EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
05/13/2020 03:56 pm
Jacquline D. Wills
CLERK SUPERIOR COURT

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

IN RE: Extended Declaration of Judicial Emergency
Date(s): May 14, 2020 - June 12, 2020

ORDER EXTENDING CLAYTON JUDICIAL CIRCUIT DECLARATION OF JUDICIAL EMERGENCY

WHEREAS the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, in his SECOND ORDER EXTENDING DECLARATION OF STATEWIDE JUDICIAL EMERGENCY (hereinafter "extended order") has extended the statewide judicial emergency through Friday, June 12, 2020;

WHEREAS the Honorable Chief Justice Melton ordered that Georgia courts shall continue to operate under the restrictions provided in the order that was set to expire May 13, 2020;

WHEREAS the extended order provides clarifications, modifications, and directions as specified therein;

WHEREAS, consistent with the directive in the extended order, the Clayton Judicial Circuit will continue to use and increase the use of technology to conduct remote judicial proceedings as a preferred alternative to in-person proceedings;

WHEREAS the Clayton Judicial Circuit will not resume in-court proceedings prior to the expiration of this order, or any necessary extension thereto;

WHEREAS the Clayton Judicial Circuit will begin in-court proceedings at such time as when the Clayton Judicial Circuit can comply with all the directives of the extended order;

WHEREAS the extended order acknowledges the possible need for more restrictive local judicial emergency declarations, as necessitated by local conditions; and

WHEREAS the Clayton Judicial Circuit falls within the boundaries of Clayton County, which continues to be under a countywide state of emergency, as declared by the Board of Commissioners Chairman, Jeffrey E. Turner;

IT IS HEREBY ORDERED, pursuant to O.C.G.A. § 38-3-61 and due to the continued existence of a judicial emergency in the Clayton Judicial Circuit involving the transmission of Coronavirus/COVID-19 and the potential infection of those who are required to appear in our courts or who would otherwise elect to appear though not required, that the April 13, 2020 Order Declaring Judicial Emergency entered (to extend the original March 18, 2020 Order) by the undersigned Chief Judge of the Clayton Judicial Circuit set to otherwise expire at 11:59 p.m. on May 13, 2020 is extended through Friday, June 12, 2020, unless otherwise further modified or extended;

IT IS FURTHER HEREBY ORDERED that in-court proceedings remain suspended and will not resume until the Clayton Judicial Circuit meets the standards and is able to comply with the directives in the extended order of Chief Justice Melton;

IT IS FURTHER HEREBY ORDERED that each division of court maintain the emergency protocols originally put in place at the inception of the judicial emergency or as has been amended from time to time in order to comply with the directives of Chief Justice Melton;

IT IS FURTHER HEREBY ORDERED that each division of court is to continue to maintain its website and other means for the public to access information regarding the court's status at all times, in addition to providing the means for public access to virtual proceedings;

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

IT IS FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve Chief Justice Melton of the Georgia 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 FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve a copy of this Order on the judges and clerks of all courts sitting within the jurisdictions affected and on the Clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt; 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 on the county website or other appropriate public access system.

EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
05/13/2020 03:56 pm
Jacquline D. Wills
CLERK SUPERIOR COURT

BE IT SO ORDERED this 13th day of May, 2020.

Geronda V. Carter, Chief Judge
Clayton County Superior Court
Clayton Judicial Circuit

cc: Chief Justice, Georgia Supreme Court
All Judges and Clerks of Court
Sheriff
State Attorney General
District Attorney
Solicitor General
Chairman, County Commission
Court Administration
County COO
News Media

EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
04/13/2020 09:39 am
Jacquline D. Wills
CLERK SUPERIOR COURT

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

IN RE: Extended Declaration of Judicial Emergency
Date(s): April 14, 2020 - May 13, 2020

ORDER EXTENDING CLAYTON JUDICIAL CIRCUIT DECLARATION OF JUDICIAL EMERGENCY

WHEREAS, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, has extended the statewide judicial emergency through Wednesday, May 13, 2020, unless otherwise further modified or extended;

