

IN RE:

Declaration of Judicial Emergency:  
Guidelines for In-Person Court  
Proceedings

ORDER ESTABLISHING GUIDELINES FOR IN-PERSON COURT PROCEEDINGS

EASTERN JUDICIAL CIRCUIT

On May 11, 2020, the Honorable Chief Justice Harold D. Melton of the Supreme Court of Georgia issued the Second Order Extending Declaration of Statewide Judicial Emergency addressing continuation of essential court services and the re-opening of non-essential court services. This Order is directed in pertinent part at paragraph 4 as follows:

Except for jury and grand jury proceedings as discussed in Section 2 above, courts have discretion to conduct essential and non-essential in person judicial proceedings, but only in compliance with public health guidance and with the requirements of the United States and Georgia constitutions and applicable statutes and court rules, including the public's right of access to judicial proceedings and a criminal defendant's rights to confrontation and open courtrooms.

Before conducting extensive in-person proceedings, particularly in non-essential matters, each court should develop written guidelines as to how in-court proceedings generally and particular types of proceedings will be conducted to protect the health of litigants, lawyers, judges, court personnel, and the public. Guidelines should specify who should be admitted to the courthouse and courtroom and how public health guidance will be followed regarding such matters as health screening of court personnel and visitors, social distancing (including by capping the occupancy of courthouses, interior areas, and courtrooms based on their size), availability and use of personal protective equipment (PPE) by court personnel and visitors, and sanitization practices. Guidelines should provide for accommodations for high-risk individuals. Courts should consider the use of staggered, smaller proceedings to conduct proceedings involving many cases or participants, such as calendar calls and arraignments. Guidelines should be prominently posted at

courthouse entrances and on court and government websites to provide advance notice to litigants, lawyers, and the public.

Support for the development of guidelines will be provided by the Judicial Counsel COVTD-19 Task Force discussed in Section 7 below, as well as by the councils for each class of court. Courts of different classes that share courthouse facilities or operate in the same county should seek to coordinate their guidelines.

The Chatham County Courthouse remains open to serve the public. Nevertheless, given the current emergency and in the interest of public safety, certain limitations and changes in court practices are necessary. Therefore based upon the authority granted to the Superior Courts of the Eastern Judicial Circuit of Georgia and in the exercise of judicial discretion, this Court issues the following Order Establishing Guidelines for In-Person Proceedings<sup>1</sup>. It is the purpose of this Order to continue the work of the Court and maintain the integrity of the judicial process through the ensuing COVID-19 Pandemic and Judicial Emergency while, at the same time, protecting the health of litigants, lawyers, judges, court personnel, and the public who may be required to appear for in-person court proceedings. Because the environment of the Courthouse as a whole will have an effect on the health and safety of the afore-described individuals, many of these guidelines will center on areas beyond the In-Person proceedings themselves.

#### **1. USE OF TECHNOLOGY**

In keeping with the mandates of the Georgia Supreme Court, it is the intention of this Order to emphasize that all Courts located within the Chatham County Courthouse should continue to use and increase the use of technology to conduct remote judicial proceedings as the preferred alternative to in-person proceedings. Because the courthouse environment as a whole has an effect on individuals who must attend in-person proceedings there, this focus on the use of remote technology should also apply to all other occupants of the Courthouse, and should include court filings, meetings, and other court or daily business to the extent possible and allowable by law, as well as the expansion as much as possible into areas of virtual court hearings, e-filing, and virtual meetings. It is also essential that, aside from individuals coming to the courthouse for an in-person hearing, all others with business at the courthouse should be strongly encouraged to (a) call ahead to determine whether their business can be handled by a phone call or (b) if they need to come in person, to make an appointment.

#### **2. INDIVIDUAL RESPONSIBILITY**

The health of each litigant, lawyer, judge, court personnel, and the public is first and foremost the responsibility of the individual person. All individuals utilizing the Courthouse facilities should consider the most specific current guidance provided by the federal Centers for Disease Control and

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<sup>1</sup>The different classes of courts occupying the Chatham County Courthouse have discussed the varying requirements for each Court. These discussions shall continue and, as each Court develops its guidelines unique to their particular situation, and in conformity with this Order, it shall share same with the others.

