

IN THE SUPERIOR COURT OF GWINNETT COUNTY

20 MAR 13 PM 1:32

STATE OF GEORGIA

ROBERT A. ALEXANDER, CLERK

IN RE:  
DECLARATION OF  
JUDICIAL EMERGENCY

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20-AA-0028

March 13, 2020

ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in Gwinnett County, Georgia affecting all courts such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D).<sup>1</sup>

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, including grand jury service, and any non-essential matters, unless they can be conducted via video or teleconferencing.

Therefore, pursuant to O.C.G.A. § 38-3-61, The Honorable Chief Judge George F. Hutchinson, III of the Superior Court of Gwinnett County, Gwinnett Judicial Circuit DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in the Gwinnett Judicial Circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout Gwinnett County and the potential infection of those who are required to appear in our courts and interact with large groups due to jury service, including

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<sup>1</sup> See O.C.G.A. § 38-3-60(2)(D) (providing that “Judicial Emergency” means “[s]uch other serious emergency”).

grand jury service, or other large, non-essential calendars. Thus, the undersigned hereby makes this declaration of a judicial emergency affecting all courts and clerk's offices in Gwinnett County as it relates to jury service, including grand jury service, and any non-essential matters.

Accordingly, IT IS THE ORDER of the Court that no jurors or grand jurors shall report and no jury trials shall be held (excepting those trials now in progress and at the discretion of the presiding judge) for a period of fourteen (14) days from the date of the entry of this Order.

Furthermore, no civil or non-essential matters shall be heard by the courts during this fourteen (14) day time period excepting as authorized below. Parties or attorneys in any non-essential matters should contact the chambers of the judge assigned to their case if they have any questions and/or need to ensure their compliance with this Order.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the Court hereby suspends, tolls, extends, and otherwise grants relief from deadlines, other schedules and filing requirements as defined in O.C.G.A. § 38-3-62.

For the purpose of this order, the Chief Judges of the Superior, State and Magistrate Courts have determined the following to be essential matters:

1. Arrest and search warrants;
2. First Appearance hearings;
3. Family Violence and Stalking Temporary Protective Order applications and hearings;
4. Misdemeanor Jail Court calendars including probation revocation hearings conducted at the jail; and
5. Any other matter deemed essential by the Judge (except summoning new jurors) to whom that case is assigned including matters now in progress before that judicial officer.

These essential functions will continue to take place as scheduled by the respective Court.

Additionally, for the duration of this Emergency Order, the Clerk of Court is directed not

to accept any new garnishment filings in Magistrate, State or Superior Court.

Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification by the Court, the Court will make a determination of available alternative remedies for the conduct of court business, as necessary, and a corresponding Order will be entered and distributed in accordance with Georgia law.

Pursuant to O.C.G.A. § 38-3-63:

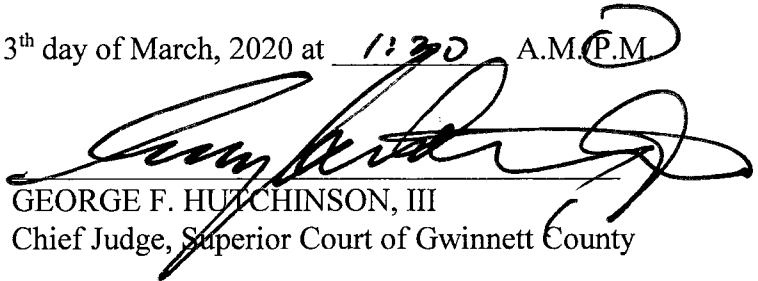
IT IS ORDERED that the Sheriff of Gwinnett County shall post this Order on his public notification site and in the courthouses;

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, at [barnest@gasupreme.us](mailto:barnest@gasupreme.us);

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 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; and

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 13<sup>th</sup> day of March, 2020 at 1:30 A.M./P.M.



GEORGE F. HUTCHINSON, III  
Chief Judge, Superior Court of Gwinnett County

Copies to:

Chief Justice of the Supreme Court  
Clerk of the Supreme Court  
Clerk of the Court of Appeals  
Judges of the Gwinnett Superior Court  
Judges of the Gwinnett State Court  
Chief Magistrate of Gwinnett County  
Clerk of Superior, State & Magistrate Courts  
Chief Probate Court Judge  
Judges of the Juvenile Court of Gwinnett County  
Recorders Court Judges of Gwinnett County  
District Attorney  
State Court Solicitor General  
Sheriff of Gwinnett County