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April 2020 Newsletter

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President's Corner

Donald Lee
GCBA
President
2019-2020

By Donald Lee

I sincerely hope that this email finds you and yours doing relatively well in times like these. We have all been adapting to new ways to do the simple things that we have taken for granted. Watching religious services online, having to play worker/parent/teacher concurrently, potentially having to vote exclusively by absentee and dusting off webcams for our video conferences to name a few.

Speaking of voting by absentee, there is some official Gwinnett Bar business that I have to cover based on our bylaws. I have formed a committee that will be charged with culling through nominations for our executive board for the next bar year that will commence on July 1, 2020. Elections shall be for the following positions; President-Elect, Vice President, Treasurer and Secretary. If you are a current member in good standing, then you are permitted to self-nominate or nominate another current member in good standing for any of the stated board positions. Please email our Nominations Committee Chairman, Jon Setzer, at jon.setzer@gwinnettcounty.com, with any nominations by our deadline of May 1, 2020.

In regards to the trending usage of video conferencing, I have heard that some are wondering what resources are out there that may be able to help us in our practice between now and when we are again open for business. My colleague, Ms. Julie Ernst, who works as an attorney, mediator and Guardian ad Litem, recently shared with me a video tutorial for the ever popular Zoom. Go to https://julieernst.com/zoom-tips and see how this online medium will accommodate client consultations, court appearances and mediations. She will show you how to create meetings, send out invitations, share screens, upload documents for the parties, use breakout caucus rooms and send private sidebar messages. (The GCBA did not receive anything for the Zoom information published here and it is not a formal endorsement. Please check on the latent security settings within the program to make sure that they coincide with the Georgia Rules of Professional Conduct prior to usage where respective confidentiality duties should apply.)

I wanted to close by sharing some thus far positive news with you. As a result of a setback in his fight with leukemia, Judge Ramon Alvarado recently underwent a stem cell transplant procedure. According to his wife's public Facebook page, the procedure went off without a hitch and afterwards Judge Alvarado managed to squeeze in some minimal exercise and even an awful movie! He and his sister are currently recovering, and I know all of our members will join me in sending positive vibes and/or prayers to him and his family. Despite the likely shuttering of the remaining events for the balance of my tenure, I am thrilled to devote our collective resources to getting the message out for how important it is to get on a bone marrow registry. Years ago, I did a simple cheek swab and mailed it in for a registry. It was very easy and all of it was free. Please consider going to https://www.dkms.org/en and scrolling down to register and/or make a gift. It is Judge Alvarado's and his close colleagues' desire to set up an in-person registry drive when it is once again safe for all of us to be together.

Gwinnett County Clerk's Office Press Release - April 9, 2020

UPDATED: Gwinnett County Clerk of Superior Court's Office to Offer Socially Distant Services

If you are a victim of domestic violence or other crime call 911.

Effective Tuesday, March 24, 2020, the Gwinnett County Clerk of Superior, State and Magistrate's Courts Offices will be closed and will initiate socially distant services until May 13, 2020.

The Clerk's Office will fulfill its constitutional mandates in a primarily virtual environment in line with the Supreme Court's Emergency Order. Clerk of Superior Court Richard T. Alexander, Jr. made the decision to offer socially distant services to protect his staff and to be responsible to the greater Gwinnett community. "We want to be part of flattening the curve of COVID-19," Alexander said.

Customers can electronically file civil and real estate documents 24 hours a day. **The main office at 75 Langley Drive, Lawrenceville, GA 30046, will have one window open for filing criminal pleadings only.**

The Clerk's Office is located on the court side of the Justice Center. After passing security and going through the glass doors on your left (as you enter the security check point), the Clerk's Office will be on your left. **For admission to the Clerk's Office for criminal filings, go to the fourth door on the left.** Knock on the door and a staff member will let you in the Clerk's lobby.

For court actions, including temporary protective orders, first appearance hearings, search warrants and arrest warrants, the Clerk's Office is open at the Gwinnett County Detention Center, 2900 University Parkway, Lawrenceville, GA 30043, and you may apply in person for an order of protection at that location.

