

## 18<sup>th</sup> Judicial District Plan

### Complying with Tennessee Supreme Court Order

#### *In Re:COVID-19 Pandemic (April 24, 2020)*

WHEREAS, the Tennessee Supreme Court issued its Order regarding the COVID-19 Pandemic on April 24, 2020 (“the Order”) and directed that “[c]ourts should continue to conduct as much business as possible by means other than in-person court proceedings;” and

WHEREAS, the Order further directed each judicial district to “develop a comprehensive written plan to gradually begin conducting in-person court proceedings (other than jury trials) in some non-emergency matters;” and

WHEREAS, the Order further required each plan to “contain guidelines and restrictions designed to minimize to the greatest possible extent the risk of spread of COVID-19 from in-person court hearings;” and

WHEREAS, the Order further stated that it is “intended to be interpreted broadly for protection of the public from risks associated with COVID-19;”

NOW, THEREFORE as evidenced by the undersigned, the 18<sup>th</sup> Judicial District of Tennessee hereby submits this comprehensive plan (“District Plan”) to the Tennessee Supreme Court for its approval.

#### Section I. Sumner County Juvenile Court Building

- A. All persons entering the Sumner County Juvenile Courthouse, including court and clerk’s staff, as well as law enforcement personnel, shall be immediately screened by court security. Screening shall be completed by both touchless thermometer and questionnaire. Any person exhibiting a temperature of 100.4 or higher shall not be allowed in the courthouse. Any person who fails to comply with either requirement shall not be allowed in the courthouse.
- B. All litigants, witnesses, and attorneys shall check-in with either juvenile court staff or court security to ensure that their case is on the docket and that they are available. The court has a check-in form that notes the person’s name, case name, and a telephone number where they may be immediately reached. Once check-in is complete, all litigants and witnesses shall return to their vehicles to await being called. They shall then remain on premises until their case has concluded. Due to the potential of having multiple cases on the docket, attorneys may choose to remain in the courthouse, but shall be mindful of social distancing guidelines and shall follow the directions of the posted courthouse signage relating to the waiting area.

- C. Any person entering the courthouse or courtrooms shall be allowed the use of personal protection equipment such as masks or gloves.
- D. The juvenile courthouse has 2 courtrooms, designated as Courtroom A and Courtroom B. To enforce social distancing in the courtrooms, only 10 people shall be permitted in each courtroom at any given time, excluding the judge or magistrate, necessary juvenile court staff, clerk's staff, witnesses, and court security officers.
- E. Only attorneys and parties to the specific action called by the court shall be allowed in the courtroom during a hearing. Witnesses will be called to the courtroom, as needed. No children (other than those called as witnesses), onlookers, supporters, or other non-parties shall be allowed in the courthouse or the courtroom.
- F. Persons having business with the clerk's office shall go directly to and from that office, after being properly screened. All persons having business with the clerk's office shall follow those protocols under this District Plan as authored by the Sumner County Circuit Court Clerk.
- G. In order to enforce social distancing in the courthouse, all persons having business with the court shall follow the directions of the posted signage relating to the waiting area and the courtrooms and shall sit only in a designated area. Any person failing to follow the courthouse directives shall be asked to leave the courthouse.
- H. No persons other than authorized juvenile court staff, clerk's office personnel, and court security officers shall be allowed to linger in the courtrooms, hallways, or offices of the courthouse, and shall exit the building promptly when their business is concluded. Any person failing to follow this directive shall be asked to leave the courthouse.
- I. For those in-person cases, docket sizes shall be limited. Cases will be called one at a time. Hearing times will be staggered, as required, to ensure proper social distancing within the courthouse and courtrooms. Further, the judge and magistrate shall coordinate their dockets to ensure maximum social distancing of attorneys, litigants and witnesses.
- J. The judge and magistrate shall allow for limited in-person proceedings for the following matters:
  - 1. Emergency Custody & Visitation cases
  - 2. Voluntary Surrenders of Parental Rights
  - 3. DCS Emergency Removals & Preliminary Hearings
  - 4. DCS Emergency Placement Reviews
  - 5. DCS Permanency Plan Ratification Hearings, though children shall appear via teleconference
  - 6. Detention Hearings
  - 7. Transfer Hearings, where a child defendant is being detained
  - 8. Temporary Restraining Orders

