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Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

**In Re: Amended Courthouse *
Safety Guidelines, * 22-1-0005

**ORDER AMENDING COURTHOUSE SAFETY GUIDELINES
FOR ALL CLASSES OF COURTS**

Since the inception of COVID-19 pandemic the Cobb Courts have strictly followed the changing CDC and DPH public health recommendations while some parts of society have returned to business as usual more quickly. The cautious approach employed in the courts was 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 to attend or not. However, vaccines have become widely available to every Georgian, and at this time, remaining unvaccinated is—in most circumstances—a matter of choice and not driven by limited availability.

On February 25, 2022 the CDC substantially revised its public health recommendations based on studies of the disease over time and the need to shift the focus on high risk people and strain on the healthcare system. The new CDC recommendations employ a “Low, Medium, and High” COVID-19 risk levels 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

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

**GENERAL COURTHOUSE OPERATIONS WHEN COBB COUNTY IS IN
“HIGH” COVID-19 RISK CATEGORY**

IT IS HEREBY ORDERED masks are required for entry into the courthouse and must be worn in all public areas of the courthouse including the courtrooms, except when permitted to be removed to speak by the presiding judge.

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.

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

GENERAL COURTHOUSE OPERATIONS WHEN COBB COUNTY IS IN “LOW” OR “MEDIUM” COVID-19 RISK 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 are 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.

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.

WHEN COBB IS IN A “LOW” or “MEDIUM” COVID-19 RISK CATEGORY
IT IS HEREBY ORDERED WITH REGARD TO JURY TRIALS:

- Masks are *strongly encouraged* in the jury assembly room due to the numbers of people congregating in that room and the duration that they stay there.
- Social Distancing in the Jury Assembly Room 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 is modified as follows:
 - Jurors that wish to sit in the jury box without regard to social distancing, may do so.
 - Jurors that 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 utilized at the discretion of the presiding judge.

WHEN COBB IS IN A "HIGH" COVID-19 RISK CATEGORY

IT IS HEREBY ORDERED WITH REGARD TO JURY TRIALS:

- Masks are required in all areas of the courthouse, including the jury assembly room and the courtrooms.
- Judges may permit mask removal by any person addressing the court or the jury.
- Social distancing of six (6) feet will be observed in the jury assembly room and the courtrooms.
- Special jury deliberation rooms that will accommodate six (6) feet of social distancing will be utilized.

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

IT IS FURTHER ORDERED that the Court Administrator 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 shall immediately notify and serve a copy of this Order and attached Memorandum and Guidelines on the judges and clerks of all courts sitting in this circuit.

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

IT IS FURTHER ORDERED that previous 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 modified by further order of this Court.

This 1st day of March, 2022.



Robert D. Leonard II
Chief Judge, Superior Court
Cobb Judicial Circuit