



IN THE SUPERIOR COURT OF TWIGGS COUNTY

STATE OF GEORGIA

ORDER REGARDING JURY PROCEEDINGS DURING COVID-19

PANDEMIC FOR THE DUBLIN JUDICIAL CIRCUIT

WHEREAS, by order dated October 10, 2020, extending prior orders dated March 14, April 6, May 11, June 12 and July 12, August 11, and September 10, 2020, the Honorable Harold D. Melton, Chief Justice of the Georgia Supreme Court, has found a State of Judicial Emergency and has issued his order directing that the Chief Judge of each Superior Court in each county establish court policies and procedures during the pandemic to ensure public health and safety in the continued operation of all classes of courts including the provision of "comprehensive, written guidelines" that specify "who shall be admitted to the courthouse and courtroom and how public health guidance will be followed,"

AND WHEREAS, in his order of September 10, 2020, the Chief Justice directed the Chief Judge of this county to convene a local committee of judicial system participants to develop a plan for safely resuming jury trials in the county. Pursuant to that order and the

Guidance provided therein, a local committee was convened in Twiggs County and a plan was developed as set forth hereinafter,

NOW THEREFORE, Pursuant to this authority granted this court by OCGA Sections 38-3-61 and 38-3-62 this court issues the following Order and Policy regarding procedures to be followed at the Twiggs County Courthouse until further Order:

1. No person shall be permitted entry into the Twiggs County Courthouse who has tested positive for COVID-19 or who has been in close contact with a person who has tested positive for COVID-19 or suspected of having COVID-19 and has not subsequently been medically cleared or has symptoms thereof. Those symptoms are fever, cough, shortness of breath, chills, repeated shaking, headache, loss of sense of taste, loss of sense of smell or sore throat. "Close contact" means coming within six (6) feet of a so infected person for a period in excess of fifteen (15) minutes.
2. Persons who are medically fragile or being at a higher risk of severe illness will be excused from any court proceeding and may appear by video conference if necessary as a witness or a party to any proceeding. Medically fragile or persons who are at increased risk for severe illness from COVID-19 are persons who are over the age of 65 and individuals of any age with serious underlying health conditions such as cancer, chronic kidney disease, chronic obstructive pulmonary

disease, obesity, serious heart conditions, sickle cell disease and type 2 diabetes mellitus and individuals in an immunocompromised state from solid organ transplant.

3. No person shall be permitted entry into the Twiggs County Courthouse at any manned security station who is not wearing a protective face covering such as a surgical mask, cloth, bandanna, scarf or other covering over their nose and mouth, which must be worn at all times in courtrooms and public areas, except as provided herein. Once any person has left a public area of the courthouse and entered the office of any government official within the building, being a visitor or staff member, it is within the discretion of that elected official or department head to require or not require face coverings and other health related procedures within those offices.
4. The Sheriff of Twiggs County is directed to refuse admittance to the courthouse to persons who are unwilling to comply with these directions and document that said person was turned away on a form provided by the court if that person had court related business at that time. The Sheriff is further directed to temperature scan each person seeking entry into the courthouse and refuse admittance to anyone who has a temperature of 100.4 degrees or more.
5. All persons within public areas and courtrooms of the Twiggs County Courthouse must conduct themselves to remain at

least six feet “socially distant” from other persons during their time at the courthouse, and the Sheriff is directed to monitor traffic flow in and out of the courthouse and volume of persons within the public areas at all times, and if in the Sheriff or his deputy’s discretion the number of persons is such that social distancing cannot be maintained, no further admittance will be allowed until enough persons have conducted their business and left so that social distance can be maintained.

6. The respective Judges of the Superior Courts of this Circuit shall conduct all court proceedings when possible via videoconference. When it is not possible to conduct a court proceeding by videoconference, the courts have discretion to conduct in person court proceedings, but must limit the number of persons admitted to the courtroom to maintain 6 feet social distancing at all times while at the same time allowing the public to attend court. This will require each court to stagger court proceedings. All persons inside courtrooms shall be required to wear a face covering with the exception of the judge if the judge is on the bench or a witness who is then testifying or an attorney or party engaged in the present proceeding at a social distance from the other participants and as may then be directed by the then presiding judge.

