

**IN THE JUVENILE COURT OF TROUP COUNTY
STATE OF GEORGIA**

IN RE: Declaration of Judicial Emergency

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FILED IN OFFICE
JUVENILE COURT
TROUP COUNTY, GA
2020 JUL 30 AM 11:30

**ORDER IMPLEMENTING GEORGIA SUPREME COURT'S
ORDER AND EXTENSIONS THERE OF DECLARING STATEWIDE JUDICIAL
EMERGENCY AND INCORPORATING THE COVID-19 PROTOCOL FOR THE
TROUP COUNTY JUVENILE COURT**

WHEREAS, under O.C.G.A. § 38-3-60 et seq., the Honorable Justice Harold D. Melton entered an Order Declaring Statewide Emergency (the "Emergency Order") with an effective beginning date of March 14, 2020, and an initial ending date and time of April 13, 2020, at 11:59 P.M.; and

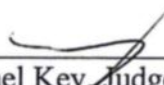
WHEREAS, the Honorable Justice Harold D. Melton entered a Fourth Order Extending Declaration of Statewide Judicial Emergency (the "Fourth Extension"); and

WHEREAS, the Fourth Extension requires each court to develop and implement operating guidelines as to how in-court proceedings generally and particular types of proceedings will be conducted to protect the health of litigants, lawyers, judges, court personnel, and the public;

IT IS HEREBY ORDERED THAT the COVID-19 PROTOCOL FOR THE TROUP COUNTY JUVENILE COURT, a copy of which is attached hereto, shall be and is hereby incorporated in and made a part of this Order and shall be complied with by all persons or groups of persons named or identified therein.

BE IT FURTHER ORDERED that this Order shall remain in full force and effect pending further order of this Court, subject to the Fourth Extension and any subsequent extension of the existing and any further extension of the Emergency Order.

This 30th day of July, 2020.



R. Michael Key, Judge of the Juvenile Court
Troup County, Georgia
Coweta Judicial Court

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COVID-19 PROTOCOL FOR THE TROUP COUNTY JUVENILE COURT

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, judges, court personnel, and other individuals entering the Troup County Juvenile Court building, this Court will implement the following Protocol, which shall remain in effect pending further order of this Court:

PART ONE: GENERAL

1. The Court¹ and court personnel will comply with the Emergency Orders issued by the Supreme Court of Georgia, including conducting in-person proceedings when necessary according to the guidance issued by such court and governmental directives regarding social distancing, maximum group size, and other restrictions and precautions.
2. The Court and court personnel will make a good faith effort to conduct proceedings remotely so long as the rights of all parties and victims are afforded.
3. The Court Administrator², directly or indirectly, will maintain regular communication with the local health authority and will request the Court to adjust this operating plan as necessary.
4. For the sake of public health, all hearings³ will be conducted by Zoom except where Constitutional rights are invoked, specifically the right of confrontation, in which event the hearing will be held as provided herein.

PART TWO: JUDGE AND COURT PERSONNEL HEALTH

1. The area behind the glass on the main level of the Courthouse (referred to herein as the "Building") and the area behind the Judge's bench on the top floor shall be designated as the "Isolation Area". Except as provided in Item 2 of this Part Two, no one other than employees of the Juvenile Court and persons expressly approved on a case-by-case basis by the Judge or the Court Administrator shall be allowed to enter the Isolation Area. No one other than the Judge and the Community Resource Coordinator may enter the portion of the Isolation Area on the top floor without approval of the Judge or the Court Administrator. No one, other than the Judge, the Community Resource Coordinator, and the Court Administrator or her designee (if necessary) may enter the Judge's Chamber without the approval of the Judge or the Court Administrator. Subject to the provisions contained in Part Ten hereof, unless directed by the Judge or the Court Administrator, the Judge and court personnel in the Isolation Area are exempt from wearing face coverings in the Isolation area, but shall otherwise follow all of the guidelines set forth herein.
2. Excepted from the foregoing limitations on access to the Isolation Area is court security being allowed to move persons in custody from the sally port to the holding cells on the main floor and to the courtroom on the top floor using the back stairwell.
3. The Judge and Court Personnel Monitoring Requirements:
 - (a) The court will provide a thermometer and the Judge and all court personnel shall be tested and screened using questions to be determined by the Court Administrator. If the temperature

¹ Where used herein, the term "Court" with lower case shall mean and refer to the Presiding Judge, and the term "court" with lower case shall mean and refer to the overall Juvenile Court as an entity.

