

IN THE SUPERIOR COURT OF HARALSON COUNTY
STATE OF GEORGIA

FILED & RECORDED
CLERK OF SUPERIOR COURT
HARALSON COUNTY, GA
2022 JUL 20 AM 8:33

David R. McQueen
CLERK OF
SUPERIOR COURT

In Re: Courthouse Health & * ADMINISTRATIVE ORDER
Safety Guidelines * 07.18.2022.01
*

**ORDER IMPLEMENTING COURTHOUSE HEALTH and SAFETY
GUIDELINES FOR ALL CLASSES OF COURTS**

Since the start of COVID-19 pandemic the Haralson County Courts have strictly followed the changing Centers for Disease Control and Prevention (CDC) and Georgia Department of Public Health (DPH) public health recommendations while some parts of society have returned to business as usual more quickly. The cautious approach employed in the courts has been in recognition that court proceedings are not voluntary and that the jail and the courthouse remain the only places in our community where people have no choice in whether or not to attend. However, vaccines have become widely available to every Georgian, and at this time, still being unvaccinated is—in most circumstances—a matter of choice and not driven by limited availability.

On March 24, 2022, the CDC substantially revised its public health recommendations based on studies of the COVID-19 disease over time and the need to shift the focus on high-risk people and the strain on the healthcare system. The new CDC recommendations employ a “Low, Medium, and High” COVID-19 risk levels classification in communities at the county level. These levels are determined by new hospitalizations for COVID, current hospital beds occupied by COVID patients (capacity), and new COVID-19 cases reported. The CDC recommends different safety precautions with each COVID-19 risk level as conditions in the community and each facility might dictate. ¹

¹ <https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html>

This is a welcome change to judges and courts that need the flexibility to manage their calendars in a more robust way while balancing public safety and public health needs.

Court-wide mandates from the Chief Judge are no longer necessary except when our community is a "high" COVID-19 risk category and when it comes to conducting jury trials. Accordingly, the following health and safety guidelines and protocols are established.

I. GENERAL COURTHOUSE OPERATIONS WHEN HARALSON COUNTY IS
IN COVID-19 "HIGH RISK" CATEGORY

IT IS HEREBY ORDERED **masks** are required **for entry into the courthouse** and must be worn by all courthouse employees and visitors in **all public areas** of the courthouse **including the courtrooms**, *except* when allowed by the presiding judge to be removed by persons to speak during court proceedings.

IT IS FURTHER ORDERED **social distancing of six (6) feet** be observed in **all public areas** of the courthouse.

IT IS FURTHER ORDERED Courts may continue to conduct **in-person proceedings** subject to appropriate **courtroom capacity limitations** and **staggering of cases to avoid unnecessary courtroom crowding**. Nothing in this Order shall be construed to limit any court's ability to conduct **virtual proceedings** that are otherwise allowed by law, court rule, or consent of the parties.

IT IS FURTHER ORDERED that the Haralson County commission take all reasonable and necessary steps to ensure:

- (i) all courthouse bathrooms are cleaned daily in accordance with CDC guidelines. Cleaning guidelines are available at:

(<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>)

- (ii) all HVAC air filters are changed every thirty (30) days so long as the county is classified by the CDC as a high risk Covid-19 transmission county.
- (iii) Courthouse ventilation shall be operated and maintained in accordance with the CDC guidelines found at:

<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

II. GENERAL COURTHOUSE OPERATIONS WHEN HARALSON COUNTY IS IN “LOW RISK” OR “MEDIUM RISK” COVID-19 CATEGORIES

IT IS HEREBY ORDERED masks are optional but recommended for entry into the courthouse. High quality masks such N95 or KN95 masks are recommended for sensitive populations—including the unvaccinated and those with underlying health conditions—that place them at higher risk of severe disease. Be aware that individual judges may require masking in their respective courtrooms.

IT IS FURTHER ORDERED social distancing in the public areas of the courthouse is no longer required but individual judges may require it in their respective courtrooms.

IT IS FURTHER ORDERED Courts may continue to conduct in-person proceedings. Nothing in this Order shall be construed to limit any court’s ability to conduct virtual proceedings that are otherwise allowed by law, court rule, or consent of the parties.

