-In At The JAA**

On the morning of service, jurors will encounter the following safety and security precautions:

- ☐ Controlled check-in – Because of the potential bottlenecks and long lines at security and check-in, juror summons will include staggered report times. Jurors reporting before their summoned time will not be checked in and directed to wait outside until their report time arrives.
- ☐ Health Screenings. Everyone entering the JAA or the courthouse 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 having been diagnosed with COVID-19 in the previous 14 days, or in contact over the previous 14 days with someone who has been diagnosed with COVID-19, or that they are concerned they may have been exposed or infected, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- ☐ If any prospective juror reports having experienced a persistent cough, difficulty breathing or fever above 100.4 degrees within the previous three days, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- ☐ Social Distancing – The Jury Assembly Area (JAA) will have seats that will be properly marked for social distancing.
- ☐ Physical Barriers – The Superior Court Clerk and the Sheriff's office along with their staff will check in jurors at the JAA and the courthouse, utilizing signage and barriers to keep a distance of 6 ft between jurors and also requiring the wearing of masks or face coverings.
- ☐ Clear Masks/Face shields – If available, court personnel have use of transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors.
- ☐ Nightly Deep Cleaning – Building Maintenance will sanitize the JAA and other publicly used areas each evening.

### **Excusals and/or Deferrals**

Prior to jurors reporting on the date of their service, the court and Clerk's office 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 and/or the Superior Court Clerk.

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

The Summons Packet to be mailed to the prospective jurors 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. They 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 Talbot County Superior Court Clerk'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* coming to the courthouse.

The Clerk will summon approximately 120 prospective jurors.

- Expected reporting percentages are unknown at this time, but the reporting times below will allow for an orderly check-in.
  - 8:30am – Jurors 1-50
  - 9:00am – Jurors 51-100
  - 9:30pm – Jurors 101-120
- Seating of the jury pool  
All prospective jurors that make up the jury pool will be seated in an appropriate area of the JAA where the jurors can social distance.
- Morning Check-In
  - After all jurors are checked-in, The Superior Court Clerk will notify the assigned judge.
  - Non-qualified jurors will be excused and their service concluded.
  - Remaining jurors will be sworn in and given further instructions from the Clerk.
- An appropriate number of Sheriff's deputies and bailiffs will provide support in all of the procedures outlined.

## **Jury Selection**

After the remaining qualified jurors have been sworn in, and after instructions from the Clerk, the qualified jurors will transport themselves from the JAA to the Talbot County Courthouse for jury selection.

Upon arriving at the courthouse, the jury will be met by bailiffs and/or sheriff's deputies that will instruct them to report to the Superior Court courtroom to be seated in a social distanced manner in the designated area and await further instructions from the court.

Jury Selection (voir dire) will take place in the Talbot County Courthouse in the Superior Court courtroom. However, procedures may be modified by the Judge and the clerk's office, with appropriate communication to the jurors.

OCGA § 15-12-131 requires that the court place a panel of 12 in the jury box "upon the request of either party." The jury box, under this plan, will be a part the traditional gallery.

Once the Jury has been chosen by voir dire, the prospective jurors that were not chosen to serve on the jury will be given further instructions by the Court or the Superior Court Clerk.

Jurors selected will be seated in the "jury box" and given further instructions for service.

## **Courtroom Layout**

The courtroom gallery will be converted into the jury box, and jurors 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 of the trial 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 arranged so that the jury will be able to see and hear the prosecution and defense attorneys.
- Witnesses will be positioned such that counsel, the parties, 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 a way as to not require them to hold the microphone. If not available, all participants will use wired microphones to ensure that the jury will be able to hear the proceedings.

## 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 required unless otherwise ordered by the Court. In all instances CDC guidelines will be followed.
- ☐ Judges, court staff, bailiffs, lawyers, and jurors will all wear masks during the trial unless otherwise instructed by the judge.
- ☐ 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.
- ☐ Witnesses will testify while wearing a clear face mask.
- ☐ The judge shall provide jurors with a point of contact if potentially exposed to COVID-19 or experiencing symptoms of COVID-19. They should not be required to report.
- ☐ Any juror who does not pass the temperature check or COVID screening questions will be brought to the Judge's attention immediately and given further instructions.