9. Orders of Protection
  10. Child Support, prioritizing establishment and modification cases
  11. Delinquent cases, prioritizing felony cases, and cases where a child defendant is being detained
  12. Bench Trials (set by agreement only)
- K. The use of Zoom videoconferencing shall be available for all matters, except trials, where requested. Zoom shall be the preferred method for hearing the following matters:
1. Motions on procedural issues, including those pre-trial motions before bench hearings
  2. Motions where there shall be limited testimony, such as for default
  3. Plea agreements, but only after the Plea Agreement Forms are signed and submitted to the court prior to the entry of the plea.
  4. Uncontested matters
  5. Pre-Trial Conferences
- L. Continuances for in-person proceedings, particularly for delinquent petitions, may be liberally granted, if the court is contacted in sufficient time prior to the hearing.
- M. Courtrooms and public areas of the courthouse shall be disinfected before and after all in-person proceedings.
- N. Court filings shall be allowed via email. Those cases that require notarization may either use the Online Notary Public Act or, alternately, may be filed with a declaration under the penalty of perjury.
- O. Attorneys are expected to prepare as much as possible before court. Courtroom time shall be limited to business before the court, not discussions.
- P. Juvenile court staff shall continue to work on a modified in-office schedule, and shall continue to be allowed to work remotely. Each youth services officer, probation officer, and judicial assistant working remotely shall be required to continue to be available in the event that they are needed to return to the office. Each staff member shall check their email and voicemail, and return messages in a timely fashion. Probation officers shall continue to monitor their caseloads by telephone and/or Zoom, and shall be available to the children being supervised. Some probation requirements may, at the discretion of the judge or magistrate, be waived if requested by a child's probation officer.

## **Section II. Sumner County Courthouse (Chancery and Circuit Courts)**

- A. All persons entering the Sumner County Courthouse, without exception to include court and clerk's staff, as well as law enforcement personnel, shall be immediately screened by court

security. Screening shall be completed by both touchless thermometer and questionnaire. Any person who (1) answers “Yes” to any of the screening questions or (2) is exhibiting a temperature of 100.4 or higher shall not be allowed in the courthouse and shall be directed to leave the premises immediately and seek medical care and/or COVID-19 testing, per CDC guidelines. Any person who fails to comply with either requirement shall not be allowed in the courthouse.

- B. Use of personal protective equipment is encouraged by all members of the public entering the courthouse.
- C. All high-touch surfaces including but not limited to, elevator buttons, door handles, door knobs, bannisters, counter-surfaces, and benches should be regularly sanitized every two (2) hours in accordance with Governor Lee’s “Tennessee Pledge.” Courtrooms shall be disinfected after every in-person hearing and prior to the beginning of the next proceeding.
- D. The court will, as encouraged by the Order continue to conduct as much of its business as possible using telephone conferences and videoconferences. In addition to the exceptions contained in the Tennessee Supreme Court’s original order dated April 13, 2020, the court may, in its discretion also permit the scheduling of bench trials for in-person hearings in appropriate cases. With respect to all in-person hearings, no more than ten (10) persons shall be permitted in the courtroom at any one time, excluding court staff (judge, security, clerk’s staff and the testifying witness).
- E. The number of persons in the courthouse shall be limited to essential personnel necessary to conduct court business, including court staff and clerk’s office personnel, court security officers, the parties, their attorneys, and necessary witnesses. Persons having business with the clerk’s office shall go directly to and from that office, after being properly screened.
- F. Witnesses for in-person court hearings desiring to wait inside the courthouse may do so only with court permission and by wearing a clean face covering or mask. If they opt not to wear such a mask, they shall be required to wait outside of the courthouse in their vehicle or other nearby location. The attorney calling the witness shall notify such witnesses by text or phone call that his/her testimony is required and the witness will then be permitted to enter the courthouse.
- G. For those in-person cases, docket sizes shall be limited. Hearing times will be staggered, as required, to ensure proper social distancing within the courthouse and courtrooms. Only those persons involved with the instant court hearing will be allowed in the courtroom. All others will wait outside the courthouse as directed by courthouse security.
- H. The use of Zoom videoconferencing will be the primary platform for all matters. The circuit and chancery courts have previously released guidelines for these matters which must be followed

by all parties, especially with respect to the exchange of exhibits. In domestic matters, Local Rule 6.03 will be enforced and the courts will require that parties comply with this rule.

- I. Continuances for in-person proceedings may be more liberally granted, if the court is contacted in sufficient time prior to the hearing and upon a showing of good cause,
- J. In-person hearings will generally be conducted in the circuit court room because of its suitability for social distancing. The chancery and circuit courts shall coordinate their dockets to ensure the maximum available use of this courtroom.