Prevention (CDC), the Georgia Department of Health (DPH), the local health department and, of course, his/her own physician.

### 3. ADMITTANCE TO COURTHOUSE

Admittance to the Chatham County Courthouse shall be under the direction and discretion of the Sheriff of Chatham County and/or his designees, consistent with public health guidelines, courthouse safety plan, the guidelines established by varying occupants of the courthouse, and other relevant factors, and with the following to also apply:

- a. **Health Screening.** For the protection of others around them, all individuals entering the Chatham County Courthouse must undergo a health screen as outlined in the March 24, 2020 Order of the Honorable Penny Haas Freesemann, Chief Judge of the Superior Court of the Eastern Judicial Circuit of Georgia, a copy of which is incorporated herein and included as **Attachment A**. This Order shall remain in full force and effect until further Order of the Court. In this regard, litigants, lawyers, judges, court personnel, and the public are reminded that the health screening personnel are not trained medical professionals. If anyone has any questions or concerns about his or her health or potential COVID-19 exposure, such person should contact his or her personal physician, the Georgia Department of Public Health, or other qualified medical personnel.
- b. **Face Coverings.** For the protection of others around them, all individuals entering the Chatham County Courthouse must wear a mask (paper or cloth) covering their nose and mouth as outlined in the May 22, 2020 Order of the Honorable Penny Haas Freesemann, Chief Judge of the Superior Court of the Eastern Judicial Circuit of Georgia, a copy of which is incorporated herein and included as **Attachment B**. This Order shall remain in full force and effect until further Order of the Court.
- c. **Individuals not allowed into Courthouse.** As outlined in the aforescribed Orders, any individual not allowed into the Courthouse because of issues either with health screening or face coverings shall contact the office they were attempting to access to determine how they might conduct their business without physically entering the building. If they are a witness or litigant attempting to enter for a court appearance, they shall so advise the security screening personnel, in which case the security screening personnel shall notify the court (presiding judge or staff) that the person was not being admitted. Any employee or other individual working in the courthouse who is not admitted should, of course, contact their office or, if appropriate their supervisor, by phone.

### 4. OCCUPANCY OF COURTHOUSE (NUMBER OF PERSONS ADMITTED)

The Chatham County Courthouse consists of a basement and six floors of courtrooms/offices. There are separate classes of courts doing business in the building, along with 5 clerk's offices (including the property record room), the District Attorney's Office, and other offices. There are a grand total of four elevators, each with a very limited capacity of no more than 4 people if health department social distancing guidelines are followed. During normal business times, an average of 32-36,000 individuals

pass through the front doors of the courthouse every month. This number was reduced to around 7,000 in April 2020. This number is expected to rise again as in-persons hearings slowly increase. Based on these immutable facts, business-as usual at the courthouse will have to change. Accordingly, the following will apply until further notice:

As many court functions as possible shall be conducted remotely.

All Courts, clerks offices, and other offices should highly encourage the public to make advance appointments before handling their business in the courthouse.

All constitutional officers, other judges, court clerks and other occupants of the Chatham County Courthouse should develop and abide by occupancy guidelines for their respective courts and offices, consistent with public health guidelines, courthouse safety plans and other relevant factors.

For the safety of all involved, including litigants, visitors and employees, there will be no other waiting areas allowed in hallways, law library, inner rooms or offices, or other areas of the courthouse.

The County Risk Management Office is directed to determine the number of individuals who can be in the lobby and in the elevators. They are further directed to place markings as may be appropriate on the floors of the lobby and elevators to ensure correct social distancing.

The Sheriff is directed to assist in these occupancy guidelines, as well as in the supervision of the individuals accessing the elevators, to ensure that social distancing is in effect in the elevators themselves.

## 5. COURTROOMS

The term "courtroom" shall include, but not be limited to, the common areas of the courthouse immediately adjacent to the courtroom, and any other room regularly used when court is in session. Admittance to the courtroom shall be governed by public health guidelines, specifically but not by way of limitation, social distancing guidelines.

All courts within the Chatham County courthouse are directed to develop guidelines as to the number of persons who can be in the visitor sections of their respective courtrooms while exercising social distancing and other public health guidelines.