### 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 to be able to be seen by participants.

- Witnesses 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 be asked to display PDFs, digital photos, and PowerPoint presentations on television monitors or other media mounted in the courtroom. A document camera should also be used 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.
- 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**

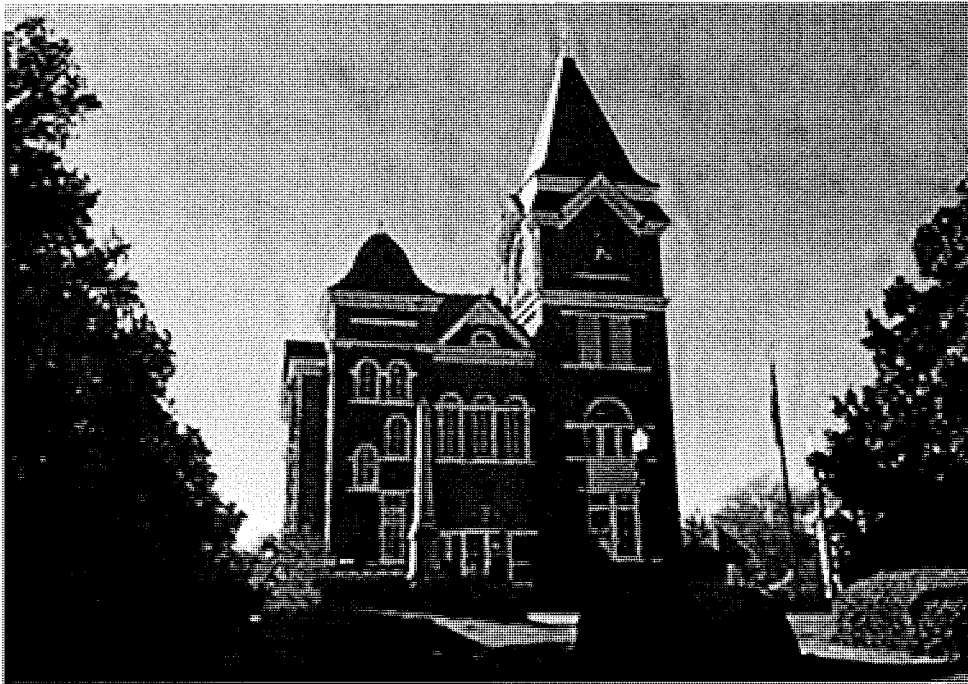
Existing jury deliberation rooms will not be utilized due to the space restrictions. Instead, jurors will use the courtroom as a jury deliberation room.

- The Jury Deliberation Room (courtroom) will be arranged so that jurors are socially distanced.
- 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 may be permitted to leave at lunchtime and return, at the discretion of the judge, 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 when 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 nightly.

### **Public Viewing Rooms**

Due to the jury being seated in a section of the traditional gallery, some of the public may not be able to attend and view the proceedings in person. The “jail benches” may be used to accommodate participants families and the general public.

- A closed-circuit video stream may 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 can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, unless attendees are from the same household. All persons in the room must keep their masks on at all times. A deputy will be stationed in the viewing rooms.



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

## Health Measures at the Talbot County Courthouse

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.

For more detailed information, please visit [www.Talbotclerkofcourt.com](http://www.Talbotclerkofcourt.com).

*We thank you for your service and look forward to having you at the Talbot County Courthouse!*

## HAVE COVID-19 QUESTIONS?

Please don't hesitate to contact us! 706-665-3239 or [www.Talbotclerkofcourt.com](http://www.Talbotclerkofcourt.com)

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### What We're Doing:

Health Screenings

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Face Coverings

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Social Distancing

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Cleaning

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Disinfecting

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Staggered Report  
Times

---

Smaller Jury Pools

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## COVID-19 Juror Questionnaire

Name:	
Phone:	
Email:	
1. Are you over the age of 65?	
2. Do you have any serious underlying medical conditions such as high blood pressure, chronic lung disease, diabetes, severe obesity, severe asthma, severe heart disease, or cancer?	
3. Are you or have you recently undergone chemotherapy or another medical treatment that has caused your immune system to be compromised?	
4. 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 1-3 above might be at increased risk.	
5. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?	

Additionally, on the day of service, you will be screened at the courthouse 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. Are you currently experiencing any cough, difficulty breathing, or fever above 100.4 degrees, or have you experienced any such symptoms in the last three days?

