

**RECEIVED** FILED

By Therese S Barnes at 2:51 pm, Mar 25, 2020



**THE SUPERIOR COURT**  
EASTERN JUDICIAL CIRCUIT

422 CHATHAM COUNTY COURTHOUSE  
133 MONTGOMERY STREET  
SAVANNAH, GEORGIA 31401-3239

TELEPHONE (912) 652-7252

FAX (912) 652-7254

MANDY ROBERTS

STAFF ATTORNEY

CHAMBERS OF  
PENNY HAAS FREEBEMANN

CHIEF JUDGE

MARY ANN BOYD

JUDICIAL ADMINISTRATIVE ASSISTANT

**MEMORANDUM**

TO: All litigants, attorneys, and members of the public

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

Date: March 24, 2020

On March 14, 2020, the Chief Justice of the Georgia Supreme Court issued an Order Declaring Statewide Judicial Emergency. (A copy of this Order, along with the Order of this Court adopting same, is attached to this Memorandum). In keeping with this Order and to ensure continued operations of the Eastern Judicial Circuit (Chatham County), the court schedules will be reduced and modified to lessen the risk to staff, attorneys, parties, and the public.

Gatherings of more than 10 people are prohibited. As long as there is a Judicial Emergency, the following will occur in Chatham County Superior Court:

**1. GENERAL CONCERNS.**

- a. No one should come to court if they are exhibiting any signs of illness. Please notify the office of the On-Site Judge (see below) if you will be unable to appear.
- b. If you are attending a court appearance, please leave all non-essential people at home. Avoid bringing children or family members, especially the elderly, to court.
- c. The courthouse will remain open to the public, but the general public is encouraged to stay home. Only parties, attorneys, and necessary witnesses should appear for hearings going forward. Pursuant to the dictates of the Chief Justice's Judicial Emergency Order, only essential matters will be heard or handled.
- d. All deadlines have been suspended during the Judicial Emergency, and the public is encouraged to wait until the Emergency has been lifted before coming to the Superior Court Clerk's Office to file any Petitions, Answers to Petitions, Motions, or other Pleadings

2. **JURY SERVICE.** All juries have been cancelled through Monday, April 13, 2020. If you have received a jury summons for that period of time, you will not be needed, and you do not need to come to the courthouse. If you have received a jury notice for a date after April 13, 2020, please call the jury line (912-652-7169) to find out if you are needed. This is especially important since the time period of the Judicial Emergency may need to be extended.
  
3. **CIVIL AND DOMESTIC MATTERS.** All civil and domestic calendars have been cancelled during the judicial emergency. Any emergency hearings will be heard before the On-Site Judge. Do not contact the judges' offices to reschedule non-emergency hearings until after the judicial emergency, as those dates are not yet available. Consent orders and uncontested matters can be emailed to the office of the assigned judge and/or the on-site judge. If you have any questions about the signing of these Orders/Uncontested Matters, please call or email as there is no need to come to the Courthouse for this purpose.
  - a. All Family Violence Petitions, Family Violence Hearings, and Ex Parte Temporary Protective Orders will be heard by the On-Site Judge, by appointment only, and in the courtroom.
  - b. All other emergency matters, including general civil temporary restraining orders, and other domestic/civil matters should be filed with the clerk, with a copy emailed to the assigned judge and administrative assistant. You will be notified if the matter will be heard and, if so, if it will be heard remotely or in the courtroom.
  