In each courtroom, the number of persons allowed in the visitor section shall not exceed the number that can be admitted in the visitor section while exercising social distancing guidelines.

The Sheriff or his designee shall place a marker designating where a person may be seated in accordance with social distancing guidelines. A person may be seated only on a marker; EXCEPT if persons in the visitor section reside in the same household, they may be allowed to sit together. Once the visitor section is fully occupied using such social distancing guidelines, then no additional persons may enter a courtroom. Because of the ever-present and overriding need to provide public access to the courts, if the visitor section becomes fully occupied, the visitor space will be re-prioritized to accommodate those individuals who need to be present for the particular hearing in progress.

In the furtherance of social distancing mandates, at any point in time the Sheriff can ask people to wait outside the courtroom or in lobby.

In the front of the courtroom where the hearing/trial is being conducted, all persons, including but not limited to the judge, court reporter, clerk, attorneys, and litigants shall exercise social distancing guidelines. If an attorney and client need closer contact for confidential matters, they shall request to be excused from the courtroom for such contact. Sequestered witnesses shall observe social distancing guidelines, and the Sheriff is ordered to find sufficient rooms to sequester witnesses while maintaining social distancing guidelines. Furthermore, while court is in session, the Sheriff or his designee shall assure that social distancing is being followed by all persons in the courtroom, as the term courtroom is defined above.

Because of social distancing requirements, there will be no bench conferences.

## 6. SCHEDULING

Because space will be limited for in-person court appearances, all classes of courts within the Chatham County Courthouse are strongly encouraged:

- a. to hold smaller, more frequent dockets than was the old norm, with appearance times staggered in keeping with the capacity of their individual courtrooms;
- b. to share information about any particular events or circumstances that might bring a larger than ordinary group of individuals to the courthouse, giving the other Courts as much notice as possible so that everyone can adjust their schedules to accommodate the influx into the courthouse; and
- c. to develop written protocols to assist lawyers and self-represented individuals in scheduling court appearances.
- d. **Superior Court Protocols:** The Superior Court judges have created protocols for each main area of jurisprudence. These protocols, copies of which are attached to this Order as Attachments C -E, are incorporated herein and made the Order of this Court. They, along with any other Protocols that may be subsequently developed will be available to attorneys and litigants on the Superior Court's website at [chathamcourts.org](http://chathamcourts.org) and will be available from the administrative assistants by mail:
  - i. **Attachment C.** The **Criminal Case Protocol and Scheduling Order** sets for the process for obtaining a plea hearing during the emergency period and its aftermath. Lawyers should pay particular attention to the Criminal Status Report required by the Order, which will become effective on June 15, 2020.
  - ii. **Attachment D.** The **Domestic and Civil Case Protocol** contemplates hearings via videoconferencing and explains how to obtain a hearing. Additional instructions will be forthcoming regarding the use of WebEx as the hearing platform. The Domestic Pretrial Order is required for all temporary and final hearings and must be submitted in order to obtain a hearing. Uncontested cases may be presented by using the form for Judgment on the Pleadings.
  - iii. **Attachment E.** The **Motion and Order for Judgment on the Pleadings** is designed for use in a variety of uncontested matters, including as a substitute for a signed

Stipulation of Waiver of a hearing. The motion cannot be considered until it, the proposed order and the required documents have been Efiled.

#### **7. PERSONAL PROTECTIVE EQUIPMENT**

For the protection of others around them, Personal Protective Equipment (PPE), including masks (paper or cloth) shall be worn not only upon entering the courthouse as described above, but also in all elevators, courtrooms, common areas, or public areas of the courthouse. Within the confines of private workspaces or offices, the individual courts or department heads can develop their own policies to allow no masks, provided social distancing can be observed and the public or other unrelated employee is not placed at risk.

The Court recognizes that masks (paper or cloth) are an inconvenient and uncomfortable matter. However it needs to be emphasized that you wear a mask for the protection, not of yourself, but for the protection of the persons with whom you come in contact. There will be vulnerable individuals at the courthouse, and you can be carrying the COVID-19 virus although you are not showing symptoms.

In order for the Courts to remain open, the County will have to provide the necessary PPE. Courthouse personnel will be provided PPE. If a visitor does not have access to his/her own PPE, it shall be provided, so long as limited supplies last.