III. SPECIAL JURY TRIALS OPERATIONS THAT SUPERCEDE THE GENERAL OPERATION GUIDELINES OUTLINED ABOVE

Due to the length of time those in a jury trial spend with one another and the increased numbers that are sometimes present in a courtroom for a jury trial, the following guidelines are hereby ordered, and they shall supersede any inconsistent general operation guidelines outlined above.

1. WHEN HARALSON IS IN A "LOW RISK" or "MEDIUM RISK" COVID-19 CATEGORY:

IT IS HEREBY ORDERED WITH REGARD TO JURY TRIALS:

- Masks are strongly encouraged in any room used for jury assembly and organization due to the number of people congregating in that room and the duration that they stay there.
- Social Distancing in any room used for jury assembly and organization is hereby reduced to three (3) feet.
- Masks are encouraged in the courtrooms, but not required unless directed by the presiding judge in their respective courtroom.
- Social distancing requirements in the courtrooms are modified as follows:
 - Jurors who wish to sit in the jury box without regard to social distancing may do so.
 - Jurors who are not comfortable with sitting in the jury box may be spread out in the courtroom gallery observing three (3) feet of social distancing, or more if directed by the trial judge and courtroom capacity will allow for it.
- The regular jury deliberation rooms for each courtroom may be used at the discretion of the presiding judge.

2. WHEN HARALSON IS IN A "HIGH RISK" COVID-19 CATEGORY-

IT IS HEREBY ORDERED WITH REGARD TO JURY TRIALS:

- Masks are required in all areas of the courthouse, including any room during juror assembly and organization and in the courtrooms.
- Judges may allow mask removal by any person addressing the court or the jury.

- Social distancing of six (6) feet will be observed during jury assembly and in the courtrooms.
- Special jury deliberation rooms that will accommodate six (6) feet of social distancing will be used.
- Jurors shall wear masks in the jury room during all breaks and during deliberations; provided, however, that the jury foreperson may, in the foreperson's discretion, allow mask removal by any juror during deliberations who requests to remove the facial mask while addressing the other jurors. Moreover, all jurors are allowed to temporarily remove masks for the purpose of consuming any refreshments available in the jury room.

IT IS FURTHER ORDERED that the Sheriff of Haralson County shall post this Order on his public notification site and at the entrance to all courthouses.

IT IS FURTHER ORDERED that the Clerk of Superior Court spread this Order upon the minutes of the Court.

IT IS FURTHER ORDERED that the Court Administrator Seana Cobb shall immediately notify and serve the Administrative Office of the Courts at <https://georgiacourts.gov/covid-19-court-operating-guidelines-form/> so that this document may be posted on their website.

IT IS FURTHER ORDERED that the Court Administrator Seana Cobb shall immediately notify and serve a copy of this Order and attached Memorandum and Guidelines (which are incorporated herein by reference) on the honorable judges and clerks of all courts sitting in Haralson County, upon Haralson County Commission Chairman Ronnie Ridley, and upon County Clerk Alison Palmer.

IT IS FURTHER ORDERED that the Court Administrator Seana Cobb shall cause a copy of this Order and Guidelines to be posted prominently on this Court's website for public viewing.

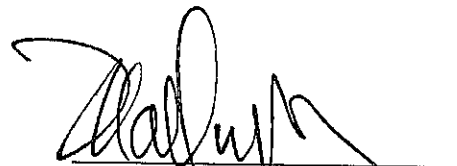
IT IS FURTHER ORDERED that the Court Administrator Seana Cobb shall check the CDC's COVID-19 Community Check for both Haralson and Polk counties no less than once weekly and coordinate with courthouse security officers to ensure that the proper COVID-19 risk level courthouse entry door notices and health and safety protocols are in place as required by this order. The Community Check website is available at:

<https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html>

IT IS FURTHER ORDERED that the Court Administrator Seana Cobb shall cause courthouse signage and website messaging concerning safety guidelines to be updated consistent with this Order.

IT IS FURTHER ORDERED that earlier Orders of this Court that are inconsistent with this Order are superseded by the terms of this Order. This Order shall remain in effect until vacated or changed by further order of this Court.

This 18 day of July 2022.


Hon. Mark H. Murphy
Chief Judge, Superior Court
Tallapoosa Judicial Circuit