

SUGGESTED PRACTICES FOR COURT IN THE TIME OF CORONAVIRUS

PURPOSE OF THESE PRACTICES

The purpose of these suggested practices to reduce the risk of spreading the Coronavirus to individuals who appear in court in Burke or Caldwell County. The risk of spreading the virus is two-fold. First, you could be exposed to others in the court room who have been exposed to the virus and they could spread it to you. Second, you could have already been exposed to the virus and could be, knowingly or unknowingly, spreading to others. Following these practices should reduce the risk from these potential pathways to spread the virus.

GENERALLY APPLICABLE RULES

Only people who are participating in the case actually being heard should be inside the bar or well of the court room.

People in court, including attorneys, bailiffs, clerks and defendants, are permitted to wear masks and gloves in the court room. The Court system does not provide masks or gloves. You need to bring your own if you want to use them.

In the court room, maintain six feet of separation from others in order to maintain “social distancing” at all times.

Do not approach the bench or the clerk’s desk without seeking and obtaining permission.

Individuals waiting in court for their case to be called should maintain “social distancing.” Follow the instructions given by the bailiffs concerning where to sit in the court room. It is not necessary for individuals who travelled together to be in court to maintain “social distancing.”

Bailiffs are authorized to ask people in the court room to step outside temporarily in order to preserve their ability to maintain “social distancing” in the courtroom. The court schedule has been adapted to attempt to avoid this situation.

The court room remains open to the public during all court proceedings.

When asked to come forward for your case, a defendant should stand at the place identified or designated to him or her and should remain at that location unless granted permission to move to another location.

CLERKS

Defendants and others should be affirmed and not asked to swear on a Bible.

Please provide a supply of pens that can be used when necessary by defendants or others who need to complete forms or other court documents.

Forms to apply for court-appointed counsel and waivers of counsel should be copied and made available for use in the court room. The AOC Form ___ should not be attached to the application for court appointed counsel.

The Court encourages the Clerk of Court to assign only one court room clerk to be present in the court room during sessions of court. This matter is only a suggestion and the Clerk of Superior Court has the lawful authority to determine how many clerks to have present in the court room.

BAILIFFS OR COURT ROOM OFFICERS

Prop open the rear doors to the courtroom and the doors to be utilized by the attorneys and court personnel when court is in session. These doors should remain open while court is in session.

Pens provided to defendants or others in court should not be reused. Pens returned by defendants or others should be stored in a single location for sterilization after court ends.

Bailiffs should wear gloves when handing pens and court forms to defendants and others and when retrieving these items.

When papers, such as applications for court appointed counsel are collected from defendants or others in the court room, the bailiff should place this paperwork on the judge's bench.

Bailiffs should monitor the court room in order to ensure that persons present maintain "social distancing."

There is no need to maintain "social distancing" for individuals who arrive at the court room together since that only increases the risk of exposure of others to these individuals.