



MEMORANDUM

To: Gainesville-Northeastern Bar Association
From: Kathlene F. Gosselin, Chief Judge *kg*
Date: March 13, 2020
Re: Declaration of Judicial Emergency

COVID-19

Please remain calm during what is a time of concern for all of us. Remember that we have a mission in the court system to provide justice and there are essential functions we must and can fulfill. Flexibility will be key as we keep up with the changing landscape.

Today, I have signed an emergency order immediately suspending all jury matters and cancelling all arraignments in the State Court of Hall County and the Probate Court of Dawson County until April 3, 2020. Any extension of this emergency will be similarly communicated at a later date.

We are also limiting all non-essential court matters. The details of this are being left to each court and each judge, however, the following matters have been determined to be essential and are intended to continue uninterrupted:

- Arrest and Search Warrants
- First Appearance hearings
- Family Violence and Stalking TPO applications and hearings
- Criminal pleas of incarcerated defendants
- Bond hearings
- Any other matter determined to be essential by the judge to whom the matter is assigned, or the Chief Judge of that court if the assigned judge is not available

If you have questions about the status of any particular hearing, you should directly contact the chambers of the judge assigned to the case. In criminal matters, lawyers should report via telephone or email; if you need to report in person, there is no need to bring your client. In domestic relations, uncontested matters will not be heard on Tuesdays at this time.

Thank you.

IN THE SUPERIOR COURT OF HALL COUNTY
NORTHEASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA

FILED
HALL COUNTY, GEORGIA
2020 MAR 13 PM 4:47
CLERK OF SUPERIOR COURT

IN RE: Declaration of Judicial Emergency *
Date: March 13, 2020 *

ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in Hall County, Georgia affecting all courts such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D). *See* O.C.G.A. § 38-3-60(2)(D) (providing that “Judicial Emergency” means “[s]uch other serious emergency”).

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.

Therefore, pursuant to O.C.G.A. § 38-3-61, The Honorable Chief Judge Kathlene F. Gosselin of the Superior Court of Hall County, Northeastern Judicial Circuit DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in the Northeastern Judicial Circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout Hall 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 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 Hall 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 starting immediately and ending April 3, 2020. Furthermore, civil or non-essential matters will be limited by the courts during this same time period. Essential matters include Temporary Protective Orders, cases involving domestic violence or other immediate danger to persons, and jail matters. 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. Arraignments scheduled in the State Court of Hall County or Probate Court of Dawson County are cancelled until April 3, 2020.

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: (1) a statute of limitation; (2) the time within which to try a case for which a demand for speedy trial has been filed; (3) the time within which to hold a commitment hearing; (4) the time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury; and/or (5) such other legal proceedings as determined to be necessary, including calendars involving large numbers of litigants, lawyers, or other persons.

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 Hall County shall post this Order on his public notification site and in the courthouses;

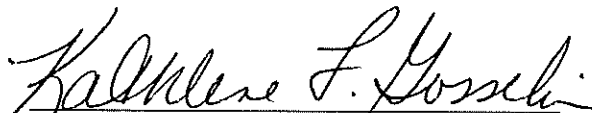
IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be

accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us;

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.

IT IS SO ORDERED this 13th day of March, 2020 at 4:50 p.m.


Kathlene F. Gosselin, Chief Judge
Northeastern Judicial Circuit