

IN THE MUNICIPAL COURT OF MARIETTA, COBB COUNTY
STATE OF GEORGIA

CITY OF MARIETTA
MUNICIPAL COURT
FILED IN THIS OFFICE

2020 OCT -7 A 10: 20

**FIFTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY OF
MARIETTA MUNICIPAL COURT**


CLERK OF COURT

WHEREAS, the Governor has determined that a Public Health State of Emergency exists in the State of Georgia due to the spread of the Coronavirus/COVID-19, and whereas that state of emergency constitutes a "judicial emergency" pursuant to O.C.G.A. §38-3-60 et seq., see O.C.G.A. §38-3-60 (2).

WHEREAS, pursuant to O.C.G.A §38-3-61, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, ORDERED AND, by orders issued on April 6, 2020, May 11, 2020, June 12, 2020, July 10, 2020, August 11, 2020, and September 10, 2020, currently in effect through October 10, 2020 at 11:59 pm.

WHEREAS, pursuant to O.C.G.A. §38-3-61, on May 26, 2020, in response to the COVID-19 pandemic and the Statewide Judicial Emergency in the State of Georgia, Judge Roger Rozen, as Chief Judge of the Municipal Court of Marietta, issued an Order Declaring Judicial Emergency And Adoption of Council of Municipal Court Judges of Georgia's Best Practices and Guidelines for Operation of Municipal Courts during the COVID-19 Recovery until Friday, June 12, 2020 at 11:59 pm. That order has been extended by order issued on June 12, 2020 through July 31, 2020, August 3, 2020 and expiring on September 20, 2020 at 11:59 pm.

NOW THEREFORE, pursuant to O.C.G.A. §38-3-61, Chief Judge Roger Rozen of the Municipal Court of Marietta, Cobb County Georgia HEREBY extends his order of June 12, 2020, with amendments to the order declared in Appendix A of this order adopting the Council of Municipal Judges Best Practices and Guidelines for Operating Municipal Court During the COVID-19 Recovery, until October 10, 2020 at 11:59 PM.

The court shall continue to operate under the restrictions set forth in the June 12, 2020 amended order of this court as extended by this order. Where this order refers to "public health guidance," the court should consider the most specific current guidance provided by the federal Centers for Disease Control and Prevention (CDC), the Georgia Department of Public Health (DPH) and the local health department.

This Judicial Emergency shall terminate on October 10, 2020 at 11:59 PM, unless otherwise amended or extended.

Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification or extension, a determination of available alternative remedies for the conduct of court business will be made 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 for the City of Marietta shall post this Order on his public notification site and at the entrance of the Marietta Police/Court Building;

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 Therese Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us and Administrative Office of the Courts.

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve a copy of the order on the judges, prosecutors, and clerk within the jurisdiction of Marietta Municipal Court and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, and the Cobb County Bar Association, such service to be accomplished through reasonable means to assure expeditious receipt; 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 by publishing upon the City of Marietta Municipal Court website, and shall be posted prominently upon all entrances to the City Of Marietta Municipal Court and offices of the City of Marietta Municipal Court Clerk, the City of Marietta Municipal Court Probation, and the City of Marietta Municipal Court Prosecutor.

IT IS SO ORDERED, this 2nd day of October, 2020, Nunc Pro Tunc to September 10, 2020



ROGER J. ROZEN, Chief Judge
Marietta Municipal Court