

IN THE MUNICIPAL COURT OF THE CITY OF JEFFERSON
STATE OF GEORGIA

IN RE: Declaration of Judicial Emergency

Date: March 18, 2020

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THERESE S. BAUMES
CLERK
SUPREME COURT
OF GEORGIA

**ORDER CONCERNING PRIOR DECLARATION OF
JUDICIAL EMERGENCY**

WHEREAS, The Chief Justice of the Supreme Court ("Chief Justice") has issued an order declaring a Judicial Emergency ("Judicial Emergency Order") triggering the provisions of O.C.G.A. §30-3-60 et seq., through April 13, 2020, at 11:59 p.m., unless otherwise extended by the Chief Justice; and,

WHEREAS, it has been determined that a Judicial Emergency exists in the State of Georgia, the City of Jefferson and the Municipal Court, as a result of the declaration of a viral pandemic, the potential transmission of Coronavirus/COVID-19, and the potential infection of those who are required to appear in our courts and interact with large groups due to large, non-essential calendars; and in accord with the Judicial Emergency Order of the Supreme Court, and the declaration of a State of Emergency by the Governor of the State of Georgia, as a result of a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D), and that such emergency substantially endangers or infringes upon the normal functioning of the judicial system as it relates to non-essential matters, unless they can be conducted via video or teleconferencing;

WHEREAS, pursuant to the Judicial Emergency Order of the Supreme Court, as well as the provisions of O.C.G.A. § 38-3-62, various time limitations and deadlines are suspended, tolled, extended, including but not limited to: (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, including calendars involving large numbers of litigants, lawyers, or other persons;

IT IS HEREBY ORDERED AS FOLLOWS:

1. **No non-essential matters shall be heard by this court until after April 13, 2020;**

- a. Parties or attorneys in any non-essential matters should contact the clerk of court (Annette Studivant, astudivant@cityofjeffersonga.com) if they have any questions and/or need to ensure their compliance with this Order;
- b. All arraignments, sentencing hearings, motions hearings, and trials are continued until after April 13, 2020, unless such Judicial Emergency Order is otherwise extended by the Supreme Court; and

2. **Prior to April 14, 2020, hearings regarding incarcerated persons and petitions for the modification or revocation of probation shall proceed on regularly scheduled court dates, if needed, and as the court is available to address such matters;**

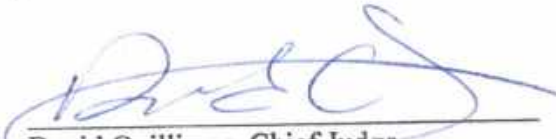
- a. To the extent feasible this court will remain open to address essential functions, giving priority to matters necessary to protect the health, safety, and liberty of individuals, such as where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available.

IT IS FURTHER ORDERED as follows:

1. That the Clerk of Court and the City Clerk shall post this Order on any public notification sites, at City Hall, at the Police Department, and at the Municipal Courtroom;
2. That the Clerk of Court shall provide notice of this order to all effected parties, attorneys and members of the public; and,

3. That the Clerk of Court shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us.

IT IS SO ORDERED this 18th day of March, 2020 at 2:22 a.m./p.m.



David Quilliams, Chief Judge
City of Jefferson Municipal Court