

IN THE SUPERIOR COURT OF BERRIEN COUNTY

STATE OF GEORGIA

IN RE:)
Declaration of Judicial Emergency)

SECOND ORDER EXTENDING EMERGENCY ORDER
DECLARING A JUDICIAL EMERGENCY IN THE
ALAPAHA JUDICIAL CIRCUIT

CLERK OF SUPERIOR COURT

Sharon C. Hylton

2024 OCT - 7 AM 11:48

BERRIEN COUNTY, GEORGIA
FILED IN OFFICE

On September 25, 2024, this Court declared a judicial emergency due to Hurricane Helene and the accompanying projected path as reported by various news and weather channels. Hurricane Helene came through the Alapaha Judicial Circuit in the early morning of September 27, 2024. Helene caused damage to roads, homes, businesses and extensive power outages through the Circuit. Additionally, internet and cell services have been severely curtailed in many areas. In certain areas, travel is impeded due to downed trees and power lines.

Due to communication problems, the Court is unable to fully ascertain all of the impediments faced by lawyers, litigants, law enforcement, Clerks and staff and other courthouse personnel. Accordingly, the Court considers reports from Clerks with which it can communicate, courthouse closing decisions from County Commissioners, decisions from the Board of Education regarding school closings, news reports and various other sources.

A substantial number of people in all five counties of the Alapaha Judicial Circuit, Clinch, Berrien, Cook, Lanier, and Atkinson remain without power.

As of the 27th day of September, 2024, the conditions which exist in the various counties compromising the Alapaha Judicial Circuit due to Hurricane Helene are catastrophic.

At this time, the Court is aware that all courthouses are without power, internet and phones and county offices are closed.

The living conditions of the persons who work in and comprise our legal system are dismal. These persons include judges, lawyers, Clerks of Courts and their staff, the District Attorney and his staff, the Public Defender and his staff, Probation Officers, Bailiffs, security personnel, court reporters, judicial assistants, IT personnel, amongst others. Within these groups, some are in good shape and are ready and able to return to work, while others are desperate and still in survival mode. Our citizens face severe damage to homes, the need to file insurance claims and meet with adjusters, sourcing child care for children that cannot return to school, securing repairs to homes and vehicles, arranging transportation where vehicles have been lost, finding fuel, obtaining and operating generators to provide light and to preserve food and drinks for family, and this list is not exhaustive.

In the exercise of its discretion, caution and prudence and based on the limited information which is available, the Court extends the Order of September 25, 2024 declaring a Judicial Emergency in the Alapaha Judicial Circuit for a period of thirty (30) days, ending at 11:59p.m. on October 27, 2024 unless otherwise modified by the Court and the present order. The extension will cover all counties in the Alapaha Judicial Circuit.

The Court fully anticipates modifying this Order as reliable information becomes available on a county by county basis. Additionally, as conditions warrant and allow, all judges and clerks of all courts are authorized to conduct court on an emergency basis and otherwise as caution and prudence indicate. If conditions warrant, as determined by each county commission, any court may open early. Any court, by opening earlier, will not affect the protections afforded hereby for deadlines and extensions.

Therefore, the Court intends to balance the needs of those still in crisis against the need to keep our judicial system open and functioning on an emergency basis as our circuit continues on the path of recovery.

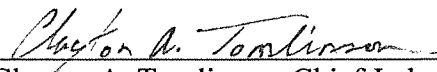
It is the Court's intent that enough staff in each office/agency, referenced above, be identified and available to allow respective judges in the various courts to hold court, or to, at a minimum, conduct court on an emergency basis. The court intends to create an informative and collaborative effort to insure the functioning of the various courts throughout the Alapaha Judicial Circuit, on an emergency basis.

Each judge of each court in the circuit should evaluate the availability of necessary court personnel in order to hold court. This evaluation should be guided by the Court's intent to not compel court personnel to choose between family and duty, but to simultaneously balance the needs of public to have access to the courts. Superior Court, Probate Court, Magistrate Court, Juvenile Court, all City Courts, and all Clerks of Court shall determine what functions they can perform in their office as their individual conditions allow.

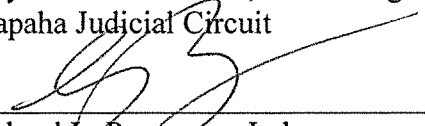
All provisions and protections, rights, and privileges provided in the original order of September 25, 2024 shall remain in full force and effect in all counties except as modified by this order.

The distribution of the Order shall be via email, text, photograph and verbally, if necessary. The Georgia Supreme Court and Georgia court of Appeals will be notified via email.

SO ORDERED, this 27th day of September, 2024.



Clayton A. Tomlinson, Chief Judge
Alapaha Judicial Circuit



Richard L. Perryman, Judge
Alapaha Judicial Circuit