

**IN THE SUPERIOR COURTS OF THE OCMULGEE JUDICIAL CIRCUIT
STATE OF GEORGIA**

**AMENDED LOCAL JUDICIAL EMERGENCY ORDER CONCERNING
RESUMPTION OF GRAND JURIES**

WHEREAS, on March 14, 2020, Chief Justice Harold Melton of the Supreme Court of Georgia entered an order declaring a state-wide judicial emergency. Thereafter, the Chief Justice has entered a series of orders extending the state-wide judicial emergency, with certain modifications and guidance. The most recent of these orders is dated September 10, 2020, and the Courts of the Ocmulgee Judicial Circuit are bound by it, except to the extent that the Chief Judge may properly add additional restrictions.¹

WHEREAS, since the entry of the Chief Justice's original order, this Court has entered orders to confirm and implement the provisions of that order and its extensions. Those orders are incorporated herein by reference, except as may be in conflict with the Chief Justice's order of July 12, 2020 or as modified herein.²

WHEREAS, the Chief Justice's Order on the Judicial Emergency dated September 10, 2020 now permits those proceedings to begin, this Court allows Grand Juries to re-commence, provided they are conducted in accordance with the safety guidelines outlined below.

WHEREAS, this Court finds that there continues to be a state of emergency in the Ocmulgee Judicial Circuit as to the continued transmission of Coronavirus/COVID-19 throughout the counties of the Ocmulgee Judicial Circuit and the potential infection of those who are required to appear in courts and interact with large groups due to jury service and other large, non-essential calendars. In order to protect the health and safety of all court personnel, attorneys, litigants, and the general public, and to continue

¹ According to Section V of said Order, "[n]othing in the Order Declaring Statewide Judicial Emergency as extended and modified limits the authority of the Chief Judge of a superior court judicial circuit under OCGA §§ 38-3-61 and 38-3-62 to add to the restrictions imposed by the statewide judicial emergency, if such additional restrictions are constitutional, necessitated by local conditions, and to the extent possible ensure that courthouses or properly designated alternative facilities remain accessible to carry out essential judicial functions. A Chief Judge may impose such additional restrictions only be properly entered order."

² "Order Declaring Judicial Emergency" entered on March 12, 2020; "Order Establishing Guidelines to Conduct In-Person Proceedings During Statewide Judicial Emergency" entered on June 18, 2020; "Amendment to Order Establishing Guidelines to Conduct In-Person Proceedings During Statewide Judicial Emergency" entered on June 20, 2020; "Standing Order on Videoconference Proceedings During Statewide Judicial Emergency" entered on July 13, 2020; "Standing Order on Videoconference Proceedings During Statewide Judicial Emergency" entered on July 16, 2020.

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BALDWIN COUNTY, GEORGIA

the orderly operation of the courts, and pursuant to the authority listed in O.C.G.A. § 38-3-60(2)(D) and O.C.G.A. § 38-3-61, a judicial emergency is declared and continued by this Order, and shall affect all courts and clerk's offices in the Ocmulgee Judicial Circuit.

WHEREAS this Circuit has developed guidelines in compliance with the second state-wide judicial emergency order issued by the Supreme Court of Georgia on May 11, 2020 to begin the process of resuming in-person proceedings.

WHEREAS, there have been no grand juries convened in the Ocmulgee Judicial Circuit since March 14, 2020. Due to the Judicial Emergency, the statutory commencement dates for Grand Jury in each County has passed, O.C.G.A. § 15-6-3(28), therefore requiring that those Grand Juries be rescheduled for this term only to commence on the dates listed below.

IT IS THE ORDER OF THIS COURT AS FOLLOWS:

1. The restrictions in place with regards to in-person proceedings as issued on June 18, 2020, not otherwise addressed or amended in this Order, shall remain in full force and effect.
2. No traverse jurors shall be summoned until further notice of this Court.
3. The Grand Jury shall commence and be convened as follows:
 - a. Jones County on October 6, 2020
 - b. Jasper County on October 8, 2020
 - c. Wilkinson County on October 13, 2020
 - d. Greene County on October 15, 2020
 - e. Morgan County on October 19, 2020
 - f. Hancock County on October 26, 2020
 - g. Putnam County on November 2, 2020
 - h. Baldwin County on November 4, 2020

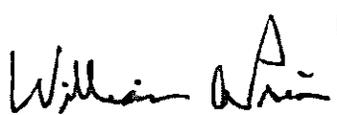
Those Grand Juries shall remain until all business of the Court is concluded, or until further order of this Court.