4. **CRIMINAL MATTERS.**
  - a. All criminal calendars except as listed below have been cancelled during the judicial emergency. Do not contact the judges' offices to reschedule any cancelled hearing until after the judicial emergency, as those dates are not yet available.
  - b. **Negotiated Plea Hearings.** Negotiated plea hearings will continue to be scheduled for incarcerated defendants only, and will be handled remotely pursuant to the dictates of Uniform Superior Court Rule 9.2. Contact the office of the on-site judge, and ensure that you understand the procedures outlined in the Court's Emergency policy for distance pleas.
  - c. **Bond Hearings.** Bond hearings will continue to be scheduled as needed, and will be handled either in the Courtroom or by conference call. The parties are encouraged to work out consent bond hearings on every case possible, for both new bonds and reconsideration requests. If there is still disagreement, the defense counsel should file a motion. A copy of the motion should be e-mailed to opposing counsel and also to the assigned judge and administrative assistant or, in the case of reconsideration, to the judge who originally heard the bond hearing and his/her administrative assistant. Hearings will be scheduled within 48 hours.
  - d. **Calendar Calls.** Limited calendar calls will continue to be scheduled as needed, to ensure that arrested individuals have representation. Counsel are encouraged to enter appearances immediately upon being retained or appointed, to limit the necessity of their having to appear in court at a calendar call. In this regard, please note that the Clerk's Office is attempting to enter all appearances as soon as possible but, like all of us, they are operating under very limiting circumstances. Therefore if you have entered an appearance but are still receiving notice to come to a calendar call, please call or

email the office of the on-site judge to let them know of your representation, thus obviating the necessity of your appearance.

- e. **Motion hearings.** Criminal motions calendars are cancelled. However any case that needs an emergency motion hearing will be heard by the On-Site Judge.
  - f. **Search Warrants.** On-going search warrant matters will be handled via video or phone conference by the judge already handling the matter. New search warrants will be heard by the on-site judge.
  - g. **Revocations.** All probation revocation calendars are cancelled. However, attorneys and probation officers are encouraged to work out consent revocations and present them to the assigned judge or the on-site judge.
5. **SUPERIOR COURT ACCOUNTABILITY COURTS.** The Superior Court's Drug, Mental Health, and Veterans Courts will be managed at the discretion of the Presiding Judge of each accountability court. However, the participants are excused from reporting to courtroom proceedings during this judicial emergency, unless specifically instructed to do so by their court coordinator, probation officer or, case manager. For Drug and Veterans Courts, please contact Patricia Pinckney at 912-652-7144. For Mental Health Court please contact Steve Brown at 912-652-7167.
6. **ON-SITE JUDGE.** Each day there will be an On-Site Judge who will be in Courtroom 4B. The On-Site Judge's name and office phone number shall be posted on the door of Courtroom 4B in the event the Courtroom is closed. The dockets for the on-site Judge will be posted on the Chatham County Superior Court's webpage, in a conspicuous place at or near the front door of the courthouse, on the monitors located throughout the courthouse, and on the door of Courtroom 4B. The On-Site Superior Court Judge shall hear all essential matters that need to be heard that day in keeping with the Chief Justice's Order Declaring Statewide Judicial Emergency. The On-Site Judge will transfer matters to the other Judges as needed throughout the days and weeks of this Emergency. The Schedule will be as follows:

WEEK OF MARCH 23: KARPF

WEEK OF MARCH 30: MORE

WEEK OF APRIL 6: WALMSLEY

This schedule will be amended to include further on-site judges should the judicial emergency extend beyond April 13, 2020.

The phones and emails of all Superior Court Judges' offices, and Superior Court Administrators Office will be monitored during business hours, with calls returned as soon as is possible. The office numbers and phone numbers are:

