

**IN THE SUPERIOR COURTS OF HALL AND DAWSON COUNTIES
NORTHEASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA**

FILED
HALL CO., GA.
2020 MAY -4 PM 12:43
CHARLES BAKER, CLERK
SUPERIOR STATE COURT
BY _____

IN RE: Extension of Judicial Emergency *
*
Date: May 4, 2020 *

ORDER EXTENDING JUDICIAL EMERGENCY

WHEREAS, a Judicial Emergency was previously determined to exist pursuant to both a local Order entered in these Courts on March 13, 2020 and, thereafter, a superseding statewide Order entered by Chief Justice Harold D. Melton of the Georgia Supreme Court.

WHEREAS, this period of emergency was briefly extended by the undersigned through May 31, 2020, but such date was later curtailed to extend only through May 13, 2020 in order to comport with Justice Melton’s statewide extension.¹

WHEREAS, the Coronavirus/COVID19 continues to pose great risk to public health, with local hospital leaders warning of a still-to-come peak in new cases and Governor Brian P. Kemp, in remarks on April 27, stating that “over the past few weeks, as other areas of our state have seen reduced transmission of the virus, the Gainesville area has experienced an increase in cases, and our hospital partners in the area are seeing more hospitalizations.”

Therefore, pursuant to O.C.G.A. § 38-3-61, the Honorable Chief Judge Kathlene F. Gosselin of the Superior Courts of Hall and Dawson Counties DOES HEREBY DECLARE AND EXTEND the current Judicial Emergency in the Northeastern Judicial Circuit. Because this emergency continues to substantially endanger or infringe upon the normal functioning of the judicial system, this declaration affects all courts and clerk's offices in the circuit.

¹ The April 2, 2020 *Order Extending Declaration of Judicial Emergency* was modified by the April 8, 2020 *Amended Order Extending Declaration of Judicial Emergency*.

Accordingly, IT IS THE ORDER of the Court:

- 1) The suspension of jury trials and grand juries shall remain in effect until August 1, 2020.
- 2) The suspension of in-person, non-essential hearings shall remain in effect until June 1, 2020. Whether a hearing is essential is to be determined by the judges in accordance with the definitions and guidelines provided in previous orders.
- 3) Superior Courts may resume Domestic Hearings provided they are conducted substantially by remote videoconferencing. Such hearings shall be scheduled at the discretion of the judge assigned to the case, with proper notice and opportunity given for any party to object. Furthermore, all such hearings shall be conducted in compliance with the Supreme Court of Georgia's clarified and/or amended Rule 9 of the Uniform Superior Court Rules issued on March 27, 2020.
- 4) Probate Court's resumption of issuing weapons carry licenses shall be conducted in such a manner so as to ensure visitors, to every extent feasible, are required to maintain social distancing guidelines (e.g., allowing citizens to remain in their vehicles until court staff are able to assist them, etc.).
- 5) Other classes of courts may resume non-essential hearings provided that the proceedings are conducted substantially by remote videoconference, in compliance with any rules of open court, and at the discretion of the judge assigned to the case. Attorneys or self-represented litigants should contact the judge's chambers to request such a hearing.
- 6) All courts, offices, and departments are encouraged, to the extent feasible, to conduct business and offer essential services by appointment, in order to mitigate the number of visitors entering the facilities at any one time.

IT IS FURTHER ORDERED, pursuant to OCGA § 38-3-62, during the period of this Order, the undersigned 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 orders, whether in civil or criminal cases or administrative matters, including, but not limited to any: (1) statute of limitation; (2) time within which to issue a warrant; (3) time within which to try a case for which a demand for speedy trial has been filed; (4) time within which to hold a commitment hearing; (5) deadline or other schedule regarding the detention of a juvenile; (6) time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury; (7) time within which to file a writ of habeas corpus; (8) time within which discovery or any aspect thereof is to be completed; (9) time within which to serve a party; and (10) time within which to appeal or to seek the right to appeal any order, ruling, or other determination.

This Judicial Emergency shall terminate on May 31, 2020, at 11:59 p.m., unless otherwise extended, rescinded, amended, or superseded.

IT IS FURTHER ORDERED, pursuant to O.C.G.A § 38-3-63, that the Sheriffs of Hall and Dawson Counties shall post this Order on their 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.

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.

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 4th day of May, 2020 at 10:09 a.m./p.m.



Kathlene F. Gosselin, Chief Judge
Northeastern Judicial Circuit