

IN THE SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT
STATE OF GEORGIA

JAN 20 2025

CHIEF ALEXANDER
Clerk of Superior Court

Fulton County, Georgia



IN RE Closure of Fulton County Courthouse

Duration of Courthouse Operations Closure:

Begins – Tuesday, January 21, 2025, at 8:30 A.M.

Ends – Wednesday, January 22, 2025, at 8:30 A.M.

ORDER DECLARING JUDICIAL EMERGENCY IN THE ATLANTA JUDICIAL CIRCUIT

WHEREAS, weather forecasts from the National Weather Service in Atlanta for Tuesday, January 21, 2025 show a significant likelihood of a winter precipitation event in the metro Atlanta area, with a chance of snow, sleet, freezing rain, and ice accumulation; and,

WHEREAS, on January 20, 2025, Georgia Governor Brian Kemp issued an Executive Order pursuant to O.C.G.A. §§ 38-3-28 and 38-3-51 declaring a State of Emergency throughout Georgia due to the significant winter weather event likely to occur; and

WHEREAS, the undersigned as Chief Superior Court Judge for the Atlanta Judicial Circuit has determined that a judicial emergency exists pursuant to O.C.G.A. § 38-3-60; and,

WHEREAS, the undersigned, after consulting with the clerks and judges of all courthouse-based courts within this Circuit, has further determined that within the Atlanta Judicial Circuit, the emergency substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, or the ability of litigants or others to have access to the courts or to meet schedules or time deadlines imposed by court order or rule, statute, or administrative rule or regulation.

IT IS THEREFORE ORDERED as follows:

1.

Pursuant to O.C.G.A. § 38-3-61, Chief Judge Ural D. L. Glanville of the Superior Court of Fulton County, Georgia, which comprises the Atlanta Judicial Circuit, **DOES HEREBY DECLARE** the existence of a Judicial Emergency in the Atlanta Judicial Circuit.

2.

The jurisdictions affected by this Judicial Emergency include all courthouse operations in and at the Fulton County Courthouse and all related annexes in the City of Atlanta and Fulton County, Georgia.

3.

The nature of the emergency necessitating this Order is the State of Emergency declared by Governor Brian Kemp pursuant to Executive Order 01.20.25.01, attached hereto as **Exhibit A**. Precipitation accompanied by severe precipitation creates the potential for snow and ice accumulation, including black ice, and could result in hazardous travel conditions and potential power outages, making judicial activities for those courts whose jurisdiction involves matters on 48- and 72- hour timelines difficult and potentially dangerous for citizens and court personnel, and rendering electronically dependent remote court services unavailable.

4.

The period of duration for this Judicial Emergency shall begin at 8:30 AM on Tuesday, the 21st day of January 2025, and shall end at 8:30 AM on Wednesday, the 22nd day of January 2025, unless extended by further order pursuant to O.C.G.A. § 38-3-61(b).

5.

ALL judicial offices, clerk of court offices, and all other courthouse-based offices providing accountability court services, felony/misdemeanor probation services, legal prosecution and defense representation, and courthouse security located at the Fulton County Courthouse, *except as specifically provided below*, are **AUTHORIZED AND DIRECTED** to **CLOSE FOR BUSINESS** during the period of this closure, provided, however, that courthouse security measures deemed necessary in the sole discretion of the Sheriff shall continue as directed by the Sheriff or his authorized designee.

6.

All such offices named above **SHALL REOPEN TO THE PUBLIC** at normal business hours on Wednesday, January 22, 2025, unless developing circumstances necessitate the extension of this judicial emergency, or a county government announces closing of the county courthouse at times after the expiration of the judicial emergency set forth herein. **PLEASE NOTE: All Fulton County Magistrate Court EWI and First Appearance Calendars to be conducted virtually via Zoom will proceed as scheduled and in accordance with the usual business practices of that Court. Staff from pre-trial services shall also assist in these calendars in accordance with the usual practices of that Court.**

7.

Fulton County Superior Court's Family Division will reschedule all in-person Family Violence hearings set for January 21, 2025 to Monday January 27, 2025. All other matters

scheduled for virtual appearances on January 21, 2025 will proceed as scheduled. Any virtual matters not heard on January 21, 2025 for whatever reason will be rescheduled by the assigned Judge. Litigants may contact the Family Division at 404-613-0505 or at familydivision@fultoncountyga.gov for assistance.