If your answer is yes to either question *on the day of your service*, you should call the Clerk of Courts office immediately to request a deferral. Failing to appear without justifiable cause may place you in contempt of court.

Questions?

Call the Talbot County Superior Court Clerk's Office at 706-665-3239.

### **Juror Questionnaire**

Please complete this Questionnaire online at [www.Talbotclerkofcourt.com](http://www.Talbotclerkofcourt.com). If you are unable to complete it online, please complete it by hand and return to: Talbot County Superior Court Clerk's Office, P.O. Box 325, Talbotton, GA 31827. Jurors without online access should call the Talbot County Superior Court Clerk's office at 706-665-3239.

## **PART ONE: TO BE SHARED WITH THE COURT 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.

5. <b>Voluntary Response:</b> 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.
6. <b>Voluntary Response:</b> 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.
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.
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.
9. Are you requesting to defer your jury service to a later date because of answering "yes" to any of the above questions?

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 Talbot County Superior Court Clerk'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.  <div style="text-align: center;">           Elementary   Junior High   High School   Vocational/Technical   Junior College   College            Graduate School   Post-Graduate Studies   Other         </div> 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 Talbot County Superior Court Clerk, P.O. Box 352, Talbotton, GA 31827

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 [www.Talbotclerkofcourt.com](http://www.Talbotclerkofcourt.com). If you do not have online access, you may mail the completed Questionnaire to Talbot County Superior Court Clerk, P.O. Box 325, Talbotton, GA 31827.**

**Questions or no online access?**

**Call the Talbot County Superior Court Clerk's Office at 706-665-3239**

**THANK YOU FOR YOUR SERVICE!**



## CHATTAHOOCHEE JUDICIAL CIRCUIT

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# TAYLOR COUNTY GUIDE FOR RESUMING JURY PROCEEDINGS

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December 29, 2020

### COMMITTEE MEMBERS:

Hon. Bobby G. Peters, Superior Court Judge, Chair  
Hon. Bemon G. McBride, Chief Superior Court Judge, Ex officio Member  
Hon. Dianne Renfro, Probate Court Judge  
Ms. Julia Slater, District Attorney  
Mr. Wayne Jernigan, Assistant District Attorney  
Mr. Moffett Flournoy, Circuit Public Defender  
Mr. Steve Craft, Assistant Circuit Public Defender  
Mr. John Wilson, Assistant Circuit Public Defender  
Mrs. Lisa McDonald, Clerk of Superior Court  
Sheriff Jeff Watson, Taylor County Sheriff's Office  
Clayton Willis, Taylor County Sheriff's Office  
Mr. Walter Robert Peacock, Chairman, Taylor County Board of Commissioner  
Mrs. Lenda Taunton, County Manager, Taylor County  
Mr. Gene McDonald, Information Technology  
Ms. Kimberly Fuller, Nurse manager, Georgia Dept. of Public Health  
Mr. 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. Edward F. Berry, Court Administrator



By Order entered September 10, 2020, Chief Supreme Court Judge Harold Melton, in his Sixth Order Extending Statewide Judicial Order, directed the Chief Judge of each Judicial Circuit to convene for each county in their circuit, a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county, as further specified in the "Guidance for Local Committees on Resuming Jury Trials" included in the Appendix to this order. Guidance for safely conducting jury trials is being developed by the Judicial COVID-19 Task Force and will be provided to local committees. Court operating guidelines for in-person proceedings incorporating final jury trial plans shall be submitted to the Administrative Office of the Courts (AOC) as soon as possible and 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 October 22, 2020 via Zoom, to walk through possible alternative sites for jury trials. This report was adopted by email consent of all committee members on December 29, 2020.

## GENERAL CONSIDERATIONS

### The Courthouse

The Taylor County courthouse is located at 2 North Broad Street, Butler, Georgia. There are four outside entrances, with only the West facing one utilized during court sessions.

The courtroom is located on the 2<sup>nd</sup> floor of the courthouse. There are two open stairwells on either end of the courthouse as well as a small elevator on the south side. The courtroom is capable of seating 20 jurors in the audience to comply with social distancing guidelines. To ensure an adequate number of jurors to choose from, it will be necessary to stagger panels for voir dire in sets of twenty.

