Cindy Mason Clerk Of Superior and Juvenile Courts

FILED IN OFFICE
July 1, 2021
Thrisa A Barnes
SUPREME COURT OF GEORGIA

Superior and Juvenile Courts
Columbia County, Georgia
Filed for Record This 1st
Day of July, 2021
Angie P. Hernandez
Cindy Mason, Clerk of Courts
Deputy Clerk 8:00 a.m.

IN THE SUPERIOR COURT OF COLUMBIA COUNTY
AUGUSTA JUDICIAL CIRCUIT
STATE OF GEORGIA

In Re: Local Judicial Emergency Order

Date: July 1, 2021

ORDER

On March 13, 2020 President Donald Trump declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. Effective March 14, 2020, Georgia Governor, Brian Kemp, declared a Public Health Emergency in Georgia in an effort to assist health and emergency management officials across the State by deploying all available resources for the mitigation and treatment of COVID-19.

In response to the Governor's declaration, on March 14, 2020 Chief Justice Harold Melton entered an Order Declaring Statewide Judicial Emergency due to the spread of COVID-19 and in an attempt to protect the health, safety, and liberty of all citizens in the State of Georgia. Chief Justice Melton's Judicial Emergency Order has now been extended fifteen (15) times, with the most recent version filed on June 7, 2021 and set to expire June 30, 2021 at 11:59 p.m., the same time the Public Health State of Emergency declared by the Governor is set to expire. All of the prior Judicial Emergency Orders are available on the Georgia Supreme Court's website, www.gasupreme.us.

The March 14, 2020 Judicial Emergency Order suspended, tolled, extended, and otherwise granted relief from any deadlines and other time schedules and filing requirements (referred collectively herein as "deadlines") imposed by otherwise applicable statutes, rules, regulations, or court orders in civil and criminal cases and administrative matters. The majority of the deadlines on litigants were reimposed, effective July 14, 2020, by the Fourth Order Extending Declaration of Statewide Judicial Emergency filed on July 10, 2020.

The exceptions to the reimposition of deadlines on litigants included deadlines for jury trial proceedings (including statutory speedy trial demands), deadlines for grand jury

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proceedings, and deadlines calculated by reference to the date of a civil or criminal jury trial or grand jury proceeding. The Fifteenth Order Extending Declaration of Statewide Judicial Emergency ordered that the grand jury and jury trial deadlines would remain tolled; however, said Order also indicated that all deadlines not already reimposed will immediately be reimposed (unless tolled by applicable local judicial emergency order) when the statewide judicial emergency order expires.

NOW THEREFORE, pursuant to O.C.G.A. § 38-3-60(1)(B), the Honorable James G. Blanchard, Jr., Chief Judge of the Augusta Judicial Circuit, DOES HEREBY ORDER AND DECLARE that there is an ongoing judicial emergency existing in this county which has been created by the statewide judicial emergency that has persisted for approximately fifteen (15) months immediately preceding this Order. This Order shall be considered a declaration of a local judicial emergency as anticipated under O.C.G.A. § 38-3-61(a). The extreme duration of the statewide judicial emergency created an extensive backlog of pending cases which necessitates the instant Judicial Emergency Order to be entered which will limit the reimposition of certain procedural deadlines and allow the courts to adequately assess and work through the backlog of cases that presently exist in this county.

WHEREFORE, pursuant to O.C.G.A. § 38-3-61(a), IT IS HEREBY ORDERED that during the term of this judicial emergency, the requirements for the filing of a statutory speedy trial demand imposed by O.C.G.A. §§ 17-7-170 and 17-7-171 are hereby reinstated, effective July 1, 2021. The time constraints to bring a case to trial as imposed by O.C.G.A. §§ 17-7-170 and 17-7-171 will remain tolled in all courts of this county for the duration of this Order. Nothing in this Order shall relieve the State of its constitutional obligation to provide for a speedy and public criminal trial.

IT IS FURTHER ORDERED, during the pendency of this Order, any statutory deadlines pertaining to the time within which any and all classes of court must conduct hearings shall be suspended for the duration of this Order.

WHEREFORE, pursuant to O.C.G.A. § 38-3-61(b), the instant Judicial Emergency Order shall go into effect immediately and shall remain in full force and effect for thirty (30) days, expiring on July 30, 2021 at 11:59 p.m., and shall apply to all courts within Columbia County.

FURTHER, as the Court continues on the path of reopening after the onset of the COVID-19 pandemic, certain general practices will need to be followed to ensure the health of litigants, court personnel and the public. Therefore, all current and future Center for Disease Control (CDC) guidelines shall be followed by the courts and are hereby incorporated into this Order. More specifically, effective July 1, 2021, upon entry to the Courthouse and courtrooms, those persons vaccinated for COVID-19 are not required to wear a mask. Those unvaccinated, at risk, or otherwise vulnerable are encouraged to wear a mask.

SO ORDERED this 1st day of July, 2021 at 12:00 a.m. / p.m. at Columbia County Courthouse (location).

James D Blanchard

JAMES G. BLANCHARD, JR.
Chief Judge, Superior Court of Columbia County
Augusta Judicial Circuit

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Judicial Emergency Order was served via E-Mail on the date listed below and to the following entities and individuals:

Supreme Court of Georgia
Chief Justice David Nahmias
Therese Barnes, Clerk
barnest@gasupreme.us

Georgia Court of Appeals
Patty Bender, Deputy Clerk
coaefast@gaappeals.us

Columbia County Magistrate Court
Hon. Jason Troiano
jtroiano@columbiacountyga.gov

Columbia County Probate Court
Hon. Alice W. Padgett
apadgett@columbiacountyga.gov

Augusta Circuit Juvenile Court
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Katherine Mason
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Augusta Bar Association
Steven Sanders, President
ssanders@fulcherlaw.com

State Bar of Georgia
Mercedes Ball, Director
mercedesb@gabar.org

In addition, a copy of this Order shall be posted in the Courthouse and any annex of the courthouse in a conspicuous location to allow for public viewing.

This 1st day of July, 2021

Lisa Hudson
Staff Attorney to the
Honorable James G. Blanchard Jr.

Office of Chief Judge James G. Blanchard Jr.
Augusta Judicial Circuit
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