

Council of Accountability Court Judges



Pandemic Guidelines

January 27, 2021

Pandemic Policy Guidelines and Recommendations

In response to the COVID-19 pandemic, Georgia's accountability court programs have had to quickly adjust policies and procedures to ensure that participants, team members, court staff, and other stakeholders remain safe and healthy while continuing to effectively serve the community. To support the programs, the Council of Accountability Court Judges (CACJ) requested that each team submit their program's pandemic policies. CACJ staff reviewed each program's pandemic policies and noted the common, and often creative, practices around the state. The following guidelines highlight these practices in conjunction with guidance from state and national partner agencies.

This document is specific to activities carried out by accountability courts such as drug screening, field surveillance, treatment, and more. These guidelines should be used in conjunction with best practices disseminated by local, state, and national health organizations. This document is not intended to supersede local, state, or judicial emergency orders. It is up to your team to ensure that all services provided during a pandemic are done so safely and follow all applicable laws and emergency orders.

The document is organized into sections by the accountability courts' primary functions. Each section contains recommendations for when conditions require the most restrictive policies, such as during stay-at-home orders or quarantine. Then there are recommendations that programs may employ as restrictions are lifted and teams transition back to normal operations. The recommendations should not be considered exhaustive and your program may implement policies that better fit your local jurisdiction.

As always, please contact a CACJ staff member if you have questions or would like to request technical assistance.

Table of Contents

Referral and Intake.....	1
Staffing and Team Meetings	2
Accountability Court Hearings	3
Treatment	5
Case Management.....	7
Drug Screening	9
Community Surveillance	11
Sanctions and Incentives.....	12
Graduations	13
Terminations	14
Additional Resources	15
Appendix A.....	16
Appendix B	17

Referral and Intake

The work of accountability courts does not go away during a pandemic. The stress and uncertainty involved may even increase substance use and exacerbate mental health disorders. Accountability court teams must consider, with input from all team members, if they can effectively treat and supervise new participants during a pandemic.

Most Restrictive Conditions:

- Participant referrals may be accepted, preferably electronically or via phone.
- If the program is not accepting new participants, a waitlist should be maintained to begin accepting them once the lockdown is lifted and it is safe to do so.
- If the program is accepting new participants, potential participants should meet virtually with a defense attorney to discuss the terms of participation and the possible outcomes on their case.
- Risk and needs screenings should be conducted virtually through a secure, virtual platform to protect health information.
- Each new participant should be staffed with the full team virtually. Special consideration should be given to the participant's treatment needs.
- Pleas and program entry should be conducted adhering to local courthouse rules and emergency orders. Ideally, hearings should be conducted virtually with access to a defense attorney.

Returning to Normal Operations:

- If the program created a waitlist, they should begin reviewing participants in the order they were received. Participants who are incarcerated should be reviewed and staffed as soon as possible.
- The program should continue to encourage electronic or phone referrals to avoid unnecessary contacts and passing papers.
- Where possible, interactions should continue virtually. If attorney meetings or clinical screenings must occur in person, all parties should wear masks, utilize hand sanitizer, maintain appropriate distancing, and minimize passing materials back and forth. Consider using partitions when available or meeting outdoors in the case of individuals who are not incarcerated.
- In addition to completing required paperwork, participants should complete a health and symptom screening form (see Appendix A for a sample form).

Staffing and Team Meetings

Staffing remains an integral part of accountability court operations and every effort should be made to thoroughly discuss each participant's successes and setbacks. It may be beneficial to set aside separate time to discuss policy issues, especially topics relating to pandemic operations.

Most Restrictive Conditions:

- The team should meet virtually to discuss participant updates. While video conferencing is preferred, phones may be used where software or connectivity is an issue.
- The coordinator, or other assigned team member, should email staffing notes to the team at least 24 hours prior to the meeting.
- All team members should attend regularly and contribute to the discussion. One team member should be assigned to lead the meeting to ensure efficiency.
- Virtual meetings should be secure and, ideally, password protected. Do not share links with anyone who would not be permitted to attend staffing in person. Consider using breakout rooms or a separate meeting if a special guest is required for a participant.
- Do not record virtual staffing.