7. If any Judge plans a court day where there will be a high volume of participants, that Judge will be required to obtain the approval of the Chief Judge of the Superior Court of this Judicial Circuit before doing so. Any such proceeding will be staggered so as to minimize the number of participants in the courtroom at one time. It will be necessary to do this to give the other courts an opportunity to defer their proceedings to accommodate the needs of that court on that particular day and to accomplish the social distancing required by this Order.
8. The court directs all persons to wash or sanitize their hands using personal equipment or the restrooms and sanitizer stations located in public areas upon entering the building and the court directs that the County Board of Commissioners is to ensure that these materials are available to the public in ample supply.
9. When Jurors are to be summonsed for trial, they will be required to appear in groups of 24 or less at one time. The Clerk of Courts is directed to implement a plan to provide notice to jurors to arrive for jury service at staggered times so that there will be no more than 24 jurors in the courtroom at one time. Along with their summons, jurors will receive a Notice describing protective measures required for the protection of their health and safety. For purposes of voir dire jurors will be qualified and examined by the parties or their

attorneys as each panel of twenty-four jurors appears at the appointed time. Jurors will sit in the audience gallery in spaces marked with the blue X so as to provide appropriate social distance between each juror. The sitting area for jurors will be identified by the bailiffs prior to the beginning of Court proceedings so as to segregate jurors from the general public. Jurors will be required to wear the clear mask to be provided by the County at all times and maintain six feet of distance from all other persons in the courtroom while in the Courthouse. The jurors will not be required to return to the courthouse after voir dire is completed as to each panel unless that juror is selected as a juror or an alternate juror for the trial of that case. Challenges for cause shall be heard as grounds for challenge arise or after the entire panel of twelve or twenty-four has been examined and prior to being excused for examination of the next panels. Jury strikes shall take place without bringing the entire panel back as a group.

10. The general public will be allowed into the courtroom during all such proceedings, but will be required to wear a mask, maintain at least six feet of distance between themselves and all other persons in the courtroom. In criminal cases, seating priority shall be given to the defendant's immediate family as well as for victims and their immediate family. Family members of the parties, and victims

and their families as well as members of the general public shall sit only in the areas of the Courtroom not designated for jurors. All such persons shall have no communications, verbal or nonverbal, with any prospective juror.

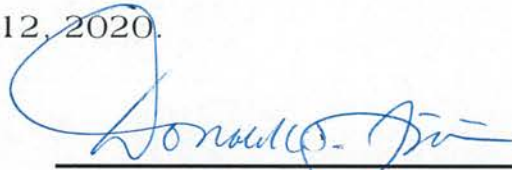
11. Witnesses may appear live or by video conference at the discretion of the sitting judge. The court shall be given at least twenty-four hours notice of any witness who wishes to appear by video conference so that arrangements for this video conference can be made.
12. The parties are to advise the court promptly and on an ongoing basis if any trial participant associated with the party (including litigants, counsel and witnesses) are individuals who are at increased risk of severe illness from COVID-19, have tested positive for or are exhibiting symptoms of COVID-19, have had recent exposure to COVID-19, or otherwise may not be able to attend trial proceedings.
13. The courtroom and all bathrooms will be sanitized each day before any court proceeding and at such times during the day as may be required due to the use of the facilities.
14. Any evidence that is to be presented digitally shall be identified and provided to the opposing party or parties at least three days prior to the hearing or trial. Any objections shall be filed in writing at least one day prior to the hearing or trial. If there are no objections, the evidence may be presented

without the necessity of any further foundation or authentication.

15. Jury deliberations shall take place in the courtroom or such other room in the courthouse that permits the jurors to maintain social distancing as required by this order. Should the jury be required to remain in the courtroom for deliberations, all members of the general public will be excluded from the courtroom during deliberations.

16. The court directs this Order to be prominently posted at all courthouse entrances; provided to all attorneys in the local bar by electronic means; posted on the Twiggs County and the eighthdistrict.org websites; and, this order shall be enforced by the contempt powers of the Court.

SO ORDERED this November 12, 2020.

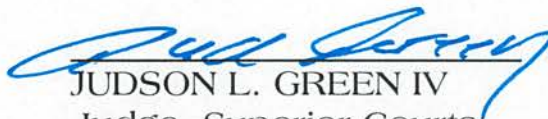


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