

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

2020 APR -8 AM 9:17

IN RE: Declaration of Judicial Emergency

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Date: April 8, 2020

**SUPPLEMENTAL**  
**ORDER CONCERNING PRIOR DECLARATION OF**  
**JUDICIAL EMERGENCY**

WHEREAS, The Chief Justice of the Supreme Court has issued an order declaring a Judicial Emergency triggering the provisions of O.C.G.A. §30-3-60 et seq., same having been extended by order of April 6, 2020.; and,

WHEREAS, it has been determined that a Judicial Emergency exists in the State of Georgia, the City of Duluth 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 above-referenced order of the Supreme Court declaring a Judicial Emergency, and the declaration of the 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;

IT IS HEREBY ORDERED AS FOLLOWS:

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

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. **All arraignments, sentencing hearings, and motions hearings are continued until after May 13, 2020;**

2. Pursuant to the 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 (a) a statute of limitation; (b) the time within which to try a case for which a demand for speedy trial has been filed; (c) the time within which to hold a commitment hearing; and/or (d) such other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers, or other persons;
3. **Hearings regarding persons currently incarcerated and petitions for the modification or revocation of probation shall proceed at the next regularly scheduled court date, May 14, 2020, at 9:00 AM, or an earlier date if said hearing is conducted by video conference.**

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 the Police Department, on the Court's website and at the Municipal Courtroom;
2. That the Clerk of Court shall provide notice of this order to all affected 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](mailto:barnest@gasupreme.us)

IT IS SO ORDERED this 8<sup>th</sup> day of April, 2020 at 9:00 (a.m.) /p.m.

  
Charles L. Barrett, III, Chief Judge  
City of Duluth Municipal Court



FILED IN OFFICE  
MAR 17 2020

*Theresa J. Lawrence*  
CLERK OF SUPREME  
COURT OF GEORGIA

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

FILED IN OFFICE  
CLERK MUNICIPAL COURT  
DULUTH, GA

2020 MAR 17 AM 9:50

SHARON H. WALLACE, CLERK

IN RE: Declaration of Judicial Emergency

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Date: March 17, 2020

**ORDER CONCERNING PRIOR DECLARATION OF  
JUDICIAL EMERGENCY**

WHEREAS, The Chief Justice of the Supreme Court has issued an order declaring a Judicial Emergency triggering the provisions of O.C.G.A. §30-3-60 et seq.; and,

WHEREAS, it has been determined that a Judicial Emergency exists in the State of Georgia, the City of Duluth 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 above-referenced order of the Supreme Court declaring a Judicial Emergency, and the declaration of the 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;

IT IS HEREBY ORDERED AS FOLLOWS:

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

Parties of 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. **All arraignments, sentencing hearings, and motions hearings are continued until after April 13, 2020;**

2. Pursuant to the 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 (a) a statute of limitation; (b) the time within which to try a case for which a demand for speedy trial has been filed; (c) the time within which to hold a commitment hearing; and/or (d) such other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers, or other persons;
3. **Hearings regarding persons currently incarcerated and petitions for the modification or revocation of probation shall proceed at the next regularly scheduled court date, April 15, 2020, at 9:00 AM, or an earlier date if said hearing is conducted by video conference.**

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 the Police Department, on the Court's website and at the Municipal Courtroom;
2. That the Clerk of Court shall provide notice of this order to all affected 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](mailto:barnest@gasupreme.us)

IT IS SO ORDERED this 17<sup>th</sup> day of March, 2020 at 9:45 (a.m.) /p.m.



Charles L. Barrett, III, Chief Judge  
City of Duluth Municipal Court