#### **8. SANITATION PRACTICES**

The Superior Court has arranged for the Army National Guard to deep clean the Chatham County Courthouse as part of the Courthouse return to in-person hearings. This is presently scheduled to occur on June 6, 2020 (June 7, 2020 for the Juvenile Court building). This is a joint effort of the Superior Court, the Army National Guard, Chatham County, and all stakeholders in the judicial system, and is aimed at both sanitizing the building, as well as instilling confidence on the part of the public in the safety of coming to their county courthouse.

In this same regard, the county commissioners shall ensure that custodial or other personnel are sufficiently trained in the method and manner for sanitizing a courtroom, as the term courtroom is defined herein, as well as the bathrooms and other areas of the courthouse. Persons tasked with sanitization practices shall follow guidelines established by the United States Centers for Disease Control (CDC), the Georgia Department of Public Health, and/or the county health department. To the extent possible, these sanitation practices shall be frequent and highly visible, again with the aim toward instilling confidence in the public who utilize the building.

Courtrooms, as the term is defined herein, shall be cleaned and disinfected after each use. To provide as much time after cleaning and disinfecting prior to the next use, such cleaning and disinfecting shall take place as soon after use as is practically and reasonably possible. Certain high traffic areas in the courtroom may need cleaning more often (e.g. between hearings or witnesses), in accordance with public health guidelines.

The county has already placed hand sanitizer wall units throughout the courthouse. The county shall keep these units functional and supplied. To the extent it has not already done so, the County shall also supply hand sanitizer for use in the courtroom, which shall be available for use by court personnel.

Writing instruments shall be personal, disposable, or sanitized after each use and before use by another person in the courtroom.

#### 9. ACCOMODATIONS FOR HIGH RISK INDIVIDUALS

If any lawyer, litigant, or witness falls into the category of High Risk for Severe Illness as defined by the CDC and outlined in Georgia Governor Brian Kemp's May 12, 2020 Executive Order, then the lawyer, or the lawyer who represents the litigant, or the lawyer who subpoenaed the witness shall notify the Court of such condition as least three days prior to the scheduled court proceeding, or as soon as is practicable, and shall accompany such notification with a proposed accommodation for such lawyer, party, or witness. If the party is self-represented, then such party shall follow the same procedure as an attorney for the party. The Court will consider the request and, in its discretion, rule as to which accommodation is appropriate.

#### 10. IMPLEMENTATION

Except as otherwise specified herein, the Sheriff, in his exercise of his discretion, shall be responsible for implementation of these guidelines.

#### 11. PUBLICATION AND DISSEMINATION OF GUIDELINES

This Order Establishing Guidelines shall be published at <https://courts.chathamcountyga.gov/> and on the websites of each of the respective Courts and Court Clerk's Offices with a presence in the Chatham County Courthouse, as well as the website for the Superior Courts of the Georgia First Administrative District, and at the entrance of the courthouse. Copies shall be available at the Office of the Clerk of the Superior Court and shall be prominently posted in the courthouse where similar public announcements are posted. A digital notice that these guidelines exist shall be posted on the Superior Court Clerk's digital signs located throughout the courthouse, along with the information that a copy can be obtained through the Superior Court Clerk's Office. A copy shall also be disseminated to the Chatham County Public Information for dissemination the various local news outlets.

#### 12. DURATION

This Order Establishing Guidelines shall be effective until further order of this Court.

SO ORDERED this 3rd day of June 2020.



Penny Haas Freeseemann, Chief Judge  
Superior Court, E.J.C. of Georgia

cc: Chief Judge, Georgia Supreme Court  
Richard Denney, First District Court Administrator  
Crystal Cooper, Eastern Judicial Circuit Administrator  
Tammie Mosley, Superior Court Clerk, Eastern Judicial Circuit  
All Judges, Superior Court, Eastern Judicial Circuit of Georgia  
All Chatham County Judges and Clerks of Court  
District Attorney  
Circuit Public Defender

Chief Probation Officer  
Chairman, Chatham County Commission  
Chatham County Sheriff's Office  
Chatham County Public Information Officer  
President, Savannah Bar Association  
Chatham County Public Health Department

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

FILED IN OFFICE

2020 MAR 24 P 5:01

In Re:

Declaration of Judicial Emergency

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]

*Adrienne Jan*  
DEP. CLK. SUPERIOR CT.  
CHATHAM COUNTY, GA.

