

IN THE SUPERIOR COURT OF CARROLL COUNTY
STATE OF GEORGIA

IN RE: STATEWIDE JUDICIAL EMERGENCY;
COURT DATES FOR THE REMAINDER OF 2020;
PROTOCOLS FOR CALENDARING CRIMINAL CASES;
REMOTE HEARING NOTICES

ORDER REGARDING JUDGE HIGHTOWER'S 2020

CRIMINAL CALENDAR

In accordance with the Orders Declaring Statewide Judicial Emergency of March 14, 2020, April 6, 2020 and May 11, 2020, issued by Chief Justice Harold Melton, Georgia Supreme Court, and the Coweta Circuit Order issued by Chief Judge John Simpson on March 16, 2020, and extended on May 21, 2020 the court hereby orders as follows:

- 1) The prior Superior Court calendars published for Judge Hightower are revoked and replaced with the calendar filed with Judge Simpson's May 21, 2020 order. Specifically, Judge Hightower's Carroll County Superior Court Criminal non-jury dates for the remainder of 2020 are as follows:

June 15 and 29

July 13

August 10 and 24

September 21

October 5 and 19

November 2, 16 and 30

December 14

- 2) To continue to follow safety guidelines concerning the COVID-19 health emergency, this court will schedule every case on the calendar with a specific time for a hearing.

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CLERK SUPERIOR COURT
CARROLL COUNTY GEORGIA

- 3) In order for a criminal case to be placed on a calendar, the parties must first schedule a joint conference call with Judge Hightower through his judicial assistant, Alice Hawkins, ahawkins@carrollcountyga.com. The purpose of the conference call is to narrow issues and make a best estimate as to the number of witnesses and the time needed for the hearing/motion. Further, during the conference call, it will be decided whether the hearing/motion is to be conducted in person at the Troup County Courthouse or by remote teleconferencing using ZOOM. After said teleconference, the matter may be placed on an in-court calendar or set for a Zoom hearing, and given a specific starting time.
- 4) Pro Se cases will be placed on an in-court calendar. Judge Hightower will designate a date and time to handle Pro Se cases.
- 5) If one party cannot be reached for the pretrial conference or otherwise refuses to participate in the pretrial conference, said case may be put directly on the calendar by Judge Hightower.
- 6) A Rule Nisi signed by Judge Hightower with the date and starting time for a hearing/motion shall be filed with the clerk for a case to be set on a calendar. Said Rule Nisi shall also state whether the hearing/motion is to be conducted in person at the Carroll County Courthouse or by remote teleconferencing using ZOOM.

IT IS FURTHER ORDERED:

Pursuant to the Supreme Court's order entered May 11, 2020 regarding proceedings conducted remotely using technology, Chief Justice Melton's Order states:

Proceedings Conducted Remotely Using Technology

All courts should continue to use and increase the use of technology to conduct remote judicial proceedings as a preferred alternative to in-person proceedings, both to ensure that essential court functions are continued and to conduct non-essential proceedings to limit the backlog of such matters when the judicial emergency is terminated. Courts should understand and utilize the authority provided by the emergency amendments made to court rules on videoconferences and teleconferences.

Courts may compel the participation of litigants, lawyers, witnesses, and other essential personnel in remote judicial proceedings, including civil non-jury trials and other non-jury adjudicative proceedings, where allowed by court rules (including emergency amendments thereto). Such proceedings, however, must be consistent with public health guidance, must not impose undue burdens on participants, and must not be prohibited by the requirements of the United States of Georgia constitutions or applicable statutes or court rules.

In civil, criminal, and juvenile proceedings, parties may expressly consent in the record to remote proceedings not otherwise authorized and affirmatively waive otherwise applicable legal requirements. Courts must ensure the public's right of access to judicial proceedings and, unless affirmatively waived in the

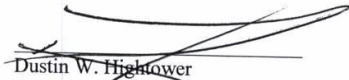
record, a criminal defendant's rights to confrontation and open courtrooms.

Any party who objects to their case appearing before the Court via teleconference should notify the Judge's office.

To the extent that there are any teleconference hearings/motions, any member of the public who wished to observe remote proceedings should email Alice Hawkins at ahawkins@carrollcountyga.com for instructions.

All safety precautions contained in Judge John Simpson's Third Order Addressing Judicial Emergency signed May 21, 2020 shall be followed until further order of this Court.

So ordered this 29 day of May, 2020.


Dustin W. Hightower
Superior Court Judge
Coweta Judicial Circuit