

FILED IN OFFICE

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

2020 MAR 16 P 2:26

*Dianne Mader*  
CLERK, SUPERIOR CT  
CHATHAM COUNTY, GA

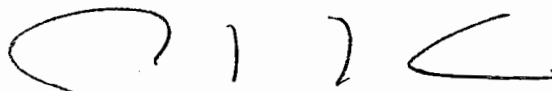
In Re: |  
|  
Declaration of Judicial Emergency |  
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**ORDER ADOPTING THE SUPREME COURT OF GEORGIA'S ORDER DECLARING  
STATEWIDE JUDICIAL EMERGENCY**

The undersigned Chief Judge of Superior Court for the Eastern Judicial Circuit of Georgia does hereby adopt the amended Order Declaring Statewide Judicial Emergency that was entered on March 14, 2020 by Chief Justice Harold D. Melton of the Supreme Court of Georgia and is made the Order of the Eastern Judicial Circuit. The amended Order Declaring Statewide Judicial Emergency is attached hereto as Exhibit A. This Order supercedes the Order on Essential Judicial Operations entered on March 13, 2020 by the undersigned on behalf of all courts in this circuit.

Attached to this Order is Exhibit B which contains the updated announcement of each class of courts in Chatham County of cancellations and of the essential functions of each court which shall be conducted pursuant to this Order.

**SO ORDERED** this 16 day of March, 2020.

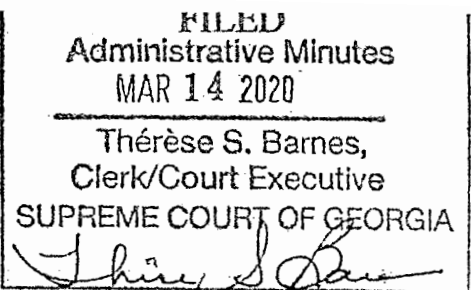


Penny Haas Freeseemann, Chief Judge  
Superior Court, Eastern Judicial Circuit

- cc: Chief Justice, Georgia Supreme Court
- All Judges and Clerks of Court
- District Attorney
- Chairman Chatham County Commission
- News media



## SUPREME COURT OF GEORGIA



March 14, 2020

(Amended)

### ORDER DECLARING STATEWIDE JUDICIAL EMERGENCY

WHEREAS, the Governor has determined that a Public Health State of Emergency exists in the State of Georgia due to the spread of the Coronavirus/COVID-19, and whereas that state of emergency constitutes a “judicial emergency” pursuant to OCGA § 38-3-60 et seq., see OCGA § 38-3-60 (2).

Now therefore, pursuant to OCGA § 38-3-61, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, DOES HEREBY ORDER AND DECLARE a Statewide Judicial Emergency in the State of Georgia. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout the State and the potential infection of those who work in or are required to appear in our courts.

Thus, in order to protect the health, safety, and liberty of all citizens in this State, the undersigned hereby declares a Statewide Judicial Emergency affecting all courts and clerk’s offices in the State as it relates to all judicial proceedings.

To the extent feasible, courts should remain open to address essential functions, and in particular courts should give priority to matters necessary to protect health, safety, and liberty of individuals. Essential functions are subject to interpretation; however, some matters that fall into the essential function category are: (1) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available; (2) criminal court search warrants, arrest warrants, initial appearances, and bond reviews; (3) domestic abuse temporary protective orders and restraining orders; (4) juvenile court delinquency detention hearings and emergency removal matters; and (5) mental health commitment hearings.

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In addition, trials in any criminal case for which a jury has been empaneled and the trial has commenced as of the date of this order shall continue to conclusion, unless good cause exists to suspend the trial or declare a mistrial. The decision whether to suspend a criminal trial or declare a mistrial rests with the judge presiding over the case.

To the extent court proceedings are held, they should be done in a manner to limit the risk of exposure, such as by videoconferencing, where possible.

Pursuant to OCGA § 38-3-62, during the period of this Order, the undersigned hereby suspends, tolls, extends, and otherwise grants relief from any deadlines or other time schedules or filing requirements imposed by otherwise applicable statutes, rules, regulations, or court orders, whether in civil or criminal cases or administrative matters, including, but not limited to any: (1) statute of limitation; (2) time within which to issue a warrant; (3) time within which to try a case for which a demand for speedy trial has been filed; (4) time within which to hold a commitment hearing; (5) deadline or other schedule regarding the detention of a juvenile; (6) time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury; (7) time within which to file a writ of habeas corpus; (8) time within which discovery or any aspect thereof is to be completed; (9) time within which to serve a party; (10) time within which to appeal or to seek the right to appeal any order, ruling, or other determination; and (11) such other legal proceedings as determined to be necessary by the authorized judicial official.