Taylor County has three terms of Court, February, June and October. February 8, 2021 will begin our next new term. Typically, the first day of court would consist of convening the grand jury, arraignments, followed by the civil docket call for jury trials. To move forward, we would need to convene the grand jury over the course of 1 day at the least. Arraignments could be handled on a separate day and more effectively via Zoom. It is anticipated that the civil docket call could be handled via Zoom technology as well.

Plexiglass barriers have already been installed in strategic places in the areas for the presiding judge and court personnel. There is adequate space available for prosecutor and defense attorneys and their clients in the courtroom.

It is anticipated a plexiglass barrier will be installed in the witness stand.  
The jury box is not adequate to seat a jury and adhere to current guidelines.

## **Summoning the Jury Pool**

This Plan contemplates the summoning of prospective jurors for one civil or criminal jury trial. The designated prospective Jury Pool Assembly Areas (JPAA) will be in the Taylor County High School auditorium located at 24 Oak Street, Butler, Georgia 31006.

When jurors are initially summoned, the Clerk will create a Summons Packet that will be mailed to prospective jurors as follows:

- ☐ The Summons shall direct jurors to report to the Taylor County High School Auditorium at the appointed day and time. It will also provide contact information for jurors to call with health-related questions or concerns.
- ☐ 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.
- ☐ The Summons Packet will contain a questionnaire asking for the jurors' contact information (name, address, cell phone number, and email), other questions designed to reduce the time required by jury selection, and a series of questions to determine whether they are in a category of persons identified by the CDC as being at an increased risk for severe illness from COVID-19.
- ☐ Jurors will be sent an Excusal Request Form that temporarily waives the requirement that it be notarized before submission.

## **JPAA and Courthouse Physical Space Preparation**

- In addition to the on-going extra-ordinary sanitizing and cleaning of the interior space of the JPAA and the Taylor County Courthouse prior to the arrival of summoned jurors, those areas that jurors will come in contact with, will be sanitized and cleaned adequately.
- HVAC and air handling components – The courthouse HVAC system will be monitored by facilities maintenance and provided with new filters that will be installed within 24 hours of the arrival of summoned jurors. The filters will be checked and changed regularly based on current recommended intervals. Also, the judge can order a change of filters at any time.
- Hand Sanitization Stations – Hand sanitizer dispensers are available prior to and after security check-in.
- Protocols for Masks and Face Coverings – All entrants to the buildings are required to wear masks or other face coverings to enter the courthouse. Masks and face coverings must remain in proper position over nose and mouth, unless instructed by the judge to remove them. Any person that arrives without a mask will be provided one at the checkpoint. Any visitor that refuses to wear a mask will be prohibited from entering the courthouse. Signs outside the courthouse will inform entrants of mask and face covering requirements.
- Protocols for Social Distancing – Outside and inside the buildings, signs and notices are posted in prominent places to remind visitors to socially distance. Proper socially distanced seating will be clearly delineated.

## **Security at Check-In**

On the morning of service and each day thereafter for the length of the jury trial, jurors will report to the JPAA and 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. Jurors reporting before their summoned time will not be checked in and directed to wait outside until their report time arrives.
- ☐ Health Screenings. Everyone entering the courthouse is 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 having been diagnosed with COVID-19 in the previous 14 days, or in contact over the previous 14 days with someone who has been diagnosed with COVID-19, or that they are concerned they may have been exposed or infected, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- ☐ If any prospective juror reports having experienced a persistent cough, difficulty breathing or fever above 100.4 degrees within the previous three days, they will not be permitted to enter and will be instructed to report to an area designated for isolation and the trial judge and the Superior Court Clerk will be immediately notified to consider releasing the prospective juror from service.
- Sheriff Deputies will take the temperature of each entrant with a no-touch thermometer.
- ☐ Social Distancing – The Jury Pool Assembly Areas (JPAA) have been set up with chairs properly social distanced
- ☐ Physical Barriers – The staff of the Superior Court Clerk and the Taylor County Sheriff's Office will check in prospective jurors in the JPAA and jurors the courthouse, keeping distance in 6 ft and wearing masks or face coverings.
- ☐ Clear Masks/Face shields – Court personnel will use transparent face shields or clear masks to accommodate hearing-impaired or language-challenged jurors.
- ☐ Nightly Deep Cleaning – Building Maintenance will sanitize the JAA and other publicly used areas each evening.
- ☐ Judges and the law clerk(s) and the judicial assistants and, attorneys (defense attorneys and district attorneys, and their support staff) shall be health screened each day of the jury trial as they enter.
- ☐ Any prospective juror who has been diagnosed with Covid-19, or the prospective juror is concerned that the prospective juror has been exposed or infected or is symptomatic shall remain in their personal car and beep the horn and flash their car lights to alert the deputies to come to the car. Any such prospective juror shall remain in their car until the judge can rule on releasing said juror.