ORDER

Pursuant to the Judicial Emergency declared on March 14, 2020 by Chief Justice Harold D. Melton of the Georgia Supreme Court and adopted by this Court on March 15, 2020 and to protect public health, including the health of court employees, parties and court participants, all individuals, including courthouse employees and employees of agencies or departments located within the courthouse, who enter the Chatham County Courthouse shall be asked the following questions:

- (1) Have you traveled to a high risk area in the last fourteen days?
- (2) Have you had contact with anyone confirmed to have COVID-19/coronavirus in the last fourteen days?
- (3) Have you experienced any of the following symptoms in the last fourteen days:
  - (a) Fever of 100 degrees or greater;
  - (b) Difficulty breathing; or
  - (c) Persistent cough?
- (4) Are you currently experiencing fever of 100 degrees, difficulty breathing or cough?

Any individual responding yes to two or more of the above-referenced questions shall be directed not to enter the courthouse and to call the office or the on-site judge's office they are attempting to access so that they may conduct their business without coming into the courthouse. If the individual is an employee of any agency or department located within the courthouse, that individual shall immediately return home and thereafter call their supervisor to report the event. In addition, anyone exhibiting symptoms of illness as witnessed by the Court or Chatham County Sheriff's Office may be directed to handle their business in the above-described manner<sup>1</sup>:

The Chatham County Courthouse remains open.

SO ORDERED this 24<sup>th</sup> day of March, 2020.



Penny Haas Freese, Chief Judge  
Superior Court, Eastern Judicial Circuit

cc: Chief Justice, Georgia Supreme Court  
All Judges and Clerks of Court  
District Attorney  
Chairman Chatham County Commission  
News media  
Sheriff John Wilder

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<sup>1</sup> Upon the Court obtaining access to an infrared thermometer, the Chatham County Sheriff's Office is permitted to test for temperature at their discretion and close other entrances to the courthouse as needed.

FILED IN OFFICE

IN THE SUPERIOR COURT OF THE EASTERN JUDICIAL CIRCUIT  
STATE OF GEORGIA

2020 MAY 22 P 12:49  
*Dianne Mosley*  
CLERK, SUPERIOR CT  
CHATHAM COUNTY, GA

In Re: ]  
] ]  
Administrative Order Concerning the ]  
Use of Face Masks/Coverings in Public ]  
Areas of the Chatham County ]  
Courthouse and the Chatham County ]  
Juvenile Courthouse ]  
] ]

**ADMINISTRATIVE ORDER**

Pursuant to O.C.G.A. § 38-3-61(a)(6), and due to the continuing statewide judicial emergency involving the transmission of Coronavirus ("COVID-19"), the Honorable Chief Judge Penny Haas Freesemann of the Superior Court of Chatham County **HEREBY ORDERS** as follows:

**WHEREAS**, the Center for Disease Control and Prevention ("CDC") and public health authorities have advised, and continue to advise, public and private agencies to continue to take necessary and appropriate precautions to reduce the possibility of exposure to COVID-19 and slow the spread of the disease;

**WHEREAS**, on March 14, 2020, the Chief Justice of the Supreme Court of Georgia declared a Statewide Judicial Emergency pursuant to O.C.G.A. § 38-3-60 *et seq.*, and said Order was twice amended and extended through June 12, 2020;

**WHEREAS**, the CDC strongly recommends wearing face coverings when traveling outside the home, when gathering in groups in public settings, and where other social distancing measures are difficult to maintain;

**WHEREAS**, in furtherance of the administration of justice and the health and safety of all persons working for or in the Chatham County Courthouse and the Chatham County

Juvenile Courthouse and all other persons entering or doing business in the courthouses,<sup>1</sup> the Court already has in place certain screening requirements (see In Re: Declaration of Judicial Emergency Order, March 24, 2020); and

**WHEREAS**, this Court will continue to take reasonable and prudent actions to further that mission consistent with public health needs and the health needs of those persons working for or in the courthouses, the members of the public, and all others that enter the courthouses.

