

IN THE SUPERIOR COURT OF UPSON COUNTY  
GRIFFIN JUDICIAL CIRCUIT  
STATE OF GEORGIA

IN RE: Declaration of Judicial Emergency

Upson County, Georgia

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**ORDER DECLARING JUDICIAL EMERGENCY**

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in Upson County, Georgia affecting all courts such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D). *See* O.C.G.A. § 38-3-60(2)(D) (providing that “Judicial Emergency” means “[s]uch other serious emergency”).

WHEREAS, IT HAS BEEN DETERMINED that the Judicial Emergency substantially endangers or infringes upon the normal functioning of the judicial system as it relates to jury service, including grand jury service, and any non-essential matters, unless they can be conducted via video or teleconferencing.

Therefore, pursuant to O.C.G.A. § 38-3-61, The Honorable Chief Judge Christopher C. Edwards of the Superior Court of Upson County, Griffin Judicial Circuit DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in the Griffin Judicial Circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout Upson County and the potential infection of those who are required to appear in our courts and interact with large groups due to jury service, including grand jury service, or other large, non-essential calendars.

Thus, the undersigned hereby makes this declaration of a judicial emergency affecting all courts and clerk’s offices in Upson County as it relates to jury service, grand jury service,

essential and emergency civil and criminal matter, and any non-essential matters, as set forth herein, **for a period of thirty (30) days from the date of this Order.**

Accordingly, IT IS THE ORDER of the Court that for a period of thirty (30) days from the date of this Order,

- (a) The courthouse and the Clerks' office shall be closed to the public during the pendency of the judicial emergency. Attorneys and members of the public needing access to the Court of the Clerk's Office will be required to make an appointment with the Clerk's office.
- (b) The courthouse and Clerk's office shall remain closed during the pendency of the judicial emergency, except for employees and those members of the public with an appointment.
- (c) The Clerk is directed to utilize e-filing and to maintain drop boxes located outside of the Clerk's office for those without the ability to e-file.
- (d) No jurors or grand jurors shall report and no jury trials shall be held during the pendency of the judicial emergency.
- (e) In all essential and/or emergency cases, all parties shall be directed to participate virtually via WebEx. In the event a party does not have the equipment needed to attend virtually, that party is to notify the Clerk within forty-eight (48) hours after notice of their hearing so that alternate arrangements can be made in compliance with this Order.
- (f) No civil or non-essential matters shall be heard by the courts during this 30-day time period, unless all parties can participate via video or teleconferencing. Parties or attorneys in any non-essential matters should contact the chambers of the judge

assigned to their case if they have any questions and/or need to ensure their compliance with this Order.

(g) Members of the public wishing to attend a virtual hearing may contact the Clerk's office and will be given a meeting number and password for access to the proceedings via WebEx.

(h) Law enforcement officers seeking arrest warrants or search warrants should do so by appointment.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the Court hereby suspends, tolls, extends, and otherwise grants relief from any deadlines or other time schedules or filing requirements imposed by otherwise applicable statutes, rules, regulations, or court including, but not limited to any: (1) a statute of limitation; (2) the time within which to try a case for which a demand for speedy trial has been filed; (3) the time within which to hold a commitment hearing; (4) the time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury; and/or (5) such other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers, or other persons.

Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification by the Court, the Court will make a determination of available alternative remedies for the conduct of court business, 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 Sheriff of Upson County shall post this Order on his public notification site and in the courthouses;


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 Tee Barnes, the Clerk of the Supreme Court of Georgia, at [barnest@gasupreme.us](mailto:barnest@gasupreme.us);

IT IS FURTHER ORDERED that the undersigned 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; 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.

IT IS SO ORDERED this 11 day of January, 2021 at 1:40 PM a.m./p.m.

  
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Christopher C. Edwards, Chief Judge  
Upson County Superior Court  
Griffin Judicial Circuit