**JUDGE ABBOT**

Administrative Assistant - Angela Hollinger 912-652-7162

Staff Attorney – Letta Sneed 912-652-7165

Case Manager – Jessica Easley 912-652-7135

**JUDGE BASS**

Administrative Assistant – Gloria Frazier 912-652-7154

Staff Attorney – Ann Searcy 912-652-7157

Case Manager – Shana Frye 912-652-7591

**CHIEF JUDGE FREESEMANN**

Administrative Assistant – Mary Ann Boyd 912-652-7252

Staff Attorney – Mandy Roberts 912-652-7153

Case Manager – Porche Kelley 912-652-7138

**JUDGE KARPF**

Administrative Assistant – Tamara Bennett-Thompson 912-652-7460

Staff Attorney – Kara Mobley 912-652-7569

Case Manager – Porche Kelley 912-652-7138

**JUDGE MORSE**

Administrative Assistant – Yvette Taylor 912-652-7236

Staff Attorney – Lynsay Simons 912-652-7237

Case Manager – Jessica Easley 912-652-7135

**JUDGE WALMSLEY**

Administrative Assistant – Debbie Carney 912-652-7158

Staff Attorney – Samantha Glaudel-Smith 912-652-7161

Case Manager – Shana Frye 912-652-7591

**Court Administration**

Crystal Cooper Superior Court Administrator 912-652-7129

Casey Martinez Deputy Court Administrator III/ADR Director 912-652-7128

FILED IN OFFICE

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

2020 MAR 16 P 2:26

*Dammie Mosley*  
CLERK, SUPERIOR CT  
CHATHAM COUNTY, GA

In Re:

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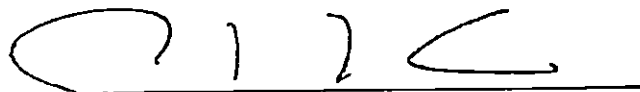
Declaration of Judicial Emergency

**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

FILED  
Administrative Minutes  
MAR 14 2020

Thérèse S. Barnes,  
Clerk/Court Executive  
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.**

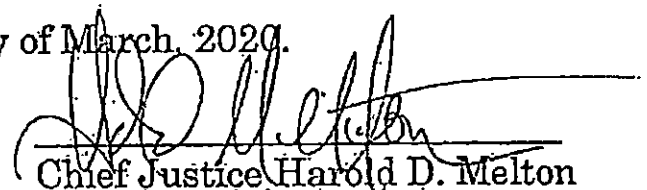
Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification, a determination of available alternative remedies for the conduct of court business will be made as necessary, and a corresponding order will be entered and distributed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

**CERTIFIED COPY**  
This document is a certified copy of the original document placed on record in the office of the Clerk of Superior Court, Chatham County, GA. Given under my hand and seal this 16 day of March 20 20  
*Dannette Mosley*  
Deputy Clerk, S.C.C. GA.

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**RECEIVED** / FILED

By Therese S Barnes at 2:53 pm, Mar 25, 2020

**IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA**

FILED IN OFFICE

2020 MAR 24 P 5:01

  
DEP. CLK. SUPERIOR CT.  
CHATHAM COUNTY, GA.

In Re: ]  
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Declaration of Judicial Emergency ]  
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**ORDER**

Pursuant to the Judicial Emergency declared on March 14, 2020 by Chief Justice Harold D. Melton of the Georgia Supreme Court and adopted by this Court on March 15, 2020 and to protect public health, including the health of court employees, parties and court participants, all individuals, including courthouse employees and employees of agencies or departments located within the courthouse, who enter the Chatham County Courthouse shall be asked the following questions:

- (1) Have you traveled to a high risk area in the last fourteen days?
- (2) Have you had contact with anyone confirmed to have COVID-19/coronavirus in the last fourteen days?
- (3) Have you experienced any of the following symptoms in the last fourteen days:
  - (a) Fever of 100 degrees or greater;
  - (b) Difficulty breathing; or
  - (c) Persistent cough?
- (4) Are you currently experiencing fever of 100 degrees, difficulty breathing or cough?

Any individual responding yes to two or more of the above-referenced questions shall be directed not to enter the courthouse and to call the office or the on-site judge's office they are attempting to access so that they may conduct their business without coming into the courthouse. If the individual is an employee of any agency or department located within the courthouse, that individual shall immediately return home and thereafter call their supervisor to report the event. In addition, anyone exhibiting symptoms of illness as witnessed by the Court or Chatham County Sheriff's Office may be directed to handle their business in the above-described manner<sup>1</sup>:

The Chatham County Courthouse remains open.

SO ORDERED this 24<sup>th</sup> 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  
Sheriff John Wilder

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<sup>1</sup> Upon the Court obtaining access to an infrared thermometer, the Chatham County Sheriff's Office is permitted to test for temperature at their discretion and close other entrances to the courthouse as needed.