

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

In re: Certain Litigation

Administration and Procedure

In the Superior Court of Cherokee County

INTERIM ORDER GOVERNING ELECTRONIC FILING (E-FILING) FOR CRIMINAL CASES

As a result of judicial emergencies related to the COVID-19 pandemic, the Clerk of Superior Court was allowed to accept electronic filing of documents related to criminal cases. By Order of this Court dated March 25, 2020, a temporary e-filing system was approved, whereby e-filing was encouraged, but the Clerk was required to accept paper filings upon request. There has been no fee imposed by the Clerk for e-filing. A paper file has remained available in all criminal cases.

The provisions of the above Order expired on June 30, 2021, as of the end of the statewide judicial emergency declared by the Chief Justice of the Georgia Supreme Court. A transition to a comprehensive e-filing is under consideration by the Court.

To govern the continued electronic filing of criminal pleadings until further Order of the Court, the Court *sua sponte* ORDERS as follows:

Electronic filing of criminal pleadings may continue, subject to the terms and conditions herein:

1) E-filing is not mandatory, but will be permitted, for all pleadings and documents in criminal cases, even if the case was initiated prior to the date of this Order, except as otherwise noted herein;

2) There shall be no filing fee or vendor charge for the use of the e-filing system

3) Documents and pleadings to be filed under seal must be submitted to the Clerk of Court in paper form, accompanied by a court order sealing the document(s) submitted;

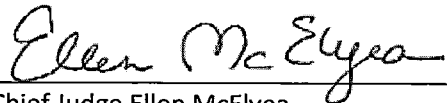
4) Unless otherwise ordered by the Court, all evidentiary documents, including, but not limited to, affidavits, deposition transcripts, documents that include original signatures or seals, or any other original document as contemplated by O.C.G.A. 24-10-102 may be e-filed. The originals of said documents shall be maintained by the party e-filing the evidentiary document and shall be made available, upon reasonable notice, for inspection by the other party or the Court. Documents must be maintained for a period of seven (7) years following disposition of the matter in which the document was e-filed, or longer, if required to do so by applicable law;

5) Non-conforming materials, to-wit: nonpaper filings, including but not limited to videotapes, x-rays, CDs, audio recordings, and tangible objects that cannot be readily converted to paper form, shall be filed manually with the Clerk of Court:

6) The Clerk shall provide and maintain a publicly accessible computer for the purposes of allowing e-filing and viewing of public court records. It shall be located in the Clerk's Office of the Justice Center, and be made available during normal business hours; and

7) The Clerk of Court shall maintain the original and official case record in paper format until further Order of this Court.

SO ORDERED, this 22d day of July, 2021.

A handwritten signature in cursive script that reads "Ellen McElyea". The signature is written in black ink and is positioned above a horizontal line.

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