

Patty Baker, Clerk of Superior Court - Cherokee County, GA

**IN THE JUVENILE COURT OF CHEROKEE COUNTY
STATE OF GEORGIA**

**ADMINISTRATIVE ORDER
PHYSICAL RESTRAINT OF JUVENILES IN THE COURTROOM**

PURSUANT to Uniform Juvenile Court Rule 20, a juvenile appearing in Juvenile Court shall only be physically restrained under the following circumstances:

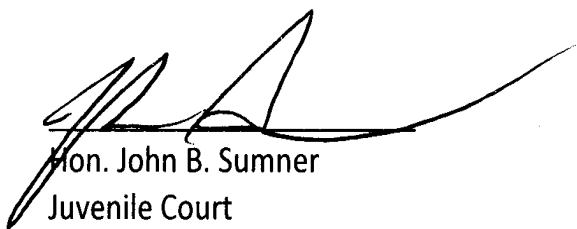
- (1) Physical restraints, when allowed, shall be limited to the use of handcuffs, unless the Court determines special circumstances exist;
- (2) Physical restraints may only be used when a juvenile is charged with a Class A or B designated felony act;
- (3) The District Attorney may file a motion to request additional or alternative physical restraints;
- (4) The District Attorney may file a motion to request physical restraint for any juvenile appearing before the Court;
- (5) The Juvenile may file a motion to request no physical restraints;
- (6) In determining special circumstances and other applications of this rule, the Court shall consider the underlying charge(s); the potential risk of harm to the juvenile, the Court, court staff, and the public; the age of the child; the physical size or limitations of the child; history of violence; reasonable suspicion of gang related activity; history of disruptive courtroom behavior; mental health limitations or conditions of the child; substantial risk of flight from the courtroom; or any other factor affecting the welfare of the juvenile, the due process rights of the juvenile; and that there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including but not limited to, other non-visible restraints or the presence of court personnel or law enforcement;

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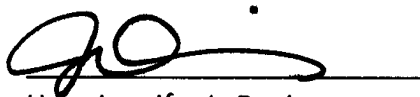
(7) This rule shall only apply to the appearance of the juvenile before the Court and does not include the transport and security while outside the courtroom;

(8) This rule does not apply when a juvenile disrupts a court proceeding. Court security personnel may act within their discretion regarding necessary restraint to prevent disruption to court proceedings or potential physical harm to the juvenile, the Court, court staff, and the public.

So Ordered this 5th day of October, 2020



Hon. John B. Sumner
Juvenile Court
Blue Ridge Judicial Circuit



Hon. Jennifer L. Davis
Juvenile Court
Blue Ridge Judicial Circuit