

**IN THE JUVENILE COURT OF CLAYTON COUNTY** 2020 MAR 18 AM 11:31  
**CLAYTON JUDICIAL CIRCUIT**  
**STATE OF GEORGIA**

In Re: Court Operations During Declaration of Judicial Emergency  
Date: March 18, 2020

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**ORDER ON COURT OPERATIONS DURING  
DECLARATION OF JUDICIAL EMERGENCY**

**WHEREAS**, the Chief Judge of the Superior Court for the Clayton Judicial Circuit has issued an ORDER DECLARING JUDICIAL EMERGENCY mandating that each level of court affected by the County's activation of the Emergency Plans are to comply with the continuity plans developed for their courts in the event of an emergency such as that declared by the Governor, the Chief Justice, and Chairman Turner for an initial period from March 16, 2020 through April 13, 2020; and

**WHEREAS**, the undersigned judge finds good cause to issue an order relative to the continuity plan for the Juvenile Court that defines "essential functions" for juvenile court and sets forth operating procedures to effectuate said essential functions, therefore

**IT IS HEREBY ORDERED AND ADJUDGED** as follows:

1. For purposes of juvenile court administration and judicial hearings, essential functions for the juvenile court shall include: 1) The filing of complaints pursuant to the exclusive original and concurrent jurisdiction of the juvenile courts as set forth in O.C.G.A. §§15-11-10 and 11 that involve exigent circumstances and require an emergency order; 2) The removal of a child from the home for purposes of protective custody on allegations of dependency pursuant to O.C.G.A. § 15-11-133 (f); 3) the detention of a child alleged to have committed a delinquent act pursuant to O.C.G.A. § 15-11-502 (3); 3) Issuance of arrest and search warrants as provide for in O.C.G.A. § 15-11-9; Preliminary protective hearings involving the removal of children from their home and placed in state custody as set forth in O.C.G.A. §§ 15-11-145 and 146; 4) Preliminary detention hearings involving the arrest and detention of a child alleged to have committed a delinquent act as set forth in O.C.G.A. § 15-11-506; 5) Cases involving the liberty interest of children who are detained pending the next adjudicatory or disposition hearing; and 6) Cases involving parents

whose children have been removed from their home and placed in state custody awaiting adjudicatory and disposition hearings,

2. The Court Administrator shall post signage on the door for public access that states the following: “While for the safety of all concerned our courthouse building itself is closed to the public, the Juvenile Court and Clerk’s Office are still open and are addressing essential functions. Please call Intake at (770) 473-5977, so that an Intake Officer can screen your situation. If your situation involves an emergency that would require an immediate court order, the Intake Officer will receive your complaint for filing. All other matters will be scheduled by appointment. If you are a parent, guardian, or custodian and have been summoned to a court hearing, please call the above number and an Intake Officer will admit you into the courthouse and escort you to the courtroom.”

3. During business hours, the Intake Division and the Clerk’s Office shall be open and staffed at a minimum as determined by the heads of each division that ensures proper functioning. All other staff are permitted entry into the courthouse involving the execution of an essential function.

4. One courtroom shall remain open and dedicated to conducting preliminary protective hearings and detention hearings using video conferencing. Due to limited video conferencing capabilities, all counsel for the parties shall appear except for the public defender in detention proceedings who will be conferenced into the proceedings along with her child client from the RYDC. The use of a Guardian ad Litem in dependency proceedings shall be **SUSPENDED** during this interim period to minimize gatherings in the courtroom. The court shall rely on the child attorney as set forth in O.C.G.A. § 15-11-104 (b) unless there is a conflict of interest between the attorney’s duty to such child as such child’s attorney and the attorney’s considered opinion of such child’s best interest as a guardian ad litem whereupon if such conflict should arise, a CASA Supervisor shall be ready and available to travel to the hearing. Children under 14 years of age shall not be brought to the juvenile court during this interim period. The Clayton County Division of Family and Children Services (DFCS) shall provide the child attorney telephonic access to children 14 years of age or older may waive their presence. In order to comply with the orders of the Chief Judge of the Superior Court and the Chief Justice of the Supreme Court that requires for courts to “give priority to matters necessary to protect health, safety, and liberty of individuals,”

only counsel and parties shall be admitted into the courtroom so as minimize the risk of spreading the Covid-19;

6. Designated Court officers serving as quasi-judicial officers pursuant to O.C.G.A. §15-11-502 (3) shall only consider for detention those children alleged to have committed and for which probable cause is established on the face of the complaint in matters involving a felony crime against a person to include a felony sex offense;

7. Children alleged to have committed a designated felony offense not involving a crime against a person may be considered for detention provided probable cause is established on the face of the complaint and the undersigned judge is consulted and authorizes detention;

8. All other delinquent acts for which there may be underlying aggravating circumstances (e.g. the child has a history of assaultive behaviors or scores 12 points or more on the Detention Assessment Instrument) for which the evidence is clear and convincing that detention or care is required to reduce the likelihood that the child may inflict serious bodily harm on others pending the next hearing may be detained provided probable cause is established on the face of the complaint and the undersigned judge is consulted and authorizes detention; and

9. Any other considerations respecting the operations of the juvenile court not addressed in this order but confronted or presented in the future shall be communicated to the undersigned judge for review, consideration, and action.

SO ORDERED this 18th day of March 2020.



Honorable Steven C. Teske  
Chief Presiding Judge  
Juvenile Court of Clayton County  
State of Georgia

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CLAYTON COUNTY, GEORGIA  
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