**NOW, THEREFORE**, in order to continue to protect the health, safety, and liberty of those who work in the courthouses and of those who are required to appear in the courthouses by subpoena or other means, **IT IS HEREBY ORDERED** that effective **TUESDAY, MAY 26th, 2020**, the courthouses will implement the following steps to help reduce the spread of COVID-19:

1. For the protection of others around them, Personal Protective Equipment ("PPE"), including masks or face coverings,<sup>2</sup> shall be worn by all individuals not only upon entering the courthouses, but also in all elevators, courtrooms, common areas, and public areas of the courthouses.
2. If a visitor does not have access to his/her own PPE, a mask will be provided.
3. Within the confines of private workspaces or offices, the individual courts or department heads can develop their own policies to allow no masks, provided social distancing can be observed and the public or other unrelated employees are not placed at risk.

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<sup>1</sup> Hereinafter, "courthouses" shall include the Chatham County Courthouse and the Chatham County Juvenile Courthouse.

<sup>2</sup> Face coverings may include coverings that secure to the ears or back of the head and encompass the mouth and nose. These include homemade cloth ear loop covers, scarves, handkerchiefs, bandanas and neck gaiters.

4. The Court recognizes that masks and face coverings are an inconvenient and uncomfortable matter. However, it needs to be emphasized that you wear a mask for the protection, not of yourself, but for the protection of the persons with whom you come in contact. There will be vulnerable individuals at the courthouses, and you can be carrying the COVID-19 virus although you are not showing symptoms.

5. Any person seeking entry to the courthouses without a mask or face covering shall be denied access by the Chatham County Sheriff or his designees. The person denied entry should call the judge's office or desired destination and determine how to handle their business without coming into the courthouse. If the purpose of the visit is for a court appearance, the Chatham County Sheriff, or his designees, shall notify the primary deputy assigned to the judge and the judge's office of the denied access.

6. The Chatham County Sheriff and his designees are directed to enforce this Order within the common areas and public areas of the courthouse.

7. This Order shall remain in effect until amended or vacated by the undersigned.

**SO ORDERED** this 22nd day of May, 2020.



Penny Haas Freesemann, Chief Judge  
Superior Court, Eastern Judicial Circuit

Cc: Chief Justice, Georgia Supreme Court  
All Judges and Clerks of Court  
District Attorney  
Circuit Public Defender  
Chairman Chatham County Commission  
Chatham County Sheriff's Office  
Chatham County Public Information Officer

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA**ORDER****ON SCHEDULING AND CRIMINAL CASE STATUS REPORTS  
PROTOCOLS**

**THIS ORDER SUPPLANTS ALL EXISTING SCHEDULING ORDERS FOR OFD.**

**THIS ORDER DOES NOT REQUIRE DISCLOSURE OF PROTECTED OR  
PRIVILEGED INFORMATION OR STRATEGY**

**Introduction**

The COVID-19 pandemic and consequent state of emergency have curtailed the courts of the State from conducting in-person dockets in criminal cases. During the judicial state of emergency declared by Chief Justice Melton of the Georgia Supreme Court, the lack of an active grand jury and the inevitable slowing of the court processes have created a criminal case backlog.

As a part of the recovery plan to open for additional proceedings, the superior court judges will place primary emphasis on nonjury dispositional hearings, such as negotiated pleas and consent revocations, first with just in-custody cases, adding bonded cases as soon as the capacity to do so remotely is achieved.

**Applicability of Order**

This Order applies only to the Other Felony/Domestic Division.

1. All cases now pending, either by indictment or by accusation, except for those as to which the State and Defendant have announced ready for trial and had been assigned a specific date for jury trial
2. All cases bound up and pending accusation or indictment as of March 14, 2020, and all cases bound up since March 14, 2020.

**Mandatory Status Reports**

Upon receipt of a Status Report Docket, counsel for the State and the Defendant shall exchange discovery within 30 days and shall each provide the status reports to each other and the court, case manager and staff attorney within 5 days after the exchange of discovery. If defendant does not opt in to reciprocal discovery, the State is not obligated to serve discovery. "Discovery," at this preliminary point, is defined as items in the possession of the State/Defendant and may include police reports, video or audio recordings, witness statements if any, the criminal history of accused and alleged victim, if any, and any exculpatory evidence known to the State. The obligation to supplement discovery is not affected by the acceptance of preliminary discovery.

