



CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT OF FLORIDA

HONORABLE JAMES H. DANIEL
Circuit Judge

NASSAU COUNTY COURTHOUSE
Robert M. Foster Justice Center

September 9, 2020

TO: The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit
The Honorable Steven M. Fahlgren, Circuit Court Judge
The Honorable Lester B. Bass, Circuit Court Judge
The Honorable Wesley R. Poole, County Court Judge
The Honorable John A. Crawford, Clerk of Court
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse
Sgt. Ken Davis, Nassau County Courthouse Bailiff
Donna Thurson, Assistant State Attorney
Thomas Townsend, Assistant Public Defender
Nassau County Bar Association

FROM: The Honorable James H. Daniel, Administrative Judge

RE: Extension of Phase II Operational Plan for Covid-19 (through October 2, 2020)

Please find attached Administrative Order No: 2020-18(b).

IN THE CIRCUIT COURT, FOURTH JUDICIAL
CIRCUIT, IN AND FOR NASSAU COUNTY FLORIDA

ADMINISTRATIVE ORDER NO: 2020-18(b)

**RE: EXTENSION OF PHASE II OPERATIONAL PLAN FOR COVID – 19
EMERGENCY THROUGH OCTOBER 2, 2020.**

WHEREAS, the Nassau County Court submitted its proposed Operational Plan for Phase II of the COVID-19 pandemic;

WHEREAS, the Phase II Operational Plan was accepted beginning June 22, 2020;

WHEREAS, there is a need to extend Phase II temporary emergency procedures at the Nassau County Courthouse, including suspension of all jury trials and most in-person hearings, at least through Friday, October 2, 2020;

WHEREAS, there is also a need through a single order governing courthouse operations to provide uniformity and clarity to the attorneys who practice at both Nassau County Courthouses, the employees who work there, and the citizens of Nassau County;

WHEREAS, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

NOW THEREFORE, by the authority vested in the undersigned, **IT IS ORDERED**:

1. **Phase II Operational Plan** – Except as expressly provided to the contrary in this order, all court operations in Nassau County at the Historic Courthouse in Fernandina Beach and the Robert Foster Justice Center in Yulee shall be governed by The Phase II Operational Plan, and any prior Nassau County Administrative Order incorporated therein, through **October 2, 2020**.¹

The Phase II Operational Plan is attached for ease of reference to this order as Appendix A.

¹ The Phase II Operational Plan specifically incorporates Nassau County Administrative Order 2020-16. Accordingly, all provisions in that previous administrative order shall also be in effect through September 4, 2020, except 1) the provisions contained in Nassau County Administrative Order 2020-3 (Access to Courthouse) which are expressly rescinded by this order in paragraph 3; and 2) the provisions in Nassau County Administrative Order 2020-11 (moratorium on foreclosures, evictions, and writs of possession) which is expressly rescinded by paragraph 4.

2. **Jury Trials** – Consistent with the Phase II Operational Plan, all criminal and civil jury trials are suspended through October 2, 2020;

3. **Access to Courthouse** – Nassau County Administrative Order 2020-3 governing access to both courthouses is hereby rescinded. Access to the Nassau County Courthouses in Yulee and Fernandina Beach is expressly governed by the Phase II Operational Plan, except that Starting **Monday, September 14, 2020**, the general public shall have limited access to the Historic Courthouse, capped at 10 persons, to utilize the services of the Tax Collector, Property Appraiser, and Supervisor of Elections Offices. All members of the general public entering the Historic Courthouse shall abide by the requirements outlined in The Phase II Operational Plan for the Yulee Courthouse and shall be screened before entry in the same manner.

4. **Foreclosure Actions, Residential Tenant Evictions, & Writs of Possession** - Nassau County Administrative Order 2020-11 imposing a temporary moratorium on Foreclosure Actions, Residential Tenant Evictions, and Writs of Possession is hereby rescinded. These actions are now expressly governed by Fourth Judicial Circuit Administrative Order 2020-30, dated September 1, 2020, covering Duval, Nassau, and Clay Counties. Likewise, Fourth Judicial Circuit Administrative Order 2020-30 shall supersede any provisions contained in Nassau County Administrative Order 2020-16 or the Phase II Operational Plan which are contrary to its provisions.

4. **Prior Inconsistent Administrative Orders** - This order shall supersede any prior inconsistent Administrative Order issued by the undersigned judge addressing temporary emergency procedures related to the COVID-19 pandemic.

DONE AND ORDERED in Chambers at Yulee, Nassau County, Florida, this the 9th day of September, 2020.



