

SUPERIOR COURT OF HARALSON COUNTY  
TALLAPOOSA JUDICIAL CIRCUIT  
STATE OF GEORGIA

FILED & RECORDED  
CLERK OF SUPERIOR COURT  
HARALSON COUNTY, GA  
2020 NOV -9 AM 8:26

**ORDER DECLARING JUDICIAL EMERGENCY**

As authorized by O.C.G.A. §38-3-60(1)(B), O.C.G.A. §38-3-60(2)(D), and O.C.G.A. §38-3-61, and after consultation with and approval by all affected departments and courts, the undersigned has determined that there exists a judicial emergency substantially endangering courthouse employees and the public and infringing upon the normal functioning of the Haralson County Courthouse. The nature of the emergency is three county employees within the Offices of the Clerks of the Superior Court and the Probate Court tested positive for the COVID-19 viral infection within a five-day time period. The facts of the outbreak were discussed with Gary Voccio and Sobia Sattar, epidemiologists, Outbreak Investigation Team, District 1, Georgia Department of Public Health (“DPH”), to determine whether it is a serious public health matter that necessitates the restriction of the courthouse for a limited time to protect courthouse workers and the public. After hearing the above referenced information, Dr. Voccio also expressed that Haralson County currently has a 22% COVID-19 positive rate, the highest in the west Georgia area. Under the circumstances, he recommends that the courthouse be closed for 14 days to permit additional cleaning and disinfecting of the entire courthouse. In addition, this 14-day time frame is necessary to isolate, quarantine, test, and conduct contact tracing by the DPH.

After much considerations, research and consultations with the affected courts, governing authority, and various departments, the undersigned along with these affected individuals concluded that it’s impractical to close down the courthouse entirely due to the lack of adequate infrastructure and many logistic and legal problems in closing down any courthouse.

Accordingly, the undersigned declares the existence of a judicial emergency as authorized by law affecting all courts and their clerks' offices in this County. Therefore, the Haralson County Courthouse shall be restricted to the public, for fourteen days beginning from 12:01 a.m., Monday, November 9, 2020 until 12:01 a.m., Monday, November 23, 2020, or until further order of the Court. Unless this order is extended or modified, the courthouse will re-open for normal operations on Monday, November 23, 2020 at 9:00 a.m. Only essential matters as defined by the Supreme Court and adopted by this Court shall be heard by all courts in Haralson County during this 14-day time period. These hearings to be conducted via video conferencing.

During this fourteen day interval, the Haralson County governing authority agrees to frequently clean and disinfect the entire Haralson County Courthouse, especially the public bathrooms, the courtrooms, and the clerks' offices. The Haralson County Board of Commissioners will have these additional cleaning and disinfecting done on Monday, November 9, 2020, and Monday, November 16, 2020. Furthermore, due to the rapid spread of the COVID-19 virus in enclosed areas with limited ventilation, the Board of Commissioners will change all HVAC filters in the Haralson County Courthouse to the most effective MERV13 air filters.

During each day of this fourteen day interval, each department in the Haralson County Courthouse shall have only one support staff working inside the courthouse to reduce the number of people in the subject building and for isolation and quarantine purposes. The remainder of the employees in each department are requested to work from home and to provide any services possible remotely as allowed by technology and by law. This requirement does not apply to the Office of Voter Registrar and Courthouse Security. Courthouse Security personnel are required to follow all guidelines adopted by this Court for judicial emergency, including properly

checking temperature and requiring masks for entry and in all common areas of the courthouse, regardless of whether the individual is a courthouse employee or visitor.

In addition, during this 14-day interval, courthouse employees are requested to cooperate with DPH inquiries to allow contact tracing and notification of non-employees and others at high risk of exposure, and when required, to isolate and quarantine themselves, all as required by the Supreme Court of Georgia's Seventh Order Declaring Statewide Judicial Emergency, entered October 10, 2020, IV, C(2) and (3).

To further assist in limiting the number of people in the Haralson County Courthouse and to provide more opportunity and ability to adequately clean and disinfect the subject building, the location for holding court during this 14-day interval will be in the Polk County Main Courthouse. To satisfy the requirements of O.C.G.A. §15-6-18 as interpreted by Osborn v. State, 310 Ga. App. 856 (2011), a request was made to the Haralson County governing authority for approval by written resolution. The Supreme Court has ruled that holding court in the courthouse of another county is appropriate to satisfy the open and accessible requisite of the law. See Dubose v. State, 294 Ga. 579 (2014). Each presiding judge is requested to assess and to ensure that his or her court hearing meets the open and accessible to the public requirement, and whether that can be complied with through the use of technology.

Moreover, Circuit Public Defender David Smith informed the Court that his clients agree to waive any objection to holding court in the Polk County Courthouse under these circumstances.

Finally, Polk County governing authority through Commissioner Scotty Tillery has consented to the use of Polk County Courthouse #1 for Haralson County cases when needed during this 14-day time frame.

Family violence and stalking actions shall continue as required by law by contacting Stephanie Tanner at the Polk County Courthouse. The magistrate court shall continue to sign warrants, bonds, and conduct first appearance hearings remotely with the Haralson County Detention Center.

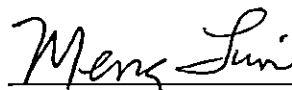
Pursuant to O.C.G.A. §38-3-62, all court deadlines, time schedules or filing requirements are hereby suspended, tolled, or extended for the duration of this judicial emergency order, including the time within which to take fingerprints by the Probate Court for weapon licenses, and any other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers or other persons. These deadlines are reimposed, and the suspension of these deadlines and other times scheduled are terminated without further order effective 12:01 a.m. on November 23, 2020.

Parties or attorneys in any non-essential matters should contact the assigned judge if they have any questions and/or need to ensure compliance with this Order.

The Sheriff shall post a copy of this notice on his public notification site and on the courthouse doors, and the County Clerk shall post a copy of this notice on the county website and on the appropriate county government doors or other public address system.

The Clerk of Court is hand-delivered this original order and shall email a filed-stamped copy of this order to all on the attached distribution list. This order shall be entered upon the minutes of the Clerk of the Court.

This 9<sup>th</sup> day of November, 2020, at 8:30 a.m. in Buchanan, Georgia.



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MENG LIM, Chief Judge  
Superior Court of Haralson County  
Tallapoosa Judicial Circuit

## DISTRIBUTION LIST

Chief Justice Harold Melton, Attn: Ms. Tee Barnes, Clerk, Supreme Court of Georgia  
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Honorable Mark Murphy, Superior Court Judge, Tallapoosa Judicial Circuit  
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Honorable Laura Wheale, Juvenile Court Judge, Tallapoosa Judicial Circuit  
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Honorable Eddie Hulsey, Haralson County Probate Court Judge  
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Honorable Jason Blackmon, Haralson County Magistrate Court Judge  
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