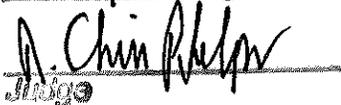


**IN THE SUPERIOR COURT OF HART COUNTY  
STATE OF GEORGIA**

**IN RE: DECLARATION OF  
JUDICIAL EMERGENCY**

\*     **STANDING ORDER OF THE COURT**  
\*  
\*     *Filed by the court*  
\*     *February 3, 2026; 2:15 P.M.*  
\*  
\*       
\*     *Judge*  
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**JUDICIAL OPERATIONS EMERGENCY ORDER**

Pursuant to O.C.G.A. § 38-3-60 et seq. and Rule 45 of the Uniform Rules of Superior Courts, the undersigned Chief Judge of the Superior Courts of the Northern Judicial Circuit, encompassing Hart County, does hereby declare the existence of a Judicial Emergency in the Superior Court of Hart County, Georgia. The Judicial Emergency will begin at 12:01 o'clock A.M. on Monday, February 9, 2026, and conclude at 12:01 o'clock A.M. on Saturday, February 14, 2026. The nature of the emergency is upon request of the Honorable J. Christopher NeSmith, due to a disruption in operations because of the delay in a specially set trial of another case in the Hart County Courtroom. This delay was caused, in part, by the Declaration of Judicial Emergency issued on January 23, 2026, for the Northern Judicial Circuit due to a weather-related emergency.

Senior Judge Daniel Craig had set trial to commence in Case Number 21HR00303 on January 29, 2026. Pursuant to the Declaration of Judicial Emergency issued on January 23<sup>rd</sup>, all hearings scheduled in the Superior Courts of the Northern Judicial Circuit were cancelled, and the Office of the Clerk of Superior Court and Courthouses of the Northern Judicial Circuit were closed January 26<sup>th</sup> and 27<sup>th</sup>. Due to conflicts of Defense Counsel that trial is now scheduled to begin on February 5, 2026, and continue through February 13, 2026. This will negatively affect access to the Courtroom for Judge NeSmith's scheduled criminal trial week beginning on February 9, 2026,

causing a disruption in operations. There are other reasonably accessible and appropriate locations to allow for trial proceedings to continue and allow for minimal disruptions in operations.

*See, Uniform Superior Court Rule 45, "Judicial Operations Emergency Order,"* which provides, in pertinent part, "Pursuant to O.C.G.A. § 38-3-60 et seq., upon his/her own motion or after consideration of a request from another judge or court official, the Chief Judge of the circuit experiencing an emergency or disruption in operations may issue an order authorizing relief from time deadlines imposed by statutes, rules, regulations, or court orders until the restoration of normal court operations of normal court operations or as specified.

The emergency order may also designate one or more facilities as a temporary courthouse that shall be suitable for court business and located as near as possible to the county seat.

The order shall contain (1) the identity and position of the judge, (2) the date, time, and place executed, (3) the jurisdiction affected, (4) the nature of the emergency, (5) the period of duration, and (6) other information relevant to the suspension or restoration of court operations. The duration of a court emergency order is limited to a maximum of 30 days. The order may be extended twice by the issuing judge for additional 30-day periods, and any extension must contain the information required in the original order."

**IT IS HEREBY ORDERED** that a state of judicial emergency is declared in Hart County, Georgia, by Chief Judge R. Chris Phelps of the Northern Judicial Circuit of the State of Georgia for the reasons set forth above. This emergency declaration shall begin at 12:01 o'clock A.M. on Monday, February 9, 2026, and conclude at 12:01 o'clock A.M. on Saturday, February 14, 2026, unless further modified or extended;

**IT IS FURTHER ORDERED** that the Trial Jury of Hart County, Georgia for Judge NeSmith that otherwise would have convened at the Hart County Courthouse on February 9, 2026 at 1:00 P.M., shall convene instead on the same date and at the same time at the Hart County Agri-Science Center, located at 1951 Bowman Highway, Hartwell, Georgia 30643, to allow Judge

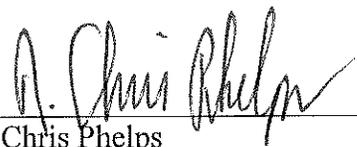
NeSmith to conduct his scheduled jury trial week for criminal cases without further disruptions in operations. This alternate location is reasonably accessible and appropriate for the conduct of such business and is located as near as possible to the county seat;

**IT IS FURTHER ORDERED** that the Clerk of Hart Superior Court shall cause jurors to be notified of the change of location in the manner normally utilized after juror summons have been mailed.

**IT IS FURTHER ORDERED** that during the period of the Judicial Emergency deadlines or other time schedules for filing requirements imposed by otherwise applicable statutes, rules, regulations, or court orders shall not be affected.

A copy of this Order shall be posted at the main entrance of the Hart County Courthouse and the Clerk of Superior Court's office.

**IT IS SO ORDERED AND ENTERED**, on this 3rd day of February, 2026 at 2:15 P.M. o'clock in Elberton, Georgia.

  
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R. Chris Phelps  
Chief Judge of Superior Courts  
Northern Judicial Circuit

- Distribution:
- Chief Justice, Georgia Supreme Court
  - Clerk of the Georgia Supreme Court
  - Clerk of the Georgia Court of Appeals
  - T.J. Bement, District Court Administrator, 10<sup>th</sup> Judicial District
  - Clerk of Hart Superior Court, Northern Judicial Circuit
  - Superior Court Judges of the Northern Judicial Circuit
  - District Attorney
  - Public Defender
  - Defense Counsel
  - Chairperson of Hart County, Georgia Board of Commissioners, Marshall Sayer
  - Chairperson of the Hart County Board of Education, Kim Pierce
  - News Media