JAMES H. DANIEL

Appendix A

for AO 2020-18(b)



**OPERATIONAL PLAN
PHASE 2 OF COVID-19 PANDEMIC**

**NASSAU COUNTY COURTHOUSE
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

Submitted by:
Honorable James H. Daniel, Administrative Circuit Judge
76347 Veterans Way
Yulee, Florida 32097
June 15, 2020

**NASSAU COUNTY COURTHOUSE
OPERATIONAL PLAN
PHASE 2**

In AOSC20-32, the Florida Supreme Court identified four phases of the COVID-19 pandemic:

- Phase 1
In-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare.

- Phase 2
Limited in-person contact is authorized for certain purposes and requires use of protective measures.

- Phase 3
In-person contact is more broadly authorized and protective measures are relaxed.

- Phase 4
COVID-19 no longer presents a significant risk to public health and safety.

PHASE I – CURRENT STATUS

The Nassau County Courthouse consists of two facilities, the Historic Courthouse located in Fernandina Beach and the Robert Foster Justice Center located in Yulee. Both courthouses have been operating and open for business under Phase 1 in accordance with the local administrative order 2020-16 attached as **Appendix A** to this document.

Under Phase 1, all circuit judges have continued to hear cases remotely by Zoom application in each of their assigned divisions, including felony criminal, misdemeanor county, family, civil, and domestic violence. Although the judges in Nassau County have conducted very few in-person hearings for the last two months, it is estimated they have been able to handle their dockets at approximately 75% of normal capacity with the major limitations being the moratorium on jury trials and pleas involving sentences that require time served in the Florida State Prison. The circuit judges in charge of the felony, juvenile, and misdemeanor dockets, without any real limitation from the court's standpoint, continue to handle pleas and sentencing hearings involving probation or county jail time, bond hearings, arraignments, and, to a lesser extent, hearings on motions to suppress and motions to dismiss. The circuit and county judges have placed no restrictions on the number or type of hearings in their civil and family law divisions, including bench trials and pro se family law hearings in front of the magistrate.

Clerk of the Court operations have been suspended at the Historic Courthouse and most Clerk operations at the Yulee facility have been handled over the internet or by telephone. General public access to the courthouse in Yulee is limited to individuals filing petitions for domestic violence injunctions, Baker Act petitions, and a minimal number of what might be considered emergency motions. The Historic Courthouse has been closed to the general public since the start of the

COVID-19 emergency. Both courthouses have been open for employees of the Clerk of the Courts, State Attorney's Office, Public Defender's Office, Nassau County Sheriff's Office, and other offices and agencies that share both facilities. However, none have been allowed to conduct any business that would require the admission of a member of the general public. Many employees in the various offices have been working remotely so that courthouse offices have operated with a greatly reduced staff. Like the Clerk's office, the Tax Collector's office and the Property Appraiser's office at the Historic Courthouse have ceased operations.

The Yulee courthouse has utilized COVID-19 screening protocols for the past two months in the manner described in administrative order 2020-15 attached as **Appendix B** to this document. All employees working at the Yulee courthouse, without exception, were initially required to answer the screening questions at the start of COVID-19 screening and then have their temperature taken each morning before work begins. Any member of the general public entering the facility must submit to the entire screening protocol. COVID-19 screening has been provided by two Board Certified Occupational Therapists who have medical training and have been provided personal protection equipment (PPE). All entrances to the Yulee courthouse, except the main entrance in the front of the courthouse, have been closed to both employees and the general public. Screening occurs in the vestibule before entry through the courthouse metal detectors. All those entering the Yulee courthouse must use hand sanitizer provided by the county before they are allowed to proceed to other areas of the courthouse.

Nassau County is now ready to transition to Phase 2. The transition to Phase 2 will commence on June 22, 2020. The Florida Supreme Court has directed that prior to expanding operations beyond Phase 1, each court shall develop an operational plan. This Court has developed its operational plan by addressing all requirements specified in AOSC20-23, Amendment 2; AOSC20-32; and the report of the COVID-19 Workgroup on the Requirements, Benchmarks, and Guidelines Governing the Transition to Limited in-Person Contact (Phase 2). The Administrative Judge for the county has consulted with fellow judges and justice system partners including the Office of the State Attorney, Office of the Public Defender, Clerk of the Court, Nassau County Sheriff's Office, Facilities Manager for Nassau County, Nassau County Public Health Department, and the Nassau County Bar Association to design this operational plan to implement Phase 2.

A court must meet five benchmarks prior to transitioning from Phase 1 to Phase 2 and expanding in-person activities. As discussed below, this Court has met all five benchmarks. Nonetheless, the Court will continue to monitor federal, state and local health department data; recommendations from local health care experts to determine the status of the local community's health conditions related to COVID-19; and news media reports. If after transitioning to Phase 2, local conditions deteriorate or resources become strained, the county Administrative Judge will consult with the Chief Judge to determine if the Court should return to Phase 1 operations or adjust Phase 2 operations to meet the current public health situation or the needs of the Court.