WHEREAS, Clayton County Board of Commissioners Chairman, Jeffrey E. Turner, has extended the countywide state of emergency through Wednesday, May 13, 2020, following Governor Brian Kemp's extension of the statewide declaration of emergency; and

WHEREAS, it is acknowledged that a specific judicial emergency was declared which impacted the use of the Harold R. Banke Justice Center during the pendency of the circuit-wide judicial emergency, wherein the employees of the Justice Center remain subject to a Department of Public Health recommended quarantine through 11:59 p.m. on April 19, 2020;

IT IS HEREBY ORDERED, pursuant to O.C.G.A. § 38-3-61 and due to the continued existence of a judicial emergency in the Clayton Judicial Circuit involving the transmission of Coronavirus/COVID-19 and the potential infection of those who are required to appear in our courts or who would otherwise elect to appear though not required, that the March 18, 2020 Order Declaring Judicial Emergency entered by the undersigned Chief Judge of the Clayton Judicial Circuit set to otherwise expire at 11:59 p.m. on April 13, 2020 is extended through Wednesday, May 13, 2020, unless otherwise further modified or extended.

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

IT IS FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve Chief Justice Melton of the Georgia 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 FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve a copy of this Order on the judges and clerks of all courts sitting within the jurisdictions affected and on the Clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt;

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 on the county website or other appropriate public access system.

BE IT SO ORDERED this 13th day of April, 2020.

Geronda V. Carter, Chief Judge
Clayton County Superior Court
Clayton Judicial Circuit

EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
04/13/2020 09:39 am
Jacquline D. Wills
CLERK SUPERIOR COURT

cc: Chief Justice, Georgia Supreme Court
All Judges and Clerks of Court
Sheriff
State Attorney General
District Attorney
Solicitor General
Chairman, County Commission
Court Administration
County COO
News Media

RECEIVED FILED
By Therese S Barnes at 11:06 pm, Apr 05, 2020

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

EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
04/05/2020 09:03 pm
Jacquline D. Wills
CLERK SUPERIOR COURT

IN RE: Declaration of Judicial Emergency Following Clayton County Department of Public Health Recommendations after confirmed COVID-19 case Harold R. Banke Justice Center Employee Quarantine - April 6 – April 19, 2020 Harold R. Banke Justice Center CLOSURE- April 6 - April 8, 2020

CLAYTON JUDICIAL CIRCUIT
ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN ORDERED AND DECLARED by the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, that a judicial emergency, pursuant to O.C.G.A. § 38-3-60 et seq., see O.C.G.A. § 38-3-60 (2), exists in the State of Georgia affecting all courts and clerks' offices in the State of Georgia from March 16, 2020 through at least April 13, 2020, following the statewide public health emergency declared by Georgia Governor Brian Kemp;

WHEREAS, IT HAS ALSO BEEN DECLARED that a state of emergency exists in Clayton County relative to the ongoing public health emergency as declared by Clayton County Board of Commissioners Chairman, Jeffrey E. Turner and acknowledged in prior Clayton Judicial Circuit Emergency Declaration Orders, including that of March 18, 2020 (incorporated herein by reference);

WHEREAS, on April 2, 2020, Governor Kemp issued an Execuitve Order requiring residents to shelter-in-place, except for certain essential activities;

WHEREAS, multiple cases of COVID-19 have been identified in the Harold R. Banke Justice Center (hereinafter Justice Center), despite the courts and clerks' offices therein having made every attempt to limit access to only essential functions;

WHEREAS, the Clayton County Department of Public Health has recommended a 14-day quarantine for all individuals who work at the Justice Center, and has defined said quarantine as "staying at one's residence and not leaving for work or any reason other than to seek medical care," which would effectively close the Justice Center for the entire 14-day quarantine period;

WHEREAS, given the nature of the emergency as declared throughout this state, there is no other physical location available for public access to each of the courts and clerks' offices within the Justice Center, and given the recommendations of the Department of Public Health, there would be no court or clerks' office employee available for person to person contact;

WHEREAS, during the course of the emergency, the courts and clerks' offices within the Justice Center have and will continue to provide virtual access to essential matters;

