

Rec: \$0.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

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

**IN RE: PROTOCOL FOR EX PARTE TEMPORARY PROTECTIVE ORDERS
BLUE RIDGE JUDICIAL CIRCUIT**

The Courts of the Blue Ridge Judicial Circuit recognize the importance of the availability of protection to petitioners in actions for Temporary Protective Orders (TPOs). The judges of the courts shall make every effort to review these petitions on an expedited basis.

The need to expedite these proceedings is not the only interest of the Court. An orderly and predictable process is important for both litigants and court personnel. The need to adhere to the judicial assignment of the case is also of significant importance.

Therefore, the undersigned judges adopt the following protocol for the Superior and Juvenile Courts of the Blue Ridge Circuit.

1. When receiving a petition for TPO, the Clerk of Court shall review the Court's dockets to determine whether there is any pending civil case involving substantially the same parties, or substantially the same subject matter, or substantially the same factual issues. This should include any case assigned to the Juvenile Court pursuant to any Request for Assistance order entered into between the Superior Court and Juvenile Court. The clerk shall assign the petition for TPO to the judge to whom the action with the lower action number is assigned. If there is no pending related action, the case will be assigned to a judge randomly and based on previous case assignment orders.

2. The clerk will notify the petitioner of the judge assignment. The clerk shall forward proposed order to assigned judge's e-file queue on an expedited basis.

3. The judges of the court agree that they will be available to hear ex parte TPOs assigned to them as follows: if filed before 11:00 a.m., at 11:30 a.m.; if filed after 11:00 a.m., at

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3:30 p.m. These times are available to either petitioners being assisted by the Cherokee Family Violence Center (CFVC) or self-represented petitioners.

4. If the petitioner is being assisted by advocates from CFVC, the advocate and the petitioner will report to the assigned judge's courtroom (or office) at the times designated in Paragraph 3. The petitioner shall be available in the Justice Center in the event that the assigned judge wishes to hear any live testimony. No affidavit of notice to the respondent will be required, unless requested by the assigned judge.

5. If the petitioner is self-represented, the clerk, after the case has received a judicial assignment, shall forward the proposed ex parte order to the appropriate queue and direct the petitioner to report the court administrator's office at the times designated in Paragraph 3. The court administrator will contact the assigned judge's office for direction.

6. The preference of the judges is to be able to hear all cases assigned to them at the times designated in Paragraph 3. The availability of the assigned judge is to be determined by that judge, and may from time to time require the petitioner to report at another time as may be directed by the assigned judge or that judge's staff. No petitioner shall seek the assistance of another judge, unless directed to do so by the assigned judge, the assigned judge's staff, or the court administrator. In the event that the assigned judge will not be available on the day the petition is filed, the assigned judge's staff will communicate to the court administrator that there is a need for judicial assistance, and direct the petitioner to the court administrator to identify a judge who will consider the ex parte order.

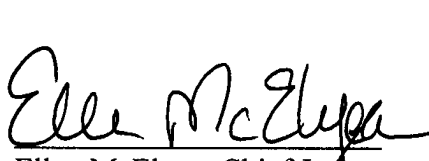
7. The designated times for considering ex parte requests are meant to provide order and certainty to the petitioners and other court personnel. However, if any petitioner wishes to request a time to appear other than the times set forth herein, the petitioner may contact the assigned judge's office or the court administrator to make such request.

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8. If the petitioner is represented by an attorney, the clerk, after the case has received a judicial assignment, shall forward the proposed ex parte order to the appropriate queue and direct the attorney to contact the assigned judge's staff.

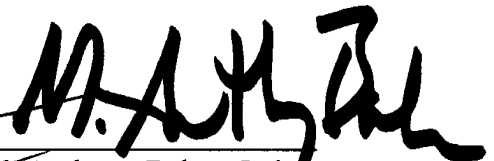
AGREED AND ORDERED this 26th day of February, 2019.



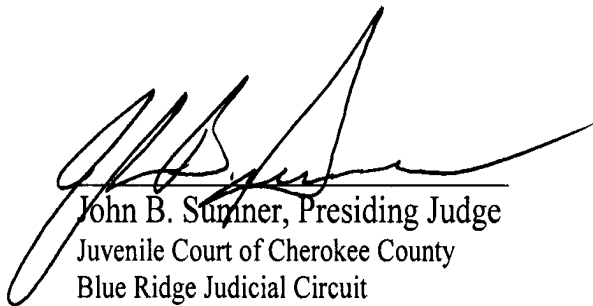
Ellen McElyea, Chief Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit



David L. Cannon, Jr., Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit



M. Anthony Baker, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit



John B. Sumner, Presiding Judge
Juvenile Court of Cherokee County
Blue Ridge Judicial Circuit



Jennifer L. Davis, Judge
Juvenile Court of Cherokee County
Blue Ridge Judicial Circuit

cc: Court Administrator
Cherokee Family Violence Center
Clerk of Court