

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

CLERK OF SUPERIOR &  
JUVENILE COURTS  
FILED FOR RECORD

2021 JUL 26 PM 2:46

CINDY MASON CLERK  
COLUMBIA COUNTY GEORGIA

**In Re: Local Judicial Emergency Order**

**Date: July 26, 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 extend through 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](http://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 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.

Columbia County was formerly a part of the Augusta Judicial Circuit. However, the Georgia Legislature created the Columbia Judicial Circuit, effective on July 1, 2021. The legislation that created the Columbia Judicial Circuit was known as Senate Bill 9 (“SB9”). The validity of SB9 was contested via several different lawsuits. The trial judges in those lawsuits issued temporary restraining orders which prevented the affected counties from implementing the provisions of SB9, thereby delaying the Circuit from beginning its business on July 1, 2021. The trial judges lifted the various temporary restraining orders and the cases were appealed to the Georgia Supreme Court. The Supreme Court of Georgia lifted its supersedeas order, effective July 22, 2021.

The Augusta Judicial Circuit entered an initial Judicial Emergency Order, effective on July 1, 2021. That Order impacted the courts located in Columbia County as Columbia County remained a part of the Augusta Judicial Circuit at the time the initial Order was entered. Under the terms of that Order and the statute which authorized its entry, that Order will expire on July 30, 2021. Whether the Order of the Augusta Judicial Circuit would remain applicable to the courts in Columbia County now that the Columbia Judicial Circuit has been created as a separate circuit from the Augusta Judicial Circuit creates a legal issue which is complicated and which can be resolved with the entry of this Order.

NOW THEREFORE, pursuant to O.C.G.A. § 38-3-60(1)(B), the Honorable James G. Blanchard, Jr., Chief Judge of the Columbia 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 preceding the entry of 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.

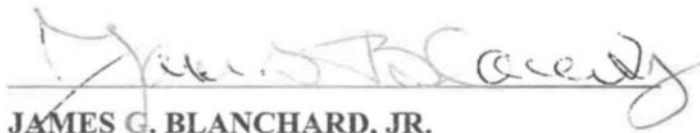
WHEREFORE, pursuant to O.C.G.A. § 38-3-61(a), IT IS HEREBY ORDERED that during the term of this judicial emergency, the requirements for the filing of a statutory speedy trial demand imposed by O.C.G.A. §§ 17-7-170 and 17-7-171 are hereby reinstated, effective July 1, 2021. The time constraints to bring 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 August 26, 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. The Georgia Court Reopening Guide, attached as "Exhibit A," shall be used as the template for such operating procedures during this time. The same is incorporated into this Order by reference as if set out in full herein.

SO ORDERED this 26 day of July, 2021  
at 1:33 o'clock at Sumner, Oregon (location).



**JAMES G. BLANCHARD, JR.**  
Chief Judge, Superior Court of Columbia County  
Columbia 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](mailto:barnest@gasupreme.us)

Georgia Court of Appeals  
Patty Bender, Deputy Clerk  
[coaefast@gaappeals.us](mailto:coaefast@gaappeals.us)

Columbia County Magistrate Court  
Hon. Jason Troiano  
[jtroiano@columbiacountvga.gov](mailto:jtroiano@columbiacountvga.gov)

Columbia County Probate Court  
Hon. Alice W. Padgett  
[apadgett@columbiacountvga.gov](mailto:apadgett@columbiacountvga.gov)

Columbia Circuit Juvenile Court  
Chuck Evans  
[cevans@columbiacountvga.gov](mailto:cevans@columbiacountvga.gov)

Columbia County Clerk of Court  
Cindy Mason  
[cindy.mason@gsccca.org](mailto:cindy.mason@gsccca.org)

Columbia Judicial Circuit District Attorney  
Bobby Christine  
[bchristine@columbiacountvga.gov](mailto:bchristine@columbiacountvga.gov)

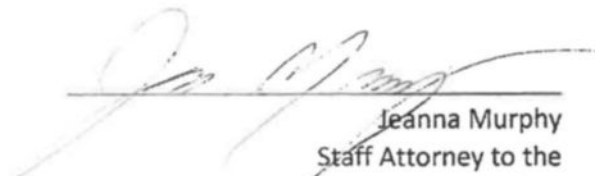
Columbia Judicial Circuit Public Defender  
Mack Taylor  
[mtaylor@columbiacountvga.gov](mailto:mtaylor@columbiacountvga.gov)

Augusta Bar Association  
Steven Sanders, President  
[ssanders@fulcherlaw.com](mailto: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 26<sup>th</sup> day of July, 2021



Jeanna Murphy  
Staff Attorney to the  
Honorable James G. Blanchard Jr.

Office of Chief Judge James G. Blanchard Jr.  
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Evans, Georgia 30809  
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