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IN THE SUPERIOR COURTS OF LUMPKIN, TOWNS, UNION AND WHITE COUNTIES  
ENOTAH JUDICIAL CIRCUIT  
STATE OF GEORGIA

**IN RE: COVID-19**

**SEPTEMBER 13th, 2021**

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**PROCLAMATION OF JUDICIAL/MEDICAL EMERGENCY**

**JUSTIFICATION**

The three hospitals operating within the Enotah Judicial Circuit, Chatuge Regional Hospital, Union General Hospital, and North Georgia Medical Center Lumpkin currently are operating at near total capacity; at capacity; or may be operating beyond their capacity for admitted patients. Upon information from healthcare authorities as of the time of the issuance of this Order, this Court understands that Union General Hospital has 46 beds and currently has 72 admitted patients receiving inpatient care; Chatuge Regional Hospital has 25 beds all of which are occupied with patients receiving inpatient care; and, North Georgia Medical Center Lumpkin, which has a total of 40 beds available, is operating with 33 of those occupied, with one emergency patient awaiting a bed. More particularly, this Court has received information, available online at the Northeast Georgia Health System that indicates that said hospital system is operating at or near 78% ventilator usage. Likewise, upon information and belief this Court is aware that all county jails have experienced numerous inmates with positive COVID-19 test results.

The previously issued Speedy Trial Tolling Order **REMAINS IN EFFECT** in all four counties within the Enotah Judicial Circuit.

As noted above, within the counties and communities comprising the Enotah Judicial Circuit, those being the Counties of Lumpkin, Towns, Union, and White, a rise in community spread and positive infections for the COVID-19, and the recently noted COVID-19(D) variant, is currently causing an acute and persistent spike in newly transmitted cases. Likewise, in monitoring information as promulgated by District 2, of the Georgia Department of Public Health (hereafter “DPH Region 2,” and information from local hospital authorities, it is evident that COVID-19(D) is aggressively contagious and is causing individuals within these communities to experience rising levels of illness. In support thereof, and as further basis for the issuance of this Order, the “EPI Summary Graphs & Weekly Coronavirus Update” for each of the four respective counties within the Enotah Judicial Circuit, as promulgated by DPH Region 2 are attached hereto as Exhibit “1” (constituting an eight page exhibit collectively). Likewise, and upon request from this Court, DPH Region 2 has provided an update for the four counties for the dates of September 3, 2021, through September 9, 2021. The “EPI Summary Graphs & Weekly Coronavirus Update” for each of the four respective counties within the Enotah Judicial Circuit within the

updated dated-range is attached hereto as Exhibit “2” (constituting an eighth page exhibit collectively). It is the goal of this Order to ensure the continuity of Court Operations while encouraging the safe conduct of public business and the opportunity to allow for a continued decline in the ongoing Covid-19 surge.

In consideration of the same, O.C.G.A. Section 38-3-61 gives and vests the responsible, local judicial authority with the ability to declare or extend a local judicial emergency. **This Order establishes and declares a local judicial emergency.** In accordance therewith, and by operation of the same, this ORDER SHALL control and guide Court operations for all classes of court sitting within the Enotah Judicial Circuit.

However, and given that, Court operations during the continued COVID-19 pandemic have been ongoing, albeit with defined limitations and restrictions. These procedures have been encouraged by the Courts since the expiration of the State-wide Declaration of a Judicial Emergency on June 30<sup>th</sup>, 2021. At this time, and given the factors cited above and the rising rate of positive cases of COVID-19, as have been noted within the Enotah Judicial Circuit, this Order hereby directs all responsible Courtroom staff to comply with and modify Court operations within the Enotah Judicial Circuit.

More particularly, as the COVID-19 disease, and the recently noted and more highly infectious Covid-19(D) variant, continue to pose a great risk to public health and in consultation with the Georgia Department of Public Health and with reliance on best practice measures as published by the CDC, the Enotah Judicial Circuit will implement the following precautions in order to protect and promote the health and wellbeing of litigants, lawyers, court personnel, and the public and the responsible judicial officers conducting the public business.

Accordingly, **IT IS THE ORDER** of the Court:

**All Jury Trials and Grand Jury proceedings are hereby suspended for 30 a period days from the effective date of this Order.**

If the current medical situation continues, this Jury Trial/Grand Jury suspension will be extended for an additional 30 day period in accordance with Georgia Law.

I. **STAY HOME IF YOU ARE SICK OR HAVE BEEN EXPOSED TO COVID-19**

Covid-19 is a respiratory illness that is spread primarily by breathing in air when close to an infected person who is exhaling droplets and particles that contain the virus, or by such droplets contacting a person’s eyes, nose, or mouth. Common symptoms of the disease include fever or the ‘chills,’ cough, shortness of breath, fatigue, aches, loss of taste or smell, sore throat, and runny nose. In order to prevent disease transmission from occurring, no person should come to any judicial facility, or attend an in person judicial proceeding, if they are experiencing such symptoms. Nor should any person come if they have been around anyone whom they believe may have been positive for COVID-19 within the previous 14 days.