4. No less than twenty (20) days before the above-listed commencement dates, the Clerk in the listed County shall choose and summon a sufficient number of Grand Jurors to serve, O.C.G.A. § 15-12-62.1.
5. The packet delivered with the summons shall include any relevant instructions to the Grand Jurors and description of measures taken to ensure their safety while in and around the courthouse.

6. The Clerk is authorized to entertain requests for excusals by summoned jurors, and is authorized to excuse all that are supported by legal and statutory grounds. In addition, in order to minimize the number of potentially contagious individuals near jurors or courthouse personnel, the Clerk is permitted to excuse any juror who reports illness during the week prior to the Grand Jury convening.
7. The night before the Grand Jury's attendance, courthouse custodial staff will thoroughly clean and disinfect the courtroom, bathrooms, anterooms, and any expected pathway from the entryway to the courtroom. If the Grand Jury should meet for more than one day, the same areas will be cleaned and disinfected after each day of deliberations.
8. The Grand Jurors will be summoned to, convene in, and deliberate in the largest courtroom in the respective county to allow for appropriate social distancing.
9. Bailiffs, Deputies, and courthouse personnel shall wear masks at all times when interacting with Grand Jurors. Jurors not wearing a mask will have a mask provided to them and be asked to wear it properly.
10. On the morning the Grand Jury is summoned, trained bailiffs will meet the jurors outside the courthouse where all jurors will be asked to remain more than six (6) feet away from any other individual at all times during their service. Bailiffs will inquire whether jurors are showing any active signs of either illness or infection. Any reported or observed symptoms shall be documented, along with the name of the summoned juror, and submitted to the presiding Superior Court Judge. Unwell jurors will not be permitted entry into the courthouse. If, at any time during the jury's service, an individual becomes, or appears to become, ill, that juror shall be excused from service immediately.
11. All summoned Grand Jurors shall, upon arrival at the courthouse, be tested with a non-invasive temperature check. Any Grand Juror with a temperature in excess of one hundred and four-tenths (100.4) degrees shall not be permitted entry. The Clerk will note the name and temperature of any juror excused for this reason.
12. Bailiffs will seat the first twenty-eight (28) jurors in the courtroom and all other arriving jurors will be seated in an overflow area. All jurors will be seated in a manner that will provide the appropriate social distance between each other.
13. All witnesses and presenters to the Grand Jury shall wear a mask at all times. If necessary for the members of the Grand Jury to understand the testimony of the witness, the witness may remove their mask for the purpose of testimony so long as the witness is appropriately distanced.

14. All court officers who enter the Grand Jury room shall wear a mask at all times while inside the room, except as necessary for clarity and communication.
15. If a Grand Jury meets on consecutive dates, the room in which the Grand Jury meets shall be cleaned and disinfected after each day of deliberations.
16. There will be no inspections of any county offices until conclusion of the Judicial Emergency or further order of this Court.
17. When given a break or at the conclusion of the day, jurors will be asked to depart the courtroom in a manner that maintains sufficient safe distance between them.
18. Pursuant to O.C.G.A. 38-3-63, the Sheriffs of the counties of the Ocmulgee Judicial Circuit shall post this Order in their respective notification sites, the Clerks of the Superior Court of the counties of the Ocmulgee Judicial Circuit shall post this Order in an area accessible to the public, a copy of this Order shall be served on all judges of the Superior Courts of the Ocmulgee Judicial Circuit and this Order shall be immediately served upon Chief Justice Harold D. Melton of the Supreme Court of Georgia, and the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, and this Order shall be published on each of the Superior Court Clerk's websites and the Court Administrator's website for notice to affected parties, counsel for the affected parties and the public.

SO ORDERED, this 11th day of September, 2020.



The Honorable William A. Prior, Jr.
Chief Judge, Ocmulgee Judicial Circuit