

**IN THE SUPERIOR COURTS OF LUMPKIN, TOWNS, UNION AND WHITE
ENOTAH JUDICIAL CIRCUIT
STATE OF GEORGIA**

IN RE: Extension of Judicial Emergency
DATE: May 12, 2020

ORDER EXTENDING JUDICIAL EMERGENCY.

WHEREAS, a Judicial Emergency was previously determined to exist pursuant to a statewide Order entered by Chief Justice Harold D. Melton of the Georgia Supreme Court.

WHEREAS, this period of emergency was briefly extended through May 13, 2020 and has now been extended until further order.

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 experience an increase in cases, and our hospital partners in the area are seeing more hospitalizations.”

The Enotah Circuit borders on two (2) counties, Hall and Habersham. These two (2) counties are both in the top 10% of Georgia Counties with the most cases of COVID19. These two counties and the counties of the Enotah Circuit have extensive social and economic contacts and interactions with each other.

Therefore, pursuant to O.C.G.A. § 38-3-61, the Honorable Chief Judge Raymond E George, of the Superior Courts of The Enotah Circuit, comprising Lumpkin, Towns, Union and White Counties, DOES HEREBY DECLARE AND EXTEND, the current Judicial Emergency in the Enotah 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.

Accordingly, IT IS THE ORDER of the Court:

1. The suspension of jury trials and grand juries shall remain in effect until further order of the Georgia Supreme Court.
2. The suspension of in-person, non-essential hearings shall remain in effect until further order of the Court. Whether a hearing is essential is to be determined by the assigned Judge, 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 continuance of issuing weapons carry licenses shall be conducted in such a manner as to ensure visitors, to every extent feasible, are required to maintain social distancing guidelines.
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.
7. Parties or their Counsels who do not consent to video conferencing, shall provide their own PPE for all members of their party to include any witnesses they may call. They shall also be responsible for informing their clients, members of their party and their witnesses of the social distancing guidelines and CDC procedures, and assuring they are complying.

IT IS FURTHER ORDERED, pursuant to O.C.G.A. § 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 limitations; (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 accusations 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 June 30, 2020 at 11:59p.m., unless otherwise extended, rescinded, amended, or superseded, exclusive of Jury Trials/Grand Jury suspensions as noted herein.

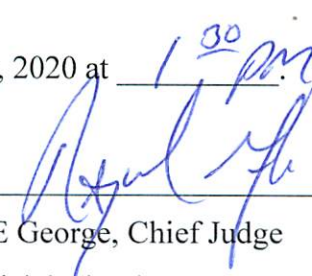
IT IS FUTHER ORDERED, pursuant to O.C.G.A. § 38-3-63, that the Sheriffs of Lumpkin, Towns, Union and White Counties shall post this Order on their public notification site and in the courthouses;

IT IS FUTHER 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 Tee Barnes, the Clerk of the Supreme Court of Georgia.

IT IS FUTHER 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 FURHER 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 12 day of May, 2020 at 1:30 pm.

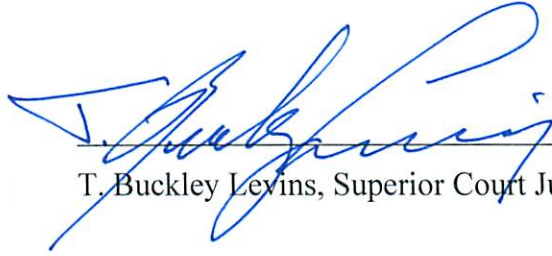


Raymond E George, Chief Judge
Enotah Judicial Circuit

Said order is issued after consultation and consent of the other sitting Superior Court Judges of the Enotah Judicial Circuit.



Joy R. Parks, Superior Court Judge



T. Buckley Levins, Superior Court Judge