

**IN THE SUPERIOR COURTS  
MOUNTAIN JUDICIAL CIRCUIT  
STATE OF GEORGIA**

**IN RE: Declaration of \*  
Judicial Emergency \* Standing Order of the Courts  
\*  
Date: September 18, 2020 \*  
\***

**ORDER EXTENDING  
DECLARATION OF JUDICIAL EMERGENCY**

**WHEREAS**, the Judges of the Superior Courts have previously on August 19, 2020 entered an Order pursuant to O.C.G.A. 38-3-60(2)(D) Declaring a Judicial Emergency in Habersham County, Rabun County, and Stephens County, Georgia affecting all courts on the basis that a serious health emergency exists, that being the community transmission of the Covid-19 virus. Since entry of that Order, the Governor of Georgia's Declaration of a Public Health State of Emergency pursuant to O.C.G.A. § 38-3-51 has been further extended and remains currently in effect. Likewise, the Chief Justice of the Georgia Supreme Court's Statewide Declaration of Judicial Emergency pursuant to O.C.G.A. § 38-3-60, et. seq. has also been extended and remains in effect.

**WHEREAS**, the circumstances which led to the Entry of the Declaration of Judicial Emergency in the Mountain Judicial Circuit remain essentially unchanged.

**THEREFORE**, pursuant to O.C.G.A. § 38-3-61, Chief Judge Russell W. Smith and Judge B. Chan Caudell of the Mountain Judicial Circuit, Superior Courts of Habersham, Rabun, and Stephens Counties DO HEREBY ORDER AND DECLARE that the provisions of the prior Order Declaring Judicial Emergency shall be extended for a period of thirty (30) days.

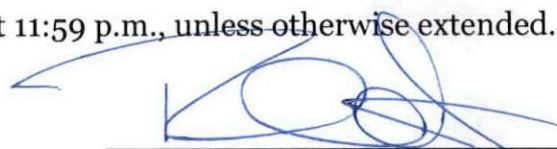
IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court of Georgia with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at [barnest@gasupreme.us](mailto:barnest@gasupreme.us);

IT IS FURTHER ORDERED that the undersigned shall notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt;

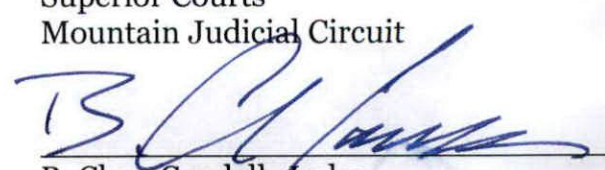
Because this Order modifies some provisions of the Court's Prior Standing Order which contains the Superior Court's Required Operating Guidelines, a copy hereof shall be submitted to the Administrative Office of the Courts at <https://georgiacourts.gov/covid-19-court-operating-guidelines-form/> to be posted at <https://georgiacourts.gov/covid-19-court-operating-guidelines/>; and

IT IS FURTHER ORDERED that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

**IT IS SO ORDERED** this 17<sup>th</sup> day of September, 2020 at 4:20 p.m. in Clarkesville, Habersham County, Georgia. This Judicial Emergency Order shall terminate on October 17, 2020, at 11:59 p.m., unless otherwise extended.



Russell W. Smith, Chief Judge  
Superior Courts  
Mountain Judicial Circuit



B. Chan Caudell, Judge  
Superior Courts  
Mountain Judicial Circuit