

Athens-Clarke County Courthouse  
325 East Washington Street  
Athens, Georgia 30601



Filed in Open  
COURT 7/14/2020  
Eric Norris  
Superior Court

Oconee County Courthouse  
23 N Main Street  
Watkinsville, Georgia 30677

## WESTERN JUDICIAL CIRCUIT

**Superior Court**  
Chief Judge Eric W. Norris  
Judge Lawton E. Stephens  
Judge H. Patrick Haggard  
Judge Lisa Lott

**Clarke County State Court**  
Chief Judge Ethelyn N. Simpson  
Judge Charles E. Auslander, III

**Clarke County Magistrate Court**  
Chief Judge Patricia Barron  
Judge Benjamin R. Makin  
Judge Toni Graven Pomerene

**Juvenile Court**  
Chief Judge Robin W. Shearer  
Judge Amanda Trimble

**Athens-Clarke County Municipal Court**  
Judge Ryan Hope

**Oconee County Magistrate Court**  
Chief Judge Richard Connelly  
Judge Samuel Barth

**Clarke County Probate Court**  
Judge Susan P. Tate

**Oconee County Probate Court**  
Judge David Anglin

### **SECOND STANDING ORDER FOR COURT PROCEDURES DURING COVID-19 JUDICIAL EMERGENCY**

**IN ACCORDANCE WITH** the Fourth Order Extending Declaration of Statewide Judicial Emergency entered on July 12, 2020, by the Supreme Court of Georgia, the Judges of the Juvenile, Magistrate, Municipal, Probate, State, and Superior Courts of the Western Judicial Circuit adopt the following guidelines for court proceedings:

**Purpose:** The purpose of this Standing Order is to provide for the health and safety of all persons attending court or working in the Courthouse while providing for public access to judicial proceedings and protecting a criminal defendant's rights to confrontation and open courtrooms.

**Definitions:** "Face mask" means a covering of the mouth and nose but not the rest of the face. "Courthouse" means the Clarke County Courthouse, located at 325 East Washington Street, Athens, GA 30601, and the Oconee County Courthouse, located at 23 North Main Street, Watkinsville, GA 30677. "Probation Office" means Athens-Clarke County Probation Services, located at 110 Bray Street, Athens, GA 30601. "Public area" means all parts of the Courthouse or Probation Office not reserved for staff.

#### **Instructions for individuals who have, have been exposed to, or are especially vulnerable to, COVID-19:**

Persons who have been diagnosed with COVID-19, who have been exposed to COVID-19 within the last 14 days, or who are experiencing fever, cough or other symptoms<sup>1</sup> of COVID-19, SHALL NOT enter the Courthouse or Probation Office.

If an individual with a scheduled court date is prohibited from entering the Courthouse for any of the above reasons, the security staff shall contact the specific court for which attendance is mandated

<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

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and inform the court that the individual is unable to attend due to screening criteria. The person who is prohibited from entry should refer to the information posted at the Courthouse entrance and contact the appropriate court and request further instructions regarding future court attendance.

If an individual with a scheduled court date has other health limitations, which make them especially vulnerable to COVID-19 or have other concerns with entering the Courthouse, he or she should refer to the information posted at the Courthouse entrance and should contact the appropriate court to request that their case be rescheduled.

**Public Admission to the Courthouse:** All members of the public and employees entering a Courthouse within this circuit, shall be screened, prior to entry, by the Sheriff's Offices of each respective courthouse for cough, fever, and recent exposure to COVID-19. A series of questions will be asked of each individual before entry to the Courthouse. A list of the screening questions is included as Exhibit A to this Standing Order. Screening will be conducted in a designated area outside of the Hancock Street public entrance to the courthouse in Athens and the Water Street entrance to the courthouse in Watkinsville. Additionally, the Washington Street public entrance to the courthouse in Athens will be accessible to both the public and employees from 8:00 a.m. until 9:00 a.m. Monday through Friday. Times that the Washington Street entrance is open will be subject to change at the discretion of the Sheriff or his designee based on staffing levels during any period. Each person's temperature will be taken using a no-touch thermometer. Anyone with a temperature of 100.4 or higher will be prohibited entry into the courthouse.

**Pursuant to CDC guidance<sup>2</sup>, all employees, general public, and security screening personnel shall be required to wear face masks while in the Courthouse. The Judge for each respective court may make exceptions to the mask policy in accordance with the Confrontation Clause of the Sixth Amendment of the Constitution and for specific witness testimony and preservation of the record. Masks are available at the entrance for individuals who do not have a mask.** Hand sanitizer will be available in high use areas along with cleaning supplies.<sup>3</sup> Individual offices within each courthouse may implement mandatory wearing of masks due to space and high-volume contact with the public.

For individuals who do not have a court appearance but are accompanying a family member or friend, it is strongly encouraged that they consider not entering the Courthouse. People at higher risk for severe illness<sup>4</sup> and children<sup>5</sup> are strongly discouraged from entering the Courthouse unless they are a party to a case.

Everyone in the Courthouse should comply with social distancing recommendations<sup>6</sup> and keep a six (6) foot distance from other persons as much as possible.

Individuals are strongly encouraged to leave any unnecessary belongings in their vehicle or at home in order to minimize surfaces for possible infection.