BENCHMARKS FOR TRANSITION TO PHASE 2

Benchmark 1

No confirmed or suspected cases of COVID-19 in the court facility within a 14-day period; or if confirmed or suspected cases have occurred in the court facility, deep cleaning and disinfecting of exposed areas and applicable employee self-quarantine actions have been implemented.

Because there have been no confirmed or suspected cases of COVID-19 in either of the Nassau County Courthouses within the previous 14 days, Benchmark 1 has been met.

Benchmark 2

Rescission of local and state restrictive movement and/or stay-at-home orders.

State and local stay-at-homes orders have been lifted in Nassau County. The Court will continue to monitor official state and local actions to ensure that restrictive movement and stay-at-home orders remain lifted. Benchmark 2 has been met.

Benchmark 3

Improving COVID-19 health conditions over a 14-day period in the community, including conditions such as the number of confirmed COVID-19 cases and related deaths in relation to a community's population density, downward trajectory of positive tests as a percentage of total tests, size of particularly vulnerable populations, and availability of medical facilities including emergency and intensive care capacity.

Nassau County is located in northeast Florida and is the northernmost county in the Fourth Judicial Circuit. The U.S. Census Bureau estimates Nassau County's 2019 population at 88,625, and its estimated 2020 population at 91,372. The U.S. Census Bureau indicates Nassau County has an annual growth rate of 3.1%. Nassau County's population increased 21% between 2010 and 2020.

Florida Department of Health -Nassau met the state's "May2Day" program goal, testing 2% of the population (approximately 1,780 individuals) during the month of May, and plans to continue to host two sample-collection events each week in order to reach that target for the coming summer months. An average of 2% of the Nassau County residents tested have been positive (**Figure 1**), while the proportion of positive tests statewide for the same period is 5%. Of the 653 cases that were tested between June 3, 2020, and June 8, 2020, there were zero positive results.

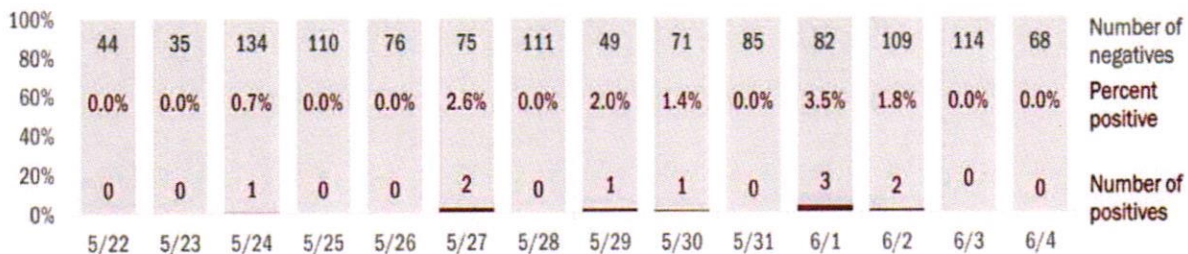


FIGURE 1 – LAB TEST RESULTS FROM MAY 22ND TO JUNE 4TH FOR NASSAU COUNTY

As of June 5, 2020, Nassau County had collected samples from 4,186 individuals, identifying 75 residents positive for the novel SARS-CoV-2 and seven positive non-residents (**Figure 2**) all within the age range of 14-89 years.