Returning to Normal Operations:

- The team may continue meeting virtually throughout the pandemic. Alternatively, some team members may prefer to meet in person with other team members joining virtually. The team should discuss a schedule so the number in attendance is known in advance.
- Meetings should be held in the largest available space that still affords privacy.
- Team members who have been exposed to the illness or have recently experienced symptoms should not attend in person and should inform the team immediately.
- When meeting in person, masks should be worn and hand sanitizer made available. There should be at least six feet of space between team members. If six feet is not possible, team members should spread out with at least one chair between them.
- Staffing notes should be emailed at least 24 hours prior to the meeting so that papers are not being passed around.
- Team members should avoid eating and drinking during meetings.
- A team member should be assigned to disinfect surfaces before and after each meeting.

Accountability Court Hearings

Regular judicial interaction remains important during a pandemic. Participants should speak with the judge routinely, ideally during their regularly scheduled status hearing day and time.

Most Restrictive Conditions:

- Status hearings should be conducted virtually using a secure platform. Participants who lack access to the required technology should be allowed to participate by calling in.
- All team members who typically attend status hearings should be provided with a secure link and any applicable materials via email at least 24 hours prior to meeting. Do not share the status hearing links with anyone who would not normally attend.
- Status hearings may be livestreamed, but guests should request access first.
- Every attempt should be made to maintain the regular status hearing schedule for all phases. If the virtual meetings are difficult to manage due to a large number of attendees, consider staggering the participants by phase.
- The judge should strive to spend an average of three minutes with each participant. To aid with this goal, treatment provider(s) should prepare treatment notes and share with the judge prior to the status hearings.
- In addition to asking treatment related questions, the judge should ask how participants and their families are coping with the pandemic.
- Participants should be required to follow the same status hearing rules they would follow in person. This includes wearing appropriate attire, paying full attention for the duration of the hearing, and participating in a quiet, private, and distraction free environment.

Returning to Normal Operations:

- Consider returning to in-person status hearings slowly. Some team members may attend virtually to reduce contact. Participants in later phases may also continue to meet virtually. Higher risk/need participants and those in early phases should return to in-person hearings first.
- If space is limited, consider bringing participants into the room in smaller groups.
- Family members and guests should be encouraged to view a livestream or join virtually.
- Conduct status hearings in the largest available space to allow for maximum distance between attendees. Follow any applicable courthouse rules regarding the maximum number of people allowed in a courtroom at a time.
- The team should conduct temperature checks and symptom screenings of all status hearing attendees. If the courthouse is already performing these functions, the team should coordinate closely to ensure all attendees are screened.
- All attendees should wear masks for the duration of the hearing. Attendees should use hand sanitizer prior to entering the courtroom.
- Avoid passing around paper or other materials.

- A team member should be assigned to disinfect meeting spaces before and after status hearings. Participants can take turns or be assigned to assist with this.

Treatment

Evidence-based treatment is a cornerstone of accountability court success. This is especially true during a pandemic when participants' schedules are upended, and they may face new stressors and challenges. Every effort should be made to ensure treatment hours are maintained.

Most Restrictive Conditions:

- Group and individual treatment should be conducted virtually using a secure platform. Participants who do not have access to the necessary technology or a reliable internet connection should be permitted to call in.
- Virtual treatment meetings should be closely monitored to ensure that only the permitted participants are attending. Consider password protection for meetings.
- Treatment providers should maintain the regular treatment schedule for groups, especially evidence-based treatment curricula.
- Every attempt should be made to adhere to established treatment plans. This includes maintaining treatment hours according to ASAM level of care.
- Participants should be encouraged to attend online community support groups in lieu of in-person support meetings. Additionally, sponsor contact should be made electronically.
- Where possible, allow participants to submit assignments electronically to avoid unnecessary contact or passing of papers.
- Participants should be expected to follow all normal treatment rules. This includes showing up on time, dressed appropriately, in a private and distraction free location. Cameras should remain on for the duration of the group or individual meeting.