**Employee Admission to the Courthouse:** With social distancing protocols in place, the Courts recognize that security screening will become more challenging with the increase in public access. Therefore, security staff have requested that each department strongly encourage their respective

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/hcp/hand-hygiene.html>

<sup>4</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>

<sup>5</sup> <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/children/protect-children.html>

<sup>6</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>



employees to report to work prior to and no later than 8:30 a.m. This will allow all employees to be swiftly screened and in place before the public arrive. It is anticipated that long lines will form, with individuals standing 6 feet apart to wait their respective turn to access the courthouse. There will be indicators that will direct the public where to stand to comply with social distancing protocols. Any employee caught up in the screening line after 8:30 a.m. will have to wait their respective turn and will be subject to the policies and procedures of their respective department.

**Admission to Courtrooms:** Persons entering courtrooms must comply with directions given by Sheriff's Deputies and/or staff with respect to seating and social distancing. Additionally, absent further direction of the presiding judge in each courtroom, the following capacity limits are established:

Courtroom	Normal Capacity	Social Distancing Capacity
<b>Clarke County</b>		
Municipal Courtroom	78	20
Magistrate Hearing Room 1 (2 <sup>nd</sup> Floor)	66	17
Magistrate Hearing Room 2 (2 <sup>nd</sup> Floor)	21	5
Juvenile Courtroom (1 <sup>st</sup> Floor)	25	6
Probate Hearing Room (2 <sup>nd</sup> Floor)	14	4
State Courtroom (5 <sup>th</sup> Floor)	110	28
State Hearing Room (4 <sup>th</sup> Floor)	20	5
Superior Courtroom 1 (3 <sup>rd</sup> Floor)	96	24
Superior Courtroom 2 (3 <sup>rd</sup> Floor)	48	12
Superior Courtroom 3 (5 <sup>th</sup> Floor)	36	9
<b>Oconee County</b>		
Courtroom 1 (3 <sup>rd</sup> Floor)	132	33
Courtroom 2 (3 <sup>rd</sup> Floor)	88	22
BOC Chambers (2 <sup>nd</sup> Floor)	60	15
Grand Jury Hearing Room (2 <sup>nd</sup> Floor)	25	6

In the event that a courtroom is at capacity and an individual who is not a party to the case being heard requests entry, notice shall be given to the presiding judge. Accommodation may be provided to include, but not limited to: entry, viewing remotely, etc.

**Defense Counsel in Criminal Cases:** With social distancing protocols in mind, defense counsel should make every attempt reasonable to meet with their client(s) prior to the schedule listed below. The Sheriff's Offices should work cooperatively to allow defense counsel to privately meet with their clients in the jail or via remote video while protecting all persons from potential exposure to COVID-19.

**Special Court Procedures:** Due to the ongoing judicial emergency, the Court is employing special procedures to minimize the risk to everyone's health. To accommodate for social distancing and cleaning, more court sessions are being scheduled but with fewer cases summoned per session. Additionally, seating in the courtroom will be limited to designated seats. Social distancing will be enforced in conferences with staff. All judges will continue to use technology to provide an alternative to in-person proceedings. Participating remotely by video conference may be an option in many courts but may differ from court to court and hearing. Individuals should contact their specified court ahead of time to find out more details. Handling of paperwork will be kept to a

minimum. Court personnel will clean and disinfect areas of the courtroom between users per recommended guidance.<sup>7</sup>

**In accordance with the Fourth Order Extending Declaration of Statewide Judicial Emergency, the guidelines for court proceedings shall require isolation of any person with known or suspected COVID-19 and quarantine of any person with COVID-19 exposure likely to result in infection.**

**Coordination of Courtroom Needs:** As the courthouses begin to return to normal operations, communication will be of utmost importance. In order to ensure that communication remains a priority, a copy of all notices of hearings, calendars and events shall be sent to Court Administration in Athens-Clarke County and the Clerk of Court in Oconee County. The Court Administrator and Clerks of Court will work with courthouse security staff to resolve any issues that may arise from the increased need for courtroom space.

**Inherent Power:** Nothing in this proposed plan shall be construed to limit the inherent power of the court. Each assigned judge may direct and control their respective cases and those persons before them in their courtroom as they deem necessary for the administration of justice. This order shall be in effect until further modification, extension or termination.


**SO ORDERED**, this 14 day of July, 2020.



Chief Superior Court Judge  
Western Judicial Circuit



Chief State Court Judge  
Athens-Clarke County




Dusan P. Tate

Probate Court Judge,  
Athens-Clarke County



Patricia Brown


Chief Magistrate Court Judge,  
Athens-Clarke County



Probate Court Judge,  
Oconee County



Chief Magistrate Court Judge,  
Oconee County



Chief Juvenile Court Judge  
Athens-Clarke County



Municipal Court Judge  
Athens-Clarke County

<sup>7</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/clean-disinfect/index.html> & <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>



## EXHIBIT A

# Screening Questions

1. Have you traveled to or from any areas in which COVID-19 is particularly active?
2. Have you, within the last 14 days, experienced symptoms of COVID-19, including: cough, shortness of breath or difficulty breathing, fever above 100 degrees in the last 72 hours, chills, muscle pain, sore throat, headache, or loss of taste or smell?
3. Have you been in contact with someone known to have COVID-19 within the last 14 days?
4. Have you tested positive for COVID-19 in the last 14 days?