

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

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NORTHEASTERN JUDICIAL CIRCUIT
SUPERIOR STATE COURT

IN RE: COVID-19 Pandemic

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Date: May 2, 2022

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

Court operations during the COVID-19 pandemic have been ongoing, albeit with defined limitations and restrictions. Most recently, and currently, these restrictions are contained within a previous order entitled *Temporary Safety Measures Regarding Operations for All Classes of Court* filed on February 28, 2022. Today's order renews and extends those same provisions.

The COVID-19 disease poses great risk to public health. The Northeastern Judicial Circuit recognizes that most in-court proceedings compel the attendance of individuals rather than allowing them to decide for themselves how best to protect their own health. 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, persons who may either be sick with the disease or have been recently exposed to it shall not enter any judicial facility.

Specifically, courthouse deputies shall refuse entry to any person answering yes to any of the following questions:

- 1) Have you tested positive for COVID-19 within the past 10 days?
- 2) Are you presently experiencing COVID-19 symptoms (fever, cough, difficulty breathing) and do not have a negative test result obtained after symptoms began?
- 3) Have you been in close contact with someone within the last 5 days that you believe may have been infected with COVID-19? Close contact is defined as being within six feet of the person for 15 minutes or more, or living in the same household.

Employees shall not be subject to the above questions, but they are reminded of their duties and obligations imposed by this circuit's COVID-19 personnel policies.

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 Encouraged

Because both Hall and Dawson Counties presently have a low COVID-19 Community Level,¹ the CDC recommends that any person with symptoms, a positive test, or exposure to someone with COVID-19 wear a mask. Therefore, such persons entering any judicial facility are hereby encouraged to wear a well-fitting mask over their mouth and nose. The Hall County Sheriff's Office and the Dawson County Sheriff's Office shall have masks on hand and available to the public at all times. Such masks shall be purchased by the respective counties and supplied by Court Administration, and signs encouraging mask use shall be posted in both county courthouses.

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.

Furthermore, elected officials and department heads are each authorized to impose more restrictive measures than contained within this order, including the wearing of masks in their respective offices and public spaces.

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 with seating spaced three feet apart.

V. Jury Trials

Jury trials are conducted at the direction and discretion of the trial judge, and shall be informed by updated public health information timely provided by Court Administration. A presiding judge shall give

¹ The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past 7 days. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>.

attention at the outset of any jury proceeding to ensuring that all jurors are safe, protected, and adequately informed about the precautions this circuit has taken.

Jurors are permitted to be seated in the traditional jury box, but the presiding judge may also locate them in the courtroom gallery as was this circuit's practice for the duration of the prior emergency. Twelve-person juries may be separated into two groups so as to use both jury deliberation rooms on the hall, allowing for more social distancing, until it comes time for them to deliberate a verdict. Larger jury deliberation rooms (i.e., 2nd Floor Conference Room, Grand Jury Room, etc.) may also be used at the determination of the presiding judge, and may be reserved by contacting Court Administration. Judges shall work cooperatively and in cooperation with all courts to alleviate the challenges of having limited space.

Masks, hand sanitizer and tissues will be in abundant supply in courtrooms and deliberations rooms. Air purifiers are located in each jury deliberation room and should be turned on.

VI. 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;

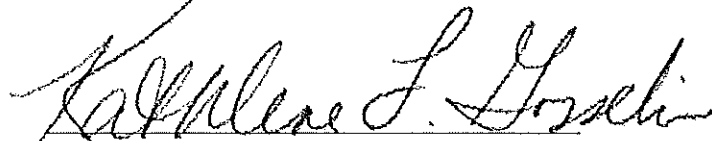
VII. Duration

The terms of this Order shall terminate on June 30, 2022, 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/or 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 2nd day of May, 2022.

A handwritten signature in cursive script, reading "Kathlene F. Gosselin". The signature is written in black ink and is positioned above the printed name and title.

Kathlene F. Gosselin, Chief Judge
Northeastern Judicial Circuit