² Wherever used herein, the term "Court Administrator" shall mean and include the Court Administrator or her designee or designees for certain purposes.

³ Wherever used herein, the terms "hearing" or "hearings" shall mean hearings, reviews, calendar calls, status calls, arraignments, call calendar, and all other matters required to be on the record as well as off-record conferences.

is equal to or greater than 100.4°F, or if any personnel answers any of the screening questions in the affirmative, then that person shall follow those protocols as set out in Item 4 herein.

(b) Each member of the court personnel shall not utilize ink pens, computers or phones of any other personnel member or court personnel if possible. If it is necessary for such an item to be used the employee using the items shall sanitize said items before and after use.

(c) No court personnel shall congregate or enter any other personnel's workspace unless they can remain at least six (6) feet away from any and all court personnel.

(d) Not less frequently than every morning and every afternoon after lunch, each court personnel member shall use hand sanitizer or sanitizing wipes or spray to disinfect door handles and light switches in their individual workspaces. However, only disinfectant wipes should be used on phones or computer keyboards and computer mouse devices. Disinfectant wipes will be provided by the court for so long as they are reasonably available to the court.

(e) In accessing or touching documents, files or other tangible items that may have been previously touched by other court personnel or received from any non-court personnel, court personnel should immediately refrain from touching their face, eyes or mouths and shall immediately use hand sanitizer.

(f) Court personnel shall not congregate in any common areas for lunch and should take their lunch periods in their respective offices or outside the Juvenile Court building.

4. The Judge and any court personnel who fail the screening process described in Item 3 of this Part, or who feel feverish or have measured temperatures equal to or greater than 100.4°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, a rash, COVID toes⁴, chills, muscle pain, unusual headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 shall seek medical advice and will not be permitted to enter the building until approved by the Court Administrator. If the Judge or any court personnel have anyone residing in his or her household exhibiting any of the foregoing potential symptoms of COVID-19, he or she shall seek direction from the Court Administrator prior to entering the Building.
5. Further Protective Measures: If it is necessary to allow non-court personnel into the Isolation Area, court personnel authorized to work in the Isolation Area (using the standard social distancing criteria) must supervise such non-court personnel. The supervising court personnel shall require such non-court personnel to have to wear a face covering. If the non-court personnel present without a face covering, the court personnel member shall require the non-court personnel to wait in the exterior hallway until the non-court personnel has a face covering affixed. If necessary, the court shall provide an approved face covering. Non-court personnel should be directed to refrain from unnecessarily touching any items in the juvenile court facility unless otherwise directed or approved by court personnel. If such persons do need to touch anything within the facilities, the supervising court personnel shall sanitize any such items with which the non-court person had contact, immediately after the non-court person leaves the juvenile facilities.

PART THREE: VULNERABLE PERSONS

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose

⁴ COVID toes are indicated by the toes being purple similar to frostbite.

immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable persons.

2. The court will include information on orders setting hearings, docket notices, and in other communications notifying individuals who are “vulnerable persons” of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice with this information will be posted in visible locations throughout the court building.
3. Vulnerable persons who are scheduled for court will be provided face coverings if they do not have their own and given the opportunity to access the hearings via video conferencing preferably off-site, but when necessary within the building as provided herein.

PART FOUR: SOCIAL DISTANCING

1. All persons not from the same household⁵ who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet.
2. All persons who are physically able to use the stairs to travel between floors are requested to do so. For those persons who are not physically able to use the stairs, or for those persons who insist on using the elevator, no more than one individual, not from the same household, may use the elevator at the same time. Throughout the day, court security personnel shall sanitize the buttons at appropriate intervals throughout the day based on the volume of traffic.
3. The restrooms have been evaluated to determine the maximum capacity to ensure adequate space for social distancing requirements. All court personnel and non-court personnel persons should comply with such restrictions. The Court Administrator may, in her discretion, designate certain restrooms for use by court employees only.
4. The Building is closed to group gatherings, except in extraordinary circumstances and then only with the approval of the Court Administrator.