### **Section III. Sumner County Criminal Justice Center/General Sessions Building**

#### A. Criminal Court for Sumner County

#### CRIMINAL COURT OPERATING PROCEDURES

From May 11, 2020, until July 3, 2020

#### ADMISSION TO THE JUSTICE CENTER TO ATTEND CRIMINAL COURT SUMNER COUNTY, TENNESSEE

- A. Everyone, with a few exceptions (see below), shall come through the South Water entrance to the Criminal Justice Center for COVID-19 screening. During screening each person will be asked a series of relevant questions, and their temperatures will be taken. All attorneys will come through this entrance, along with probation officers, law enforcement personnel, witnesses, and defendants [NO families]. Judges, their staff, court reporters, clerks, and public defenders will come in through a separate entrance and follow the same screening process.

From that point all individuals with business in Criminal Court will proceed in one of two ways:

1. All attorneys, law enforcement, and probation officers will go to various conference rooms practicing appropriate social distancing;
2. Defendants must wait outside the courthouse until notified by their attorneys that their case is ready in Criminal Court. There will be no waiting inside the courthouse or in the hallways for Criminal Court. There will be a designated security officer or court clerk to coordinate with the attorneys when their cases are ready to proceed. Entrance to the courtroom will then be made by the attorney and

his client into the side door of the Criminal Courtroom. Criminal Court defendants without attorneys that have cases set for motions or hearings will wait outside the courthouse until called to court by court personnel. Defendants will be admitted one at a time as called by security when their case is to be heard through the Criminal Court side door. They will be escorted into the Court by security.

3. Attorneys are responsible for advising their clients to wear face masks to Criminal Court as they will be necessary for the defendants' safety and for the safety of others.

### COURTROOM ADMISSIONS

These procedures will vary, as set out below, depending on the type of hearings being conducted.

DURING ALL ACTIVITIES CONDUCTED IN CRIMINAL COURT, THERE WILL BE AN ALLOWANCE WITH APPROPRIATE SOCIAL DISTANCING OF UP TO TEN (10) PERSONS IN THE COURTROOM UNLESS AS SPECIFICALLY SET OUT BELOW.

#### 1. ARRAIGNMENT:

- a) Defendants in jail - video from the jail.
- b) NON-jail defendants - will wait outside the courthouse until notified to come into the courtroom for their case to be heard and will come in individually through the side door of the courtroom straight to the podium to address the Court.

#### 2. SETTINGS INVOLVING THOSE RECENTLY ARRESTED FOR "ATTORNEY AND SET CONFERENCES / REPORT ATTORNEY CONFERENCES"

Same procedure as JAIL and NON JAIL defendants for Arraignments

#### 3. MOTIONS AND HEARINGS:

Jail and non-jail cases will be scheduled and conducted the same way as addressed above for entering the courtroom. They will be scheduled by staggering the hearings in the afternoons and all day on Fridays. Courtroom entry will be limited as set out above.

#### 4. GUILTY PLEAS:

In the past this Court has taken all guilty pleas on three (3) consecutive Thursdays each month. There are ten (10) assistant district attorneys in Sumner County, and on those Thursdays three (3) assistant district attorneys came in with their assigned cases, three (3) months after arraignment for a “settlement day” – where cases are settled or set for jury trials.

Because there will be no jury trials until July, 2020, other days open up during each week and each assistant district attorney will now have a “settlement day” by themselves to settle cases or set them for trial.

Guilty pleas will be handled individually with defendants in jail or on bond / cite warrants. Jail defendants will be brought from jail one at a time and will stand by the podium with their attorney for the guilty plea. Only the necessary personnel will be in the courtroom up to ten (10) persons, excluding the judge, court personnel, witness, and court security. Defendants on bond will be notified as set out above, and called in one at a time to go through guilty pleas. Attorneys will wait in conference rooms until their case is ready, and our security officers will notify the attorneys involved in each case when ready.

#### 5. JURY TRIALS:

Jury trials will be suspended until July 3, 2020.

#### 6. GRAND JURY:

At this time, a Sumner County Grand Jury has not been impaneled since the March 25<sup>th</sup>, 2020, Supreme Court Order.

