

**IN THE SUPERIOR COURTS OF HALL AND DAWSON COUNTIES
NORTHEASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA**

FILED
HALL CO., GA
2021 JUN 10 PM 1:52
CHARLES BAKER, CLERK
SUPERIOR-STATE COURT
BY _____

IN RE: COVID-19 Pandemic *
*
Date: June 10, 2021 *

**TEMPORARY SAFETY MEASURES REGARDING OPERATIONS
FOR ALL CLASSES OF COURT**

On March 13, 2020, the undersigned issued an *Order Declaring Judicial Emergency* for both Hall and Dawson Counties due to the threat of transmission of Coronavirus/COVID-19. This local order was re-entered or extended each month until finally being permitted to expire on June 7, 2021. On March 14, 2020, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, declared a judicial emergency statewide. He has now provided notice of his intent to terminate that order at the end of the current month.

Court operations during the COVID-19 pandemic have been ongoing, albeit with defined limitations and restrictions. These restrictions have included the *Covid-19 Safe Operating Guidelines* first published on June 1, 2020, as well as the *Guides for Resuming Jury Proceedings* adopted by this circuit's COVID-19 Jury Committee on October 1, 2020 and March 22, 2021. Additionally, a continual *Order for Temporary Health Measures* has been in effect in both counties, most recently renewed on May 7, 2021 in Hall County and May 22, 2021 in Dawson County.

As the circuit now makes plans to emerge from a state of emergency, any and all previous guidelines are hereby superseded and/or amended by the provisions contained herein.

The COVID-19 disease continues to pose great risk to public health. Therefore, in consultation with other judicial and county officials, as well as the COVID-19 Jury Committee and state and local health officials, the Northeastern Judicial Circuit will continue to take precautions in order to protect the health of litigants, lawyers, judges, court personnel, and the public.

Accordingly, IT IS THE ORDER of the Court:

I. Stay Home if You Are Sick or Have Been Exposed

COVID-19 is a respiratory illness that spreads primarily by breathing in air when close to an infected person who is exhaling droplets and particles that contain the virus, or by such droplets contacting a person's eyes, nose, or mouth. Common symptoms of the disease include fever or chills, cough, shortness of breath, fatigue, aches, loss of taste or smell, sore throat, and runny nose. In order to prevent disease transmission from occurring, no person should come to any judicial facility if they are experiencing such symptoms. Nor should any person come if they have been around anyone they believe may have been positive for COVID-19 in the previous 14 days.

Any person compelled to appear at the courthouse who is nevertheless prohibited from entering by this policy should leave their name, contact information, and reason for appearing with the front door deputies. Additionally, jury division staff within the Clerk of Court's Office shall advise all jurors of this policy prior to the day of their summons, and provide a mechanism for tracking and reporting any juror who indicates that they are unable to appear due to illness or exposure.

II. Virtual Proceedings Strongly Encouraged

All classes of court are encouraged to continue to use remote video technology wherever feasible, as a safer alternative to in-person proceedings. Such hearings in this circuit are conducted using either the Zoom or Starleaf video platforms, both of which have mobile and desktop software applications available to use free of charge. Courts should give appropriate consideration and deference to the requests of attorneys and parties wishing to appear virtually. Any virtual proceeding that is not open to the public in person shall satisfy constitutional open court requirements by livestream, or by posting notice of the hearing to www.nejc.org with instructions given on how to view it. Zoom "stations" shall also continue to be available on the 4th floor of the Hall County Courthouse, reservable by contacting Court Administration.

III. Face Coverings Strongly Encouraged for All Persons

Current guidance from the Centers for Disease Control and Prevention recommends that unvaccinated people wear masks in public settings or wherever they may be around other people. The

individual vaccine status of the thousands of monthly visitors to the courthouses is impossible to know, and many judicial participants attend under compulsion. Therefore, the Sheriff and his deputies shall **STRONGLY** encourage all persons entering the facilities to wear face coverings over their mouth and nose, particularly those who are **NOT VACCINATED**. Each person is on their honor to protect themselves and the other people they may encounter, whether that person is seated next to them in jury service or across the desk assisting with a court-related issue.

