

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
IN THE JUVENILE COURT OF CHEROKEE COUNTY
IN THE STATE COURT OF CHEROKEE COUNTY
IN THE PROBATE COURT OF CHEROKEE COUNTY

Matter of:
Mutual Judicial Assistance

Administration and Procedure
O.C.G.A. §15-1-9.1
Uniform Superior Court Rule 1.2

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2009 NOV -9 PM 2:59
PATTY BAKER, CLERK

MUTUAL REQUEST

Comes now the Chief Judges of the Superior, State, Juvenile and Probate Courts of Cherokee County, and mutually request judicial assistance, each of the other.

The assistance requested is that when a judge is absent, disabled or disqualified, that the other judges of the Blue Ridge Judicial Circuit will substitute in ministerial and quasi-ministerial matters without the necessity of a separate request required under O.C.G.A. §15-1-9.1(f). Assistance is also requested under the same circumstances for substantive matters, only in cases of emergency. In all other instances, compliance with O.C.G.A. §15-1-9.1(f), shall be required. This request is made for the following reasons:

1.

Absence due to illness, disqualification, unavailability due to caseload, resource and recusal related assignment in this and other circuits or seminars or vacation, will create problems in all courts without a regular plan for backup.

2.

Presently, the judges of the affected courts may assign cases to each other by subject matter or party on a co-operative basis in order to allow the appearance of parties in related matters filed in different courts to appear only before one judge who may be authorized to preside in two or more courts simultaneously. For example, a criminal defendant with charges pending in Superior Court and State Court might dispose of all matters before one judge. A domestic case might include a TPO and Divorce in Superior Court, a domestic battery in State Court and a Juvenile deprivation matter, all of which could be handled before the same judge.

3.

Where custody cases are transferred to Juvenile Court for investigation and recommendation, if the Juvenile Court Judge is also allowed to preside as a Superior Court Judge, final orders on custody and even related matters may be signed, thereby alleviating the

necessity of an additional transfer back to Superior Court with additional hearings. There are other similar areas where, on a co-operative basis, with a standing mutual request for judicial assistance between the Courts, useless technical requirements can be minimized, thereby minimizing wasted steps, additional clerical work and hearings.

4.

The above reasons are in addition to any of those identified in O.C.G.A. §15-1-9.1(b).

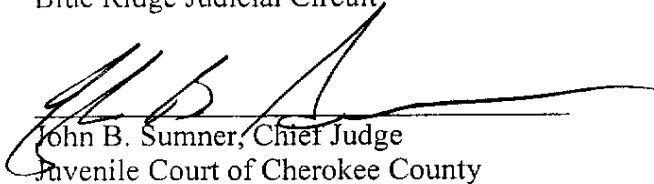
This 30 day of October, 2009.



Frank C. Mills, III, Chief Judge
Blue Ridge Judicial Circuit



C. J. Goper, Chief Judge
State Court of Cherokee County



John B. Sumner, Chief Judge
Juvenile Court of Cherokee County



Keith Wood, Judge
Probate Court of Cherokee County