WHEREAS, the decontamination of the building will take at least three days;

WHEREAS, following the decontamination, the employees responsible for opening the doors to the Justice Center are recommended to maintain their quarantine; and

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 clerks' offices or meet scheduled or time deadlines imposed by the court order or rule; statute or administrative rule; or regulation;

IT IS HEREBY ORDERED, pursuant to O.C.G.A. § 38-3-61, that the existence of a judicial emergency exists in the Clayton Judicial Circuit to warrant the closure of the Justice Center facility for proper decontamination from April 6, 2020 through at least April 8, 2020. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout the Clayton Judicial Circuit and the State of Georgia, and the potential infection of those who are required to appear in our courts or who would otherwise elect to appear though not required.

Thus, the undersigned specifically makes this declaration of judicial emergency affecting all courts and clerks' offices in the JUSTICE CENTER as it relates to jury service, including grand jury service, and any matter, unless such matter can be conducted via video or teleconferencing.

IT IS FURTHER HEREBY ORDERED that each court and clerk's office affected by this order provide updates and instructions for public access on its website and be able to provide the same via telecommunication throughout the entire recommended 14-day quarantine period from April 6, 2020 through April 19, 2020.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the undersigned 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 the grand jury;

EFILED DURING JUDICIAL EMERGENCY
CLAYTON COUNTY, GA
04/05/2020 09:03 pm
Jacquline D. Wills
CLERK SUPERIOR COURT

(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 seek the right to appeal any order, ruling or other determination; and
(11) and such other legal proceedings as may be determined to be necessary.

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

IT IS FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve Chief Justice Harold D. Melton of the Georgia 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 FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve a copy of this Order on the judges and clerks of all courts within the Justice Center and on the Clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt;

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 on the county website or other appropriate public access system.

BE IT SO ORDERED this 5th day of April, 2020.

Geronda V. Carter, Chief Judge
Clayton Superior Court
Clayton Judicial Circuit

cc: Chief Justice, Georgia Supreme Court
All Judges and Clerks of Court
Sheriff
State Attorney General
District Attorney
Solicitor General
Chairman, County Commission
Court Administration
County COO
News Media

SUPREME COURT
OF GEORGIA
FILED

2020 MAR 18 PM 12: 25
THERESE S. BARNES
CLERK

FILED
CLAYTON COUNTY, G
2020 MAR 18 AM 11: 31
JACQULINE D. WILLS
CLERK SUPERIOR COURT

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

IN RE: Declaration of Judicial Emergency
Date(s): March 16 - April 13, 2020

CLAYTON JUDICIAL CIRCUIT
ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN ORDERED AND DECLARED by the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, that a judicial emergency, pursuant to O.C.G.A. § 38-3-60 et seq., see O.C.G.A. § 38-3-60 (2), exists in the State of Georgia affecting all courts and clerk's offices in the State of Georgia from March 16, 2020 through at least April 13, 2020, following the statewide public health emergency declared by Georgia Governor Brian Kemp;

WHEREAS, IT HAS ALSO BEEN DECLARED that a state of emergency exists in Clayton County relative to the ongoing public health emergency as declared by Clayton County Board of Commissioners Chairman, Jeffrey E. Turner, who closed Clayton County government offices and buildings (including the courthouse) to the general public for a period of two (2) weeks, unless extended, beginning Monday, March 16, 2020, thereby activating the County Emergency Operations Plan, Continuity of Government Operations Plan, and the Continuity of Operations Plan for Pandemic Influenza and issued recommendations as provided by the Clayton County Emergency Management Director and the Clayton County Emergency Services Physician/Epidemiologist, all of which serve to support the existence of a local state of emergency or other serious emergency;

WHEREAS, IT HAS BEEN DETERMINED that despite the closure of the courthouse building itself to the general public, all courts and clerks' offices within this circuit who have essential functions as defined in Justice Melton's Amended Order Declaring Statewide Judicial Emergency have remained open and are nonetheless able to complete those functions pursuant to their own internal continuity plans set in place prior to or at the time of this circuit's original order of March 16, 2020;

