

DOUGLAS COUNTY JUVENILE COURT COVID-19 OPERATING PLAN

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges and court personnel, and any other individual entering the courthouse for business in the Juvenile Court, this Court will implement the following Operating Plan during the existence of the COVID-19 Pandemic.

GENERAL

- All judges and court personnel shall comply with the Emergency Orders issued by the Supreme Court of Georgia and Chief Superior Court Judge of Douglas County, including conducting in-person proceedings according to the guidance issued by such court and governmental directives regarding social distancing, maximum group size and other restrictions and precautions.
- All judges and court personnel will use reasonable efforts to conduct proceedings remotely.

JUDGE AND COURT STAFF HEALTH

- Juvenile Court staff who wish to telework should meet with their supervisor, the Clerk of Court, Donna Wentz.
- Juvenile Court staff shall wear masks at all times unless in their personal office that includes a door. Cubicles are not considered personal offices. Judges are not required to wear masks while on the bench and conducting hearings.
- Juvenile Court staff shall not utilize ink pens, computers or phones of any other staff member without the items first being sanitized.
- No staff shall congregate in another person's workspace unless they can maintain social distancing from each other and wear a mask.
- Juvenile Court staff shall use hand sanitizer and sanitizing wipes or spray disinfectant (provided by the county) to wipe down their workstations as well as the courtroom work stations at the beginning and end of each day.
- Court personnel should regularly wash their hands and use hand sanitizer consistent with the CDC Guidelines.
- Court personnel shall ensure they practice social distancing while using the breakroom/kitchen area; sanitizing used areas before and after use.
- Juvenile Court Staff shall follow the Douglas County Courthouse guidelines as set forth by the Superior Court Order entitled Order Regarding Court Procedures Due to Covid 19 Pandemic for Douglas County Judicial Circuit.
- Juvenile Court Staff shall follow the Douglas County Covid 19 exposure protocol attached hereto as Exhibit A.

SHEDULING OF HEARINGS

The following court schedules are established to reduce occupancy in the courthouse and in the Juvenile Court courtrooms. Juvenile Court will follow Uniform Juvenile Court Rule 12.1 and 12.2 when conducting hearings by phone or video conference. In the event a

party is unable to participate in a video hearing, said party shall contact their attorney immediately. If they do not have an attorney, the party shall contact the Clerk's Office to make alternate arrangements for participation in the hearing.

1. ESSENTIAL HEARINGS

Essential hearings are subject to interpretation; however, some matters that fall into the essential function category are, at a minimum:

- (a) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available;
 - (b) juvenile court delinquency detention hearings and emergency removal matters.
- Factors that could be considered in determining if a hearing is essential are:

- Whether or not there has been a finding a probable cause finding after a preliminary hearing or waiver thereof for a child who has been removed from the home into foster care or detention
- Whether or not there has been an adjudication of delinquency for a child who remains detained after a detention hearing or a waiver thereof;
- Whether or not any party has filed a petition and/or motion requesting an immediate change in a child's custodian/guardianship circumstances.

As to *essential hearings*, the same shall be scheduled under the normal rules existing in the provisions of Title 15 of Chapter 11 of the Official Code of Georgia Annotated except that, at the court's discretion, said hearings may be held via videoconferencing so long as said hearing(s) comport with due process of law.

2. NON-ESSENTIAL HEARINGS

- (a) Non-essential hearings shall be scheduled using the timelines established by the provisions of Title 15, Chapter 11 of the Official Code of Georgia Annotated and the tolling periods in the Judicial Emergency Orders AND SHOULD BE SCHEDULED AS REMOTE VIDEO HEARINGS when practical to do so.
- (b) A "calendar call" may be conducted by the Court and further direction given as to times assigned per case OR the Clerk of court or such other designated court personnel member shall assign specific times assigned to each case and notify all attorneys, CASA, probation and pro se litigants. Attorneys shall provide all video conference information to their clients and witnesses.
- (c) If any litigant does not have access to the technology necessary to participate in a video conference, the court should direct the pro se litigant or their attorney to contact the assigned clerk and alternate arrangements should be made to allow the litigant to participate in the hearing. If necessary that a continuance be granted to effectuate alternative arrangements, the court should grant such a continuance for good cause shown.