PART FIVE: IN-PERSON HEARINGS

1. As stated hereinbefore, the Judge and court personnel will make a good faith effort to conduct proceedings remotely so long as the rights of all parties and victims are afforded.
2. The return to routine in-person hearings will occur no earlier than the first day of January, 2021. After returning to routine in-person hearings, until further order of this Court, dockets will continue to be set the same as they have been under the judicial emergency so as to limit the number of persons present in the waiting rooms.
3. Confrontation rights are acknowledged and valued and shall not be diminished or abridged in any way. The rights of victims and other witnesses are also acknowledged and respected and this Protocol attempts to afford parties the opportunity to invoke their right to confrontation while still maintaining the safety of all persons involved in a case. Where the balancing of these interests cannot be achieved, then the Court shall continue the hearing until the public health emergency abates.
4. For planning purposes, the presumption shall be that all parties consent to conducting all hearings remotely and that said parties voluntarily and freely waive any confrontation rights

⁵ Acknowledging the diversity of families served by this court, the term “household” shall mean and include persons regularly residing in the same home, but may be expanded on case-by-case basis by the Court Administrator or her designee.

under the law. Notwithstanding that presumption, where confrontation rights are not invoked, a waiver of said rights shall be put on the record at each hearing.

5. Should a party vested with confrontation rights invoke those rights, said party shall do so by notifying the Court in writing as soon as possible so as to not delay any hearings, but in any event, no later than two weeks in advance of said hearing. In extraordinary circumstances and for good cause, the Court may waive this time frame. Since the confrontation right may be invoked as to certain witnesses, but not as to all, the attorney for the party invoking the right shall provide to the Court and to all other parties a list of the witnesses known to the attorney who will need to testify in person.
6. As soon as it is known by the attorney for the Petitioner that a witness or witnesses is required to testify in person, said attorney shall contact the witness and determine whether said witnesses are willing to testify in person. If so, the case shall be tried as provided for herein. If not, then the Court shall continue the case until circumstances change sufficiently so as to allow the case to be tried.
7. Where confrontation rights are not invoked, but where it is necessary for a witness or party to participate in the hearing at the Building, provisions will be made for the party or witness to participate remotely in one of the waiting rooms.
8. Where confrontation rights are invoked the party invoking the confrontation rights, such party's counsel and, if the person invoking confrontation rights is a child, the child's parent or parents, shall be allowed to participate in the hearing in the Courtroom. In such event, in addition to those individuals, only the judge, court security, and court personnel designated by the Court Administrator may be present in the Courtroom. The hearing will be conducted in a manner that all persons other than a child and the child's parent or parents are social distanced in the Courtroom and in all areas used by witnesses and other authorized persons to get into the Courtroom.
9. Except as provided for herein, should any non-party desire to observe any hearing, he or she will be requested to view the hearing by Zoom at some location of his or her choosing outside the Building and the login information will be provided to such person. Should any person need to, or insists on, observing any hearing at the Building, such person may observe the hearing in a room designated for that purpose by Zoom using equipment to be provide and set up by court personnel so long as there is space available with social distancing.

PART SEVEN: ENTRY INTO THE BUILDING

1. County employees associated with the Juvenile Court, law enforcement officers, attorneys and their employees, Court Appointed Special Advocates staff and volunteers, and DFCS and DJJ employees may enter the lobby area without advance notice, but only after submitting to the screening procedures provided for herein and after approval by the court security personnel performing the screening.
2. Any other person desiring to enter the Juvenile Court building is requested to call the Court at (706) 883-1735, Extension 3, prior to entering the Juvenile Court Building.
3. Except for those persons described in Item 1 of this Part of the Protocol, after calling in or checking in with the court security personnel at the entry to the Building, all persons are required to wait in their car or outside the Building until given permission by phone, text or otherwise to enter the Building, including all parties, witnesses and citizens in general.