WHEREAS, IT HAS BEEN DETERMINED that the courts so affected were asked and have formalized those internal continuity plans set in place to ensure that essential functions, such as: (1) where an immediate liberty or safety concern is present requiring the attention of the court; (2) criminal court search warrants, arrest warrants, initial appearance hearings, and bond reviews; (3) domestic abuse temporary protective and restraining orders; (4) juvenile court delinquency detention hearings and emergency removal matters; and (5) mental health commitment hearings, were addressed;

WHEREAS, IT HAS BEEN DETERMINED that the courts and clerks' offices of this circuit have taken appropriate measures to comply with the Order & Declaration of Justice Melton, the Declaration of Chairman Turner, and comply fully with their respective oaths of office;

WHEREAS, IT HAS BEEN DETERMINED that 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 clerks' offices or meet scheduled or time deadlines imposed by the court order or rule; statute or administrative rule; or regulation;

WHEREAS, IT HAS BEEN DETERMINED that based on the internal continuity plans of the courts and clerks' offices, members of the public relevant to any essential matters will have access to the courts and clerks' offices on a restricted basis for the safety of all concerned;

WHEREAS, IT HAS BEEN DETERMINED that such limited access shall seek to comply with the health and safety directives and recommendations of the Centers for Disease Control (CDC) and Clayton County Emergency Management in affect at said time for the health and safety of the public as well as the employees of the courts and clerks' offices serving the public; and

WHEREAS, IT HAS BEEN DETERMINED that the current level of access to the courts and clerks' offices may be from time to time further restricted when the safety of the public would be at risk as may be determined by President Donald Trump, Chief Justice Melton, Governor Kemp, the CDC, or Clayton County Emergency Management, and at such times the affected courts and clerks' offices shall resort to an alternative plan for access to the courts or clerks' offices as necessary to complete any essential functions, if possible;

IT IS HEREBY ORDERED, pursuant to O.C.G.A. § 38-3-61, the undersigned Chief Judge of the Superior Court for the Clayton Judicial Circuit of Georgia does hereby declare the existence of a judicial emergency in this circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout the Clayton Judicial Circuit and the State of Georgia, and the potential infection of those who are required to appear in our courts or who would otherwise elect to appear though not required.

Thus, the undersigned specifically makes this declaration of judicial emergency affecting all courts and clerk's offices in Clayton County as it relates to jury service, including grand jury service, and any non-essential matters, unless they can be conducted via video or teleconferencing.

IT IS FURTHER HEREBY ORDERED that each level of court affected by the County's activation of the Emergency Plans are to comply with the continuity plans developed for their courts in the event of an emergency such as that declared by the Governor, the Chief Justice, and Chairman Turner for an initial period from March 16, 2020 through April 13, 2020.

IT IS FURTHER HEREBY ORDERED that no jurors or grand jurors shall report and no jury trials shall be held. Furthermore, no civil or non-essential matters shall be heard by the courts during this period, unless they can be conducted via video or teleconferencing. Since the courts and clerks' offices with essential functions still have full access, when safe to do so, to their offices, files, and electronic equipment, parties or attorneys in any matter before such courts, essential or otherwise, should contact the chambers of the judge assigned to their case or the relevant clerks' offices if they have any questions and/or need to ensure their compliance with this Order.

IT IS FURTHER HEREBY ORDERED that each court and clerks' office affected by this order provide updates and instructions for public access on its website and be able to provide the same via telecommunication.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the undersigned 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 the 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 seek the right to appeal any order, ruling, or other determination; and
(11) and such other legal proceedings as may be determined to be necessary.

Given the closure of county government and county buildings to the general public by Chairman Turner and the closure of Clayton County Public Schools, the court is unable to designate another facility for the transaction of all court business. However, given the unknown duration of the emergency, alternative facilities have been selected for certain essential functions, which may regularly occur outside of normal business hours, as outlined or as may be directed based on the attached Orders from the magistrate, juvenile, and probate courts. Moreover, should the state of emergency extend beyond the period indicated above, the courts and clerks' offices will make a determination of an available appropriate facility for the transaction of essential court business, if necessary.