The next grand jury will be impaneled on June 1<sup>st</sup>, 2020, to hear all cases going back to March 25<sup>th</sup>, 2020. This Grand Jury will be impaneled for a period of four (4) months. The Grand Jury will be impaneled in the main courtroom with appropriate social distancing for the jurors. The room where the Grand Jury will meet is large enough for social distancing for the twelve (12) Grand Jurors, the foreman, and witnesses.

#### 7. WITNESSES:

All witnesses will be required to wait in the witness rooms or available conference rooms practicing social distancing until they are called to testify. Necessary law enforcement officers may sit at the table with the attorneys practicing social distancing as long as there are no more than ten (10) people in the courtroom, excluding the judge, court personnel, witness, and court security. Once witnesses are called to testify, they will come into the courtroom and take the witness stand. After their testimony, they will leave by the side door of the courtroom.

## 8. CLEANING PROCEDURE:

During the course of the day the courtroom will be routinely cleaned by court officers or others on those areas where people have touched or come in and out.

### B. General Sessions I and III

Upon approval of the Plan by the Supreme Court, General Sessions I and III will implement the following procedures:

A. The Courts will continue to utilize electronic and telephonic methods to the extent possible to hear motions, cases, and other matters. Any requests for resets should be by agreed order in the form of a formal order or email, certifying that both the Assistant District Attorney General and defendant have agreed to the reset; said order or email to be sent to the General Sessions Clerk, and will be liberally granted without an appearance.

B. All persons entering the Criminal Justice Center, including General Sessions Court and Clerks' staff, as well as law enforcement personnel, shall be immediately screened by Court Security. Screening shall be completed by both touchless thermometer and questionnaire. Any person exhibiting a temperature of 100.4 or higher shall not be allowed in the Courthouse. Any person who fails to comply with either requirement shall not be allowed in the Courthouse.

C. All litigants, witnesses, and attorneys shall check-in with General Sessions Court staff or Court Security to ensure that their case is on the docket and that they are available. The Court has a check-in form that notes the person's name, case name, and a telephone number where they may be immediately reached. Once check-in is complete, all litigants and witnesses shall return to their vehicles to await being called. They shall then remain on premises until their case has concluded.

D. All in-court appearances will be limited to no more than 10 litigants/defendants and attorneys (defense and prosecution). After the first 10 litigants and attorneys are admitted into the courtroom, any remaining litigants and attorneys will be asked to return to their vehicles to await being called. Court personnel, Court Security, the Judge, and witnesses are excluded from the 10 person limit. Children (other than those called as witnesses) onlookers, reporters, or other non-parties shall not be allowed in the Courthouse or in the courtroom.

E. Should the 10 person limit be exceeded as a result of the number of witnesses in any case or "the Rule" has been invoked, the excess witnesses will be required to return to their vehicle until such time as they are called to the courtroom, as needed.



F. Social distancing of six feet will be maintained in the courtroom. Designated seating will be marked with blue tape and all parties and their respective attorneys will be required to sit in a designated position.

G. All parties, witnesses, and attorneys, as well as court staff, will be encouraged to utilize PPE, such as masks, gloves, and hand sanitizer.

H. Parties and witnesses shall be required to remain in the courtroom until their case is heard unless prior approval is granted by the Court. The hallways will be utilized for Attorney-Client conferences and for no other purpose. Attorneys shall be required to ensure that social distancing is maintained during conferences with their clients or witnesses. No loitering in the hallway.

I. Attorneys representing criminal defendants shall notify the District Attorney General's office that he/she has been retained, and provide the client/defendant's name, docket number and/or current court date. Negotiations to dispose of the case should begin immediately. If an agreement is reached between the State and the defendant, the Assistant District Attorney should make every effort to complete a Judgment form for each guilty plea, prior to court. The completed Judgment form will be brought to court on the court date. Nolle prosequi and dismissed charges, along with retirements, will be completed in court. The court date shall not be a discussion day. Instead, the defendant should be prepared to do one of the following:

1. Enter a guilty plea with an agreed disposition. Defendant and attorney will review and sign the completed Judgment form at the podium prior to the plea and entry by the Court;
2. Enter a not guilty plea. If all witnesses are present, the trial will be held at that time, otherwise the case will be reset to a future date for trial;
3. Request a preliminary hearing. If all witnesses are present, the hearing will be held at that time, otherwise the case will be reset to a future date for a preliminary hearing;
4. Enter an open plea of guilty. Both sides will be given an opportunity to be heard on sentencing, and witnesses may be called; and/or
5. Request a continuance if one has not already been granted pursuant to Paragraph A, above.