- (d) Each court should develop and provide written instructions to each attorney and/or pro se litigant on how videoconference hearings will be conducted along with the virtual location of said hearing.

3. DELINQUENCY and CHINS ADJUDICATION HEARINGS and CONTEMPT MATTERS

- a. All delinquency and CHINS adjudication hearings and contempt matters shall be held in-person unless said requirement is waived by the parties.
 - b. In each case where a delinquency or CHINS adjudication hearing or a contempt matter is required, the court should inquire of the parties whether they are amenable to conducting a videoconference hearing. If the parties do not desire to do so, the court may, at the court's discretion, enter an order in any individual case requiring the time requirements set forth under the normal rules existing in the provisions of Title 15 of Chapter 11 of the Official Code of Georgia Annotated to be instituted and thereafter schedule an in-person hearing following the guidelines and directives set forth herein OR the court may continue the matter until after the Judicial Emergency Order terminates.
4. The Court shall ensure that the public has access to view all hearings that are open to the public pursuant to O.C.G.A. 15-11-700. Should said access be restricted to internet access only, the Court shall adhere to the notice and procedure requirements set forth in Amended Uniform Court Rules 12.2 (e)(4). The courtroom doors shall remain unlocked when court is in session.
 5. Recording of hearings – Regardless of the method of hearing, Uniform Juvenile Court Rule 13 shall apply.
 6. Uniform Juvenile Court Rule 12.2 shall be followed when conducting video conference hearings. Courts shall ensure confidential attorney-client communication is possible so that clients and attorneys have a private means of communications when in different locations.

VULNERABLE PERSONS

1. "Vulnerable Persons" are defined as 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 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 and/or Clerks should include information with notices and/or 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 should also be posted in conspicuous locations around the court building.

3. Every effort should be made to eliminate the need for vulnerable persons to attend court in person. Should the court be unable to make such accommodations, vulnerable persons who are scheduled for court will be accommodated by being provided masks if they do not have their own and by additional efforts to ensure that their exposure to communicable diseases is reduced to the greatest extent possible. If necessary that a continuance be granted to effectuate such accommodations, the court should grant such a continuance for good cause shown.

COURTROOM PROCEDURES

- All persons not from the same household who are permitted in the courthouse will be required to wear a mask and maintain social distancing.
- Juvenile office non-court common areas shall be closed to group gatherings. The Juvenile Court Reading Room will be closed until further notice.
- Traditional seating assignments in courtrooms will be altered so that social distancing shall occur. Signs are in place in the courtrooms to show seating assignments. Court personnel may be limited due to social distancing guidelines.
- In the event more than the maximum number of people allowed per courtroom are required to be present for a hearing, Juvenile Court will contact the Superior Court's Court Administration Office to reserve a larger courtroom so that appropriate social distancing can occur.

HYGIENE

- Hand sanitizer stations are available in the public areas of the courthouse and have been provided by the Douglas County Board of Commissioners through Building Maintenance.
- Tissue boxes will be available in the courtroom upon request.

SCREENING

- The Douglas County Sheriff's Office is screening the public as they request entry into the courthouse. For specific screening measures, refer to the Order regarding court procedures due to Covid 19 Pandemic for Douglas County Judicial Circuit. Facial Coverings are required for entry into the courthouse and while conducting business in the courthouse.

CLEANING/DISINFECTING

- The County shall ensure that courthouse cleaning staff will clean the common areas of the courthouse including the Juvenile Court areas. Areas such as door handles and handrails will be wiped down several times throughout the day. In addition, courtrooms shall be disinfected by night cleaning staff after any day the courtroom is in use and non-judicial personnel have been present in the courtroom. Court staff will notify the Judicial Assistant to make the appropriate request for this procedure.