A "face covering" includes but is not limited to a cloth or disposable mask, but shall not include masks with holes or vents. Such face coverings shall be supplied and made available to every person entering the facility, and clearly-observable signs encouraging such use shall be posted at all entrances.

Additionally, judges of all classes of court are authorized at any time to require any and all courtroom participants to wear masks for the duration of any proceeding. This is particularly applicable to Juvenile Court proceedings, where children often appear who are not eligible to be vaccinated or who do not otherwise have opportunity to be vaccinated.

IV. Large Calendars to be Avoided

While this Order relaxes social distancing requirements, thereby permitting larger groups of people to attend in person proceedings, all classes of court should avoid any scheduling practice that is likely to result in a large number of participants appearing at the same time. In general, no more than 73 persons should be expected to appear at any one time, which is the revised maximum capacity of the Hall County Jury Assembly Room. If participants in excess of this capacity may reasonably be expected to appear, the court shall coordinate and work with Court Administration to identify appropriate seating locations and prevent overcrowding in the facility.

V. Jury Trials

At the recommendation of this circuit's COVID-19 Jury Committee, last meeting on June 7, 2021, juries may now be returned to the traditional jury box at the direction of each individual judge, and members of the public to the courtroom gallery. Additionally, the maximum *courtroom* capacities previously established are eliminated, thereby allowing larger panels of jurors to be questioned at any one time. The

Hall County Jury Assembly Room, however, shall have a maximum capacity of 73 persons, with seating to be spaced no fewer than three feet apart.

Furthermore, a presiding judge should give attention at the outset of any jury proceeding to ensuring that all jurors are safe, protected, and adequately informed about the precautions taken. Any presiding judge is authorized to put in place more restrictive measures than are required pursuant to this order.

Finally, due to the small size of the jury deliberation rooms in the Hall County Courthouse, all Hall County juries (excepting six-person misdemeanor juries) shall be required to deliberate in a larger space to be identified by the presiding judge in coordination with Court Administration for the time being. This provision will continue to be reviewed as more health information becomes available.

VI. Grand Jury Proceedings.

Pursuant to a resolution of the Hall County Board of Commissioners adopted on December 10, 2020, the Gainesville Municipal Courtroom, located at 701 Queen City Parkway SW, shall continue to serve as an alternate location for Grand Jury proceedings. The Municipal Court is reasonably accessible and is an appropriate facility for conducting court business.

VII. Other Basic Measures

Other preventative measures should continue to be taken by all classes of court, including but not limited to:

- Making hand sanitizer stations widely available;
- Disinfecting high-volume public areas daily, which can be arranged through Court Administration and Building Maintenance;
- Displaying signs in the restrooms encouraging good hygiene and the washing of hands;
- Requiring sick or exposed employees to take time off or work remotely;

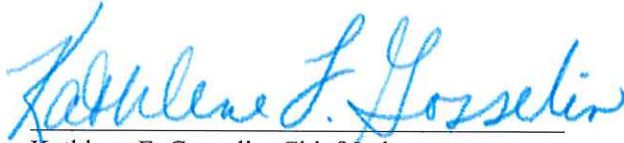
VIII. Duration

The terms of this Order shall terminate on August 31, 2021, at 11:59 p.m., unless otherwise extended, rescinded, amended, or superseded.

IT IS FURTHER ORDERED, pursuant to O.C.G.A § 38-3-63, that the Sheriffs of Hall and Dawson Counties shall post this Order on their public notification site and in the courthouses;

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected.

IT IS SO ORDERED this 10th day of June, 2021.



Kathlene F. Gosselin, Chief Judge
Northeastern Judicial Circuit