J. Defendants who are not represented by an attorney may request time to hire an attorney, or for the Court to appoint an attorney. If an attorney is appointed by the Court, the case will be reset to allow for settlement negotiations, as outlined above.

K. Pursuant to the April 24, 2020 Order of the Supreme Court at Nashville, the Courts will not entertain Unlawful Detainer Warrants or any other process that will result in an eviction, ejection, or other displacement from a residence based upon the failure to make a rent, loan, or other similar payment absent extraordinary circumstances as determined by the Judge. This limitation will remain in effect through Sunday, May 31st, 2020.

L. All Civil matters, excluding Detainer Warrants and matters intended for the Collection Docket, shall continue to be heard through the Zoom conferencing platform. Other than Order of Protection hearings, there will not be any in-person Civil hearings

M. The courtrooms will be disinfected every two hours with special attention paid to high touch areas.

### C. Judicial Commissioners' Office

In response to the Coronavirus pandemic, the Sumner County Judicial Commissioners have taken steps to mitigate the possibility of contamination by eliminating person to person contact wherever possible. With the planned reopening of the court system, additional steps are being taken to prepare for the increase caused by the current closure. The areas outlined below will be addressed as follows:

1. Order of Protection/Private Prosecutor Warrants - These documents will be completed as much as possible via electronic means. Signatures will be obtained in the Commissioners' presence.
  - Email Documents
  - Complete documents via Telephone
  - The use of PPE
  - Plexiglass to be placed over open window for separation when having face to face interaction
  - Individual work space cleaned frequently throughout each shift
  - Person to Person contact
    - Social Distancing
    - PPE
    - Hand sanitizer/frequent hand washing
  
2. Interaction with Law Enforcement Agencies
  - Officers to take all paperwork to magistrate's office
  - Door of office to remain closed and locked at all times (must interact at window)
  - The use of PPE
  - Plexiglass to be placed over open window for separation when having face to face interaction
  - Individual work space cleaned frequently throughout each shift
  - Person to Person contact
    - Social Distancing
    - PPE
    - Hand sanitizer/frequent hand washing
  
3. Determination of Bail for Defendants in Custody
  - Interview with Defendant will be completed through glass window or by phone with visibility through glass window
  - Return of Person to Person interview in Defendant's cell will be strongly discouraged with the following guidelines if no other option is available:
    - Social Distancing
    - PPE
    - N95 Respirator if Defendant exhibits symptoms of COVID-19
    - Hand sanitizer/frequent hand washing

The Judicial Commissioners' offices are located in the Sumner County Jail and Sumner County Sheriff's Office. In addition to the previous listed precautions, the following steps will be strictly followed before individuals will be allowed entrance into the building by Sheriff's office staff:

- All persons entering the building will be screened using the recommended Coronavirus questions and their temperature taken.
- There will be a limit of two people allowed to enter at any given time and social distancing will be enforced.
- Only Individuals who are a party to a case or have legitimate business will be allowed to enter.

LifeSize Video Conferencing Platform has been purchased and is currently being installed. This will help to eliminate face to face interaction when possible. Once installed and functioning the magistrates will transition to video conferencing permanently when applicable.

#### **Section IV. Sumner County Municipal Courts**

##### A. Westmoreland Municipal Court

The Westmoreland City/Municipal Court dockets are held one to two times per month at 6:00 p.m. in a building which is approximately 2832 square feet in size. There are typically 75-100 participants (not including court personnel). I propose the following to reconvene in-person dockets:

1. There will be only ten (10) participants allowed inside at a time, excluding the judge, court personnel, witness, and court security.
2. The citations will be alphabetized by last name and will be grouped together by tens. A posting will be listed on the outside door of the building identifying each group by the corresponding letters of the alphabet. (Example: Group 1 may include those with last names beginning with letters A through F.)
3. Instructions will be posted for each person to identify his/her "group number" and to then return to his/her vehicle. At least one officer will remain at the outside door of the building. As one group is finished inside, the officer will indicate which group number is to come inside next. The posted instructions will include direction for each person to watch the officer to know when his/her group is being called to come inside.
4. There will be a specific request for no adult participant to bring extra people into the building unless doing so would be unsafe/harmful (e.g., adult with minor children who cannot/should not be left inside vehicle; adult participant who has trouble ambulating alone).