Returning to Normal Operations:

- The treatment team should continue with virtual meetings until it is safe to return to in-person treatment. New participants or participants with higher risk/needs may be prioritized to report in person sooner.
- Group size may be adjusted, but treatment hours should remain consistent and follow ASAM level of care.
- When holding in-person groups, utilize the largest possible space to allow attendees to spread out. Outdoor treatment should only be considered when the team is certain privacy will be maintained.
- All group attendees should wear masks for the duration of the session. Temperatures should be taken upon entry and participants should complete a symptom screener. All attendees should use hand sanitizer upon entry and exit, and hand sanitizer should be made available in the room.
 - Consider creating PPE kits for participants to pick up on the way into the facility.
- Treatment spaces should be disinfected before and after every session. Participants can be assigned to assist with this task. Gloves should be provided.
- Do not allow food or drink during treatment sessions.

- Allow homework and assignments to be submitted electronically.
- If participants are not attending an active group session, they should be discouraged from congregating in shared spaces.
- Individual treatment can return to in-person contact when it is safe to do so. Consider prioritizing higher risk individuals.
- If individual treatment takes place in person, the provider and participant should wear masks along with other safety precautions like recording temperature, conducting symptom screeners, and using hand sanitizer. The provider should disinfect the space prior to the next participant coming in.
- Participants who are waiting to be seen should wait in their cars or outside until they are called. Participants should be discouraged from congregating in shared spaces.

Case Management

Case managers are in a unique position to support participants. They may be able to gain valuable information to share with the team. In addition to assisting participants in maintaining program progress, case managers can help them succeed with day-to-day life responsibilities.

Most Restrictive Conditions:

- Case management meetings should be conducted virtually or by phone, if necessary.
- Depending on caseload, consider increasing case management meetings to provide additional contacts for higher risk/needs participants. Meetings can be brief to allow time to meet with more participants. It may be beneficial to create a sign-up system for participants to request additional meetings.
- The team should discuss allowing fee waivers during a pandemic, especially if local businesses have shut down or are reducing staff. Otherwise, case managers should work with participants on creating a fee schedule.
- Case managers should adhere to participants' established case management plans. Ensure that participants are staying on track with the program and have the social supports they require.
- Case managers should ask pandemic related questions about the participants and their families. This information should be shared with the team and may require quick action to protect team members and other participants.
 - Are you or anyone in your household ill?
 - Has anyone in your household been recently exposed to an ill person?
 - Are your family members still working/in school?
 - Does your family have everything you need to stay safe and healthy?
- Case managers should collect resources on the pandemic to share with participants. Be prepared to refer participants to low cost testing centers, if available.

Returning to Normal Operations:

- Case management may continue virtually or via phone until it is safe to return to in-person meetings.
 - Teams may wish to prioritize higher risk/need individuals, or newer participants returning to in-person meetings sooner.
 - Teams may also consider employing a hybrid model with some participants meeting virtually and others in-person, that rotates weekly.
- For in-person meetings, the case manager and participant should wear masks the entire time. Employ temperature checks and symptom screeners prior to meeting in person.
- Meetings should take place in the largest available space to allow at least six feet of distance. Hand sanitizer should be available and, where possible, paperwork should be reduced. The case manager should disinfect the meeting space between participants.
- If multiple participants will be at the facility at the same time, have them wait in the car or outside until called. Discourage congregating in waiting areas.

- Continue to consider fee waivers or modified fee schedules to accommodate unemployment or lower income.
- Continue to ask pandemic related questions about the participant and family.

Drug Screening

It is vital to maintain a random and accurate drug screening component to discourage substance use and to quickly catch relapse when it occurs. However, special precautions must be taken to protect participants and screeners when contact is required.

Most Restrictive Conditions:

- Participants should continue to follow random screening procedures, such as calling a color line, daily.
- Drug screening may occur at the participant's home via a virtual platform. Participants may be provided with sealed drug screen kits (like instant urine screening cups or oral swabs) ahead of time. These items can be picked up or dropped off at regular intervals.
Keep in mind:
 - Participants must be provided with thorough instructions to ensure reliable results.
 - Whenever possible, all screening activities should be performed under remote observation.
 - If instant devices return positive results, a follow-up screening should be scheduled as soon as possible.
 - Some remote screening kits are available that include necessary materials to mail for confirmation.
- If surveillance officers are permitted to conduct field visits, they may also witness participants conduct an oral swab screen.
- Oral swabs may be used in-person at a testing site and may help the observer and participant spread out farther as less privacy is required. This could occur outdoors or in a large, open room.
- The program may apply sweat patches to each participant weekly to reduce the number of contacts. Participants should be encouraged to report substance use as soon as it happens through reduction in sanction severity, or through threat of more frequent testing.
- In the case of airborne illness, avoid in-person breathalyzers. High risk alcohol users may benefit from a remote breathalyzer option with video.
- If testing must occur in person, participants and screeners should wear masks and gloves. Temperatures should be taken before entering the facility. Participants should wait in their car or outside until called in.
- If testing frequency must be reduced, focus efforts on new participants and those most at risk for relapse.