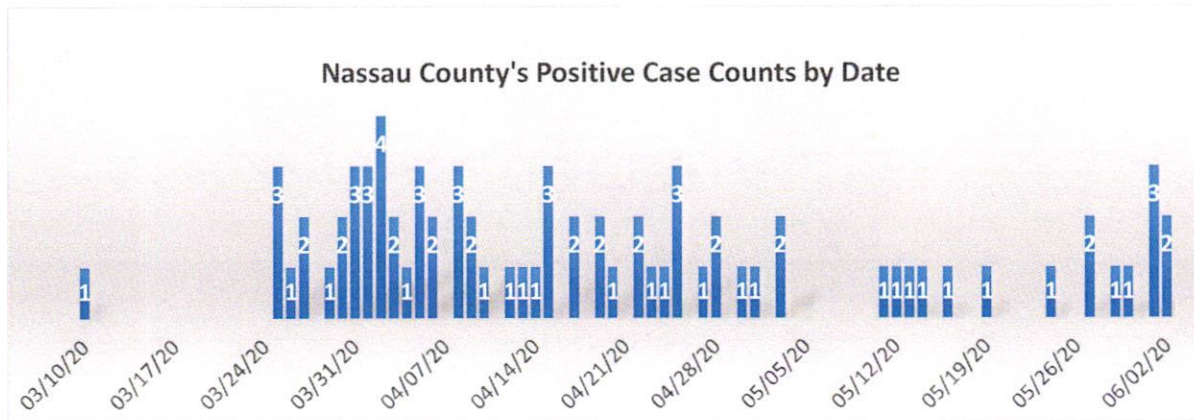


FIGURE 2 – CASES OF SARS-COV-2 IDENTIFIED IN NASSAU COUNTY

Fifteen of the 82 positive cases identified in Nassau required hospitalization at some point during their infection, but the county has recorded only one death classified as “COVID-related,” an elderly person with known co-morbidity factors. As of June 5, 64 of Nassau’s 82 positive cases have been released from isolation (i.e. are no longer considered contagious) by public health officials, and none of the remaining isolated patients are hospitalized. Local private medical care providers are operating normally and the county’s 62-bed “Class 1 rural hospital” facility (e.g., no trauma unit, intensive care unit <10 beds), Baptist Medical Center Nassau, is fully staffed and outfitted, operating at less than 50% capacity with the capability of treating up to 28 individuals in airborne infectious disease isolation and the option to transport critical care patients to the Baptist Medical Center system’s sister facilities in neighboring Duval County.

Nassau County is situated close to downtown Jacksonville and the hospitals that serve this area. By way of example, the Yulee courthouse is only 22 miles from the Duval County Courthouse. Nassau County residents, thus, have easy access to not only Baptist Medical Center’s facilities in Duval County, but all downtown Jacksonville hospitals that include Shands-Jacksonville and St. Vincent’s Hospital.

Nassau County has had a low incidence of COVID-19 cases since the start of the pandemic and its numbers have never trended in an upwards trajectory. There have been no positive tests or reported cases within the last nine days. These factors in Benchmark 3 have been met, and the Court will continue to monitor these factors.

Benchmark 4

Adequate testing programs in place, increased availability of COVID-19 tests, and emerging antibody testing.

Benchmark 4 has been met as adequate testing programs are in place for Nassau County residents. Nassau County has met the 2% benchmark established by the State. In addition to Baptist Medical Center and Amelia Urgent Care facilities, the Florida Department of Health – Nassau County has conducted targeted testing at churches and other facilities throughout the county in order to reach out to individuals who may not have information about testing availability or suitable transportation. Additionally, Amelia Urgent Care has provided anti-body testing.

Since most Nassau County residents live close to downtown Jacksonville and Duval County, they have access to additional testing locations:

- Legends Center, 5130 Soutel Dr., Jacksonville, FL 32208
- TIAA Bank Stadium, Lot J, One TIAA Bank Field Dr., Jacksonville, FL 32202
- Ascension St. Vincent's
- CareSpot Urgent Care Centers
- Crucial Care
- CVS Pharmacies
- Mayo Clinic
- MedExpress Urgent Care, Atlantic Blvd.
- River Region-Arlington
- Veterans Administration Jacksonville Outpatient Clinic
- Walmart, Beach Boulevard
- Walmart, Lem Turner Road

Benchmark 5

Consultation with other building occupants (for multi-tenant courthouses or buildings) and with justice system partners (including, but not limited to clerk of court, state attorney, public defender, law enforcement, local bar, and others necessary to resume certain case types, such as the Department of Children and Families).

From the start of the pandemic, the Administrative Judge for the county has consulted almost weekly with the Clerk of the Court and his management team, as well as the deputies from the Nassau County Sheriff's Office (NCSO) that provide security to both courthouses. The current operational plan contained in the Administrative Order attached as Appendix A was developed only after consultation with these offices, as well as the Tax Collector's Office, Property Appraiser's Office, County Court Probation Office (located in the Yulee courthouse), and the other judges assigned to Nassau County. Since that entry of the Administrative Order, the Administrative Judge has continued to communicate regularly with justice system partners to brief them on the status of courthouse operations and to advise them of any changes to the systems in place to meet the requirements of the Florida Supreme Court. In preparing this report, he has conferred with each of these stakeholders on transitioning to Phase 2.

PHASE 2 OPERATIONS

Pursuant to the Florida Supreme Court's Administrative Orders and having met the benchmarks necessary to move from Phase 1 to Phase 2 of court operations, the following Operational Plan has been developed to move the Nassau County Courthouse to Phase 2 operations.

(I)
Public Information

Information regarding the limited access to the Nassau County Courthouse facilities during Phase 2, including who will be permitted to enter the Courthouse and the requisite health screening protocols, will be disseminated to the public through signage posted at the Courthouse including electronic signs stationed throughout all three floors; the Nassau County Clerk of the Court's website that contains information about the judges and includes all Administrative Orders; press releases; Nassau County website; and notifications to members of The Nassau County Bar Association.

