

FILED 12/23/2020 4:25:53 PM Clerk of Superior Court DeKalb County
IN THE SUPERIOR COURT OF DEKALB COUNTY
STONE MOUNTAIN JUDICIAL CIRCUIT
STATE OF GEORGIA

IN RE: Declaration of Judicial Emergency *

20AP1269

*

Date: December 23, 2020

*

*

**ORDER MODIFYING NINTH ORDER DECLARING
JUDICIAL EMERGENCY**

On March 14, 2020, in response to the COVID-19 pandemic, the Honorable Harold D. Melton, as the Chief Justice of the Supreme Court of Georgia, issued an Order Declaring Statewide Judicial Emergency pursuant to OCGA § 38-3-61. That Order has been extended nine times, with modifications, by orders issued on April 6, May 11, June 12, July 10, August 11, September 10, October 10, November 9, and December 9, 2020. After consulting with the Judicial Council of Georgia and other judicial partners, recognizing again that most in-court proceedings compel the attendance of various individuals rather than allowing them to decide how best to protect their own health and that jury trials require the participation of the most individuals, and further recognizing that the novel coronavirus continues to spread dangerously in Georgia, it is determined that the Ninth extension order is hereby modified to amend Section I (B), related to jury trials, as follows:

In response to the recent rapid escalation of COVID-19 cases, and to protect the health and safety of the public and court personnel while continuing to allow access to essential judicial functions, **all jury trials not already in progress, including in-person proceedings to select jurors, are prohibited; this suspension of in-person jury trial**

proceedings is anticipated to continue until at least February. Jury trials in progress as of the date of this order may continue to conclusion at the discretion of the assigned judge. This order also does not preclude the issuance of juror summonses.

All courts are again urged to use technology when practicable and lawful to conduct remote judicial proceedings as a safer alternative to in-person proceedings. Where remote proceedings are not practicable or lawful, courts are reminded that in-person proceedings must be conducted in full compliance with public health guidance and the other requirements set forth in the Ninth extension order and in light of local conditions.

This Order hereby MODIFIES this Court's *Order Declaring Judicial Emergency (Ninth)* entered December 9, 2020.

All terms and provisions of this Court's *Order Declaring Judicial Emergency (Ninth)* entered December 9, 2020 not modified herein remain in full force and effect.

This Court hereby ADOPTS and INCORPORATES the *Order Modifying Ninth Order Extending Declaration of Statewide Judicial Emergency* entered by Chief Justice Harold D. Melton of the Supreme Court of Georgia on December 23, 2020 into this Order as if fully written herein.

Pursuant to O.C.G.A. § 38-3-63:

IT IS ORDERED that the Sheriff of DeKalb County shall post this Order on her public notification site and in the courthouses;

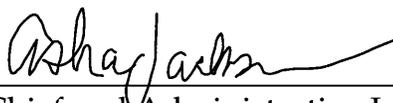
IT IS FURTHER ORDERED that the undersigned shall immediately

notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be accomplished through reasonable means to assure expeditious receipt;

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 23rd of December, 2020.



Chief and Administrative Judge
DeKalb County Superior Court
Stone Mountain Judicial Circuit