Returning to Normal Operations:

- Participants should continue to follow random screening procedures, such as calling the color line, daily.
- Courts may return to in-person screening once it is safe to do so. Consider utilizing the above screening methods to reduce close or frequent contact.

- The team may decide to phase back into observed urine screening. Participants should be prioritized based on risk for relapse. Virtual options may be reserved for participants in later phases.
- For in-person screening, follow recommended safety measures. All screeners and participants should wear masks and gloves. Temperatures should be checked before entering the facility, and participants should complete a brief symptom screener.
- Participants should wait in their cars or outside until called to screen. Discourage participants congregating in shared spaces.
- Continue to avoid in-person breathalyzers for airborne illnesses. High risk alcohol users may benefit from a remote breathalyzer option with video
- When possible, consider combining participant contacts. For example, if a participant must appear in court or show up for a case management meeting, have them complete a drug screen at that time.

Community Surveillance

Community surveillance is vital to participant supervision and officer involvement on accountability court teams is a national best practice. Technology should be leveraged to continue conducting home and curfew checks.

Most Restrictive Conditions:

- Law enforcement officers and probation officers should continue to check in with participants virtually on a regular schedule. Participants should be asked to walk through the home with their camera on showing areas of interest. Officers may ask to see refrigerators, cabinets, drawers, tables, nightstands, etc.
 - If officers are not available, a case manager or other team member can conduct virtual home visits.
- Officers may visit in person if safe distance is maintained. For example, an officer can remain in their car and call the participant to come to door for a curfew check. The officer could also stand a safe distance from the door, wearing appropriate PPE, to conduct an at-home interview.
- Officers should only enter the home under suspicion of relapse or a dangerous environment. If entering the home, all parties should wear masks and the officer should wear gloves.
- If the officer believes there is a need to conduct a drug screen:
 - Both parties should wear masks and gloves.
 - Breathalyzers should be avoided.
 - Consider placing a sealed screening device at the participant's door. In the case of an oral swab, the officer can observe the screening procedures from a distance.
 - Observed urine screens should not be conducted unless there is no alternative.

Returning to Normal Operations:

- The court may employ a mix of virtual and in-person visits. Consider reserving in-person visits for highest risk individuals.
- Check-ins should be conducted outdoors when possible to maintain an appropriate distance.
- Participants and officers should wear masks for the entirety of the visit.
- If the officer believes there is a need to conduct a drug screen:
 - Both parties should wear masks and gloves.
 - Breathalyzers should be avoided.
 - Consider placing a sealed screening device at the participant's door. In the case of an oral swab, the officer can observe the screening procedures from a distance.
 - If an observed urine screen is warranted, the officer should observe from the greatest possible distance.

Sanctions and Incentives

Reinforcement of positive behaviors should continue by using praise and other incentives. Sanctions should be used to discourage program infractions. However, the list of available incentives and sanctions should be modified to ensure the safety of all parties. Treatment responses should continue to accompany all sanctions.

Most Restrictive Conditions:

- Incentives:
 - Recognition and praise
 - Virtual prize drawings where a team member pulls from a bowl on camera
 - Tangible incentives can be mailed or dropped off. Other items can be saved until it is safe to distribute them.
 - Participant can report first during virtual hearing and leave immediately after
 - Fee waivers or vouchers (if not already a program policy during the pandemic)
- Sanctions:
 - Incarceration should be avoided unless the participant is a danger to themselves or others
 - Community service should be avoided unless it can be completed safely
 - House arrest and ankle monitors
 - Daily virtual home searches
 - Writing assignments

Returning to Normal Operations:

