

Protocol for Reopening the Courthouses of the Augusta Judicial Circuit
To Normal Court Operations

Purpose. The purpose of this plan is to provide guidance for the orderly and safe return to normal court operations in anticipation of the Georgia Supreme Court lifting the Emergency Stay placed upon the Court due to the Covid-19 pandemic.

Underlying Premise. Each class of Court recognizes that Justice delayed is justice denied. The public and litigants have a fundamental right to access the courts of Burke, Columbia and Richmond counties to seek relief and have their cases heard. With that said, nothing in this guide shall compromise the health, safety and welfare of the public, court personnel, and employees. Social distancing protocols will be practiced throughout the courthouses of the Augusta Judicial Circuit.

PPE Requirements. County governing authorities may require masks, gloves and or other PPE to ensure the safety of the public in the courthouse. Masks and other PPE is required upon entry to the courthouse. Judges will require PPE in their respective courtroom provided it does not interfere with court testimony, court reporting and other essential court activities.

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 sheriffs should work cooperatively to allow defense counsel to privately meet with their clients in the jail while protecting all persons from potential exposure to Covid-19. Attorneys must follow the process for meeting with their clients at each detention center.

Prior to July 12, 2020 – By Court approval/Order

Beginning July 12, 2020 – The Charles B. Webster Detention Center and all detention centers in the circuit will allow attorneys with upcoming bench trials face-to-face meetings with inmates with proper protocols in place.

Beginning August 1, 2020 - The Charles B. Webster Detention Center and all detention centers in the circuit will allow all attorneys face-to-face meetings with inmates with proper protocols in place.

Grand Jury. Upon approval by the Georgia Supreme Court, the Grand Jury of each county of the Augusta Judicial Circuit may convene consistent with their respective terms of court and consistent with the guidance of the Georgia Supreme Court (July 10, 2020). Grand Juries must follow social distancing protocols and be directed to use a courtroom or alternative space sufficient for their needs.

Resumption of Court Schedule. This timeline represents a phasing in of court operations:

Beginning May 18, 2020 – As the public is allowed to return to courthouses, Judges may schedule hearings consistent with the provisions allowing same under the Georgia Supreme Court Declaration of Statewide Judicial Emergency.

Beginning June 15, 2020 – Judges will be able to conduct pretrial hearings and motions. Case managers should stagger the reporting times to effectively limit the number of persons in each courtroom during each hearing (for instance, during a calendar call have 10 cases scheduled for 9am, 10 cases for 10am, etc.) Ideally, no more than 10 cases per hour. Each judge will have discretion to increase or decrease the numbers as necessity dictates but to reasonably comply with social distancing protocols. All

arraignments and bond hearing in jail cases will continue via video conferencing and in civil/domestic cases, Judges may continue to use A/V conferencing where possible;

Beginning July 6, 2020 – Judges will be able to conduct bench trials. Depending on the interest of the public, an additional courtroom may be required where a monitor may be placed for public viewing; and

Upon approval of the Georgia Supreme Court – Judges will be able to conduct jury trials. This will require a large courtroom where the jury will be placed in both the jury box and a portion of the gallery that will be roped off for their use. The other side of the gallery will have limited public seating where benches will be marked to indicate where the public can safely sit. Security should monitor the space between the gallery of jurors and the public gallery. Additionally, a small courtroom should be used as the jury deliberation room. And in the event of significant public interest, a monitor should be setup in a third courtroom for public viewing. Judges will have the sole discretion as to how best to implement this practice. If possible, no jurors should be summoned on the same day as a jury calendar call. Allowing the calendar to take advantage of potential dispositions and for the judge to determine case(s) actually requiring a jury prior to requesting the jury will limit the number of persons in the courthouse.

Courthouse Access. 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 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 and potential jurors report for duty. 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.

Security staff will not allow members of the public to gather in common areas. Security will direct the public to their respective destination. It is suggested for those using elevators that no more than four (4) persons be allowed on an elevator at any given time.

Clerks/Jury Clerks. It is anticipated that fewer jurors will report than did prior to the pandemic. Summoning more jurors than usual in order to get the required number is suggested. When jurors are summoned for the week of August 17, 2020 or later, the following guidance is suggested.

1. In jury assembly rooms, seating should be marked to accommodate as many potential jurors as possible while practicing social distancing. Any additional seating (overflow) should be directed to the closest courtroom practical. Orientation may have to be staggered in two (2) or more sessions with the first group of oriented jurors available for voir dire.; and
2. Juror “call in” lines should indicate the heightened need for jurors, that PPE (masks, gloves, and hand sanitizer) will be available in limited quantities, and potential jurors are encouraged to bring their own.
3. After jury orientation, judges may direct jury selection – striking a jury – in the jury assembly room or other room designated for such purpose before moving to a courtroom for the start of the trial.

Coordination of Courtroom Needs. As the courthouses of the Augusta Judicial Circuit begin to return to normal operations, communication will be of utmost importance. Judicial Case Managers and Judicial Assistants should coordinate with the Superior Court Administrative Assistant for the number of courtrooms needed. The administrative assistant will work with each Clerk of Court and Courthouse Security to resolve any issues that may arise from the increase need for courtroom space. Together, we can make this process work for members of the public, litigants, and employees of Burke, Columbia, and Richmond Counties.

Please note the social distancing capacity for courtrooms provided below is demonstrative of the challenges the Court is facing as we move toward normal court operations. With these limitations, ***it may become necessary for the Court to Order non-traditional and/or existing facilities to be used for court purposes including jury trials.***

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. It is the goal of the Augusta Judicial Circuit to operate in a manner which instills public trust and confidence in the court system.

Space and Facilities in Consideration.

Courthouse – Courtroom # - Normal Capacity/Social Distancing Capacity

Note: Total Capacity is based on Fire Marshal room limits and Social Distancing includes employees.

Burke County Courthouse

Courtroom 1- 160/45 2 – 108/39 3 – 100/33 4 – 100/33

Burke County (former) Courthouse/Government Center

Courtroom 1 – 150/43

Columbia County Courthouse

Courtroom 1 – 88/33 2 – 126/42 3 – 88/33 4 – 88/33

Appling Courthouse

Courtroom 1 – 80/30

Richmond County Courtrooms

2A - 24 /15 2B - 24/14 2C - 24/12 2D – 24/12 2E - 135 /43 2F - 115 /39 2G -80/30 2H - 80/30

3A - 28/19 3B - 28/15 3C - 24/13 3D - 24/13 3E - 115/37 3F - 115/37 3G - 80/30 3H – 80/30

Jury Assembly – 451/60

Augusta-Richmond County Municipal Building Courtroom

Courtroom/Commission Room – 196/50 plus additional 30 with monitors outside the doors

401 Walton Way Courtrooms