8.

Pursuant to O.C.G.A. 38-3-62, **all court deadlines, time schedules or filing requirements** are hereby **suspended, tolled, or extended** for the duration of the judicial emergency as noted above.

9.

Anyone requiring the Superior Court's involvement in an emergency matter should contact the presiding judge, the Hon. Shermela Williams' office at (404) 612-4991. For emergency matters in State Court, contact (404) 613-5040; in Juvenile Court, (404) 612-4402; and in Magistrate Court, (404) 613-5360.

10.

The Court hereby **ORDERS** the dissemination of this notice in accordance with O.C.G.A. § 38-3-63, as follows:

- (a) The Sheriff of Fulton County or his designee shall post copies of this notice on all external courthouse doors; and
- (b) IT IS FURTHER ORDERED that the Clerk of the Superior Court for Fulton County, or her designee, shall immediately notify the Chief Justice of the Supreme Court and the Clerks of the Court of Appeals and of the Supreme Court by sending them a copy of this notice; and
- (c) IT IS FURTHER ORDERED that the Clerk of the Superior Court for Fulton County or her designee shall post copy of this notice and any subsequent extension or modification in accordance with O.C.G.A. § 38-3-63 by posting it on the Fulton County Courthouse website or other appropriate public address system; and
- (d) IT IS FURTHER ORDERED that County Manager Dick Anderson or his designee shall post a copy of this notice and any subsequent extension or modification in accordance with O.C.G.A. § 38-3-63 by posting it on the Fulton County website or other appropriate public address systems.

10.

Let the clerks of all courts of record in the Atlanta Judicial Circuit spread this Order upon the minutes of their courts.

DONE and ORDERED this 20th day of January, 2025.



HON. URAL D. L. GLANVILLE,
Chief and Administrative Judge of the
5th Judicial Administrative District
Superior Court of Fulton County
Atlanta Judicial Circuit



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

STATE OF EMERGENCY FOR WINTER WEATHER

WHEREAS: The State of Georgia is presently experiencing an extreme cold front with dangerously low temperatures, resulting in either a Cold Weather Advisory or Extreme Cold Warning issued by the National Weather Service for all 159 counties; and

WHEREAS: The National Weather Service predicts a significant winter weather precipitation event is likely to occur across Georgia beginning Tuesday, January 21, 2025, and continuing through Wednesday, January 22, 2025; and

WHEREAS: Projected precipitation accompanied by severe cold temperatures creates the potential for snow and ice accumulation, including black ice on roadways, that could impact the State through Thursday, January 23, 2025, or longer as subfreezing temperatures may continue through the week; and

WHEREAS: Potential snow and ice accumulation, fallen trees, and downed power lines may render Georgia's roadways hazardous or impassible in affected areas, isolating persons and residences from access to essential public services; and

WHEREAS: Assistance from the State of Georgia is necessary to provide for the public's safety and mitigate potential consequences of this winter weather; and

WHEREAS: The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and

WHEREAS: As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and

WHEREAS: Code Section 38-3-51 vests the Governor with the authority to bring emergency situations under control by issuing orders, rules, and regulations to protect the safety and welfare of the public; and

WHEREAS: Code Section 38-3-28 provides that "[a]ll orders, rules, and regulations promulgated by the Governor" have the force and effect of law; and

WHEREAS: Code Section 38-3-51(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the State; and

WHEREAS: Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: The Federal Motor Carrier Safety regulations, 49 C.F.R. § 390, *et seq.*, limit the hours of operators of commercial motor vehicles may drive; and

WHEREAS: 49 C.F.R. § 390.23 allows the Governor of a State to suspend these rules and regulations for up to fourteen (14) days if the Governor determines that an emergency condition exists; and

WHEREAS: In consultation with state emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO CODE SECTIONS 38-3-28 AND 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That a State of Emergency exists in the State of Georgia due to the potential severe winter weather event affecting the State beginning January 21, 2025.

IT IS FURTHER

ORDERED: That all resources of the State of Georgia be made available to assist in preparation, response, and recovery activities throughout the State, and the Georgia Emergency Management and Homeland

Security Agency shall activate the Georgia Emergency Operations Plan and the Georgia State Operations Center.

IT IS FURTHER

ORDERED: That state agencies shall coordinate all public and emergency information, activities, releases, and response efforts related to this emergency with the Georgia Emergency Management and Homeland Security Agency.