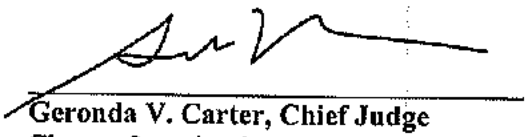
IT IS FURTHER ORDERED that the Sheriff shall post this Order of Judicial Emergency on his public notification site;

IT IS FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve Chief Justice Harold D. Melton of the Georgia 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 FURTHER ORDERED that the Clerk of the Superior Court or her designee shall immediately notify and serve a copy of this Order on the judges and clerks of all courts sitting within the jurisdictions affected and on the Clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt;

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 on the county website or other appropriate public access system.

BE IT SO ORDERED this 18th day of March, 2020.



Geronda V. Carter, Chief Judge
Clayton Superior Court
Clayton Judicial Circuit

FILED
CLAYTON COUNTY, G
2020 MAR 18 AM 11:31
JACQULINE D. WILLS
CLERK SUPERIOR COURT

cc: Chief Justice, Georgia Supreme Court
All Judges and Clerks of Court
Sheriff
State Attorney General
District Attorney
Solicitor General
Chairman, County Commission
Court Administration
County COO
News Media

SUPREME COURT
OF GEORGIA
FILED

2020 MAR 18 PM 12:25

THERESE S. BARNES
CLERK

FILED
CLAYTON COUNTY, G
2020 MAR 17 PM 3:37
JACQULINE D. WILLS
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

STANDING ORDER PURSUANT TO ORDER DECLARING STATEWIDE JUDICIAL EMERGENCY

WHEREAS, Pursuant to OCGA §38-3-61, an "Amended" Order Declaring Statewide Judicial Emergency was issued by Chief Justice Harold D. Melton, Chief Justice of the Supreme Court of Georgia, on March 14, 2020. In the Amended Order, Justice Melton indicated that, "this Statewide Judicial Emergency shall terminate on April 13, 2020, at 11:59 p.m., unless otherwise extended".

Of particular import and impact is the directive that: "...[t]o the extent feasible, courts should remain open to address **essential functions,** and in particular **courts should give priority to matters necessary to protect health, safety, and liberty of individuals.** Essential functions are subject to interpretation; however, some matters that fall into the **essential function** category, and are handled by Magistrate Court include,

(1) Where an immediate liberty and safety concern is present requiring the attention of the court as soon as the court is available;
(2) Criminal court search warrants, arrest warrants, initial appearances, and bond reviews;
(3) Domestic abuse temporary protective orders and restraining orders.

Thus, in order to insure and maintain the **essential functions** of the court, Magistrate Court of Clayton County will continue to remain open and on call 24 hours a day, 7 days a week. The immediate goal is for the staff to perform critical operations necessary and give priority to matters needed to protect the health, safety, and liberty of all the individuals, who reside in or have contact with Clayton County.

The Magistrate Court of Clayton County has implemented strategies to protect the workforce, while ensuring continuity of operations. This is a rapidly evolving situation and information will be updated as it becomes available, and processes will be perfected as warranted.

(1) IT IS ORDERED that Magistrate Court will continue to be available 24 hours a day, 7 days a week to review and either deny or approve the probable cause application(s) for search and arrest warrants.
    a. There will continue to be three (3) separate shifts maintained by the 4 full time and 3 part time Magistrate Court judges, 24 hours a day, 7 days a week, to handle warrant applications relative to alleged criminal activity in Clayton County.

(2) IT IS FURTHER ORDERED that Magistrate Court will continue to be available and open on the following days and times to conduct Initial/First Appearance Hearings; respond to Motions for Bond or Consent Bonds; and schedule Preliminary Hearings, as follows:

a. First Appearance Hearings will be held on Tuesdays, Thursdays, Saturdays and Sundays at 10:00 a.m. via the Zoom videoconferencing App;
b. Motions for Bond Hearings and or Consent Bonds will be conducted on Fridays from 9:00 am – 12:00 pm via the Zoom videoconferencing App;
c. Preliminary Hearings will be heard on Mondays and Wednesdays, as needed from 9:00 am – 12:00 pm via the Zoom videoconferencing App.

