

IN THE SUPERIOR COURT OF WHITFIELD COUNTY
CONASAUGA JUDICIAL CIRCUIT
STATE OF GEORGIA

FILED & RECORDED
WHITFIELD COUNTY, GA.

2021 MAY -4 PM 1:50

Ruby Bailey
CLERK OF
SUPERIOR COURT

21-CB-00278

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**SECOND ORDER EXTENDING TIME OF DECLARATION OF JUDICIAL
EMERGENCY**

WHEREAS, the Governor of Georgia on March 13, 2020 declared a Public Health State of Emergency pursuant to O.C.G.A. § 38-3-51 and the Chief Justice of the Georgia Supreme Court on April 8, 2021 issued a Thirteenth Order Extending Declaration of Statewide Judicial Emergency pursuant to O.C.G.A. § 38-3-61;

WHEREAS, the Superior Court of Whitfield County issued an Order Declaring Judicial Emergency on March 2, 2021, with subsequent amendments to the Order on March 4, 2021 and March 19, 2021, and extended the Order on April 1, 2021;

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency continues to exist in Whitfield County, Georgia, affecting the Whitfield County Superior Court 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;

WHEREAS, IT HAS BEEN DETERMINED that the Whitfield County Courthouse will not be able to provide a space during jury selection that will permit potential jurors and court staff to adequately maintain a safe and responsible social distance, and it is necessary, pursuant to O.C.G.A. § 38-3-61(c), to designate another

facility which is reasonably accessible and appropriate for the conduct of court business, and to adequately social distance for the selection of traverse juries;

WHEREAS, the City of Dalton has agreed to lease the Dalton Convention Center to the governing authority of Whitfield County for the exclusive use of the Whitfield County Superior Court for the selection of traverse jurors on March 10, April 12, May 3, June 28, July 12, August 9, September 20, October 4, November 8, and November 29, 2021;

IT IS HEREBY ORDERED that the selection of traverse juries shall occur on the aforementioned dates at the Dalton Convention Center, located at 2211 Dug Gap Battle Road, Dalton, Georgia, 30720. The Center shall be sanitized in a manner adhering to Centers for Disease Control guidelines before individuals are permitted to enter the building on the day of jury proceedings.

IT IS FURTHER ORDERED that jury proceedings shall be held in a space within the Center that allows individuals to maintain a safe and responsible social distance. All persons will be required to wear a mask or face covering over their noses and mouths throughout the proceedings, and a mask will be provided for those who arrive without a mask. All persons entering the building shall have their temperature checked and will be asked appropriate questions regarding potential exposure to COVID-19. Hand sanitizer will be provided.

IT IS FURTHER ORDERED that the Superior Court of Whitfield County's Order Extending Time of Declaration of Judicial Emergency is extended 30 days from its expiration date of May 1, 2021.

PURSUANT TO O.C.G.A. § 38-3-63:

IT IS ORDERED that the Sheriff of Whitfield County shall post this Order in the courthouse and on the entrance door at the Dalton Convention Center.

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court of Georgia with a

copy of this Order, such service to be accomplished via email to Therese S. Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us.

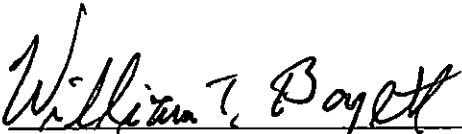
IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve a copy of this Order on the Whitfield County Clerk of Superior Court and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt.

IT IS FURTHER ORDERED that the Whitfield County Clerk of Superior Court shall give necessary notice to potential jurors that the jury selection will take place in the Dalton Convention Center, such notice to include but not be limited to providing information of the location change in juror summonses and posting the location change on the official Whitfield County Clerk of Court webpage.

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.

SO ORDERED this 4th day of May, 2021, in Whitfield County, Georgia, nunc pro tunc May 1, 2021.

This Judicial Emergency Order shall terminate on May 31, 2021 at 5:00 p.m. unless otherwise extended.



HON. WILLIAM T. BOYETT
Chief Judge, Superior Court
Conasauga Judicial Circuit