- Incentives:
 - Recognition and praise
 - Prize drawings where a team member pulls from a bowl
 - If virtual, drawing should be on camera. Tangible incentives can be mailed or dropped off. Other items can be saved until it is safe to distribute them.
 - If court is in person, a team member should still conduct drawings.
 - Participant can report first during hearing and leave immediately after
 - Fee waivers or vouchers (if not already a program policy during the pandemic)
- Sanctions:
 - Incarceration should be used sparingly
 - Community service should be avoided unless it can be completed safely
 - House arrest and ankle monitors
 - Daily virtual home searches
 - Writing assignments
 - Virtual court observation

Graduations

Graduations allow participants to celebrate their accomplishments with the team, their peers, and their families and friends. Graduations should continue to take place during a pandemic as a recognition of hard work and perseverance, but given the large nature of the gathering, precautions should be taken to protect all involved.

Most Restrictive Conditions:

- Graduations should be held virtually for participants and team members. Participants should not be held back from graduation pending an in-person event.
- Graduates may share the virtual graduation link with family and friends. Other participants should be required to attend virtually.
- The team should consider sharing the virtual graduation link with other stakeholders like county commissioners, local businesses, and state representatives.
 - You may also record graduations to share at a later date.
- Guest speakers may attend virtually or pre-record a message for the graduates.
- The team may allow graduates the opportunity to have an in-person celebration later, such as at the next in-person graduation.
- The team should mail certificates and other graduation materials to the participants or hold for pickup at a later date.

Returning to Normal Operations:

- The team should slowly phase back to in-person graduations. For example, allow the graduates and one or two guests to attend in person. All others should attend virtually.
- Weather permitting, consider outdoor venues.
- For those attending in person, require masks and social distancing. Hand sanitizer stations should be placed around the venue.
- Refrain from passing out graduation programs or other materials.
- Refrain from serving food or drink and do not hold receptions until safe to do so.

Terminations

Terminations are an unfortunate but sometimes necessary outcome of accountability court participation. Terminations should not be suspended during a pandemic but extra consideration should be given to the circumstances surrounding participant behavior, especially in the case of involuntary terminations.

Most Restrictive Conditions:

- In cases where involuntary termination is being considered, the team should pay special attention to the circumstances. The sudden change in accountability court procedures, job loss, illness or the death of a loved one, and other pandemic related incidents may contribute to a change in behavior.
- If other sanctions and treatment responses are not an option, especially in cases of individual or public safety, then the team should virtually hold termination discussions following their policy and procedures manual.
- If the participant contests the termination, a hearing should follow court guidelines, but should, ideally, be held virtually. If the participant is incarcerated, work with the jail to explore virtual options.
- The participant should have access to a defense attorney, preferably virtually.
- All necessary parties should have access to the virtual termination hearing including attorneys, team members, and a court reporter.

Returning to Normal Operations:

- Once courts reopen and it is safe to attend in person, hearings should be held with some members present and others virtual, until it is safe for everyone to return in person.
- For anyone who attends the hearing in person, safety guidelines should be followed. All in attendance should wear a mask, practice social distancing, and hand sanitizer should be provided.
- Coordinate with the court to ensure attendees have their temperatures checked before entering the courtroom.

Additional Resources

CACJ COVID-19 Resources – <https://cacj.georgia.gov/resources/covid-19-resources>

Georgia Courts COVID-19 Resources – <https://georgiacourts.gov/covid-19-preparedness/>

NADCP COVID-19 Resources – <https://www.nadcp.org/covid-19-resources/>

Centers for Disease Control Resources – <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Judicial Council's Georgia Court Reopening Guide – attached as Appendix B to this document

Appendix A
Sample Health and Symptom Screening Form

Name: _____

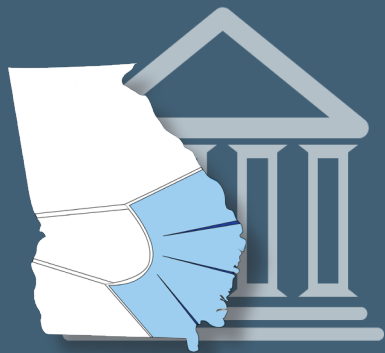
1. Are you currently experiencing, or have you recently experienced any of the following symptoms?