(3) IT IS FURTHER ORDERED that Magistrate Court will continue to be available 24 hours a day, 7 days a week, to review and determine the proper procedure and response to accusations of Domestic Abuse Temporary Protective Orders and Restraining Orders.

a. The Clayton County Police Department's precincts are serving, on a temporary basis, as the location for victims of domestic violence to apply for both Ex-Parte Temporary Protective Orders (T.P.O.'s) as well as Stalking Protective/Restraining Orders.
b. There is a process in place whereby the Police Department, in conjunction with the Magistrate Court on-call judge, the Sheriff's Department, and the Magistrate Court Clerk's Office handles the electronic transmission of the Petition(s).

(4) IT IS FURTHER ORDERED that for the duration of the Judicial Emergency, declared by Chief Justice Harold Melton of the Georgia Supreme Court, the Clayton County Chief Superior Court Judge Geronda Carter and any subsequent extensions thereof, all Ex-Parte Temporary Protective Orders set to expire on or before April 13, 2020, are hereby extended, tolled, or otherwise continued until April 13, 2020. Said Orders are to be enforced according to all terms originally stated in the Order on the date it was entered. Accordingly, law enforcement shall continue strictly enforcing any and all violations of said Orders.

IT IS SO ORDERED this 17th day of March, 2020.

Judge Wanda L. Dallas
Superior Court of Clayton County,
by designation and Chief Judge,
Magistrate Court of Clayton County

FILED
CLAYTON COUNTY, G
2020 MAR 17 PM 3:37
JACQUELINE D. WILLS
CLERK SUPERIOR COURT

SUPREME COURT
OF GEORGIA
FILED

2020 MAR 18 PM 12: 26

THERESE S. BARNES
CLERK

GEORGIA
CLAYTON COUNTY

2020 MAR 17 PM 7: 16

PROBATE COURT

PROBATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA

ORDER REGARDING JUDICIAL EMERGENCY

Due to the Coronavirus/COVID-19 Pandemic, certain precautions are being taken to protect both the public and the staff of the Clayton County Probate Court. On March 13, 2020, Chief Justice Harold D. Melton issued an Order declaring a Judicial State of Emergency for the State of Georgia and Chief Judge of the Clayton County Superior Court, Geronda Carter issued an order for a State of Emergency in the Clayton County Judicial Circuit. The Clayton County Probate Court's primary concern is to ensure the protection of the rights of individuals. As such, the Probate Court shall remain open for the limited purpose of conducting the essential functions necessary to administer justice to all litigants and citizens of Clayton County.

Clayton County Probate Court's essential functions and emergency functions include; but are not limited to, orders to apprehend, involuntary treatment, guardianships, issuing of marriage licenses and other emergency matters. Should an urgent matter arise, please contact Chief Clerk Cindy Jackson 678-492- 3416. All such matters will be addressed by appointment. These practices are put into place to protect the public at large and to do our part minimize the transmission of Coronavirus/COVID-19.

As to hearings previously scheduled, please refer to the order issued by the Probate Court on March 13, 2020. In addition, refer to the Weapons Carry License Information Sheet regarding the effect of the Judicial State of Emergency on Weapons Carry Licenses and expiration dates.

This 17th day of March, 2020.

PAM FERGUSON, Chief Judge
Clayton County Probate Court
121 S. McDonough Street, Annex Bldg. 3
Jonesboro, GA 30236

SUPREME COURT
OF GEORGIA
FILED

2020 MAR 18 PM 12:25
THERESE S. BARNES
CLERK

CLERK'S OFFICE
JUVENILE COURT
CLAYTON COUNTY, GEORGIA

2020 MAR 18 AM 11:31

IN THE JUVENILE COURT OF CLAYTON COUNTY
CLAYTON JUDICIAL CIRCUIT
STATE OF GEORGIA

In Re: Court Operations During Declaration of Judicial Emergency
Date: March 18, 2020