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

Waiver of Arraignment

Defendant shall indicate if he/she will waive arraignment. In light of the expedited discovery and scheduling order, the need for formal arraignment is deferred until trial docket for OFD cases.

Motions

Motions, demurrers and other evidentiary matters requiring pre-trial rulings shall be filed no later than 30 days after the 30-day initial discovery period.

Contents of Status Reports

1. Assign Complexity level

Complex:

MCD-type charges

Non-complex:

Charges which are often disposed with a plea, standard sentences and conditions or in which the charge is also a violation of probation and could be resolved expeditiously

Standard:

All special victim non-MCD cases and other offenses involving bodily harm, gun charges and anything neither non-complex nor complex.

2. Dispositional Status

Indicate each factor that applies

1. Jail cases resolvable short of trial have highest priority and within that list, priority is given to those serving longest in pretrial detention
2. Pending accepted plea offer or non-negotiated plea hearing requested
3. Potentially dispositive Probation Revocations pending
4. Consent Revocation Docket
5. Motions pending

3. Defendant Information

Is defendant is on bond or in custody?

If defendant has been in jail, how long?

Will defendant waive arraignment?

4. Charges:

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

Issues (e.g. recidivism, evidentiary motions, mental health concerns, etc.):

The existence of plea negotiations. (If none, state why, e.g., nature of charge):

Plea Offers should be included either via a petition or by summary, e.g. reference to standard drug plea.

Has most recent plea offer been conveyed to defendant?

If a plea offer was extended and then withdrawn, state whether the offer was rejected by defendant in writing or on the record? If neither, the defendant will have to appear before the Court to reject the plea offer before the plea will be allowed to be withdrawn by the State. This requirement is protect the record regarding the offer, the defendant's understanding of it and the defendant's personal decision to reject it.

Proposals or considerations regarding terms of plea: E.g. FOA, conditional discharge, waiver or nonwaiver of recidivist, BID available and if so, state the proposed BID.

Requested setting: NGP or OGP or PRH or TDC.

Status conference requested: Yes \_\_\_ No \_\_\_.

Explain any other factors, including legal and evidentiary issues you believe need to be addressed by the court:



5. A copy of a current Domestic Relations Financial Affidavit

Failure — without a legal excuse — to provide the report and exhibits in a timely manner will constitute grounds for a continuance or other sanctions, at the court's discretion.

**CIVIL CASES**

The procedures described above apply with respect to non-domestic civil bench trials, with the obvious exceptions as the documents which must be produced. The court will notify counsel and parties if a PTO is required prior to the hearing. Non-domestic civil bench trials include magistrate court appeals,

EXHIBIT A

PRETRIAL ORDER

SUBMITTED BY \_\_\_\_\_

*(identify by name of party, filing status and by representation)*

1. PROVIDE THE CELLULAR PHONE NUMBER AND EMAIL ADDRESS OF EACH PARTICIPANT IN THE HEARING, INCLUDING COURT REPORTER.

2. Estimate of hearing length                  Plaintiff/petitioner                  Defendant/respondent

    30 minutes or less                                  \_\_\_\_\_                  \_\_\_\_\_

    60 minutes or less                                  \_\_\_\_\_                  \_\_\_\_\_

    More than 60 minutes\*                                  \_\_\_\_\_                  \_\_\_\_\_

3. Date of Mediation:

4. Date of Last Settlement Discussion:

5. Mark all applicable issues

Divorce

Alimony

Property Division

Debt Division

Initial Child Custody

Initial Visitation

Modification of Custody

Modification of Visitation

Initial Child Support

Modification of Child Support

Legitimation

Adoption

Contempt of court

Attorney's fees

Restraining Order/Protective Order/Injunction

\_\_\_\_\_

6. State with specificity the relief you seek at the hearing in the form of a "Proposed Resolution", or "Proposed Final Order". *[Any omitted request for relief will not be considered by the Court, except for good cause shown. Attach the response as a separate document]*

7. State the witnesses you will or may call to testify at the hearing.

8. In final bench trials, provide to the opposing party a list of all Exhibits by exhibit number and provide a copy of all documentary and physical evidence that you may offer at the hearing and at the first hearings, produce the responses to the Standing Order unless the item has already been produced in discovery to the requesting party. ALL EXHIBITS MUST BE MARKED WITH EXHIBIT LABELS . [See Notes 1 & 2 below.]