IT IS FURTHER

ORDERED: That the Georgia Department of Transportation and Georgia Department of Public Safety shall take all necessary action to ensure the expeditious movement of utility vehicles, equipment, and personnel through the State to eliminate power outages.

IT IS FURTHER

ORDERED: That state agencies shall provide sufficient personnel required for the staffing of the Georgia State Operations Center or other command, control, and coordination points as may be designated by the Director of the Georgia Emergency Management and Homeland Security Agency and shall provide such personnel, vehicles, equipment, and other resources needed to protect life and property and to ensure continuation, restoration, and recovery of essential public services.

IT IS FURTHER

ORDERED: That the Georgia Department of Defense provide up to two hundred fifty (250) Georgia National Guard troops to be used in preparation, response, and recovery efforts for this State of Emergency for Winter Weather.

IT IS FURTHER

ORDERED: That said Georgia National Guard troops be called up to State Active Duty as necessary by the Adjutant General.

IT IS FURTHER

ORDERED: That the federal rules and regulations limiting hours that operators of commercial vehicles may drive are suspended to ensure the uninterrupted supply of goods and services necessary to respond to this State of Emergency for Winter Weather, including petroleum products, propane, and heating fuels. This declared emergency

justifies a suspension of Part 395 (driver's hours of service) of Title 49 of the Code of Federal Regulations. The suspension will remain in effect for fourteen (14) days or until the emergency condition ceases to exist, whichever is less. Nothing herein will be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383 and the financial requirements in 49 C.F.R. § 387.

IT IS FURTHER

ORDERED: That no motor carrier operating under the terms of this State of Emergency for Winter Weather will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that he or she needs immediate rest will be given at least ten (10) consecutive hours off-duty before being required to return to service.

IT IS FURTHER

ORDERED: That weight, height, and length for any vehicle traveling through the State of Georgia for the purposes of providing relief related to this State of Emergency, which traverses roadways maintained by the State of Georgia, excluding interstates, shall not exceed the following:

- A. A maximum gross vehicle weight for vehicles equipped with five (5) weight-bearing axles, with an outer bridge span of not less than fifty-one (51) feet, shall not exceed a gross vehicle weight of ninety-five (95) thousand pounds, a maximum width of ten (10) feet, and an overall length of one hundred (100) feet. Continuous travel is authorized with the proper escorts.
- B. If the width of said vehicle exceeds eight (8) feet six (6) inches and is traveling after daylight, defined as thirty (30) minutes before sunset to thirty (30) minutes after sunrise, the transporter is required to have a vehicle front and a rear escort/amber light when traveling on a two-lane roadway and a vehicle rear escort when traveling on a four-lane highway. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags, and escorts as defined in the Georgia Department of Transportation Rules and Regulations.

IT IS FURTHER

ORDERED: That commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of

Emergency shall be issued permits by the Georgia Department of Public Safety. Said vehicles shall be subject to any special conditions the Georgia Department of Public Safety may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Order or from any statute, rule, order, or other legal requirement not specifically waived herein.

Oversize permits may be issued by the Georgia Department of Public Safety, Motor Carrier Compliance Division, during normal business hours, Monday through Friday by calling 404-635-8176 or through the Georgia Permitting and Routing Optimization System online portal at this website: www.gapropermits.com.

IT IS FURTHER

ORDERED: Pursuant to Code Section 10-1-393.4, price gouging related to goods and services necessary for preparation, response, and recovery activities for this State of Emergency for Winter Weather, including petroleum products, propane, and heating fuels, would be detrimental to the social and economic welfare of the citizens of this State and is therefore prohibited.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

IT IS FURTHER

ORDERED: That this Order does not suspend operation of any state or federal law or regulation, except as specifically described herein.

IT IS FURTHER

ORDERED: The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

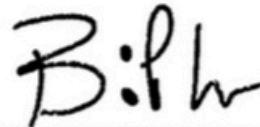
IT IS FURTHER

ORDERED: All provisions of the Order shall become effective upon signature and shall be valid for a period of eight (8) days, expiring Tuesday, January 28, 2025, at 11:59 P.M., unless this State of Emergency is renewed by the Governor.

IT IS FURTHER

ORDERED: That this Order shall be effective upon signature.

This 20th day of January 2025.

A handwritten signature in black ink, appearing to read "Bill", written over a horizontal line.

GOVERNOR

