

FIRST JUDICIAL DISTRICT (REVISED 5/17/21)

**REVISED PLAN FOR RE-OPENING OF THE TRIAL, GENERAL SESSIONS,
JUVENILE AND MUNICIPAL COURTS OF THE FIRST JUDICIAL DISTRICT**

COUNTIES OF JOHNSON, CARTER, UNICOI and WASHINGTON

**CITIES/MUNICIPALITIES OF ELIZABETHTON, WATAUGA,
MOUNTAIN CITY, ERWIN, TOWN OF UNICOI, JOHNSON CITY and
JONESBOROUGH**

and FIRST JUDICIAL DISTRICT FELONY RECOVERY COURT

ANTICIPATED DATE OF INCEPTION: MAY 17, 2021

**DISTRICT WIDE PRECAUTIONS and GUIDELINES FOR ALL COURT
PROCEEDINGS:**

Based upon the present recommended health and safety guidelines from the Center for Disease Control, Executive Order 80 from the Office of Governor Lee and Supreme Court Order ADM2020-00428, the Courts of the First Judicial District adopt the following provisions:

1. Effective immediately all capacity limits on in-court proceedings are lifted. However, subject to the requirement that those present in the courtroom maintain a distance of three feet between persons, some proceedings may be limited to only litigants/defendants. No spectators or support groups will be permitted entry into a court proceeding where the number of persons would prevent enforcing the applicable social distancing requirement. Each Judge for each court may enforce this provision based upon the status of their daily dockets and the provision may change, depending on the number of persons required to be present for their respective courts each day. Members of the media will continue to have access to all courts, consistent with the provisions of Supreme Court Rule 30.

2. The requirement for facial coverings is removed immediately for all courts. Masks and/or gloves will be encouraged and permitted, particularly for those individuals present in the courtroom who are at an elevated risk from COVID-19. Any person desiring to wear a mask and/or gloves or other protective gear will be permitted to do so. This may also be modified by each Judge for each court and will be at their sole discretion. Should any Judge require masks or other protective gear, they will notify affected persons of their requirements prior to court convening. Where available, hand sanitizer will continue to be provided.

3. Courts will continue to conduct, where possible with available technology, hearings, arraignments and other appropriate matters by telephone, email, video conference (via Zoom, Webex, etc.), to limit in-person contact.

4. Judges in each court will have the discretion to stagger their dockets in increments of time or alphabetically, depending on the case load. Each Judge will have the discretion to implement additional safety precautions consistent with the continued efforts of the Judicial Branch to minimize exposure of the public, court staff, law enforcement, jurors, attorneys and litigants to the effects of COVID-19.

5. Any person exhibiting symptoms of COVID-19 should refrain from coming into courthouses or courtrooms. Those individuals shall safely make arrangements thru the office of the Court Clerk for that County, or the clerk of the court in which they are scheduled to appear, for a later appearance date.

Any inmate with any conditions that may reflect a risk of infection with COVID-19, will not be brought to Court but will be quarantined, consistent with current district-wide jail policies. Any inmate with a positive COVID-19

diagnosis will not be brought from their cells to an attorney meeting room or any other location to meet with their attorneys, but will remain quarantined.

For Defendants released on bond, the bonding companies will continue to be required to provide the correct date and time of court appearance to their clients.

GRAND JURY PROCEEDINGS:

Grand Jury proceedings will be conducted as previously approved. A courtroom will be utilized, where practicable, rather than the typical jury rooms, to maximize social distancing. Masks and/or gloves may be used if desired by each Grand Juror. To limit exposure, each law enforcement agency will designate one representative to present the case for their particular department. The exception would be for a complicated case that would require the arresting or charging officer's familiarity for the required testimony to the Grand Jury.

To maximize the ability of each court to stagger appearance times and adhere to those schedules, the Offices of the District Attorney General, the Office of the District Public Defender and private counsel are encouraged to engage in plea discussions prior to the scheduled court date for their clients. This will eliminate plea negotiations occurring in the courtroom.

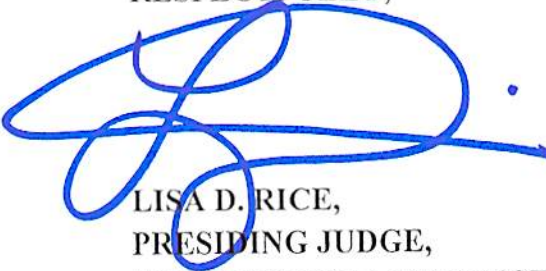
FIRST JUDICIAL DISTRICT FELONY RECOVERY COURT:

The First Judicial District Felony Recovery Court meets each Wednesday, in the Carter County Criminal Courtroom. This Court will meet in compliance with the same safety guidelines as outlined above. The courtroom is large enough for social distancing for Participants and the Recovery Court Team. Any participant or Team member exhibiting any symptoms of COVID-19 will not be permitted to enter into the courtroom. Some meetings have been, and will

continue to be, conducted via Zoom, if necessary.

All Judges presiding over any court in the First Judicial District have discretion to adopt any other safety measures they deem appropriate so long as they meet the requirements of Supreme Court Order No. ADM2020-00428.

RESPECTFULLY,



LISA D. RICE,
PRESIDING JUDGE,
FIRST JUDICIAL DISTRICT

cc: Judge Stacy L. Street
Judge J. Eddie Lauderback
Judge Robert D. Arnold
Judge Janet L. Hardin
Judge William "Bliss" Hawkins
Judge Sharon Green
Judge Dennis Brooks
Judge Joseph Shults
Judge Richard Norris

Judge Jean A. Stanely
Chancellor John C. Rambo
Judge Robert Lincoln
Judge Keith Bowers, Jr.
Judge David R. Shults
Judge Stannard E. Widener
Judge Jason Holly
Judge Sarah Shults
Judge William Cockett

Rachel Harmon, AOC General Counsel

