

Supreme Court of Georgia
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JURY TRIALS ALLOWED TO RESUME IN GEORGIA;
WILL FOLLOW COVID-19 SAFETY GUIDELINES

Atlanta, October 7, 2020 – Chief Justice Harold D. Melton of the Supreme Court of Georgia announced today that he will sign an order Saturday, Oct. 10 that lifts the suspension of jury trials across Georgia. The order will extend until Nov. 9, 2020 the Statewide Judicial Emergency the Chief Justice declared on March 14, 2020 in response to the COVID-19 pandemic. This is the seventh time he has extended the emergency for a 30-day period, as state law allows.

"The blanket suspension of jury trials that has been in place since the March 14 Order is ended effective immediately," the new order states. Last month's order authorized the resumption of grand jury proceedings at the discretion of the Chief Judge of each superior court after consulting with the District Attorney, where such proceedings can be done safely in compliance with public health guidance. Similarly, the new order gives the Chief Judge of each trial court the discretion "to resume jury trials, if that can be done safely and in accordance with a final jury trial plan," the new order says. To get ready for the resumption of jury trials, last month's order directed each Chief Judge of a superior court to convene a local committee in each county of the judicial circuit to develop a detailed plan with specific guidelines for the safe resumption of jury trials. That plan must be in place before jury trials may resume.

For the last five months, a statewide Judicial COVID-19 Task Force – made up of judges and lawyers appointed in May by Chief Justice Melton – has been working on developing guidelines

for the safe reopening of in-person proceedings. The "Guidance for Resuming Jury Trials," which is included in the Appendix of the new order, provides a set of detailed guidelines that address many topics, including the use of masks; the reconfiguring of courtrooms and chairs, installation of plexiglass barriers, and use of markers to ensure social distancing; the regular replacement of air filters; and plans for guaranteeing public access to court proceedings, including setting up areas where the public can watch remotely from within the courthouse.

"From the beginning of this emergency – and even earlier – we have been preparing for this day," Chief Justice Melton said. "We have put into place rigorous safety protocols for grand jury proceedings and jury trials because we understand that the public must have confidence to come and serve on juries. It is paramount to all our judges that our citizens realize that their safety has been thoroughly considered."

The order points out that due to the time required to summon potential jurors for service, grand jury hearings and jury trials will not actually start until a month or longer after the process for resuming them begins. Also, due to substantial backlogs of unindicted and untried cases, as well as public health precautions, proceedings will not occur at the speed they occurred before the pandemic. As a result, statutory deadlines based on indictments and jury trials will remain suspended, the order says.

"At the beginning of this emergency, we all hoped, and maybe even assumed, that this pandemic would come to a relatively quick end," Chief Justice Melton said. "The right to a trial by a jury of our fellow citizens, in both civil and criminal cases, is fundamental to the American justice system. It is written into our Constitution. To delay that process has made a difficult time more difficult for everybody involved in our justice system – litigants, victims, witnesses, lawyers, judges, and jurors. We must move forward, and I am confident that due to the hard work of so many judges, lawyers, and support staff, we are ready to do so while protecting the safety of all who participate through strict rules and adherence to public safety guidelines."