ORDER ON COURT OPERATIONS DURING DECLARATION OF JUDICIAL EMERGENCY

WHEREAS, the Chief Judge of the Superior Court for the Clayton Judicial Circuit has issued an ORDER DECLARING JUDICIAL EMERGENCY mandating that each level of court affected by the County's activation of the Emergency Plans are to comply with the continuity plans developed for their courts in the event of an emergency such as that declared by the Governor, the Chief Justice, and Chairman Turner for an initial period from March 16, 2020 through April 13, 2020; and

WHEREAS, the undersigned judge finds good cause to issue an order relative to the continuity plan for the Juvenile Court that defines "essential functions" for juvenile court and sets forth operating procedures to effectuate said essential functions, therefore

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. For purposes of juvenile court administration and judicial hearings, essential functions for the juvenile court shall include: 1) The filing of complaints pursuant to the exclusive original and concurrent jurisdiction of the juvenile courts as set forth in O.C.G.A. §§15-11-10 and 11 that involve exigent circumstances and require an emergency order; 2) The removal of a child from the home for purposes of protective custody on allegations of dependency pursuant to O.C.G.A. § 15-11-133 (f); 3) the detention of a child alleged to have committed a delinquent act pursuant to O.C.G.A. § 15-11-502 (3); 3) Issuance of arrest and search warrants as provide for in O.C.G.A. § 15-11-9; Preliminary protective hearings involving the removal of children from their home and placed in state custody as set forth in O.C.G.A. §§ 15-11-145 and 146; 4) Preliminary detention hearings involving the arrest and detention of a child alleged to have committed a delinquent act as set forth in O.C.G.A. § 15-11-506; 5) Cases involving the liberty interest of children who are detained pending the next adjudicatory or disposition hearing; and 6) Cases involving parents

whose children have been removed from their home and placed is state custody awaiting adjudicatory and disposition hearings,

2. The Court Administrator shall post signage on the door for public access that states the following: "While for the safety of all concerned our courthouse building itself is closed to the public, the Juvenile Court and Clerk's Office are still open and are addressing essential functions. Please call Intake at (770) 473-5977, so that an Intake Officer can screen your situation. If your situation involves an emergency that would require an immediate court order, the Intake Officer will receive your complaint for filing. All other matters will be scheduled by appointment. If you are a parent, guardian, or custodian and have been summoned to a court hearing, please call the above number and an Intake Officer will admit you into the courthouse and escort you to the courtroom."

3. During business hours, the Intake Division and the Clerk's Office shall be open and staffed at a minimum as determined by the heads of each division that ensures proper functioning. All other staff are permitted entry into the courthouse involving the execution of an essential function.

4. One courtroom shall remain open and dedicated to conducting preliminary protective hearings and detention hearings using video conferencing. Due to limited video conferencing capabilities, all counsel for the parties shall appear except for the public defender in detention proceedings who will be conferenced into the proceedings along with her child client from the RYDC. The use of a Guardian ad Litem in dependency proceedings shall be **SUSPENDED** during this interim period to minimize gatherings in the courtroom. The court shall rely on the child attorney as set forth in O.C.G.A. § 15-11-104 (b) unless there is a conflict of interest between the attorney's duty to such child as such child's attorney and the attorney's considered opinion of such child's best interest as a guardian ad litem whereupon if such conflict should arise, a CASA Supervisor shall be ready and available to travel to the hearing. Children under 14 years of age shall not be brought to the juvenile court during this interim period. The Clayton County Division of Family and Children Services (DFCS) shall provide the child attorney telephonic access to children 14 years of age or older may waive their presence. In order to comply with the orders of the Chief Judge of the Superior Court and the Chief Justice of the Supreme Court that requires for courts to "give priority to matters necessary to protect health, safety, and liberty of individuals,"

only counsel and parties shall be admitted into the courtroom so as minimize the risk of spreading the Covid-19;

6. Designated Court officers serving as quasi-judicial officers pursuant to O.C.G.A. §15-11-502 (3) shall only consider for detention those children alleged to have committed and for which probable cause is established on the face of the complaint in matters involving a felony crime against a person to include a felony sex offense;

