

# Gwinnett County Magistrate Court

## COVID-19 Update (September/October)



The Gwinnett County Magistrate Court takes public health and safety seriously. Therefore, pursuant to the Order Declaring Statewide Judicial Emergency\* issued by the Supreme Court of Georgia and the Chief Judge of the Gwinnett County Superior Court (copies of both of these Orders are posted on the main page of the Clerk of Court website), we will be implementing the following changes until further notice:

\*The Chief Justice's Sixth Order Declaring Statewide Judicial Emergency presently extends through October 10, 2020.

### **General Safety Protocols:**

Please review the Gwinnett Judicial Circuit's Guidelines for In-Person Judicial Proceedings posted on the home page of [www.gwinnettcourts.com](http://www.gwinnettcourts.com).

Everyone is strongly encouraged to use a mask or face covering while in the building. **However, a mask or face covering is required for anyone entering a courtroom in which matters are being heard before the Court unless otherwise directed by the Court.**

### **Civil Filings:**

Magistrate Court is open for business. The Clerk's Office is open and accepting filings in-person, through the e-filing portal, or by regular mail. Bulk filers are strongly encouraged to use the e-filing portal to minimize processing time.

A number of our forms are available on the website at [www.gwinnettcourts.com](http://www.gwinnettcourts.com), under the Magistrate Court tab.

For additional help with forms, please use the Magistrate Court Forms Generator. You can access this tool by clicking on the "Forms Generator" link located in the left column under the Magistrate Court tab of [www.gwinnettcourts.com](http://www.gwinnettcourts.com). Or, you can cut and paste the attached link: <https://georgia.tylerhost.net/SRL/>. This Forms Generator asks you a series of questions that will help you create the form you need.

If you need a specific form that you do not see or have a general question, please contact us at 770.822.8081.

### **Garnishments:**

The most recent Statewide Order Extending Judicial Emergency does not toll or extend case deadlines. Therefore, Magistrate Court is again accepting new garnishment filings and claim forms in person, through the e-filing portal or by mail. Bulk filers are strongly encouraged to use the e-filing portal to minimize processing time.

### **Eviction Hearings:**

Dispossessory trials resumed August 5, 2020. Magistrate Court will be calling in a smaller number of cases per calendar, using more courtrooms and implementing social distancing protocols. However, calendar notices also include instructions about how to request a video hearing.

Trial notices will be mailed. If you have a question about a trial date, please call 770.822.8088.

***\*For additional information about Landlord/Tenant matters in light of the recent CDC Order, please click on “Evictions and Landlord/Tenant Matters” in the left hand menu under the Magistrate Court tab for an explanation and some FAQ’s.***

### **Civil Trials:**

Civil trials resumed the week of June 22. Magistrate Court is utilizing smaller calendars, more courtrooms, and implementing social distancing protocols. Civil trial notices also include instructions about how to request a video hearing.

Trial notices will be mailed. If you have a question about a trial date, please call 770.822.8088.

**Virtual Mediation:** Magistrate Court, through the Office of Alternative Dispute Resolution, is offering virtual mediation sessions through Zoom at no cost to litigants in Magistrate Court civil cases that qualify and *where both parties agree to mediate.*

Please contact Kim Jenkins at 770.822.8081 if you are interested in scheduling a virtual mediation session.

### **Civilian Warrant Applications and Warrant Application Hearings:**

Beginning **September 28, 2020**, Magistrate Court will resume accepting civilian warrant applications only under the following circumstances:

1. Except for child abandonment cases, anyone who files a civilian warrant application *must have first reported the crime to the police and must present, along with their application, a police report related to the incident at issue.*
2. For business applicants, no more than three (3) civilian warrant applications may be filed per week.
3. Beginning September 21, 2020, updated Civilian Warrant Application Packets will be made available on [www.gwinnettcourts.com](http://www.gwinnettcourts.com) under the Magistrate Court tab for “Warrant Applications.” Paperwork should be filled out in advance and must be filled out completely to be considered.
4. Because we are operating on a different schedule to manage socially distant services in compliance with this Circuit’s Guidelines for In-Person Proceedings, the Gwinnett

County Magistrate Court will only accept civilian warrant application filings on the following days and times:

**Civilian Warrant Applications will only be accepted on Tuesdays, Wednesdays, and Thursdays between the hours of 8:30 and 10:30 a.m. Warrant Applications will NOT be accepted on Mondays or Fridays.**

**Criminal Matters:**

The Magistrate Court continues to provide all essential criminal functions within its jurisdiction, as defined by the Emergency Orders of this Circuit and the Chief Justice of the Georgia Supreme Court, including the issuance of Temporary Protective Orders (by designation).

Magistrate Court conducts bond reviews and holds First Appearance Hearings every morning, seven days a week, at 8:30 a.m. The Magistrate Court and Solicitor's Office have instituted a system whereby bond reviews are conducted by the Solicitor's Office at the time of the First Appearance Hearing.

Magistrate Court continues to assist the State Court by hearing in-custody misdemeanor cases at the Jail Court Annex.

**Preliminary Hearings:**

Magistrate Court is holding preliminary hearings by video conferencing on Wednesdays and Fridays. For those attorneys interested in having a video preliminary hearing, please contact Lisa Bradford at 770.619.6720 for a copy of the Zoom Preliminary Hearing Protocol.

Preliminary Hearing Calendars are published under the Magistrate Court "Civil and Criminal Trial Calendars" tab. Magistrate Court preliminary hearings can be viewed on the Gwinnett County Magistrate Court YouTube Channel.

If you have any general questions, please contact us at 770.822.8081.

Thank you and please be safe.

*Kristina Hammer Blum*

Chief Magistrate