(II)
Health and Safety Screening

The Nassau County Courthouse has one main entrance for the general public and attorneys and a side employee entrance used by all courthouse employees except judges, magistrates, and judicial assistants. Judges, magistrates, and judicial assistants park in a secure garage and take a private elevator to their judicial offices. The Court will take the following precautions to ensure no one enters the Courthouse when there is a likelihood he or she has COVID-19 or is exhibiting symptoms of COVID-19.¹

General Public & Attorneys

The Historic Courthouse in Fernandina Beach shall remain closed to the general public and all attorneys. No screening procedures are necessary for that courthouse at this time.

At the Yulee courthouse, the general public and all attorneys without offices in the courthouse will continue to use the front main entrance to enter the building. The front entrance consists of 4 sets of double doors. However, all but one of those sets of doors has traditionally been locked, and it will remain that way during Phase 2 to ensure a single entry path into the courthouse. The courthouse plaza in the front of the courthouse will remain open, but those entering the front door will be directed by rope and/or other suitable barriers to a covered sidewalk that leads to the front entrance. Those entering the courthouse will gain entry only through this path. On the covered sidewalk, marks will be placed 6 feet apart for people to stand while waiting entry to ensure social distancing.

¹ The CDC lists the symptoms of COVID-19 to include cough, shortness of breath or difficulty breathing, fever, chills, muscle pain, sore throat, and new loss of taste or smell. Other less common symptoms include nausea, vomiting, or diarrhea.

Those entering the main front doors will be met first in the interior vestibule by one of the two screeners that have been conducting COVID-19 screening for the past 8 weeks. This area is located in front of the metal detectors. We intend to continue to retain these screeners throughout Phase 2. The screeners will use the protocol that we developed at the start of screening, which is attached as **Appendix B**. The health screeners will have appropriate PPE. If a person has a temperature of 100.4 degrees Fahrenheit or above, the screener will inform the individual that his or her temperature is above normal, and he or she will not be allowed to enter the facility. The screeners will then ask the following series of questions:

1. Have you had any of the following symptoms in the last 14 days (excluding those due to a known medical reason)?
 - Cough
 - Sore throat
 - Shortness of breath or difficulty breathing
 - Chills
 - Muscle pain or body aches
 - New loss of taste or smell
2. Are you currently awaiting the results of a test to determine if you have COVID-19?
3. Are you under instructions to self-isolate or quarantine due to COVID-19?
4. Have you had close contact with someone who has traveled to an area with a notably high concentration of COVID-19 cases, who is awaiting test results for COVID-19, or has received a COVID-19 diagnosis?
5. Have you traveled to an area with a notably high concentration of COVID-19 cases?

A person who answers yes to any of the five questions shall not be allowed to enter the facility.

Once members of the public pass the temperature check, they will next move through the metal detectors that are staffed by deputies from the NCSO. NCSO deputies will be issued masks and gloves. Those working at the metal detectors will not be required to wear masks, but will be required to wear gloves and stand behind a Plexiglas barrier. If a NCSO deputy must use a wand to search a member of the general public or an attorney, that deputy will wear a facemask.

In addition to their regular screening duties, the deputies will ask all members of the general public and attorneys where they are going. The judges will provide information to the deputies each morning about any in-person hearings at the courthouse and the individuals that will be appearing for those hearings.² The State Attorney's Office and Public Defender's Office are permitted to have one member of the general public in their offices at a given time and will be required to

² As discussed later, in-person hearings in Phase 2 will be very limited and only by express permission of the presiding judge.

provide that information to the NCSO deputies each day as well. The number of individuals from the general public allowed inside the Yulee courthouse at any one time is capped at 30. NCSO deputies will monitor the numbers and will require those awaiting entry to stand 6 feet apart on the covered sidewalk outside the front entrance doors until there is an exit from the courthouse by another member of the general public.

Anyone entering the Yulee courthouse that does not regularly work in the courthouse, including members of the general public and attorneys with offices separate from the facility, must wear appropriate facemasks upon entry. Anyone entering who does not have a facemask, will be supplied one by NCSO deputies. The courthouse currently has a supply of 1000 facemasks and a supply source to obtain more as needed. By local administrative order, anyone entering the courthouse through the front doors is directed to use hand sanitizer before proceeding to conduct their business. We are currently in the process of locating and purchasing multiple automatic hand sanitizer stations, but until available, we will supply a large bottle of hand sanitizer for everyone's use.

