

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

FILED
CLAYTON COUNTY, G
2020 MAR 17 PM 3:37

JACQUILINE D. WILLS
CLERK SUPERIOR COURT

STANDING ORDER PURSUANT TO
ORDER DECLARING STATEWIDE JUDICIAL EMERGENCY

WHEREAS, Pursuant to OCGA §38-3-61, an “Amended” Order Declaring Statewide Judicial Emergency was issued by Chief Justice Harold D. Melton, Chief Justice of the Supreme Court of Georgia, on March 14, 2020. In the Amended Order, Justice Melton indicated that, “this Statewide Judicial Emergency shall terminate on April 13, 2020, at 11:59 p.m., unless otherwise extended”.

Of particular import and impact is the directive that: “...[t]o the extent feasible, courts should remain open to address **essential functions**, and in particular **courts should give priority to matters necessary to protect health, safety, and liberty of individuals**. Essential functions are subject to interpretation; however, some matters that fall into the **essential function** category, and are handled by Magistrate Court include,

- (1) Where an immediate liberty and 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.

Thus, in order to insure and maintain the **essential functions** of the court, Magistrate Court of Clayton County will continue to remain open and on call 24 hours a day, 7 days a week. The immediate goal is for the staff to perform critical operations necessary and give priority to matters needed to protect the health, safety, and liberty of all the individuals, who reside in or have contact with Clayton County.

The Magistrate Court of Clayton County has implemented strategies to protect the workforce, while ensuring continuity of operations. This is a rapidly evolving situation and information will be updated as it becomes available, and processes will be perfected as warranted.

- (1) IT IS ORDERED that Magistrate Court will continue to be available 24 hours a day, 7 days a week to review and either deny or approve the probable cause application(s) for search and arrest warrants.
 - a. There will continue to be three (3) separate shifts maintained by the 4 full time and 3 part time Magistrate Court judges, 24 hours a day, 7 days a week, to handle warrant applications relative to alleged criminal activity in Clayton County.

- (2) IT IS FURTHER ORDERED that Magistrate Court will continue to be available and open on the following days and times to conduct Initial/First Appearance Hearings; respond to Motions for Bond or Consent Bonds; and schedule Preliminary Hearings, as follows:
- a. First Appearance Hearings will be held on Tuesdays, Thursdays, Saturdays and Sundays at 10:00 a.m. via the Zoom videoconferencing App;
 - b. Motions for Bond Hearings and or Consent Bonds will be conducted on Fridays from 9:00 am – 12:00 pm via the Zoom videoconferencing App;
 - c. Preliminary Hearings will be heard on Mondays and Wednesdays, as needed from 9:00 am – 12:00 pm via the Zoom videoconferencing App.
- (3) IT IS FURTHER ORDERED that Magistrate Court will continue to be available 24 hours a day, 7 days a week, to review and determine the proper procedure and response to accusations of Domestic Abuse Temporary Protective Orders and Restraining Orders.
- a. The Clayton County Police Department's precincts are serving, on a temporary basis, as the location for victims of domestic violence to apply for both Ex-Parte Temporary Protective Orders (T.P.O.'s) as well as Stalking Protective/Restraining Orders.
 - b. There is a process in place whereby the Police Department, in conjunction with the Magistrate Court on-call judge, the Sheriff's Department, and the Magistrate Court Clerk's Office handles the electronic transmission of the Petition(s).
- (4) IT IS FURTHER ORDERED that for the duration of the Judicial Emergency, declared by Chief Justice Harold Melton of the Georgia Supreme Court, the Clayton County Chief Superior Court Judge Geronda Carter and any subsequent extensions thereof, all Ex-Parte Temporary Protective Orders set to expire on or before April 13, 2020, are hereby extended, tolled, or otherwise continued until April 13, 2020. Said Orders are to be enforced according to all terms originally stated in the Order on the date it was entered. Accordingly, law enforcement shall continue strictly enforcing any and all violations of said Orders.

IT IS SO ORDERED this 17th day of March, 2020.


Judge Wanda L. Dallas
Superior Court of Clayton County,
by designation and Chief Judge,
Magistrate Court of Clayton County

FILED
CLAYTON COUNTY, GA
2020 MAR 17 PM 3:37
JACQUILINE D. WILKS
CLERK SUPERIOR COURT