• Fever or chills	Yes ____ No ____
• Cough	Yes ____ No ____
• Shortness of breath or difficulty breathing	Yes ____ No ____
• Fatigue	Yes ____ No ____
• Muscle or body aches	Yes ____ No ____
• Headache	Yes ____ No ____
• Recent loss of taste or smell	Yes ____ No ____
• Sore throat	Yes ____ No ____
• Congestion	Yes ____ No ____
• Nausea or vomiting	Yes ____ No ____
• Diarrhea	Yes ____ No ____

2. Within the past 14 days, have you had contact with anyone that you know had COVID-19 or COVID-like symptoms? Contact is being 6 feet (2 meters) or closer for more than 15 minutes with a person, or having direct contact with fluids from a person with COVID-19 (for example, being coughed or sneezed on). Yes ____ No ____
3. Have you had a positive COVID-19 test for active virus in the past 10 days? Yes ____ No ____
4. Within the past 14 days, has a public health or medical professional told you to self-monitor, self-isolate, or self-quarantine because of concerns about COVID-19 infection? Yes ____ No ____

Signature _____ Date _____

Appendix B



Georgia Court Reopening Guide










Judicial Council Strategic Plan
Standing Committee

When the courts reopen, certain general practices will need to be followed to ensure the health and safety of both court employees and the public. Due to the wide variety of courts across the State, it is impossible to create a one-size-fits-all COVID-19 policy that will work for both small and larger localities. There are, however, certain general practices that could be applied to all courts and adjusted where necessary to meet the unique needs of each court. The practices presented here are to assist all Georgia courts meet the challenges of resuming operations in the wake of the public health emergency caused by COVID-19.

Guiding Principles

- ✓ Reduce the transmission of COVID-19 among court employees and the public.
- ✓ Maintain healthy court operations and facilities for the public.
- ✓ Maintain a healthy work environment for court employees.
- ✓ Exercise flexibility when applying these guidelines to ensure each litigant receives a fair hearing as required by law.

Table of Contents

1		General Infection Control Measures
2		Provide Notice to the Public of Increased Health and Safety Measures
3		Provide Healthy and Safe Access to the Courtroom
4		Maintain a Healthy and Safe Courtroom
5		Healthy and Safe Court Employees
6		Healthy and Safe Jurors and Potential Jurors
7		Healthy and Safe Inmates and Detainees

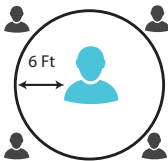


General Infection Control Measures



members of the public seeking entry who do not have one.

Require all employees and the public to wear a mask or face covering when entering the court facility. If possible, provide a mask to employees and



Limit room capacity throughout the court facility. Calculate room capacity using the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person. Use your best judgment to adjust this calculation to the specific layout of each room and to accommodate cohabitating groups sitting together.

- **Provide the public with access** to handwashing and multiple hand sanitizer stations throughout the facility.
- **Provide signage** to direct the public to bathrooms for handwashing and hand sanitizer stations.
- **Request that housekeeping personnel clean and sanitize bathrooms and other areas** more frequently and adequately to control the transmission of COVID-19.
- **Restrooms should be well-stocked** with soap and paper towels at all times.
- **Post signage limiting restroom capacity** to facilitate social distancing.
- **Prohibit the use** of water fountains.
- **Consider physical barriers** like plexiglass to protect court employees and the public.
- **Permit employees and the public to wear their own protective equipment**, including a face covering.
- **Any person not wearing a mask** should remain at least ten feet away from other people.
- **Ventilation system:** Work with public health to evaluate ventilation needs. The CDC recommends

Maintain Safe Behavioral Practices

- ✓ Frequently wash hands or use alcohol-based (at least 60 percent alcohol) hand sanitizer when soap and water are not available.
- ✓ Wear a mask or other face covering. If wearing a mask would negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ Avoid touching eyes, nose, and mouth.
- ✓ Stay at least six feet (about two arms' length) from other people.
- ✓ Stay home when sick.
- ✓ Clean and disinfect frequently touched objects and surfaces, including door handles, security bins, countertops, public access computers, and seating throughout the facility.

improving central air filtration to a MERV-13 filter or the highest compatible with the filter rack, as well as sealing the edges of the filter to limit bypass.

