

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

ORDER AMENDING ORDER EXTENDING LOCAL JUDICIAL EMERGENCY

On July 30, 2021, this Court entered an Order Extending Local Judicial Emergency.¹ Said Order addressed the tolling of certain deadlines, based on the backlog of cases created during necessary shutdowns related to the COVID-19 pandemic.

All Courts are anxious to resume operations as usual. Regrettably, the COVID-19 virus continues to pose a great risk to public health. Since the Court's Order of July 1, 2021, the number of new cases per day, the 7-day moving average of new cases, and the daily percentage of positive tests have all increased significantly in Cherokee County.² In consultation with local hospital officials, the Court finds number of hospitalizations has increased at least four-fold.

Additionally, the resumption of in-person proceedings and the return to "business as usual" in the courtrooms and offices of the Justice Center have led to confusion for individuals

¹ Said Order is filed at Superior Court Minute Book 201, Page 2788. It extends the Order Declaring Local Judicial Emergency filed July 1, 2021, at Superior Court Minute Book 201, Page 2757.

² On July 1, 2021, the number of new cases was 12, and the 7-day moving average was 9.7; on August 3, 2021, the number of new cases was 172 and the 7-day moving average was 85.6. On July 1, 2021, the percentage of PCR tests with positive results was .06, and the 7-day average was 2.3; on August 3, the percentage of PCR tests with positive results was 18.6, and the 7-day moving average was 15. Georgia Department of Public Health website: <https://dph.georgia.gov/covid-19-daily-status-report>.

who may currently be positive for the virus or otherwise experiencing symptoms. This Order seeks to clarify and guide those persons.

Therefore, to continue the orderly operation of the Courts and to protect the health of litigants, lawyers, judges, court personnel and the public, IT IS THE ORDER OF THE COURT, effective immediately:

1. IF YOU ARE SICK OR HAVE BEEN EXPOSED, STAY HOME.

No person should come into the Justice Center or the Historic Courthouse if they have tested positive for COVID-19 or are experiencing common symptoms of COVID: fever or chills, cough, shortness of breath, fatigue, aches, loss of taste or smell, sore throat, runny nose, or diarrhea. Additionally, anyone exposed to someone with these symptoms, or to someone known to be positive for COVID-19, shall report this prior to the appropriate individual **before** entering any judicial facility (employees shall report this to their supervisor, litigants to their attorneys, jurors to the jury clerk, attorneys to the judge's office, etc). Sick or exposed employees should be required to take time off or work remotely. Judges shall make appropriate accommodations for parties or attorneys who need to appear remotely, instead of in-person, to allow their appearance before the Court.

The Court Administrator shall cause the notice and requirements of this paragraph to be posted at the entrances of the Justice Center and the Historic Courthouse.

2. MASKS ARE REQUIRED: All persons entering the Justice Center are required to wear a mask in any public area of the building, to include lobbies, hallways, elevators, rest rooms, the Jury Assembly room, and the Law Library. This requirement includes individuals working in the building as well as members of the public. Those working in their offices may remove their masks with the consent of their supervisor.

The mask must remain in proper position over the nose and mouth.

All courthouse deputies, bailiffs, and other staff will remain vigilant and politely ask anybody in the Courthouse seen without a mask to put one on. Anyone arriving without a mask will be provided one at screening.

All jurors in the Jury Assembly Room and in any space used as a jury deliberation room shall wear a mask. Grand jurors are also subject to this requirement. All persons in any courtroom proceeding may remove their face-covering only with the permission of the presiding judge.

3. SCREENING REQUIRMENTS: Everyone entering the courthouse will be screened for symptoms and COVID- 19 exposure. The Sheriff's Office shall ask all persons entering the Justice Center the following questions: 1) Have you been diagnosed with, or had contact with someone who has been diagnosed with, COVID-19 within the last 14 days? and 2) Have you developed a new cough, difficulty breathing, or fever over 100 degrees over the last 3 days? Anyone answering yes to either of these questions will not be allowed to enter the Justice Center.

Also, as a part of the screening process, deputies will take the temperature of every person entering the Justice Center. Any person with a fever of 100 degrees or higher will not be permitted to enter the Justice Center.

Any person denied entry into the Justice Center shall be instructed by deputies to call the Justice Center main telephone number (678-493-6100) from outside the courthouse. If said person is seeking to file a pleading or other document, the Clerk of Court shall determine whether such filing can be accomplished through the electronic filing system. If the individual does not have access to the e-filing system, then the Clerk shall accept paper filing. The person

filing the pleading shall remain outside the Justice Center while the pleading is being filed;
delivery of the paper filing shall be made by a deputy sheriff to the Clerk.

If the person denied entry into the Justice Center is there to attend a hearing as either a
litigant, witness, or public spectator, such person shall remain outside the Justice Center while
the appropriate judicial chambers is notified by the security staff. The assigned judge is
authorized to consider all relevant facts and circumstances and make a determination as to
whether to admit such person.

Any provisions of the July 31, 2021 not herein amended, shall remain in full force and
effect.

SO ORDERED, this ^{8/5/2021} day of August, 2021.



Chief Judge Ellen McElyea
Superior Court of Cherokee County
Blue Ridge Judicial Circuit

CC:
Sheriff Frank Reynolds
Judges of Cherokee Superior Court
Judges of Cherokee State Court
Judges of Cherokee Juvenile Court
Judge James Drane, Magistrate
Judge Keith Wood, Probate Court
Patty Baker, Clerk of Courts
Shannon Wallace, District Attorney
Todd Hayes, Solicitor-General
Lynn Epps, Court Administrator
Cherokee County Bar Association
Louis Turchiarelli, Indigent Defense Director
Cherokee County Board of Commissioners