

IN THE SUPERIOR COURT OF CHATTAHOOCHEE COUNTY
STATE OF GEORGIA

Filed
At 1:43 P.M. O'clock
JUN 30 2021
Tami Wade Court, GA
Clark Superior Court, GA
Chattahoochee County, GA
BN

ORDER FOR IMPLEMENTING
A PANDEMIC OPERATIONAL
SAFETY PLAN FOR JURY
TRIALS AND OTHER COURT
PROCEEDINGS

*
*
*
*
*
*
*

Ex Parte No. 21-EX-002

**ORDER FOR IMPLEMENTING A PANDEMIC OPERATIONAL
SAFETY PLAN FOR JURY TRIALS AND OTHER COURT
PROCEEDINGS**

WHEREAS, on the 21st day of February 2021, pursuant to a declaration by the Chief Justice of the Supreme Court of Georgia of a Statewide Judicial Emergency, an order of the Superior Court Judges of the Chattahoochee Judicial Circuit was entered upon the minutes of this Court, to-wit: CHATTAHOOCHEE COUNTY GUIDE FOR RESUMING JURY TRIALS; and

WHEREAS the FIFTEENTH ORDER EXTENDING DECLARATION OF STATEWIDE EMERGENCY was entered by the Chief Justice on the 7th day of June 2021 and contemplated the expiration of the statewide judicial emergency on June 30, 2021; and

WHEREAS it is expected by the Court that the statewide judicial emergency will terminate on June 30, 2021, at 11:59 p.m. and it appearing further that the implementation of a pandemic safety plan is required to continue to operate the courts and conduct jury trials and other court proceedings in a reasonable and safe manner, mindful of the Coronavirus pandemic which remains ongoing at the time of this Order.

IT IS ORDERED that beginning July 1, 2021, during all jury trials and other court proceedings, including the convening of the jury pool and jury selection, there shall be certain safety measures implemented, at the discretion of each judge, to include, but not be limited to the following:

1. All persons arriving for court must wear a face mask covering their mouth and nose. All persons attending any court proceeding shall be required to submit to temperature and other screening at a location to be determined by the sheriff, in consultation with local health authorities, based upon local conditions. This screening shall include questions as to whether the person is experiencing fever, shortness of breath, chills, muscle pain, headache, sore throat and new loss of taste or smell. Moreover, temporal lobe scanning shall be utilized when readily available to screen persons, with temperature readings in excess of 100.4 degrees Fahrenheit to be reported immediately to the appropriate judge.
2. Masks (paper or cloth), MUST be worn CORRECTLY and cover the wearer's nose and mouth by all who attend or appear for court including: litigants, attorneys, witnesses, jurors and courthouse personnel who enter courtrooms, specially designated courtrooms at other government facilities, the common areas of a courthouse immediately adjacent to any courtroom, jury rooms, jury assembly rooms, witness sequestration rooms, judge's chambers, clerk's offices, law libraries attendant to the courtrooms, or any other room regularly used when court is in session. For purposes of this paragraph, court facilities upon which this face covering requirement is imposed shall include the entirety of the Chattahoochee County Courthouse.
3. For all court proceedings, social distancing shall be required. Within all courtrooms, an appropriate distance must be maintained at all times between persons who do not live in the same household or do not hold the relationship of attorney and client. The appropriate distance shall be determined by the judge and the sheriff. Viewing rooms for overflow spectators will be determined on a case by case basis by the judge.
4. Courts should and are encouraged to continue to use videoconference technology for all hearings except in-person hearings required by law. Such proceedings to use videoconferencing platforms shall include, but not be limited to, civil non-jury trials and other non-jury adjudicative proceedings where allowed by rules of court.

IT IS ORDERED that this Order shall supersede the previous Order referred to above and entered on the 21st day of February 2021. This Order shall expire on the 31st day of December 2021 at 11:59 p.m. in the absence of further order of the Court. This Order shall be binding in all Court proceedings in Chattahoochee County, Georgia in the absence of contrary direction from any judge presiding over such proceedings.

IT IS FURTHER ORDERED that the Superior Court Clerk of Chattahoochee 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 Chattahoochee 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 30th day of June, 2021.



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