9. If a division of assets and debts is an issue at the hearing, list:

    (a) all marital property to be divided.

(b) all property you contend is non-marital property.

(c) all debts of the parties.

[Unlisted assets or debts will not be addressed, unless stipulated, except for good cause shown.]

8. If child support or spousal support is an issue, list all sources and amounts of your income, and all known sources and amounts of income of the other party. In lieu of this provision the parties may provide an updated Financial Affidavit.

9. If child custody or visitation, or change of custody or change of visitation, is sought, each party shall provide a proposed Parenting Plan. [A parenting plan is required in every case in which custody or visitation is an issue.]

10. State all facts that are stipulated by the parties.

11. State any special authorities you rely upon relating to peculiar evidentiary or other legal questions.

*NOTE 1: Parties are not required to disclose witnesses or exhibits that may be used for rebuttal or impeachment; however, if such exhibits or witnesses are not disclosed, the use thereof will be limited strictly to rebuttal or impeachment, and may not be used to support the party's case in chief, unless otherwise determined by the court.*

*NOTE 2: All documentary evidence will be ADMITTED without further proof of authenticity or insistence on the best evidence rule, UNLESS you immediately notify opposing counsel (or the opposing party, if unrepresented) and the undersigned judge upon receipt of copies of documentary evidence from the other party. Any party objecting to the authenticity of an exhibit or insisting on the best evidence rule may be held liable for costs incurred by the other party in connection with the attendance of witnesses solely for the purpose of authenticating the exhibit or producing the original thereof.*

*NOTE 3: Each party must respond to each paragraph of Exhibit A. Responses must be specific. Reference to pleadings, discovery responses or other sources of information is not a sufficient response.*

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

_____	)	
	)	
Petitioner,	)	
	)	
vs.	)	CASE NO.: SP _____
	)	
_____	)	
	)	
Respondent.	)	

**MOTION FOR JUDGMENT ON PLEADINGS**

Come(s) now, Petitioner \_\_\_\_\_  
and/or Respondent \_\_\_\_\_  
and move(s) for entry of final judgment on the verified pleadings without a court appearance;  
and show(s) the Court that good grounds exist as set forth below:

\_\_\_\_\_ All issues have been resolved by a filed settlement agreement or consent of all parties;

or

\_\_\_\_\_ This is a divorce action containing, a separation agreement, filed consent to divorce, and if applicable, a parenting plan and child support worksheet and addendum;

or

\_\_\_\_\_ Service has been perfected and no answer or notice of appearance has been timely filed.

or

\_\_\_\_\_ This is a verified name change petition and the publisher's affidavit has been filed with the Clerk.

IMPORTANT: COMPLETED FINAL CASE DISPOSITION FORM HAS BEEN COMPLETED AND SUBMITTED HEREWITH.

This \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Signature of Moving Party/Attorney  
Email address: \_\_\_\_\_

CERTIFICATE OF SERVICE

The moving party hereby certifies that service by mail has been made or attempted at the following address of the opposing party:

- Via email at \_\_\_\_\_.
- Via fax at \_\_\_\_\_.
- Via mail at \_\_\_\_\_.

\_\_\_\_\_  
Signature of Moving Party/Attorney  
Email address: \_\_\_\_\_

IN THE SUPERIOR COURT OF CHATHAM COUNTY  
STATE OF GEORGIA

\_\_\_\_\_,  
Petitioner,  
vs. \_\_\_\_\_, )  
Respondent. )  
CASE NO.: SP \_\_\_\_\_

**ORDER ON MOTION FOR JUDGMENT ON PLEADINGS**

**Having read and considered the motion for judgment on the pleadings and good grounds appearing, the Court hereby GRANTS/DENIES THE MOTION.**

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge, Superior Court of Chatham County, Georgia

cc: Parties/Counsel via \_\_\_\_\_.