

**IN THE SUPERIOR COURTS of POLK and HARALSON COUNTIES
TALLAPOOSA JUDICIAL CIRCUIT
STATE OF GEORGIA**

**TO THE JUDGES AND CLERKS OF SUPERIOR COURT
TO THE JUDGES AND CLERKS OF MAGISTRATE COURT
TO THE JUDGES AND CLERKS OF PROBATE COURT
TO THE JUDGES AND CLERKS OF MUNICIPAL COURT
TO THE JUDGES AND CLERKS OF JUVENILE COURT**

FILED & RECORDED
CLERK SUPERIOR COURT
POLK COUNTY, GEORGIA
2025 JAN -9 PM 1:49

**ORDER AND DECLARATION OF JUDICIAL EMERGENCY
in the
TALLAPOOSA JUDICIAL CIRCUIT**

WHEREAS, on January 9, 2025, Georgia Governor Brian Kemp issued an Executive Order pursuant to OCGA §§ 38-3-28 and 38-3-51 declaring a State of Emergency throughout Georgia for Winter Weather; and,

WHEREAS, the undersigned as chief Superior Court judge for the Tallapoosa Judicial circuit has determined that Governor Kemp's declaration creates a judicial emergency pursuant to OCGA § 38-3-60; and,

WHEREAS, the emergency substantially endangers or infringes upon the normal functioning of the judicial system, the ability of people to avail themselves of the judicial system, or the ability of litigants or others to have access to the courts or meet scheduled or time deadlines imposed by the court order or rule, statute of administrative rule or regulation;

NOW, THEREFORE, it is ORDERED as follows

1.

Pursuant to O.C.G.A. § 38-3-61, Chief Judge Mark H. Murphy of the Superior Courts of Polk County and Haralson County, Georgia, which comprise the **Tallapoosa Judicial Circuit** DOES HEREBY DECLARE the existence of a

FILED IN OFFICE
HARALSON COUNTY SUPERIOR AND JUVENILE COURT
1/9/2025 2:10PM
EM:25, PG:14-20
AMY R. NUSE, CLERK OF SUPERIOR COURT
HARALSON COUNTY, GEORGIA

Judicial Emergency in the Tallapoosa Judicial Circuit.

2.

The jurisdictions affected by this Judicial Emergency include all courthouse operations in and at the **Polk County Courthouse** in Cedartown, Georgia, and all courthouse operations in and at the **Haralson County Courthouse** located in Buchanan, Georgia.

3.

The nature of the emergency necessitating this Order is the issuance by Governor Brian Kemp of Executive Order 01.09.25.01 pursuant to OCGA §§ 38-3-28 and 38-3-51 declaring a State of Emergency throughout Georgia for Winter Weather. A Winter Storm Warning in the Alabama counties of Cherokee and Cleburne, which border Polk County and Haralson County, and the Winter Storm Watch for Polk County and Haralson County have been declared in this morning's National Weather Service forecast issued by the NWS offices in Peachtree City, Georgia, and in Birmingham, Alabama. Although the storm elements are predicted to pass through the Tallapoosa Circuit and the greater Northwest Georgia area by Saturday morning, widespread power outages and travel limitations are expected to linger for some time afterward, making judicial activities for those courts whose jurisdiction involves matters on 48- and 72-hour timelines difficult and potentially dangerous for citizens and court personnel, and rendering electronically dependent remote court services unavailable.

4.

The **duration** for this **Judicial Emergency** shall begin at **11:59 o'clock PM** on Thursday, **January 9, 2025**, and shall end at **9:00 o'clock AM** on Monday, **January 13, 2025**.

5.

Pursuant to O.C.G.A. § 38-3-61, all courts of Polk County, Georgia, and Haralson County, Georgia, shall be closed from **11:59 PM on January 9, 2025**, until **9:00 AM on Monday January 13, 2025**;

6.

Pursuant to OCGA § 38-3-61, in the event the circumstances underlying this judicial emergency make access to the office of a clerk of court or a courthouse impossible or impractical, the undersigned designates Peach Court, ZOOM, Webex, and any other on-line platforms used by the local courts as facilities reasonably accessible and appropriate for the conduct of court business; provided however, that accessibility of such facilities **does not** terminate the suspension, tolling, or extension of court deadlines, time schedules, or filing requirements that are suspended, tolled, or extended pursuant to the declaration of this judicial emergency.

Other information relevant to the suspension or restoration of court operations:

- (a) **ALL judicial offices, clerk of court offices, and all other courthouse-based offices providing accountability court services, misdemeanor probation services, legal prosecution and defense representation, and courthouse security** located at both the **Polk County Courthouse** and the **Haralson County Courthouse** are **AUTHORIZED AND DIRECTED to CLOSE FOR BUSINESS** during the period of this Judicial Emergency, **provided, however**, that **courthouse security measures** deemed necessary in the sole discretion of the Sheriffs of the counties named herein **shall continue as directed by said Sheriff or his authorized designee.**
- (b) All such **offices named above SHALL REOPEN TO THE PUBLIC** at normal business hours on **Monday, January 13, 2025, unless** developing circumstances necessitate the extension of this judicial emergency, or a county government announces closing of the county courthouse at times after the expiration of the judicial emergency set forth herein.