If an individual is scheduled for a court appearance and has been denied access to the courthouse, he or she will be directed to a bailiff who will contact the presiding judge and the Clerk of the Court. The bailiff will say only that the individual was not admitted as a result of the health screening. Alternative arrangements will be made for this person, such as handling their business over the phone, rescheduling a hearing, or other means as appropriate. Information about alternative access to the Court, containing contact information for Court Administration and the Clerk of the Court, will be provided to the individual. The bailiff will record the number, not the names, of individuals requiring a court pass date.

The decision to deny further entry to the courthouse based on the health screening results will be made solely by the health screeners. Persons refusing to undergo health screening will be turned away. If at any time, a member of the public leaves the courthouse, he or she will be screened again upon return.

Courthouse Employees & Vendors

The employee entrance on the side of the courthouse has been closed since the Administrative Judge instituted COVID-19 screening at the main entrance, and it will remain closed throughout Phase 2. All courthouse employees from whatever office, except judges, magistrates, and judicial assistants, will enter through the main entrance at the front and go through the same protocol as the general public and attorneys conducting courthouse business with two exceptions. First, they will not be asked the series of COVID-19 questions once they have initially provided answers. Second, they will not be subject to screening with the metal detectors. However, the temperature of each employee will be taken every day and, if above 100.4 degrees Fahrenheit, they will be instructed to leave and work from home.

Judges, magistrates, and judicial assistants park in a secure garage facility and use a private elevator to reach their offices. They will be required to self-check their symptoms and submit to temperature screening by the health screener after they arrive.

The Human Resources Director for the Fourth Judicial Circuit will contact any employee who has been sent home to identify any employee he or she had come into contact within the preceding days. The Human Resources Director will notify persons who may have had contact with the employee who has been sent home and inform them they may have been exposed to a person showing symptoms of and is being tested for COVID-19. The Human Resources Director will not reveal the name of the employee who has been sent home.

Court employees must contact their supervisor immediately and remain home for 14 days if they live with a family member who:

- is exhibiting COVID-19 symptoms;
- was directed to be tested; or
- has tested positive for COVID-19.

These employees must provide medical clearance before returning to work.

Employees who are required to self-quarantine or test for COVID-19 shall be permitted to use available Emergency Paid Sick Leave (EPSL), personal sick leave, or work remotely. Employees who fail to follow these procedures shall be disciplined with sanctions that could include leave without pay and/or termination.

All judges and court employees who will travel internationally or on a cruise, must notify the Chief Judge or Trial Court Administrator in advance of such travel. All judges and court employees who travel internationally or on a cruise will not be allowed to return to the facility for 14 days upon returning home. To the extent judges can perform their duties remotely, they must do so. Employees will need to use their available sick, annual, or compensatory leave during this 14-day period. Employees can also consult with their supervisor about the Court's telework policy to explore options for working remotely. Court employees who do not have available leave and who are unable to work remotely may be subject to leave without pay.

If no symptoms occur within the 14-day time period, judges and employees may return to work, subject to any additional requirements that may be imposed by the CDC, a state public health agency, the Chief Justice, or the Chief Judge, as a result of the state of emergency.

Judges and employees must notify the Chief Judge or Trial Court Administrator if they plan to travel to an area identified as a hot spot to determine if a 14-day quarantine is required upon their return.

All vendors delivering items to the courthouse will not be allowed to enter unless necessary to provide the requested item or services. Most deliveries will be left in the interior vestibule at the main entrance of the courthouse. If a vendor must enter, then they will go through the screening protocols in the same manner as any courthouse employee.

Inmates

NCSO and the Florida Department of Corrections inmates and juveniles detained by the Department of Juvenile Justice (DJJ) must undergo health screening and temperature checks prior to being transported to the courthouse. NCSO and DJJ health screenings will comply with each department's medical requirements and policy.

Inmates who appear at the Courthouse in person, must always wear a mask while in the Courthouse. NCSO will provide masks upon arrival and dispose of the masks upon departure.

(III) ***Procedures Within the Courthouse***

Phase 2 requires limited in-person contact as authorized for certain purposes and/or requires use of protective measures. As stated earlier, the Historic Courthouse will remain closed throughout Phase 2. The Yulee courthouse will follow current CDC social distancing guidelines that recommend staying at least 6 feet from other people. These guidelines will be enforced in public common areas, galleries and wells of courtrooms, hallways, elevators, restrooms, or other locations where the public might gather.

After passing through the security screening, members of the public will leave the lobby and proceed directly to the area where they will address the purpose of their visit. If an individual must travel to another floor, he or she can use the stairs to the second floor or the elevators. In each case, the individual must conform to social distancing. There will be signs to indicate only two occupants in an elevator at one time.

