

IN THE MAGISTRATE COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT
STATE OF GEORGIA



In Re: Declaration of Judicial Emergency
April 7, 2020

2020 - EX - 000346

THIRD AMENDED GUIDANCE DURING JUDICIAL EMERGENCY

In accordance with the **Order Extending Declaration of Statewide Judicial Emergency**, issued by Chief Justice Harold Melton of the Georgia Supreme Court on April 6, 2020, and attached hereto, all previous direction by this Court is withdrawn.

The Magistrate Court of Fulton County will provide constitutionally-mandated, essential services, specifically applications for search and arrest warrants through electronic interface as well as First Appearance hearings six days a week. Court hearings will be conducted through video conferencing systems, to which the public will have access daily. Hearing schedules are available on our website at <https://ga-fultoncountymagistratecourt.civicplus.com/222/Calendar-Assignment-by-Judge>.

Any individuals charged with crimes in the APH and non-complex divisions who are ON BOND must contact their attorney. Those cases will be removed from the calendar and parties will not be required to appear in court. Bond hearings for those detained will continue, pursuant to a revised and published calendar.

As the Chief Justice's Order tolls, suspends and grants relief from statutory time limits in other matters **as of its issuance on April 6, 2020**, the Magistrate Court suspends all hearings and services listed below:

- landlord-tenant (evictions)
- abandoned motor vehicles
- warrant applications
- copy of charges
- personal property foreclosures, trover
- Misdemeanor Mental Health Court jail
- small claims
- child abandonment
- environmental
- garnishment
- post-judgment hearings
- weddings

Absent additional direction from the Chief Justice, all suspended calendars will resume on May 14, 2020, pursuant to an Amended Order of Business, to be drafted by the Court. **All calendar matters listed directly above this paragraph are postponed until the Judicial Emergency is lifted.**

Civil e-file options are available and should be utilized for cases where pending deadlines require a response, *such as Answers in landlord-tenant actions*. Defendants may continue to e-file answers in any civil matters; however, in order to be considered timely once the Judicial Emergency is lifted, all pending answers **must be filed within the time tolled. Justice Melton's confirmation to Georgia Courts to return to normal business will lift this Guidance.**

Court filers are strongly encouraged to postpone their business with the court until the limited judicial emergency order is lifted. All cases currently scheduled will receive a continuance date from the Clerk's office once the limited judicial emergency is lifted.

If you are a victim or witness scheduled for a criminal hearing and you believe yourself to be ill or at risk, contact the District Attorney at 404-612-4981, the Solicitor General at 404-612-4800, the clerk's office at 404-613-5360, **or** email a request for continuance to the Court at magistrate.jarequests@fultoncountyga.gov. Anyone else believing themselves to be ill or at risk should not attend court during this period.

This Order is effective immediately.

SO ORDERED, this 7 day of April, 2020.



Cassandra Kirk, Chief Magistrate Judge
Magistrate Court of Fulton County
Atlanta Judicial Circuit



SUPREME COURT OF GEORGIA



April 6, 2020

ORDER EXTENDING DECLARATION OF STATEWIDE JUDICIAL EMERGENCY

Pursuant to OCGA § 38-3-61, and due to the continuing statewide emergency involving the transmission of Coronavirus/COVID-19, the Honorable Harold D. Melton, Chief Justice of the Supreme Court of Georgia, does hereby extend the March 14, 2020 (amended) Order Declaring Statewide Judicial Emergency, which would have expired on April 13, 2020 at 11:59 p.m., until Wednesday, May 13, 2020, at 11:59 p.m., unless otherwise further modified or extended. The Chief Justice will provide notice as to the expected termination of the Order at least one week in advance to allow courts to plan the transition to fuller operations.

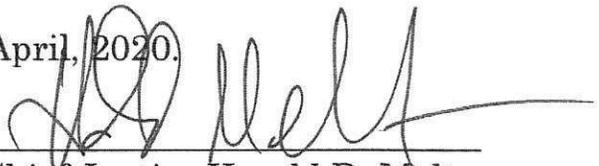
With regard to matters not deemed essential functions under the Statewide Judicial Emergency Order, courts and litigants are encouraged to proceed to the extent feasible and consistent with public health guidance, for example through the use of teleconferences and videoconferences, to reduce backlogs when the judicial emergency ends.

With regard to all matters in this challenging time, all lawyers are reminded of their obligations of professionalism.

It is ordered, pursuant to OCGA § 38-3-63, that notice and service of a copy of this Order shall immediately be sent to the judges and clerks of all courts in this State and to the clerk of the Georgia Court of Appeals, such service to be accomplished through means to assure expeditious receipt, which include electronic means; and

It is further ordered that notice shall also be sent to the media, the State Bar of Georgia, and the officials and entities listed below and shall constitute sufficient notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

IT IS SO ORDERED this 6th day of April, 2020.


Chief Justice Harold D. Melton
Supreme Court of Georgia

cc:

Governor Brian P. Kemp
Lt. Governor Geoff Duncan
Speaker David Ralston
State Bar of Georgia
Administrative Office of the Courts
Judicial Council of Georgia
Council of Superior Court Clerks of Georgia
Department of Juvenile Justice
Criminal Justice Coordinating Council
Council of Accountability Court Judges
Georgia Commission on Dispute Resolution
Institute of Continuing Judicial Education of Georgia
Georgia Council of Court Administrators
Chief Justice's Commission on Professionalism
Judicial Qualifications Commission
Association County Commissioners of Georgia
Georgia Municipal Association
Georgia Sheriffs' Association
Georgia Association of Chiefs of Police
Georgia Public Defender Council
Prosecuting Attorneys' Council of Georgia
Department of Corrections
Department of Community Supervision
Georgia Court Reporters Association
Board of Court Reporting
State Board of Pardons and Paroles
Constitutional Officers Association of Georgia
Council of Magistrate Court Clerks
Council of Municipal Court Clerks

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the
minutes of the Supreme Court of Georgia.
Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 , Clerk