7. Children alleged to have committed a designated felony offense not involving a crime against a person may be considered for detention provided probable cause is established on the face of the complaint and the undersigned judge is consulted and authorizes detention;

8. All other delinquent acts for which there may be underlying aggravating circumstances (e.g. the child has a history of assaultive behaviors or scores 12 points or more on the Detention Assessment Instrument) for which the evidence is clear and convincing that detention or care is required to reduce the likelihood that the child may inflict serious bodily harm on others pending the next hearing may be detained provided probable cause is established on the face of the complaint and the undersigned judge is consulted and authorizes detention; and

9. Any other considerations respecting the operations of the juvenile court not addressed in this order but confronted or presented in the future shall be communicated to the undersigned judge for review, consideration, and action.

SO ORDERED this 18th day of March 2020.

Honorable Steven C. Teske
Chief Presiding Judge
Juvenile Court of Clayton County
State of Georgia

2020 MAR 18 AM 11:31

FILED IN OPEN COURT

MAR 13 2020

GERONDA V. CARTER
SUPERIOR COURT JUDGE
STATE OF GEORGIA

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

In Re: Declaration of Judicial Emergency
Date: March 16, 2020

SECOND 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 Clayton County Commission Chairman Jeffrey E. Turner, who closed Clayton County government offices for a period of two (2) weeks beginning Monday, March 16, 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 order or rule; statute or administrative rule or regulation;

THEREFORE, pursuant to O.C.G.A. § 38-3-61, the undersigned Chief Judge of Superior Court for the Clayton Judicial Circuit of Georgia does hereby declare the existence of a judicial emergency in this circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout areas near and surrounding the Clayton Judicial Circuit (and potentially within the Circuit itself), the counties of residence of many of our court employees, and the potential infection of those who are required to appear in our courts and the state of emergency declared by Chairman Turner, that is expected to affect this judicial circuit from Monday, March 16, 2020 through Sunday, March 29, 2020.

Thus, the undersigned makes this declaration of judicial emergency affecting all courts and clerk's offices in Clayton County. Accordingly, it is the order of the court that the Clayton County Courthouse be closed for business on March 16, 2020. The Court is currently expected to reopen on Monday, March 30, 2020, unless the closure is extended by further order. Upon the reopening of the courthouse, the March 16, 2020 Order Declaring Judicial Emergency, which allows only essential non-jury matters to be conducted, remains in full force and effect for the remaining period as specified in that Order.

Pursuant to O.C.G.A. § 38-3-62, during the period when the Clayton 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 the 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 seek the right to appeal any order, ruling, or other determination; and
(11) and such other legal proceedings as may be determined to be necessary.

Given the closure of county government by the Chairman and the closure of Clayton County Public Schools, the court is unable to designate another facility for the transaction of court business and further finds that such is not necessary given the currently anticipated duration of the closure. Should the closure extend beyond the period indicated above, the court will make a determination of an available appropriate facility or alternative for the conduct of court business, if necessary.

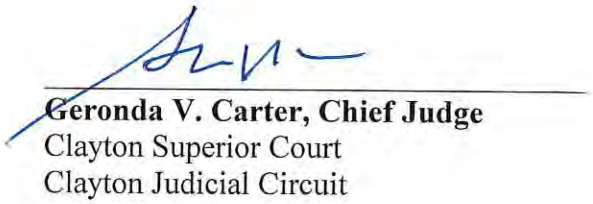
IT IS FURTHER ORDERED that the Sheriff shall post the Order of closing on his public notification site;

IT IS FURTHER ORDERED that the Clerk of the Superior Court 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 FURTHER ORDERED that the Clerk of Superior Court shall immediately notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt;

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 on the county website or other appropriate public access system.

IT IS SO ORDERED this 13th day of March, 2020.



Geronda V. Carter, Chief Judge
Clayton Superior Court
Clayton Judicial Circuit

cc: Chief Justice, Georgia Supreme Court
All Judges and Clerks of Court
Sheriff
State Attorney General
District Attorney
Solicitor General
Chairman, County Commission
Court Administration
County COO
News Media