5. Masks and hand sanitizer are in short supply, but we will make effort to have them available. High touch areas and chair will be cleaned with disinfectant between each “group.” The officers will open both the outer door and inner door for participant “touchless entry” into the building/room.
6. Chairs will be placed at least six feet apart.
7. Should we have touchless thermometers, I will ask the court officers to use them on each person arriving. I will also have each officer ask the questions on the list provided by the Eighteenth Judicial District. Fevers or answers of “yes” will automatically exclude physical presence inside the building.

#### B. Portland Municipal Court

The following is the written proposal to commence in-person court proceedings for Portland Municipal Court in June 2020 or immediately upon approval.

1. Beginning in January 2020, due to the construction project for a new city hall in Portland, we temporarily moved our function to the Portland Police Department training room. This presents a unique opportunity for us now because, in order to get to the training room, everyone has been entering through a large open vehicle bay. We propose to simply move to the vehicle bay itself.
2. Defendants enter through a door from the parking lot immediately into a large vehicle bay. We can set up as many or as few chairs for the number of persons allowed in at any one time and space them as far apart as required, perhaps 15' apart or more if desired.
3. Typically, most of our dockets consist of between 40-45 cases. We have been starting at 9:00 a.m. and it takes 2 hours or less, usually. We propose to stagger that number of cases into multiple (4 or more) dockets to start each ½ hour to keep the number of people in the room to 10 or less (excluding court personnel, court officer, witness, and judge), starting at 9:00, 9:30, 10:00, 10:30, etc. as needed. We can add more if needed. We can also add more court days, considering we currently only meet two times per month. Before the court opens and between each docket, court personnel will wipe down each chair, the tables and lectern with COVID-19 compliant disinfectant. Hand sanitizer will also be present at the lectern and on the bench so that the Defendant/witness, judge, and court officer can sanitize their hands each time that a document/exhibit is passed between them.
4. I have started going through the citations in advance and culling out all the Defendants to whom I would offer traffic school and asking our court clerk to call them (most all of our citations have a telephone number for the Defendant) to try to arrange for them to sign up for the on-line course. Heretofore, I have been a proponent of in-person class; however, due to the circumstances I have relaxed my

position on that. This should cut down on the number of in-person cases significantly.

5. A table with court personnel to do intake upon entry and collect payment upon exit will be set up immediately inside the door. All foreheads will be scanned with a touchless thermometer. Masks will be available to all, upon request. Another table will be set up where Defendants will also be asked to sanitize any items/documents they may need to present to the Judge, i.e. proof of insurance, valid license, cell phones with which to display such evidence, etc.

### C. Gallatin Municipal Court

The following is the written plan for In-Person Court proceedings for Gallatin Municipal Court. The plans are to begin in-person courts in June.

1. Court will be held in the basement/lunch room of Gallatin City Hall. This limits contact with city employees.
2. Court Officers (wearing gloves and distancing) will question defendants about any COVID-19 symptoms before allowing in the courtroom.
3. Court Officers provide directions to the courtroom and advise them to go directly there. This again limits contact with city employees.
4. Face masks or gloves will be encouraged but not required.
5. Touchless thermometers will be used.
6. Only 10 people will be allowed in the courtroom, excluding the judge, court personnel, witness, and court security. All other defendants will be asked to provide a telephone number and wait in their vehicles. The court clerk will call them when space becomes available.
7. Tables and chairs will be marked for designated seating using the social distancing guidelines.
8. Judge will open court and provide information and instructions for the process of this policy.
9. Defendants will come before the Judge one at a time using the social distancing guidelines.
10. Defendants will place any documents on a tray provided by the court. The court officer (wearing gloves) will examine the documents and relay the information to the Judge. There will be multiple trays available but all trays will be disinfected once used.
11. Once disposition is determined the defendant will be advised to pay any costs, fines or school fees within 30 days (offering payment plan immediately). No in-person payments will be accepted in the Court Clerk's office. All payments must

be on-line, by the drive-up window or by mail. Payment information will be announced before court, posted on the city website and city Facebook page.

12. Defendants will be advised to exit courtroom and immediately leave the building.

13. The courtroom will be cleaned thoroughly before and after all court proceedings.

This plan is subject to change but the suggested guidelines were definitely considered. The purpose of this plan is to provide safety to all involved and to allow all defendants the opportunity to be heard in a timely manner. The well-being of all is taken to heart during this transitional time.

#### D. Hendersonville Municipal Court

The following is the written plan for In-Person Court proceedings for Hendersonville City Court. The plan is to begin in-person court in June, 2020.