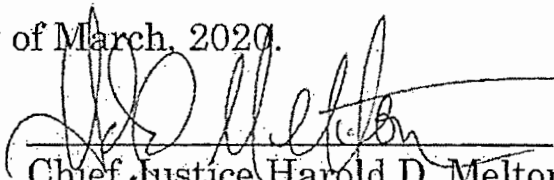
**This Statewide Judicial Emergency shall terminate on April 13, 2020, at 11:59 p.m., unless otherwise extended.**

Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification, a determination of available alternative remedies for the conduct of court business will be made as necessary, and a corresponding order will be entered and distributed in accordance with Georgia law.

IT IS FURTHER ORDERED, pursuant to OCGA § 38-3-63, that notice and service of a copy of this Order shall immediately be sent to the judges and clerks of all courts in this State and to the clerk of the Georgia Court of Appeals, such service to be accomplished through means to assure expeditious receipt, which include electronic means; and

IT IS FURTHER ORDERED that notice shall also be sent to the media, the State Bar of Georgia, and the officials and entities listed below and shall constitute sufficient notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

IT IS SO ORDERED this 14<sup>th</sup> day of March, 2020.

  
Chief Justice Harold D. Melton  
Supreme Court of Georgia

cc:

Governor Brian P. Kemp  
Lt. Governor Geoff Duncan  
Speaker David Ralston  
State Bar of Georgia  
Administrative Office of the Courts  
Judicial Council of Georgia  
Council of Superior Court Clerks of Georgia  
Department of Juvenile Justice  
Criminal Justice Coordinating Council  
Council of Accountability Court Judges  
Georgia Commission on Dispute Resolution  
Institute of Continuing Judicial Education of Georgia  
Georgia Council of Court Administrators  
Chief Justice's Commission on Professionalism  
Judicial Qualifications Commission  
Association County Commissioners of Georgia  
Georgia Municipal Association  
Georgia Sheriffs' Association  
Georgia Association of Chiefs of Police  
Georgia Public Defender Council

Prosecuting Attorneys' Council of Georgia  
Department of Corrections  
Department of Community Supervision  
Georgia Court Reporters Association  
Board of Court Reporting  
State Board of Pardons and Paroles

**SUPREME COURT OF THE STATE OF GEORGIA**  
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 . Clerk

**EXHIBIT A to ORDER ADOPTING ORDER DECLARING JUDICIAL EMERGENCY**

For as long as a State-Wide Judicial Emergency is in effect the Courts will address essential functions, which are defined by the various Courts as follows:

**Recorder's Court:**

Felony Preliminary Hearings – (only open for victims, immediate family of the accused and attorney)

Misdemeanor Arraignments for those in jail only

Domestic Violence Misdemeanor Arraignments

Felony Arraignments

Misdemeanor Holds

Please note all arraignments will be conducted by video from the jail.

Warrant signing will still be available at the regular times.

Payment windows will still be open but individuals are requested to pay online rather than come to the courthouse.

**State Court** has vacated all court dockets and will reassess for needed additional measures as events progress.

**Magistrate Court** will only hear first appearances, bond hearings, and garnishment traverses. Magistrate Court will also handle POST certified officer arrest and search warrant applications.

**Probate Court** will continue to process marriage and weapons carry licenses, involuntary mental health commitment proceedings and any other matter deemed to urgent to delay filing.

**Juvenile Court** shall remain open only to address essential functions necessary to protect the health, safety, and liberty of individuals. That shall include, but is not limited to, detention, and dependency emergency removal matters. If you have a hearing and are sick, contact the court before coming. For questions about Juvenile Court matters, please contact your attorney, see the Chatham County Juvenile Court website, or call 912-652-6700.

**Superior Court** has suspended jury trials during the period of this Judicial Emergency. All nonessential, non-urgent matters will be rescheduled; however, attorneys and parties should check with each assigned judge's office. Criminal matters, including plea hearings and revocations will be scheduled for jailed defendants only. Essential functions include bond hearings, temporary protective orders, search warrants, arrest warrants, and other urgent legal matters.

**Chatham County Superior Court Clerk's Office** will be open Monday-Friday 8:00 am to 5:00 pm for all customers to file cases and pleadings in civil and criminal actions, etc. The Real Estate Division including Notaries, UCC's and BPA's will be open business as usual.