- (c) Any extension of this Judicial Emergency beyond the expiration set forth herein will be disseminated in the same manner as this Judicial Emergency declaration.

7.

Pursuant to O.C.G.A. § 38-3-62, **all court deadlines, time schedules or filing requirements** are hereby **suspended, tolled, or extended** for the duration of the judicial emergency as noted above.

8.

Notice of this declaration of Judicial Emergency **shall be disseminated** in accordance with OCGA § 38-3-63. Accordingly,

- (a) IT IS FURTHER ORDERED that the **Sheriff of POLK County or his designee** shall post a copy of this notice on the courthouse doors; and
- (b) IT IS FURTHER ORDERED that the **Sheriff of HARALSON County or his designee** shall post a copy of this notice on the courthouse doors; and,
- (c) IT IS FURTHER ORDERED that the **Clerk of the Superior Court for POLK COUNTY**, or her designee, **shall immediately notify** the Honorable Michael P. Boggs, Chief Justice of the Supreme Court, and the Clerks of the Court of Appeals and of the Supreme Court by sending them a copy of this notice; and,
- (d) IT IS FURTHER ORDERED that the **Clerk of the Superior Court for HARALSON COUNTY**, or her designee, **shall immediately notify** the Honorable Michael P. Boggs, Chief Justice of the Supreme Court, and the Clerks of the Court of Appeals and Supreme Court by sending them a copy of this notice; and,

(e) IT IS FURTHER ORDERED that **POLK COUNTY Manager Matt Denton, or his designee**, shall post a copy of this notice and any subsequent modification or extension in accordance with O.C.G.A § 38-3-63 by posting it on the Polk County website or other appropriate public address system; and,

(f) IT IS FURTHER ORDERED that the **HARALSON COUNTY Clerk Alison Palmer, or her designee**, shall post a copy of this notice and any subsequent modification or extension in accordance with O.C.G.A § 38-3-63 by posting it on the Haralson County website or other appropriate public address system.

9.

Let the clerks of all courts of record in the Tallapoosa Judicial Circuit spread this Order upon the minutes of their courts. Further, the Superior Court clerks shall cause this declaration to be emailed to the clerks' list of attorneys who commonly practice in this judicial circuit.

DONE and ORDERED this the 9 day of January 2025, at 11:48 o'clock AM in Cedartown, Georgia.


Hon. Mark H. Murphy
Chief Judge, Superior Courts
Tallapoosa Judicial Circuit

-Haralson Office-
Haralson County Courthouse
4485 Ga Hwy 120
Buchanan, GA 30125
770.646.2025

-Polk Office-
100 Prior Street, Suite 105
Polk County Courthouse
Cedartown, GA 30125
770.749.2976

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing ORDER via STATUTORY ELECTRONIC SERVICE upon the following:

Chief Justice Michael P. Boggs	GA Supreme Court
Tee Barnes, Clerk	GA Supreme Court
Stephen Castlens, Clerk	GA Court of Appeals
Lynn Ansley, DCA	7 th JAD
Matt Denton, County Manager	Polk County
Alison Palmer, County Clerk	Haralson County
Andrew B. Roper, Judge	Tallapoosa Circuit Superior Court
Stacie M. Baines, Clerk	Polk County Superior Court
Amy R. Muse, Clerk	Haralson County Superior & Juvenile Courts
Johnny Moates, Sheriff	Polk County
Stacy Williams, Sheriff	Haralson County
Christy Cook Garner, Judge	Polk County Magistrate Court
Jayne Eason, Clerk	Polk County Magistrate Court
Jason Blackmon, Judge	Haralson County Magistrate Court
Stephanie Tanner, Clerk	Haralson County Magistrate Court
Robert E. Brooks, Jr., Judge	Polk County Probate Court
Kasey McBride, Clerk	Polk County Probate Court
J. Edward Hulse, Jr., Judge	Haralson County Probate Court
Susan Rosser, Clerk	Haralson County Probate Court
Timothy Taylor, Judge	Tallapoosa Circuit Juvenile Court
Dara Cole, Clerk	Polk County Juvenile Court
Benjamin Burch, Judge	Cedartown Municipal Court
Robert E. Brooks, Jr., Judge	Aragon Municipal Court
Amy Liggons, Clerk	Aragon Municipal Court
J. Edward Hulse, Jr., Judge	Rockmart Municipal Court
Anginene Tolbert, Clerk	Rockmart Municipal Court

J. Edward Hulsey, Jr., Judge	Buchanan Municipal Court
C. David Mecklin, Jr., Judge	Bremen Municipal Court
DeAnne Worthy, Clerk	Bremen Municipal Court
Timothy A. McCreary, Judge	Tallapoosa Municipal Court
Valerie McIntyre, Clerk	Tallapoosa Municipal Court

This 9th day of January, 2025.

Walter Phiscott
Tallapoosa Judicial Circuit