Clerk's Office staff will be available, and **the Detention Center Clerk's Office will be open during the main office closure to** assist with the temporary protective order application process. Judges are on duty to hear cases as needed. Non-emergency services such as notary commissions, trade names, weapon carry permits, and adoptions may not be available until May 13th.

The Clerk's Office has invested over $3 million on technology which allows this socially distant service delivery and continues to work with county citizens and professionals to facilitate enhanced remote access. mIf there are any concerns with navigating the website or the Clerk's Office, please visit the web administrator link or click on the envelope at the top right corner of the web page for the appropriate contact for any questions you may have. All inquiries will be responded to within 24 hours.

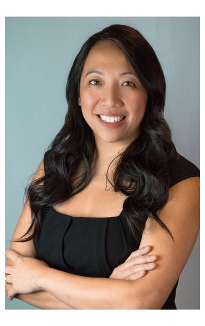
About the Clerk's Office: Richard T. Alexander, Jr. has been the Clerk in Gwinnett County, Georgia since December 2011. The Clerk of Superior Court is a constitutional Office charged by the Georgia Constitution with the care, custody, and control of Gwinnett County's court and land records. Additionally, in Georgia, the Clerk of Superior Court is responsible for the Board of Equalization, Legislated to hear appeals on property values and tax assessor appraisals. Judicial and Real Estate Documents are filed, docketed, recorded, maintained, and archived in an expeditious manner and always available for public access. The Clerk's Office archives same-day Real Estate recording and prompt turnaround of judicial documents within minutes.

For the press release, click **here.**

April Luncheon and Upcoming Events

Our previously scheduled April luncheon, along with the remainder of our events for this bar year are cancelled as a result of the "Shelter In Place" Executive Order issued by Governor Kemp. To read the original order and its amendments, click **here**.

LEGAL UPDATES and ARTICLES



Student Loans Under the CARES Act

By Nhan-Ai Simms, *Secretary of GCBA, Managing Assistant District Attorney*

Nhan-Ai Simms (first name pronounced Young-Eye) is currently the Secretary of the Gwinnett County Bar Association and a Managing Assistant District Attorney with the Gwinnett County D.A.'s Office. She manages the Juvenile Team who handles all the prosecution for juveniles in Gwinnett County. For the past five years, she has taught seminars on Georgia's juvenile code, recently enacted in 2014.

On March 27, 2020, President Trump signed into effect the "Coronavirus Aid, Relief and Economic Security Act", also known as the **"CARES Act"** , with an **amended version** signed on April 1, 2020.

One of the **key features** of the CARES Act is a six month administrative forbearance for all federal student loans, with implications for those seeking loan forgiveness through public service employment. Below is some information regarding the CARES Act (as it pertains to federal student loans) and loan forgiveness in general.

1) **Who owns your student loans?** If you took out federal loans for school (see #2 to find out whether your loans are federal or private), the Department of Education (DOE) initially loaned you (and/or your parent(s)) the funds, but then likely transferred the servicing of those loans to a **"federal student loan servicer"** . These loan servicers are private companies (like **Navient** or **Nelnet**). If you've made payments to DirectLoans or currently to **myfedloan.org** , then your loans are being serviced directly by the DOE. Knowing who your loan servicer is important because there are certain requirements as to who has to be servicing your loans if you are interested in having your loans forgiven. (See #4 for more information.)

2) **Federal or private?** The easiest way to find out if your loans are federal or private is to call your servicer - by law they are required to tell you.

3) **ONLY FEDERAL LOANS qualify under the CARES Act.** If you're like me, you signed whatever paperwork the financial aid person put in front of your face before school started, so you may have a mix of federal and private loans. Know that ONLY FEDERAL loans qualify for the 6 month forbearance under the CARES Act. Regardless of who your servicer is, this COVID-relief happens automatically - you don't have to do anything. **If you made a monthly payment after March 10, 2020, you are eligible to have that payment refunded to you by contacting your loan servicer.** One of the best features of the CARES Act is that during these six months, no interest is accruing on your federal student loans!

For more information and the full article, click **HERE!**

Digital Activities While Sheltering In Place
Compiled by Attorney Terrence Lee Croft

Terrance Lee Croft is a Mediator/Arbitrator in the Atlanta area.