4. Anyone entering the building other than court personnel in the Isolation Area are requested to wear face coverings. Face coverings will be provided upon request.
5. There will be designated waiting areas in the lobby of the Building. Anyone entering the Building, unless otherwise directed by the court security personnel, shall stand in one of those designated areas until directed otherwise. Only persons living in the same household may stand in any such designated area at any one time and no more than two people may wait in the designated waiting area directly in front of the service window.
6. As with all areas in the Building other than the Isolation Area, all parties, attorneys, witnesses and other persons in the Courtroom are encouraged to wear Face coverings, and if they have none the court will provide the same to them. All court and non-court persons shall utilize hand sanitizer upon entry to and exit from the Courtroom, even when used upon entry into the Building. While in the Courtroom, no court personnel or non-court persons shall be allowed to be within six feet of another person unless such persons are from the same household. The maximum capacity of the Courtroom will be monitored and enforced by court personnel and court security.
7. The Court Administrator shall arrange for and facilitate the marking of all seating areas in the Building to identify safe and appropriate locations in compliance with rules for social distancing. In the Courtroom, the counsel tables shall be limited to three chairs on the right side that faces the bench and one chair on the left side that faces the bench, the witness stand, the judge's bench, the court reporter (where applicable), two chairs for court personnel, and seating for court security as needed and appropriate.

PART EIGHT: HYGIENE

1. Hand sanitizer shall be placed at the entrance to the Courtroom and in an area that is easily accessible at each seat in the Courtroom.
2. In the Courtroom, tissues shall be placed in an area that is easily accessible at each seat in the Courtroom.
3. This Protocol shall be available to inspection by the Judge, court personnel and non-court personnel upon request, and shall be posted on the Troup County Board of Commissioners' website for public access. COVID-19 and selected safety procedures shall be posted in multiple locations throughout the Building within a reasonable time following adoption by the Court, and shall remain posted until otherwise determined by the Court.

PART NINE: SCREENING

1. All persons other than the Judge and court personnel shall be required to enter the Building through the main door to be screened. The Judge and court personnel may enter the Building through the main door or the sally port, but must immediately report to the main door to be screened. When individuals attempt to enter the Building, they shall be screened by court security personnel who will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19.⁶ Individuals who indicate yes to any of these questions will be refused admittance to the court building. Court security personnel shall self-screen before

⁶ The screening questions must be approved by the Court Administrator and may change from time to time and will likely change soon to conform more closely to the symptoms described in Item 4 of Part Two.

entering the Building and shall then be screened by the Court Administrator or one of her designees at the beginning of each day.

2. When non-court individuals attempt to enter the Building, court security personnel shall utilize a thermometer to determine the temperature of the individual. Any individual whose temperature is equal to or exceeds 100.4°F will be refused admittance to the Building.
3. Inmates being transported from the jail or youth being transported from the YDC to the court building will be screened for symptoms of COVID-19 and have their temperature taken by the Sheriff's Department before they leave the facility from which they are being transported. Inmates and detained youth with COVID 19 symptoms or a temperature equal to or above 100.4°F will not be transported to the court building
4. Deputies who screen individuals entering the Building shall wear face coverings and if they do not provide their own, one will be provided from court supplies.

PART TEN: FACE COVERINGS

1. All individuals entering the Building will be encouraged to wear face coverings at all times.
2. Individuals will be encouraged to bring appropriate face coverings with them, but if the individual does not have a generally approved face covering, one will be given to them by the Court.
3. Notwithstanding any other provision contained herein, face coverings shall be worn anytime social distancing cannot be maintained except as to members of the same household. Provided further, in those cases where parties, attorneys, witnesses, court personnel, or the general public are physically present in the Building to participate in a Hearing or other necessary court matters, upon the request of any person, all persons in the same room or area as that person shall be required to wear a face covering.

PART ELEVEN: CLEANING

1. The court personnel and court security shall make its best efforts to ensure that the Building is cleaned as directed by the Court Administrator and the head of court security, daily and that any relevant or affected areas are cleaned between in-person hearings and as often as needed.
2. Court security assigned to the Courtroom during in-person hearings shall ensure that all non-court individuals entering the Courtroom sanitize their hands with hand sanitizer upon entering and exiting the Courtroom. Court security shall then wipe or spray disinfectant on any item touched by such non-court individual in the gallery area of the Courtroom and court personnel shall do the same for the area between the bar and the bench.
3. At the end of each day the Courtroom is used by anyone other than the Judge, Court personnel and court security shall insure that the Courtroom and any and all surfaces that have been touched is disinfected.
4. Additional provisions relative to cleaning shall be provided for in a separate document to be approved by the Judge, Court Administrator and head of court security.

PART TWELVE: EFFECTIVE DATE

This Protocol shall be effective as of the date and time stated in the Standing Order to be entered by the Judge and shall remain in effect until terminated or amended by the Judge.