

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

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HALL COUNTY GA
2021 JUL 30 PM 2:24
CHARLES BAKER, CLERK
SUPERIOR COURT
BY _____

IN RE: COVID-19 Pandemic *
*
Date: July 30, 2021 *

**TEMPORARY SAFETY MEASURES REGARDING OPERATIONS
FOR ALL CLASSES OF COURT (REVISED)**

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. No judicial emergency continues to be required because, at this time, no tolling of deadlines is necessary. (The current backlog of cases appears to be manageable.)

Court operations during the COVID-19 pandemic have been ongoing, albeit with defined limitations and restrictions. Most recently, and currently, these restrictions are contained in a June 10th order entitled *Temporary Safety Measures Regarding Operations for All Classes of Court*. Today's order supersedes and replaces that order.

The COVID-19 disease continues to pose great risk to public health. In the last two weeks, both Hall and Dawson counties have experienced significant community transmission, evidenced by the Department of Public Health's percent positivity and rising case numbers, as well as a four-fold increase in local hospitalizations. Therefore, in consultation with 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 Mandated in All Courtrooms and Jury Proceedings, and Strongly Encouraged for All Offices

Current guidance from the Centers for Disease Control and Prevention recommends that *all* people wear masks in public settings regardless of vaccine status. Therefore, in keeping with this circuit's practice of abiding by the best medical advice available, the Sheriff and his deputies shall REQUIRE all persons entering a courtroom to wear face coverings over their mouth and nose. A "face covering" includes but is not limited to a cloth or disposable mask, but shall not include masks with holes or vents.

Additionally, the Sheriff and his deputies shall REQUIRE all jurors in the Jury Assembly Room and in any space used as a jury deliberation room (e.g., the Grand Jury Room or Hall County's second floor Conference Room) to wear a face covering as defined above. Such face coverings shall be supplied and made available to every person entering the facility, and clearly-observable signs requiring such use shall be posted at all appropriate entrances.

Additionally, the Sheriff and his deputies shall STRONGLY encourage all persons in the facilities to wear a face covering at all times. Deputies working at any facility entrance shall be required to wear a face covering themselves.

Additionally, elected officials and other judicial officers are hereby strongly encouraged to require the use of face coverings in their own offices, particularly for employees not vaccinated.

Any violation of this provision shall subject a person to an immediate contempt hearing before any Superior Court judge.

IV. Large Calendars to be Avoided

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 current maximum capacity of the Hall County Jury Assembly Room, spaced three feet apart. Additionally, no more than three persons should enter an elevator at one time.

V. Jury Trials

By previous order, juries were permitted to be returned to the traditional jury box at the direction of each individual judge. While today's order leaves this permission intact, all judges are hereby encouraged and authorized to instead place juries in the courtroom gallery as was this circuit's practice for the duration of the prior emergency. All twelve-person juries shall be required to deliberate in a larger space to be identified by the presiding judge in coordination with Court Administration.

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.

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;
- 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;

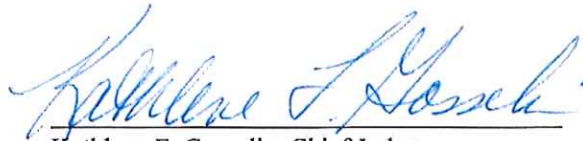
VIII. Duration

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 30th day of July, 2021.


Kathlene F. Gosselin, Chief Judge
Northeastern Judicial Circuit