

**IN THE SUPERIOR COURT OF CHEROKEE COUNTY
IN THE STATE COURT OF CHEROKEE COUNTY
STATE OF GEORGIA**

**In the matter of:
Declaration of
Temporary Judicial Emergency**

Administration and Procedure

**NOTICE OF TEMPORARY JUDICIAL EMERGENCY IN THE SUPERIOR AND
STATE COURTS OF CHEROKEE COUNTY**

On the afternoon of August 28, 2024, the Chief Judges of the above Courts became aware that there were disruptions to the e-filing system for the Blue Ridge Judicial Circuit, maintained by the Clerk of Court, leading to the inability of the Clerk's Office to accept or process court filings. The outage allegedly was discovered at the opening of business on August 27, 2024; however, it is unclear to the Courts exactly when the disruptions first occurred. The Court has anecdotal evidence that individual judge(s) may have been made aware of the issue, and that the Clerk of Court had advised those individual judges to send paper copies of any orders for manual filing. However, no such notice was given to the Courts as a whole, and more importantly, to the attorneys or self-represented litigants seeking to file documents. According to an email sent by the Clerk of Court's Chief Information Officer at 11:55 a.m. on August 29, 2024, the issues were reportedly resolved at 4:30 p.m. on August 28, 2024. According to this email, the outage was caused by automatic security procedures implemented by Cherokee County Internet Service Provider without notice to the Clerk of Court.

Pursuant to O.C.G.A. § 38-3-60(2)(D) , the Chief Judge of the Superior Court finds that this outage constituted a judicial emergency, as it substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, or the ability of litigants or others to have access to the courts or to meet

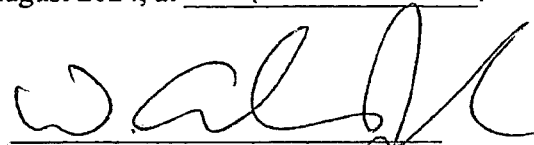
schedules or time deadlines imposed by court order or rule, statute, or administrative rule or regulation¹. Therefore, pursuant to O.C.G.A. § 38-3-61, a judicial emergency is declared by this Order for this time period and shall affect the Superior and State Courts of Cherokee County and the clerk's thereof.

Accordingly, it is the Order of the Court that, pursuant to O.C.G.A. § 38-3-62, for a period of ten (10) days, the Court hereby suspends, tolls, extends, and otherwise grants relief from: (1) a statute of limitations in civil cases; (2) the time within which to file a writ of habeas corpus; (3) the time within which to serve a party; (4) the time within which discovery or any aspect thereof is to be completed; (5) the time to file an answer in civil cases; (6) the time to file a motion for new trial in civil cases; (7) the time to respond to motions filed in civil cases; (8) the time within which to appeal or to seek the right to appeal any order, ruling, or other determination; and/or (9) such other legal proceedings as determined to be necessary. It is also the intention of this Order that all parties may have this additional time to ascertain whether all pleadings filed during the above-described outage were properly received, processed, and time-stamped.

The Court shall give notice to the judicial officials and the public, pursuant to O.C.G.A. § 38-3-63.

IT IS SO ORDERED this 30 day of August 2024, at 9:30 a.m.


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


W. Alan Jordan, Chief Judge
State Court of Cherokee County
Blue Ridge Judicial Circuit

¹ See also, Uniform Superior Court Rule 36.16(F).