1. Court will be held in the Police Department Annex Building. No need for officers to direct defendants.
2. Court Officers (wearing gloves and distancing) will question defendants about any COVID-19 symptoms before allowing in the courtroom.
3. Face masks will be required, if available.
4. Touchless thermometers will be used.
5. We will stagger the dockets so that we do not have more than ten people, not including staff, in the courtroom at any time. Defendants not allowed in will be asked to provide a telephone number and wait in their vehicles. The Court Clerk will call them when space becomes available.
6. Tables and chairs will be marked for designated seating using the social distancing guidelines.
7. Judge will open court and provide information and instructions for the process of this policy.
8. Defendants will come before the Judge one at a time.
9. Defendants will place any documents on a tray provided by the court. The court officer (wearing gloves) will examine the documents and relay the information to the Judge. There will be multiple trays available but all trays will be disinfected once used.
10. Once disposition is determined, the defendant will be advised to pay any costs, fines or school fees within 30 days (offering payment plan immediately). No in-person payments will be accepted in the Court Clerk's Office. All payments must be made on-line or by mail. Payment information will be announced before court, and posted on the city website.

11. Only 10 people will be in the courtroom at any given time, excluding the judge, court personnel, witness, and court security, Defendants will be advised to exit courtroom and immediately leave the building.

12. The courtroom will be cleaned thoroughly before and after all court proceedings. Between dockets, the podium, desk and door knobs will all be wiped down.

This plan is subject to change, but the suggested guidelines were definitely considered. The purpose of this plan is to provide safety to all involved and to allow all defendants the opportunity to be heard in a timely manner. The well-being of all is taken to heart during this transitional time.

#### E. Millersville Municipal Court

With the maximum number of individuals allowed in any Court to be restricted to 10 individuals, excluding the judge, court personnel, witness, and court security, Millersville will implement the following guidelines:

1. A Court Officer will greet individuals as they enter the community center where we hold Court. He or she shall enforce the considerations listed below.
2. The first 10 people will be permitted to enter the court room where seats will be placed six feet apart.
3. The next 10 people will be shown to another classroom in the building where they will be seated six feet apart. There is a second classroom where the next 10 people can be seated as well.
4. After the initial 30 attendees, the Court Officers will take the defendants cell phone numbers and they will be called to the Court in groups of 10 until the docket is complete. Defendants will be asked to wait in their car until called.
5. Before completion of the day's cases, an officer will walk through the parking lot to ensure all defendants have appeared before the Court.

While the above considerations alone can allow for an effective and safe court, there are other procedures that we will employ to ensure a safe and convenient environment:

1. Those that are hard of hearing or physically limited will be allowed to sit closest to the Judge's bench.
2. Children will be limited to one "lap age" child per defendant. Otherwise, the Court will reserve the overflow rooms for family units.

3. Adult defendants will not be allowed to have other family members or friends present. They will be required to wait outside the building. The exception being for translators and those needed to attend defendants with disabilities or mobility issues.
4. Juvenile defendants will be limited to one parent or guardian.
5. All surfaces and chairs will be wiped down with disinfectant after each docket is completed, which typically lasts 30-50 minutes.

By implementing these procedures and measures, I believe that Millersville can safely and effectively conduct court proceedings without putting any individuals at unnecessary risk. My staff and I must also be aware that this plan is a guideline and flexibility will need to be maintained to address unforeseen issues as they arise, while simultaneously maintaining recommended safety precautions.

#### F. White House Municipal Court

1. The White House Municipal Court meets in the Chamber of the Mayor and Board of Aldermen located at White House City Hall.
2. The White House City Hall has an established a COVID-19 Protocol which will be strictly enforced by our Court officer. No one who does not meet the protocol will be allowed in the building.
3. Defendants will be directed to the City Auditorium, which has a capacity of 369 people, where they will await their call to the Courtroom. Defendants will be spaced at least six auditorium seats apart, more than meeting proper social distancing of being 6 feet apart from any other Defendant.
4. The Court will hear one case at a time and allow no more than seven (7) people in the Courtroom at any one time, including the Judge and Court Officers.
5. The Court day will be divided into three separate dockets, with no more than 25 cases per docket.
6. Only 15 people will be allowed into the auditorium at any given time. If there is overflow Defendants will be required to return to their cars and await a phone call as to when they can enter the building.
7. Court Personnel will observe strict social distancing of at least 6-feet of separation and Defendant podium will be placed at least 12-feet from the Judge.
8. The Courtroom and the Auditorium will be cleaned between each docket and no docket shall be allowed to begin prior to the completion of cleaning.
9. Masks and gloves will be encouraged but not required.
10. Hand sanitizer will be made available at the auditorium and in the Courtroom.
11. Doors to the Courtroom and auditorium shall remain open during the Court day.