Restrooms are located on every floor. Signs will indicate how many occupants are permitted in a restroom at one time. Measures will be taken to ensure social distancing in each restroom, including limiting the number of toilets, urinals, and sinks available in each restroom. Water fountains have been shut down and signs posted informing everyone that they are not operational.

Only 30 members of the general public will be allowed into the courthouse at one time and NCSO deputies will monitor the number of people admitted. NCSO deputies will ensure that those entering the courthouse do not loiter and immediately proceed to the area where they will complete their courthouse business.

Each office in the Yulee courthouse will adhere to the following procedures:

Clerk of the Courts

Since the start of the COVID-19 emergency, the Clerk of the Court has moved the majority of its operations from in-person service to remote service either by telephone or through the Clerk's website. The Clerk's office quickly adapted to the needs of the emergency and developed protocols and software to allow the general public to continue accessing most of its services without physically being at the courthouse. As a result, only a very small number of individuals needed access to the Yulee courthouse during Phase 1.

The Clerk's office has requested the Administrative Judge allow expanded in-person access to its services at the Yulee courthouse. The Clerk's office remains committed to the enhanced remote options it developed at the start of this emergency and will continue emphasizing its new protocols and developing more remote options to make it easier for the general public. The Clerk's office will be permitted to offer expanded in-person access at the Yulee courthouse using the following protocols:

Civil Department:

Because the Civil Department has a small enclosed lobby, the capacity will be limited to 3 customers. Social distancing markers will be placed in front of workstations. All furniture with the exception of 3 chairs will be removed from the Civil Department lobby. Signs will be placed outside of the Civil Department lobby stating capacity restrictions.

One of the double doors of the lobby will be left open at all times to eliminate touching the door handles.

Injunction petitioners will be given forms and sent to designated areas of the Courthouse for completion to allow for the continued flow of customers.

Criminal Customer Service:

The Criminal Customer Service counters have the capacity to socially distance 4 customers at a time with enough space to have 4 spots for customers waiting for the next available clerk.

Recording Department:

The Recording Department counter has the capacity to socially distance 3 customers at a time with enough space to have 3 spots for customers waiting for the next available clerk.

Marriage Licenses will be handled on an appointment only basis. The appointment list will be given to the bailiff each morning. All other couples will be instructed to go to nassauclerk.com to schedule an appointment.

Lobby:

There are 3 benches in the lobby of the Criminal and Recording Departments. Signs will be placed on each bench with markers to allow for social distancing. With the social distance markers, the benches will accommodate approximately 9 people.

Historic Courthouse:

Because there is limited customer service space and no barriers between the clerk staff and the public, the Historic Courthouse will remain closed during Phase 2.

Hygiene Protocols:

Signage will be posted on kiosk located on the first floor reminding customers of hygiene protocols, including but not limited to hand washing and social distancing. Periodic announcements also will be made advising social distancing. Hand sanitizer will be widely available for the general public and clerk employees.

In most interactions with the general public, employees of the Clerk's office will remain behind Plexiglas barriers. If an employee is required to communicate with a member of the general public, he or she will wear a protective mask. Employees will be provided gloves when handling documents taken directly from a member of the general public.

Court Operations

The judges will continue to handle cases in a manner consistent with the procedures detailed in local Administrative Order 2020-16. Under this order, the Court will conduct almost all proceedings remotely by Zoom application or telephonically.

Plea hearings involving felony and misdemeanor cases, where the defendant is out of custody and will not serve any prison or jail time, are a partial exception to this policy. The presence of such out-of-custody defendants is necessary because NCSO deputies must fingerprint them, take buccal swabs, and process their paperwork and this can be done only in person. Out-of-custody defendants who will not serve any jail or prison time will be allowed entry into the first floor jury assembly room where they can enter their pleas with the assistance of a large touch monitor. The judges, state attorneys, public defenders, deputy clerks, and court reporters will all appear remotely. Only NCSO deputies will be in the jury assembly room and no more than two at a time. They will be required to wear masks and gloves and, as much as possible, stay 6 feet away from the defendant. Out of custody pleas will be scheduled one at a time and only one defendant will be allowed into the jury assembly room. No other criminal pleas will be handled this way.

The judges presiding over criminal cases have the discretion to hold suppression hearings in-person if the motion requires witness testimony. However, only the defendant, defense attorney, state attorney, judge, deputy clerk, and court reporter will be allowed in the courtroom and each will be appropriately spaced at least 6 feet apart. All will be required to wear masks and, where appropriate, gloves. Only one witness at a time will be allowed into the courtroom. All witnesses waiting to testify will be staged in an adjacent courtroom six feet apart. The witness stand and microphone will be sanitized after each witness completes their testimony. The courtroom will be wiped down after completion of the hearing. Evidentiary hearings for motions to suppress should be rare.

