

IN THE SUPERIOR COURT OF _____ COUNTY
_____ JUDICIAL CIRCUIT
STATE OF GEORGIA

In Re: Declaration of Judicial Emergency

Date: _____, 2020

ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, it has been determined that a judicial emergency exists in this county affecting all courts and clerk's offices in this circuit such that there is: a state of emergency as declared by the Governor, who closed state offices in counties including _____ County for _____, _____, 2020, creating a local emergency or such other serious emergency;

WHEREAS, the emergency substantially endangers or infringes upon the normal functioning of the judicial system; the ability of persons to avail themselves of the judicial system; or the ability of litigants or others to have access to the courts or meet scheduled or time deadlines imposed by the court or rule; statute or administrative rule or regulation;

IT IS ORDERED, pursuant to O.C.G.A. § 38-3-61, the undersigned Chief Judge of Superior Court for the _____ Judicial Circuit of Georgia does hereby declare the existence of a judicial emergency in this circuit. The nature of this emergency is the state of emergency declared by Governor _____ for _____ which are expected to affect this judicial circuit on _____, _____, 2020.

Thus, the undersigned makes this declaration of judicial emergency affecting all courts and clerk's offices in _____ County. Accordingly, it is the order of the court that the _____ County Courthouse be closed for business on _____, 2020. The Courts are expected to reopen for business on _____, 2020.

Pursuant to O.C.G.A. § 38-3-62, during the period when the _____ County Courthouse is closed, the court hereby suspends, tolls, extends, and otherwise grants relief from all 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:

- (1) A statute of limitation;
- (2) The time within which to issue a warrant;
- (3) The time within which to try a case for which a demand for speedy trial has been filed;
- (4) The time within which to hold a commitment hearing;
- (5) A deadline or other schedule regarding the detention of a juvenile;
- (6) The time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury;
- (7) The time within which to file a writ of habeas corpus;
- (8) The time within which discovery or any aspect thereof is to be completed;
- (9) The time within which to serve a party;
- (10) The time within which to appeal or to seek the right to appeal any order, ruling, or other determination; and
- (11) and such other legal proceedings as determined to be necessary.

Given the state of emergency as declared by the Governor, the court is unable to designate another facility for the transaction of court business and further finds that such is not necessary given the duration of the closing. Should the state of emergency extend beyond the period indicated above, the court will make a determination of an available appropriate facility for the conduct of court business, if necessary.

IT IS FURTHER ORDERED that the Sheriff shall post the Order of closing on his public notification site;

IT IS FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify the Chief Justice of the Supreme Court and the Clerks of the Court Appeals and Supreme Court by sending them a copy of this Order; and

IT IS FURTHER ORDERED that the County Manager/Chief Operating Officer or his designee shall post a copy of this notice and any subsequent modification or extension in accordance with O.C.G.A. § 38-3-63 by posting it on the county website or other appropriate public address system.

IT IS SO ORDERED this _____ day of _____, 2020, nunc pro tunc _____ 2020.

Name, Title
Court

Chief Justice, Georgia Supreme Court
All Judges and Clerks of the Court
District Attorney
Solicitor General

Sheriff
Court Administration
Chairman, County Commission
News Media