

IN THE SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

IN RE: JUDICIAL EMERGENCY
ACT OF 2004 O.C.G.A. § 38-3-60:
COURTHOUSE CLOSURE DUE TO
CORONAVIRUS (COVID-19)
PANDEMIC

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE

APR 07 2020

A. L. Allen
CLERK SUPERIOR COURT

THIRD AMENDED ORDER EXTENDING JUDICIAL EMERGENCY

Due to the on-going coronavirus (COVID-19) pandemic, and the resultant public health conditions that it creates which substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, and the ability of litigants or others to have access to the courts, or to meet schedules or time deadlines imposed by court order, rule, statute, administrative rule, or regulation, and pursuant to the Order Extending Declaration of Statewide Judicial Emergency issued by the Chief Justice of the Georgia Supreme Court as authorized under O.C.G.A. § 38-3-61, an extension of the judicial emergency is hereby declared pursuant to O.C.G.A. § 38-3-60. This Order shall affect the operations of all classes of courts¹ within the Bell-Forsyth Judicial Circuit.

¹ The classes of courts of the Bell-Forsyth Judicial Circuit include: Superior Court; State Court; Juvenile Court; Probate Court; and Magistrate Court.



All court proceedings are suspended with the exception of essential functions necessary to protect health, safety, and liberty of individuals. Essential functions are subject to interpretation; however, as described by the Chief Justice, some matters that fall into the essential function category are: (1) where an immediate liberty or safety concern is present requiring the attention of the court as soon as the court is available; (2) criminal court search warrants, arrest warrants, initial appearances, and bond reviews; (3) domestic abuse temporary protective orders and restraining orders; (4) juvenile court delinquency detention hearings and emergency removal matters; and (5) mental health commitment hearings.

Additionally, the undersigned finds that the following are also essential functions: (1) criminal revocation hearings; (2) criminal motions for bond; (3) criminal pleas in which a defendant is being released from jail; (4) civil emergency motions at the discretion of the assigned judge; (5) habeas corpus proceedings; (6) family violence proceedings; (7) juvenile court preliminary protective hearings; (8) juvenile court delinquency detention hearings; (9) juvenile court dependency adjudications; (10) juvenile court permanency hearings; and (11) terminations of parental rights trials.

To the extent court proceedings are held, they should be done in a manner to limit the risk of exposure, such as by videoconferencing, where possible.

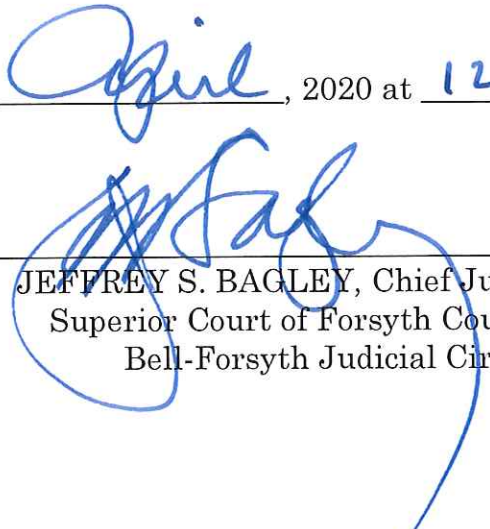
With regard to matters not deemed essential functions under the Chief Justice's Statewide Judicial Emergency Order, counsel and litigants are encouraged to proceed to the extent feasible and consistent with public health guidance, for

example, through the use of teleconferences and videoconferences, to reduce backlogs when the judicial emergency ends.

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 other 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; (10) time within which to appeal or to seek the right to appeal any order, ruling, or other determination; and (11) such other legal proceedings as determined to be necessary by the authorized judicial official.

This Order shall terminate on May 13, 2020, at 11:59 p.m., unless otherwise extended.

IT IS SO ORDERED this 7th day of April, 2020 at 12:00 o'clock p.m..



JEFFREY S. BAGLEY, Chief Judge
Superior Court of Forsyth County
Bell-Forsyth Judicial Circuit

Distribution:

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