### **Excusals and/or Deferrals**

Prior to jurors reporting on the date of their service, the court and Clerk's office 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 and/or the Superior Court Clerk.

The Summons Packet to be mailed to the prospective jurors 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. They will also instruct prospective jurors that to be considered for a deferral or excusal, the form must be returned 10 days prior to their date of service.

The Taylor County Superior Court Clerk'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 coming to the courthouse.

### **Impaneling Process**

- The Clerk will summon 120 prospective jurors to make up the jury pool.
- Expected reporting percentages are unknown at this time; however the reporting times below will allow for an orderly check-in:
  - 8:30am – Jurors 1-50
  - 9:00am – Jurors 51-100
  - 9:30pm – Jurors 101-120
- Seating of the jury pool  
All prospective jurors that make up the jury pool will be seated in an appropriate area of the JPAA, adhering the social distancing guidelines.
- Morning Check-In
  - After all jurors of the jury pool are checked-in, the Clerk of Superior Court 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 Superior Court Clerk.
- An appropriate number of Deputy Sheriffs and bailiffs will provide support in all the procedures outlined.

### **Jury Selection**

- Jury Selection (voir dire) will take place in Superior Court courtroom. However, procedures may be modified by the Judge and the clerk's office, with appropriate communication to the jurors.
  - OCGA § 15-12-131 requires that the court place a panel of 12 in the jury box "upon the request of either party." The jury box, under this plan, will be the audience area of the courtroom. The 12 jurors of the in the "box" will be socially distanced.
  - During individual voir dire, the remaining perspective jurors will be assembled in the Commissioners meeting room where they can socially distance while waiting to be called.
- Once all prospective jurors have been questioned, the attorneys will strike the jury.
- Jurors selected will be seated in the "jury box" and given further instructions for service.

## **Courtroom Layout**

The general audience seating of the courtroom will be converted into the jury box, and jurors will be placed at seats marked every 6 feet circumference to comply with social distancing requirements.

- The Judge's Bench will be utilized as is.  
A separate table for the prosecutor will be to the right of the judge, and the defense table will be to the left of the Judge's Bench.  
Court Personnel will be stationed in accordance with CDC guidelines.
- The court reporter will be in an area of the court that allows the court reporter to see and hear any participant of the trial that is speaking.
- Witnesses will be seated in the original 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.
- Witnesses will be positioned such that counsel, the parties, 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, participants will use wireless or wired microphones.

## **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 sole discretion and judgment of the presiding Judge; trial participants, attorneys, and jurors may be permitted to remove their masks while speaking.
  - Witnesses will testify while wearing a clear face mask.
- Due to difficulties guiding the jurors throughout the courthouse, it is anticipated that trials will necessitate 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 courtroom.
- The judge shall provide jurors with a point of contact if potentially exposed to COVID-19 or experiencing symptoms of COVID-19. They should not be required to report.
- 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 media to be able to be seen by participants.

- Witnesses will testify wearing a clear face mask provided to them by the court or use the witness stand provided a Plexiglass barrier has been installed.
- The lectern will be easily moved in the event trial participants are unable to see and hear. Attorneys will be asked to display PDFs, digital photos, and PowerPoint presentations on television monitors mounted in the courtroom. A document camera should also be used 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.
- 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**

- The courtroom will be designated the Jury Deliberation Room.
- 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 when 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 nightly.

## **Public Viewing Rooms and/or separate Rooms for consultation with victim families, etc. and defendant's families, etc.**

Due to the jury being seated in the traditional gallery of the courtroom, seating will be limited for the general public. The "jail benches" may be used to accommodate participants' families and the general public in a very limited capacity.

- 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 can sit and view the trial.
- Seating in the viewing rooms will be clearly marked 6 feet apart, unless attendees are from the same household. All persons in the room must keep their masks on at all times. A deputy will be stationed in the viewing rooms.