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*exparte*  
*20-142*

**To:** Judges, Sheriffs, Clerks and Attorneys of the Chattahoochee Judicial Circuit  
**From:** Judge Bemon G. McBride, III, Chief Judge, Chattahoochee Judicial Circuit *BGM*  
**Date:** March 15, 2020  
**Re:** ORDER DECLARING STATEWIDE JUDICIAL EMERGENCY (AMENDED) by Chief Justice Harold D. Melton

I believe we should all be aware of the Order Declaring Statewide Judicial Emergency (Amended) entered yesterday by Georgia Supreme Court Justice Harold D. Melton. Of course, Chief Justice Melton's Order supersedes my Order Declaring Judicial Emergency entered March 13, 2020. I will be entering an Order tomorrow morning that adopts the Chief Justice's Order as my own and makes the Chief Justice's Order the official emergency declaration for the Chattahoochee Judicial Circuit. It will be effective through April 13, 2020 or another order from the Chief Justice terminating the statewide emergency, whichever is earlier.

Although weekend options for sharing the Chief Justice's Order are limited, copies have been disseminated through the Columbus Bar Association and I have asked that copies be posted to the websites of the Harris County and Muscogee County Clerks of Superior Court.

At this time, our Superior Court judges believe a uniform approach is required to uphold both the letter and spirit of the Chief Justice's Order until and including the earlier of April 13, 2020 or other Order from the Chief Justice.

With this objective in mind, the following policy has been adopted:

All motions for new trial and all criminal pretrial and other criminal motions are continued for hearing until after April 13, 2020.

All guilty pleas and violation of probation matters (including those in the Muscogee County Rapid Resolution Program) must be continued until after April 13, 2020, except all defendants who have negotiated guilty pleas to new charges and uncontested resolutions of pending probation violation petitions may be considered for consent bonds if the agreed recommendation is for a time-served sentence. Guilty pleas for these situations must be continued until after April 13, 2020, but a consent bond may be used to assure that defendants in this narrow situation are not detained beyond the time they would have been released in the absence of this statewide emergency. Attorneys are also urged to consider pleas in absentia in appropriate situations.

In summary, scheduled non-jury days will be for bond hearings in situations where a defendant is entitled to bond as a matter of law. Similarly, there will be no criminal jury trials, grand jury proceedings or arraignments in the Chattahoochee Judicial Circuit until after April 13, 2020.

Accountability courts will be left to the discretion of each accountability court judge. The Columbus, Georgia Recorder's Court is not encompassed within this scope of this memorandum. Juvenile Court delinquency detention hearings and emergency removal matters shall continue to be handled by the Juvenile Courts of the Chattahoochee Judicial Circuit. Mental health commitment hearings will continue to be handled by the Probate Courts of the Chattahoochee Judicial Circuit.

On the civil side of the docket, all domestic hearings and general civil hearings, jury trials and bench trials are continued until after the statewide emergency, except for evidentiary hearings for temporary protective orders under the stalking and family violence acts and cases in which there is imminent danger or risk of physical harm to a party or dependent child.

Each assigned judge should be consulted if there is need for a temporary restraining order or genuine emergency arises which may require intervention by the Court earlier than April 13, 2020. Counsel and parties are encouraged to use teleconferencing and videoconferencing whenever possible. I appreciate your consideration and wish everyone the best as we navigate through uncertain times. Please let me know if there are questions or concerns.