MORE INFO	Tour the Booth Western Art Museum in Cartersville, GA Voted #1 in America by USA Today readers - February 2020
MORE INFO	Colorize your old B&W Photos Online for Free with MyHeritage
MORE INFO	Watch Your Favorite Broadway Musicals Online
MORE INFO	British Theater presents a new play every Thursday night
MORE INFO	Watch Cirque du Soleil from home
MORE INFO	NOLA Cooking School Offers Free Lessons on Zoom
MORE INFO	Download Over 300K Books from the New York Public Library
MORE INFO	8 Digital Education Resources from Around the Smithsonian
MORE INFO	250 Free Ivy League Courses Online
MORE INFO	10 Free Online University Art Classes
MORE INFO	Milk Street Cooking Classes - Free Through April
MORE INFO	Smithsonian Channel releases "Arial America" free online

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Ivory T. Brown, Chair and
Hannibal Heredia, Chair, Legislative Committee
Family Law Section
State Bar of Georgia

Shout out to our fellow family lawyers and our humble friends in governmental places who assisted with the **Amended Executive Order** entered on April 3, 2020 in response to questions and concerns relating to custody orders and parenting time transfers. As a result, the Executive Order was amended to include, in pertinent part, the following:

"That no provision of **Executive Order 04.02.20.01** shall limit, infringe, suspend, or supplant any judicial order, judgment or decree, including custodial arrangements...nor shall any person use the Executive Order 04.02.20.01 as a defense in an action in violation of a judicial order, judgment, custodial arrangement or decree..."

"Essential Services" shall also include the transport, visitation, regular care of family members and persons dependent on the services of others, and similar actions that ensure the welfare and best interest of persons in the State of Georgia, specifically including the elderly, children and disabled populations."

The Order shall be effective from 6:00 p.m. on Friday, April 3, 2020 through 11:59 p.m. on Monday, April 13, 2020."

In addition, our friends have noted that the Governor's General Counsel, **David Dove**, and Deputy Executive Counsel, **Candice Broce**, heard our voices and were instrumental in this process! We are grateful!

Publication Opportunity!

The Georgia Law Review (the flagship publication at UGA School of Law) is launching a blog focused on all issues relating to Georgia law. We were hoping that you would consider forwarding this publication opportunity to your bar members, giving practitioners the opportunity to publish with. The blog is looking for any and all submissions related to Georgia law. More information can be found in the attached document.

Please reach out to **Gretchen.Edelman@uga.edu** for any questions.

Gretchen Edelman
Executive Online Editor,
Georgia Law Review Volume 54

JOBS

LOCAL FIRM SEEKS ASSOCIATE

Lawrence L. Washburn, III, P.C. is currently seeking a full-time associate attorney with minimal experience. Lawrence L. Washburn, III, P.C. is a full-service, resolution-focused family law, personal injury and criminal law firm that emphasizes a team-structured, collegial environment and in-house mentoring and training. Salary is negotiable.

Please email your current resume to: **apryletitko@llwlaw.com**

FIRM SEEKING FAMILY LAW ATTORNEYS

Meriwether and Tharp, LLC is currently seeking attorneys with 6+ years of family law litigation experience. M&T is a full-service, resolution-focused family law firm that emphasizes a team-structured, collegial environment and offers competitive compensation packages, outstanding benefits packages, and in-house mentoring and training.

We have opportunities in all main offices: Johns Creek, Alpharetta, Midtown, Woodstock, and Maitland, Florida.

To apply, send your resume to:
tammi@mtlawoffice.com and and **GInnis@mtlawoffice.com**

EXPERIENCED LEGAL ASSISTANT SEEKING EMPLOYMENT

Former legal assistant with over two decades of experience in a law firm setting is seeking employment. Previous areas of law include foreclosure, corporate and family law. Email us at gwinnettcba@gmail.com for more information.

JD/MD SEEKING EMPLOYMENT

Former practicing physician and Emory Law School graduate seeking employment. Not currently licensed, but can review medical records and perform legal analysis. Email gwinnettcba@gmail.com for more information.

LAWYER JOKES

Articles and Updates Welcome!!

If you would like to contribute to the GCBA Monthly Newsletter, e-mail submissions by the 5th of each month to Editor Nhan-Ai Simms .

Visit our Facebook Page & our WEBSITE to stay updated until our next newsletter.

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