Although each judge has the discretion to conduct an in-person hearing as he or she sees fit, only in the rarest of circumstances will that happen, and the protocols described above for suppression hearings must be followed. The Court will not conduct any jury trials in Phase 2, and sentencing hearings in cases involving prison time will be limited to the extent that the Department of Corrections will accept new prisoners. Under administrative order 2020-16, the judges in Nassau

County have been able to operate at about 75% of normal capacity. Accordingly, there is not a need to expand in-person hearings at this time.

Court personnel will be encouraged to work remotely when possible. Thus, the Family Court Services division that assists pro se family law cases will conduct all meetings remotely either by telephone or video conference and supply all necessary family law forms via electronic file over the internet. Likewise, the court recorder providing audio recordings of all proceedings in domestic violence, pro se family law cases, and first appearance, will monitor, tag, and record proceedings remotely. Judicial Assistants will periodically work from a remote setting. However, they will have no in-person contact with any attorneys or the general public during Phase 2 if they are working in their offices. Any Court employee who has a compromised immune system or is considered to be part of any vulnerable group, or provides direct care for any family within these categories, will be required to stay at home during Phase 2.

Except for the occasional in-person hearing, all courtrooms and hearing rooms will remain closed and off limits except to courthouse employees. The courthouse library will remain closed.

State Attorney's Office & Public Defender's Office

Each office will be allowed one visitor from the general public at a time between the hours of 9 a.m. and 5 p.m., with visitors submitting to the protocol outlined above. The names of any visitors must be provided to the NCSO deputies at the front door before any visitor will be allowed entry. Deputies from the Nassau County jail will not bring any incarcerated clients to the courthouse to meet with attorneys or investigators in the Public Defender's Office because inmates must be quarantined for 14 days upon their return to the Nassau County jail.

Misdemeanor Probation Office (Clearview Concepts)

The Yulee courthouse houses two probation officers handling misdemeanor cases. During Phase 1, they were not allowed to meet with any clients at the courthouse and were required to monitor them by remote means. In Phase 2, the probation office can meet with no more than 10 clients on probation in a single business day. Each probation office can meet with only one client at a time and must provide the names of those clients to the NCSO deputies at the front entrance before any client will be allowed entry.

All clients must wear face masks in the courthouse and meeting with their probation officers. Probation officers should wear masks during these meetings and keep 6 feet or more between them and their clients. The probation office is in the process of developing enhanced remote protocols and will be encouraged to continue in this effort.

Teen Court, Veteran's Services, and Guardian Ad Litem

Teen court will remain suspended in Phase 2. All services provided to the general public by the Veteran's Services office and the Guardian Ad Litem office shall be done remotely by video conference or telephonically.

(IV)
Hygiene Procedures

Many of the hygiene protocols already have been discussed in this Plan; however, the following are some general hygiene protocols that will be used during Phase 2.

Hand sanitizer will be widely available throughout the Courthouse, including but not limited to screening areas, queuing areas, waiting areas, offices, and courtrooms (to the extent they may be used). By order of the Administrative Judge, all who enter the courthouse must immediately sanitize their hands. All members of the general public must wear masks while they are in the courthouse and masks will be provided if an individual does not bring one of their own. Cleaning supplies have been provided to all Courthouse employees and have been placed at various areas within the Courthouse. Employees will be directed to clean the surfaces they use, including but not limited to keyboards, laptops, desk surfaces.

All water fountains in the Courthouse will remain out of service with appropriate signs communicating this.

The enhanced cleaning practices that have been employed since the beginning of Phase 1 will continue through Phase 2. Normal touch surfaces like door handles and elevator buttons will be cleaned multiple times a day. Restrooms will be cleaned and disinfected two times a day, during normal business hours.

Plexiglas barriers have been installed for all service counters in the Clerk's office. At this time, since almost every court proceeding will be handled remotely, there is no need to install Plexiglas barriers for judicial assistants, Family Court Services, or courtroom operations. Court personnel will not have in-person contact with any private attorneys or the general public during Phase 2.

(IV)
Conclusion

The Nassau County Courthouse has met all the benchmarks for transitioning to Phase 2 and has an operational plan that complies with the COVID-19 Workgroup's Report. Thus, Nassau County should proceed to Phase 2 without delay to provide greater access to the courts, where remote proceedings are not possible or feasible, and begin to address the delays and backlogs created by Phase 1 operations. This Operational Plan will be reviewed and updated on a regular basis to keep pace with advancements in best practices and to adjust for lessons learned during its deployment. All persons entering the Nassau County Courthouse should be assured their health and safety is of paramount importance.