

Guidance on Tolling Filing Deadlines Under the Chief Justice's Order Declaring Statewide Judicial Emergency

Atlanta Legal Aid has reported that there are varying interpretations of the tolling provision in the Chief Justice's March 14, 2020, Order Declaring Statewide Judicial Emergency, especially in the context of eviction proceedings. Simply stated, like all other non-constitutional filing deadlines, the time for filing an answer in an eviction proceeding is tolled by the declaration if the filing deadline date was after March 14, 2020, or after the date of any prior local or circuit-wide judicial emergency order applicable to the proceeding. For eviction or any other kind of proceeding, whatever amount of time remained before the filing was due prior to the date of the statewide declaration, or prior to any applicable local or circuit-wide order, will remain after the March 14, 2020, declaration has expired or is otherwise terminated. While questions regarding eviction proceedings prompted this guidance, this guidance is applicable to all proceedings and filing deadlines.

March 27, 2020