

**IN THE MUNICIPAL COURT OF THE CITY OF LUDOWICI
STATE OF GEORGIA**

IN RE: Declaration of Judicial Emergency

Date: March 16, 2020

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ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in the City of Ludowici the Municipal Court such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D). *See* O.C.G.A. § 38-3-60(2)(D) (providing that “Judicial Emergency” means “[s]uch other serious emergency”).

WHEREAS, IT HAS BEEN DETERMINED that the Judicial Emergency substantially endangers or infringes upon the normal functioning of the judicial system as it relates to jury service, including grand jury service, and any non-essential matters, unless they can be conducted via video or teleconferencing.

Therefore, pursuant to O.C.G.A. § 38-3-61, The Presiding Judge Billy E. Tomlinson of the Municipal Court of the City of Ludowici DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in the City of Ludowici. The nature of this emergency is the potential transmission of Coronavirus/COVID-19 throughout the City of Ludowici 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.

Thus, the undersigned hereby makes this declaration of a judicial emergency affecting all courts and clerk’s offices in the City of Ludowici as it relates to any non-essential matters, unless they can be conducted via video or teleconferencing.

Accordingly, IT IS THE ORDER of the Court that no non-essential matters shall be heard by the courts during a 30-day time period, unless they can be conducted via video or

teleconferencing. Parties or attorneys in any non-essential matters should contact the clerk of court if they have any questions and/or need to ensure their compliance with this Order.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the Court hereby suspends, tolls, extends, and otherwise grants relief from: (1) a statute of limitation; (2) the time within which to try a case for which a demand for speedy trial has been filed; (3) the time within which to hold a commitment hearing; and/or (4) such other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers, or other persons.

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

Pursuant to O.C.G.A. § 38-3-63:

IT IS ORDERED that the Chief of Police of the City of Ludowici shall post this Order on his public notification site and in the courthouse;

IT IS FURTHER ORDERED that the undersigned 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; and

IT IS FURTHER ORDERED that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

IT IS SO ORDERED this 16 day of March, 2020 at 9:35 a.m.



Billy E. Tomlinson, Presiding Judge
City of Ludowici Municipal Court