12. Once a case has been resolved, Defendants will be directed to the disposition window for payment of fines and costs. The City employee at this window is behind glass and the distance between the employee and the Defendant is already designed to exceed 6 feet.
13. Markers will be placed on the corridor floor at six-foot intervals should a line develop at the disposition window. No more than three persons will be allowed in the line.
14. Defendants will be urged to leave the building upon payment.
15. Accommodations will be made to service those Defendants who are not comfortable coming to Court under pandemic conditions. Accommodation will include rescheduling to a future Court Date.

G. Goodlettsville Municipal Court

1. At this time, Goodlettsville Municipal Court intends to begin in-person dockets in June 2020, with the first docket sounding on June 9, 2020.
2. Court will be held in the auditorium of Goodlettsville City Hall.
3. The City personnel present in the Courtroom to conduct court will limited to the Judge, the Court Clerk and two Court Officers in order to limit contact between the public and other City personnel.
4. Only defendants with a pending case on the docket, attorneys or witnesses specific to the pending action will be allowed in the Courtroom. A parent or legal guardian may accompany any juvenile defendant on the docket. A translator will be permitted to accompany any defendant with a language barrier.
5. A maximum of 10 persons (excluding the Judge, Court Clerk, witness, and Court Officers) will be permitted in the courtroom at one time. Docket times will be staggered, if necessary, to comply with the limitation on the number of people who may safely be in the courtroom.
6. Court Officers will immediately screen defendants upon entering the Courtroom. Screening shall be completed by a touchless thermometer and questionnaire based on the recommended State safeguarding protocols, including but not limited to:
  - a. Have you been in close contact with a confirmed case of COVID-19?
  - b. Are you experiencing a cough, shortness of breath or sore throat?
  - c. Have you had a fever in the last 48 hours?
7. Any person exhibiting a temperature of 100.4 or higher shall not be allowed in the Courtroom. Any person who fails to comply with these requirements shall not be allowed in the Courtroom. Any person who has a temperature of above 100.4 or higher or answers yes to screening questions will be asked to leave the premises immediately and seek medical care and/or COVID-19 testing, per the Tennessee Department of Health and CDC guidelines.
8. After screening, a Court Officer will provide directions to the Courtroom and advise defendants to go directly there.

9. The use of personal protective equipment is encouraged. Any person entering the Courtroom shall be allowed the use of personal protection equipment, including face masks or gloves.
10. Chairs within the Courtroom will be marked with tape to indicate where defendants may sit. Tape will be placed in a manner which complies with social distancing guidelines, and defendants will be seated at a minimum of 6 feet apart.
11. Defendants will come before the Judge one at a time at a podium.
12. Defendants will place any documents on the podium. A Court Officer will examine the documents and relay the information to the Judge. The podium will be disinfected once used.
13. Defendants will enter court by one door and exit through another. Defendants will be advised to exit Courtroom and immediately leave the building.
14. Defendants will be allowed to pay any fines, costs or fees as they exit the building. In-person payments will be made through a glass window to protect employees. Should a defendant wish to make an in-person payment, social distancing markers will be placed on the floor to distance persons waiting to pay.
15. Defendants will be encouraged to pay fees online. Payment information will be announced before court and posted on the City website.
16. The Courtroom will be cleaned and disinfected before and after all court proceedings. All high-touch surfaces, including the podium shall be sanitized every two (2) hours in accordance with Governor Lee's "Tennessee Pledge."
17. Defendants will be offered an option to have their hearing conducted by Zoom videoconference for resolution in lieu of an in person appearance, where circumstances exist preventing a defendant from attending an in-person hearing or based on CDC recommendations.
18. Continuances will be liberally granted upon request, if the Court is contacted in sufficient time prior to the hearing and upon a showing of good cause.
19. Traffic school is typically held in person in Goodlettsville. However, until the pandemic resolves, online traffic school will be offered as an alternative. In-person traffic school will continue to be offered for persons without the technological capabilities to complete their course online.

Respectfully submitted by the Judges of the 18<sup>th</sup> Judicial District:

/e/ Joe H. Thompson  
Plan Designee  
Circuit Court Judge