

Patty Baker, Clerk of Superior Court - Cherokee County, GA

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA

IN RE: STATE OF JUDICIAL EMERGENCY
AS DECLARED MARCH 14, 2020
AND EXTENDED TO MAY 13, 2020.

ORDER ON VIDEOCONFERENCING

By Order dated March 27, 2020, the Chief Justice ordered that Uniform Superior Court Rules 9.1 and 9.2, relating to hearings that may be conducted by telephone and videoconferencing, be clarified and modified for the duration of the state of judicial emergency. To implement fully the procedures required for telephone and videoconferencing, the Court ORDERS as follows.

1. **Civil Cases**, other than petitions for temporary protective order, hearings in civil cases shall be conducted in accordance with the Uniform Superior Court Rules, as modified by the Chief Justice's Order. The method of remote conferencing shall be in the discretion of the assigned judge. Any attorney or self-represented party may contact the chambers of the assigned judge to request a hearing.
2. **Petitions for Temporary Protective Order** shall be conducted by videoconference whenever possible. Petitioners, within the petition, shall provide the Court with any telephone numbers and email addresses known to have been used by the Respondent. Any ex parte order presented shall notify the both the Petitioner and Respondent that s/he shall contact the assigned judge's office, at least 72 hours prior to hearing, to confirm the appropriate contact information for remote participation in the hearing. If any party is unable to participate remotely, he or she shall contact the assigned judge's office at least 72 hours prior to hearing, so that other arrangements may be made.
3. **Contested Criminal hearings** shall be conducted by videoconference. Hearings for negotiated pleas and consent revocations shall continue as indicated in the Court's previous orders. Any attorney requesting a contested hearing shall provide his or her email address, as well as an email for opposing counsel, for receiving notice of hearing.
4. **TO PROTECT THE INTEGRITY AND SECURITY OF VIDEOCONFERENCING, ALL PARTICIPANTS SHALL USE AN ACCOUNT NAME WHEREBY HE OR SHE IS**

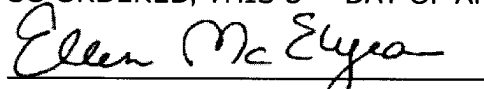
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IDENTIFIED BY FIRST AND LAST NAME. ALL PARTICIPANTS SHALL APPEAR BY BOTH AUDIO AND VIDEO. ANYONE FAILING TO ABIDE BY THESE CONDITIONS SHALL BE REMOVED FROM THE HEARING, BUT MAY WATCH THE HEARING BY LIVESTREAM AS DESCRIBED HEREIN. Court personnel, after having appeared by video feed to confirm their identity, may participate by audio only, unless otherwise directed by the Court.

5. **Documentary evidence:** Any party or attorney intending to introduce documents at a contested hearing shall provide the opposing side a copy of all such evidence at least 72 hours prior to hearing. All stipulated documents should be sent to the assigned judge's office by email. Any objection to the admissibility of the evidence shall be made in writing to the assigned judge at least 48 hours prior to hearing. The Court shall resolve the dispute by conference call or other communication prior to the hearing.
6. **Witnesses:** If a witness has been placed under subpoena according to law, the party who has subpoenaed the witness will communicate to the assigned judge's office or calendar clerk, at least 48 hours prior to hearing, the method by which that witness can be contacted for participation in the videoconference hearing. The method of the witnesses participation may vary depending on the circumstances and nature of the hearing.
7. **All criminal proceedings conducted by videoconference shall be accessible to the general public through a video livestream link on the Court Administrator's Office website: <https://www.cherokeega.com/Court-Administrators-Office/>. For questions or comments, contact Lynn Epps, Court Administrator, at 678-493-6475, or by email link provided on the above website. Any objection to the use of videoconferencing in criminal matters shall be made in writing prior to the commencement of the day's calendar.**

This Order shall be filed upon the minutes of the Superior Court and published in the Office of the Clerk of Superior Court. It shall be published by the Court Administrator on her website. It shall remain in effect throughout emergency period as set for by the Order of the Chief Justice, and for any extension of said Order.

SO ORDERED, THIS 8TH DAY OF APRIL, 2020.



Chief Judge Ellen McElyea

Superior Court of Cherokee County, Blue Ridge Judicial Circuit