- **Locate additional space:** Identify other government facility space to provide more room, e.g., commission meeting rooms, jury assembly rooms, auditoriums, etc.
- **Coordinate your efforts** with the other tenants in your building to ensure uniform practices throughout the facility.
- **Isolate persons who become symptomatic** while in the court facility until they are able to leave and remove others from any rooms they have occupied.
- **Consult a public health or medical professional** if you have questions or need help adapting these guidelines to your unique circumstances.



Provide Notice to the Public of Increased Health and Safety Measures



Modify the existing hearing notice to include that the court has taken certain health and safety measures to limit the transmission of COVID-19.

2 Continued next page

2 Provide Notice to the Public of Increased Health and Safety Measures *continued*

Add information to the existing hearing notice about how to contact the court to request a continuance in the event that the noticed party:

- ✓ Is currently infected with COVID-19 or in quarantine due to exposure to a person with COVID-19.
- ✓ Is a member of an immune-compromised or medically fragile population (or living in a household with someone who is immune-compromised or medically fragile).
- ✓ Is over age 65.
- ✓ Has small children but does not have child care due to COVID-19.

Include information about how to request a reasonable and necessary accommodation in advance of arriving to court, such as an interpreter.

Post adequate signage to provide the public with instructions on how to comply with health and safety measures.

Post signage and floor decals to direct the flow of foot traffic throughout the court facility.



3 Provide Healthy and Safe Access to the Courtroom



SCREENING

Establish a process to screen individuals for COVID-19 before entering the court building and the courtroom.

Ask a series of questions to each individual before or upon entry to the building, such as:

- ? Whether or not they have traveled to or from any areas in which COVID-19 is particularly active.
- ? If they have, within the past ten days, experienced symptoms of COVID-19, including: cough, shortness of breath or difficulty breathing, fever above 100.0 degrees, chills, muscle pain, sore throat, headache, or new loss of taste or smell.
- ? If they have been in contact with someone known to have COVID-19 within the last 14 days.
- ? If they have been tested for the virus and the result of such test.
- ? If possible, take the temperature of each individual seeking to enter the building with a no-contact thermometer and deny entry to anyone with a fever of 100.0 degrees or higher. Persons reporting a fever above 100.0 degrees in the past 72 hours should also be denied entry.
- ? Any person denied entry for health reasons should have his or her case continued and be advised to seek medical evaluation and testing.
- ? The following information should be collected from any person denied entry for health reasons: name, contact information, the court he or she was scheduled to attend and why, and the specific reason for denying entry.

STAGING

Individuals should not congregate in common areas while waiting to access the courtroom.

Design a process to facilitate social distancing while individuals wait to enter the courtroom, such as:

- ✓ Floor or sidewalk markings to keep individuals six feet apart.
- ✓ Outdoor distancing so individuals can spread out.
- ✓ Waiting in cars.
- ✓ Set up a tent where individuals can wait in compliance with social distancing measures.
- ✓ Call or send a text message when it's time to enter the building.

FLOW

Control the route that people will take through your building to access the courtroom to encourage social distancing, such as:

- ✓ Roping or taping off certain seating areas or hallways.
- ✓ Placing arrows on the floors to direct foot traffic.
- ✓ Requiring people to enter through one door and exit through another.
- ✓ Limiting elevator capacity to facilitate social distancing (e.g., two person maximum) and offering the stairs as an alternative route.



Maintain a Healthy and Safe Courtroom

Maintain a six foot distance in the courtroom between individuals who do not reside together to facilitate adequate social distancing.

Limit Courtroom Capacity

Do not schedule more individuals to arrive at the courtroom (including staff) than the square footage of the courtroom can accommodate to allow for social distancing.

One way to calculate room capacity is to use the area of a circle with a radius of six feet, which is equal to approximately 113 square feet per person.

Continue to conduct virtual hearings by video conference or teleconferencing whenever possible.

Consider providing a live YouTube, Facebook, Zoom or other link to individuals who want to see what is going on in the courtroom but cannot be present due to room capacity.

Rotate individuals in and out of the courtroom as quickly as possible to limit contact.

Use microphones capable of picking up audio from a safe distance or clean close proximity microphones after each use. Court employees should wear gloves and hold handheld microphones if used.

Limit contact with shared documents and exhibits as much as possible. Present documents and exhibits electronically if possible and appropriate.

