

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY  
STATE OF GEORGIA

MAR 13 2020  
350P *[Signature]*  
DEPUTY CLERK

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

Ex Parte: 20-140

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**ORDER DECLARING JUDICIAL EMERGENCY**

WHEREAS, the Coronavirus/COVID-19 ("COVID-19") has been detected within the State of Georgia and risks and consequences of its transmission are largely undetermined at the time of this Order;

WHEREAS, it is anticipated that public and private schools, law enforcement agencies, healthcare providers, childcare providers and families may be adversely affected by such virus and its actual or potential transmission, although no known cases of COVID-19 have been reported at the time of this Order in the six (6) counties of the Chattahoochee Judicial Circuit, to-wit: Chattahoochee County, Harris County, Marion County, Muscogee County, Talbot County and Taylor County in the State of Georgia;

WHEREAS, there is an immediate and likely continuing need for all law enforcement agencies and healthcare providers within the Chattahoochee Judicial Circuit to conserve and focus limited personnel and resources in response to various situations associated with COVID-19;

WHEREAS, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia and the Honorable Brian P. Kemp, Governor of the State of Georgia have encouraged the Chattahoochee Judicial Circuit and other circuits to consider a partial closure or suspension

of certain Court activities which may require large numbers of participants to congregate in close proximity for prolonged periods;

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

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 trial and grand jury service; arraignments; and civil, domestic and criminal docket calls.

Therefore, pursuant to O.C.G.A §38-3-61, The Honorable Chief Judge Bemon G. McBride, III of the Superior Court of Muscogee County, Chattahoochee Judicial Circuit DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in said county. The nature of this emergency is the potential spread of COVID-19 throughout the State of Georgia and the potential infection of those who are required to appear in our courts and interact with large groups due to jury service, including trial and grand jury service; arraignments; civil, domestic and criminal docket calls; and other large, non-essential calendars and court proceedings.

Thus, the undersigned hereby makes this declaration of a judicial emergency affecting all courts and clerk's offices in Muscogee County as it relates to jury service, including trial and grand jury service; arraignments; and civil, domestic and criminal docket calls, in courts of any class, except operations of the Columbus, Georgia Recorder's Court which are not included in the scope of this Order and shall be determined by the Honorable Julius Hunter, Chief Judge of said Court.

Accordingly, IT IS THE ORDER of the Court that no jurors or grand jurors shall report and no jury trials shall be held in Muscogee County through and including March 27, 2020. This order does not apply to non-jury criminal, civil or domestic hearings, the Rapid Resolution Program, and motion and plea calendars. Parties or attorneys in such matters must 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: (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; (5) a deadline or other schedule regarding the detention of a juvenile; (6) the time within which to file a writ of habeas corpus; and (7) such other legal proceedings as determined to be necessary, including calendars and proceedings 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 Muscogee County shall post this Order on her public notification site and in prominent locations within the Columbus Consolidated Government Center; the Columbus, Georgia Public Safety Building and the Columbus, Georgia Citizen Service Center.

IT IS FURTHER 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, at [barnes@gasupreme.us](mailto:barnes@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 each court 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 reasonable notice of the issuance of this Order to the affected parties, counsel for affected parties and the public.

IT IS SO ORDERED this 13<sup>th</sup> day of March, 2020 at 3:45 a.m./p.m.



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Bemon G. McBride, III  
Chief Judge,  
Chattahoochee Judicial Circuit