

CHIEF JUDGE REUBEN M. GREEN

SUPERIOR COURT OF COBB COUNTY

COBB JUDICIAL CIRCUIT



SUPERIOR COURT OF COBB COUNTY
70 HAYNES STREET
MARIETTA, GEORGIA 30090
(770) 528-1860

UPDATED MEMORANDUM

TO: All litigants, attorneys and members of the public
FROM: Chief Judge Reuben M. Green, Superior Court, Cobb Judicial Circuit *RM*
DATE: April 13, 2020

In accordance with the Governor's Declaration of a State of Emergency and the Chief Justice's Order Extending Declaration of Statewide Judicial Emergency, the Cobb Superior Court will handle matters to the extent feasible and consistent with these Declarations, public health guidance and the Constitutions of the State of Georgia and the United States. These procedures shall remain in effect while the Judicial Emergency is in place until further Order of the Chief Judge of the Cobb Judicial Circuit.

Updated court information is posted on the Cobb County website at <https://www.cobbcounty.org/communications/info-center/covid-19-updates>

GENERAL CONCERNS FOR ALL COURTS IN THE COBB JUDICIAL CIRCUIT

- a. To the extent possible all parties, attorneys, and witnesses should appear via teleconference or videoconference.
- b. No one should come to court if they are not feeling well. Please contact the assigned Judge's office to seek an excusal from appearance.
- c. If you are appearing for court, please leave all non-essential people at home. Avoid bringing children or family members, especially the elderly, to court.
- d. The courthouse will remain open for the public, but they are encouraged to stay home. Only parties, attorneys and necessary witnesses should appear and only if the hearing cannot be handled via teleconferencing or videoconferencing.
- e. The social distancing rules are in effect in and around all Cobb County courthouses.

As long as there is a Judicial Emergency, **the following will occur in Cobb Superior Court:**

1. **NOTICE TO THE SHERIFF'S DEPARTMENT:** Inmates will not be transported unless specifically requested by the Judge's chambers. If matters can be handled via videoconference, then the inmate should not be transported to court unless directed to do so by the Court.
2. **JURY WEEKS** — Jury weeks for the rest of the Judicial Emergency are hereby cancelled.
3. **GENERAL CIVIL & DOMESTIC CALENDARS** – General Civil and Domestic Calendars that were scheduled prior to the Judicial Emergency are cancelled during the Judicial Emergency. Any emergency hearings will be heard before the Duty Superior Court Judge or the Presiding Senior Judge. If you have a nonemergency matter that you believe needs to be heard, then contact the presiding judge's office to see if it can be heard during the judicial emergency. During the Judicial Emergency, non-emergency pre-trials and hearings will only be heard via teleconference or

videoconference. Consent orders and uncontested matters can be submitted electronically or mailed to the assigned judge's chambers or handled via teleconference or videoconference. Contact the assigned judge's chambers if you have questions. For additional information, see the Notice of the Opportunity to Conduct Civil and Domestic Relations Pretrial Conferences and/or Rulings on the Briefs issued on March 31, 2020.

4. **CRIMINAL CALENDARS** – Criminal calendars that were scheduled prior to the Judicial Emergency are cancelled during the Judicial Emergency.

- a. **Arraignments** – Arraignment calendars are cancelled. Attorneys are encouraged to pre-try their cases and submit Waivers of Arraignment electronically or by mail.
- b. **Calendar Calls** – Criminal Trial calendar calls are cancelled and will be rescheduled after the Judicial Emergency.
- c. **Revocations** – Probation revocation calendars are cancelled and will be rescheduled after the Judicial Emergency. Attorneys are encouraged to work out consent revocations and present them to the assigned judge, Duty Superior Court Judge or Presiding Senior Judge. If attorneys have a case where your client admits the allegations in the petition, but wishes to be heard as to the disposition, then the attorney should contact the assigned ADA and the assigned judge to see if the disposition hearing can be scheduled via videoconference before the assigned judge.
- d. **Motions Calendars** – General Motions Calendars are hereby cancelled. Any emergency motion will be heard by the Duty Superior Court Judge. If attorneys have a case where there is a non-emergency motion that you believe needs to be heard during the Judicial Emergency, contact the assigned ADA and assigned judge's chambers to see if it can be scheduled via videoconference.
- e. **Negotiated Pleas** – Negotiated pleas will be handled by the Duty Superior Court Judge. If the defendant is in custody, then notify the Duty Superior Court Judge in advance of the plea so that the inmate can be transported or made available via videoconference.
- f. **Bond Forfeiture Calendars** – Bond Forfeiture Calendars will be rescheduled after the Judicial Emergency.
- g. **Scheduling matters** – If the resolution gets your client out of jail it should be scheduled before the Duty Superior Court Judge at the next available day. To make the next calendar day, all parties must be notified by 1 p.m. The assigned ADA or Duty ADA will contact the Duty Judge to schedule and ensure the defendant is brought to court either physically or electronically. If you have non-essential matters that you believe need to be heard during the Judicial Emergency, then contact the assigned judge's chambers to see if it can be scheduled via videoconference.
- h. **Duty Superior Court Judge**: During the Judicial Emergency, there will be a Duty Superior Court Judge to hear essential matters. The schedule through May 13, 2020 is as follows:

April 13	Green
April 14	Kell
April 15	Schuster
April 16	Flournoy
April 17	Harris
April 20	Childs

April 21	Childs
April 22	Harris
April 23	Leonard
April 24	Leonard
April 27	Green
April 28	Kell
April 29	Schuster
April 30	Flournoy
May 1	Staley Clark
May 4	Childs
May 5	Harris
May 6	Poole
May 7	Leonard
May 8	Green
May 11	Kell
May 12	Schuster
May 13	Flournoy

5. Senior Judges shall continue to hear:
 - a. Extradition hearings
 - b. Ex-parte Temporary Protective Orders
 - c. Temporary Restraining Orders
 - d. Search Warrant Applications
 - e. Jail Revocations (via video conference)
 - f. Emergency Hearings
6. SUPERIOR COURT ACCOUNTABILITY COURTS shall be at the discretion of the Presiding Judge of each Accountability Court. They will be conducted from an open courtroom via videoconference. Participants are excused from reporting in person to the courtroom proceedings during the Judicial Emergency, but will attend via videoconference. Please contact the Accountability Court's Coordinator or Case Manager if you have questions.
7. **Teleconferencing and Videoconferencing** – All attorneys, litigants and witnesses are encouraged to attend proceedings via teleconference or videoconference to the extent feasible. If you, your client, or a witness intends to appear via these tools of technology, notify all involved parties, the assigned Duty Judge, and David Tyler in Superior Court Administration (david.tyler@cobbcounty.org or (770) 528-8123) when the matter is scheduled, but no later than noon on the preceding day.

As long as there is a Judicial Emergency, **the following will occur in Cobb Juvenile Court:**

1. The Juvenile Court Clerk's Office is open during regular business hours for emergency filings
2. If any party requests that a matter be heard on an emergency basis, a request must be sent to the Judicial Assistant for the assigned Judge.
 - a. Judge A. Patterson or Judge K. West – contact Star Simmons at gayle.simmons@cobbcounty.org (770) 528-2224.
 - b. Judge J. Hamby or Judge W. Grannis – contact Donelle Keaton at donelle.keaton@cobbcounty.org (770) 528-2428.
3. **NOTICE TO THE SHERIFF'S DEPARTMENT:** Adult inmates and juveniles held at youth detention centers will continue to be transported by the Sheriff's Department for

essential hearings during this time unless the Sheriff's Department has received prior notice from the Juvenile Court that videoconferencing has been prearranged.

4. **DEPENDENCY CASES**

- a. **EMERGENCY HEARINGS, ADJUDICATION HEARINGS AND DISPOSITIONAL HEARINGS FOR DEPENDENCY CASES** will be heard on regularly scheduled calendars for children in custody unless otherwise agreed to by the parties.
- b. Other cases such as **PERMANENCY HEARINGS, T.P.R.s** and any **REVIEW HEARINGS** shall be continued to a date after the Judicial Emergency.
- c. **PRELIMINARY PROTECTIVE HEARINGS** will be heard by the Designated Duty Judge on Monday, Wednesday, and Friday afternoons at 2:00 p.m.

5. **DELINQUENCY CASES**

- a. **ARRAIGNMENT HEARINGS, ADJUDICATION HEARINGS AND DISPOSITIONAL HEARINGS** will be heard by the Designated Duty Judge for that week on regularly scheduled calendars for children in custody unless otherwise agreed to by the parties.
- b. **DELINQUENCY DETENTION HEARINGS** will be heard by the Designated Duty Judge for that week on Monday, Wednesday and Friday afternoons at 2:00 p.m.

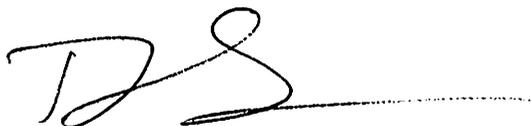
6. **ACCOUNTABILITY COURTS, PROGRAMS AND ON-SITE SERVICES**

- a. All group programs that are scheduled to be conducted on-site at the Juvenile Court are suspended until after the Judicial Emergency.
- b. If there are any questions regarding individual services, parties are to contact the Accountability Court Coordinator or Probation Supervisor.

7. **DUTY JUDGE**

- a. Each week there will be a designated Duty Juvenile Court Judge assigned to preside over all emergency and time limited hearings. The schedule through Monday, May 18, 2020 at 9:00 a.m. is as follows:

April 13 – April 20 at 9:00 a.m.	Patterson
April 20 – April 27 at 9:00 a.m.	West
April 27 – May 4 at 9:00 a.m.	Hamby
May 4 – May 11 at 9:00 a.m.	Grannis
May 11 – May 18 at 9:00 a.m.	Hamby



Reuben M. Green
Chief Judge, Superior Court
Cobb Judicial Circuit