Conduct bench conferences in a room that provides for adequate social distancing (defendant may need to waive his or her presence if necessary).

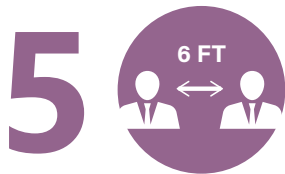
Disinfect the courtroom after each proceeding or as frequently as practicable.

Consider Staggered Scheduling

Under normal circumstances, it is common to have large calendar calls in many courts where many people report at one time.

To maintain adequate social distancing, stagger the arrival of persons participating in proceedings to ensure that a large number of individuals do not arrive at the same time.

For example, if a courtroom can accommodate twelve people, do not schedule your normal 50 person calendar for 8:30 a.m. Rather, schedule the first group of 12 for 8:30 a.m. and the second group of 12 for 10:00 a.m., etc.



Healthy and Safe Court Employees

Implement staggered shifts for all court employees and implement teleworking for all possible court employees.

Discourage employees from sharing phones, desks, offices, surfaces, or other equipment.

Provide for adequate spacing between employee workstations to facilitate social distancing.

Provide a separate entrance to the court facility for employees, if possible.

If six feet of separation is not possible, consider options like plexiglass barriers and frequently disinfecting shared surfaces, such as table tops, door knobs, elevator buttons, pens, security bins, etc.

Require all employees to wear face coverings at all times.

Consider temperature checks of employees when employees report to work each day with a no-contact thermometer.

Require employees who exhibit signs of illness to stay home or seek medical attention.

Provide courtroom employees with adequate personal protective equipment, including face coverings.

Courtroom employees should be trained on best practices to prevent infection, including frequent hand washing for at least 20 seconds with soap and water.

Clean and disinfect offices daily or as frequently as possible.



Healthy and Safe Jurors and Potential Jurors

The number of jurors and potential jurors should be limited to the amount a room or facility can accommodate with social distancing and other infection control measures.

Potential jurors:

- ✓ Likely to have more conflicts than prior to COVID-19 (e.g., childcare, looking for work, or working in the medical field).
- ✓ Will likely have health concerns about being around a group of strangers.

Jury selection may take longer due to social distancing and other infection control measures.

Jury holding and deliberations:

- ✓ Likely cannot take place in a typical jury room due to size.
- ✓ Use a larger room, such as the courtroom or another large meeting room to facilitate social distancing.
- ✓ Turn off video and audio recording in the room if the jury is deliberating there.
- ✓ Limit jury deliberations to two hours at a time with 15-minute breaks to go outside into fresh air and/or separate from each other. Jurors should not deliberate for more than eight hours per day.

Provide individual boxed lunches and bottled water to jurors. Vending machines should be wiped down regularly and have a hand sanitizing station nearby.

Juror transportation: If jurors are shuttled to the court facility, provide for proper spacing in transport vehicles and sanitize vehicles after each use. Jurors should stay six feet apart while waiting for the shuttle.

Require all jurors to wear a mask or face covering while in the court facility and the juror shuttle, if applicable. If wearing a mask would make it difficult to evaluate the demeanor of jurors or otherwise negatively impact a litigant's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.



Healthy and Safe Inmates and Detainees

- ✓ **Use video conferencing** for proceedings whenever possible.
- ✓ **Screen inmates and detainees** for COVID-19 symptoms before transport to court.
- ✓ **Work with law enforcement** to provide for proper spacing in transport vehicles and masks for inmates and detainees during transport. Stagger arrivals and departures to facilitate spacing in transportation vehicles and holding areas.
- ✓ **Sanitize transport vehicles** after use.
- ✓ **Label holding areas** to provide for social distancing.
- ✓ **Sanitize holding areas**, restraints, and other commonly used items after each use.
- ✓ **Make hand sanitizer available** to inmates and detainees.
- ✓ **Require** all inmates and detainees to wear a mask or face covering while in the court facility. If wearing a mask would negatively impact an inmate or detainee's right to a fair hearing, consider transparent face shields, physical distancing, or other infection control measures in consultation with a public health or medical professional.
- ✓ **Ensure** deputies who are required to be in close proximity to inmates and detainees have face coverings and gloves.