Any person compelled to appear at the courthouse within Lumpkin, Towns, Union, or White Counties who is nevertheless prohibited from attending an in court proceeding by operation of this Order should leave their name, contact information, and reason for appearing with the front door deputies or by telephone communication with the Office of the Clerk of the Superior Court for the respective county in which their court appearance was required.

II. **VIRTUAL PROCEEDINGS ARE STRONGLY ENCOURAGED**

All classes of courts are encouraged to continue to use remote video technology wherever feasible, as a safer alternative to in-person court proceedings. Such hearings in this circuit are conducted using either Zoom (or in certain instances WEBEX), both of which have mobile and desktop software applications available to use free of any charge to a participant or member of the public. Courts should give appropriate consideration and deference to the requests of attorneys and parties wishing to appear virtually given health concerns. Any virtual proceeding that is scheduled or conducted within the ENOTAH Judicial Circuit shall be noticed (as is the case with every regular-in-court proceeding) and the same shall be broadcast into the respective live (physical courtroom) that it would otherwise take place in so as to ensure the CONSTITUTIONAL imperative that all court proceedings be conducted openly and publicly.

III. **FACE COVERINGS ARE MANDATORY FOR ALL INDIVIDUALS ENTERING A COURTHOUSE**

Current guidance from the Georgia Department of Public Health and Centers for Disease Control and Prevention recommends that ALL people wear masks in public settings regardless of vaccine status. Therefore, in keeping with this circuit's desire and practice of seeking out and abiding by the best medical advice available, the Sheriff and his deputies SHALL require ALL PERSONS ENTERING A COURTHOUSE to wear face coverings over their mouth and nose. A 'face covering' includes but is not limited to a cloth or disposable mask but shall not include masks with vents or holes.

Such face coverings shall be supplied and made available to every person entering the facility, and clearly observable signs requiring such use SHALL be posted at appropriate entrances.

Additionally, the Sheriff and his deputies SHALL strongly encourage and positively encourage all persons in the county courthouse to wear a face covering while within the public space or attending county offices.

A violation of these requirements during an live, in-court proceeding SHALL be subject to immediate contempt hearing before the presiding Judge of the Superior Court.

IV. **STAGGERED OR DIVIDED CALENDARS ARE STRONGLY ENCOURAGED**

All classes of courts are strongly encouraged to avoid, whenever possible, any scheduling practice that is likely to result in a large number of participants (particularly those that exceed the social distancing requirements of any given courtroom). It is further strongly encouraged that court calendars and the scheduling of hearing and live proceedings be carried out in such a way as to allow for the staggered arrival and departure of participants. Likewise, when feasible calendar calls and arraignment should appear by "flight" or in staggered fashion shall also be advised.

V. **OTHER BASIC MEASURES**

Other basic preventative measures should continue to be taken in all classes of court, including but not limited to:

- 1) Making hand sanitizer stations available;

- 2) Disinfecting high-volume public areas within the courtrooms daily;
- 3) Displaying signs in the courtrooms, corridors, and restrooms that encourage good hygiene and the washing of hands;
- 4) Requiring sick or exposed litigators or courtroom personnel to take time off of work remotely.

**VI. TEMPERATURE CHECKS WILL BE REQUIRED TO GAIN ADMITTANCE AND ATTENDANCE**

The Sheriff and his deputies SHALL NOT allow any person with a temperature of 100.4 degrees Fahrenheit to enter or remain within any live court proceeding.

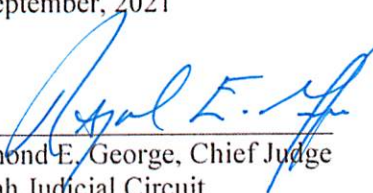
**VII. EFFECTIVE DURATION OF THIS OPERATIONAL ORDER**


The term of this Order shall begin on, September 13th, 2021, at 8:00 A.M., and shall remain in effect for thirty days thereafter, unless said Order is otherwise, extended, revised, amended, rescinded, or superseded.

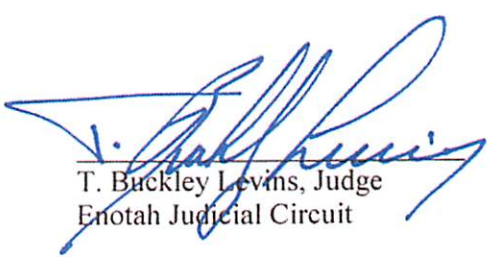
IT IS FURTHER ORDERED, that pursuant to and by operation of O.C.G.A. Section 38-3-63, that the Sheriffs of Lumpkin, Towns, Union and White Counties SHALL post this Order on their public notification site and in the Courthouse of each respective County within the Enotah Judicial Circuit.

IT IS FURTHER ORDRED that the undersigned shall immediately notify and serve a copy of this ORDER on the Judges and Clerks of ALL COURTS sitting within the ENOTAH JUDICIAL CIRCUIT.

IT IS SO ORDERED, this 10<sup>th</sup> day of September, 2021

  
Raymond E. George, Chief Judge  
Enotah Judicial Circuit

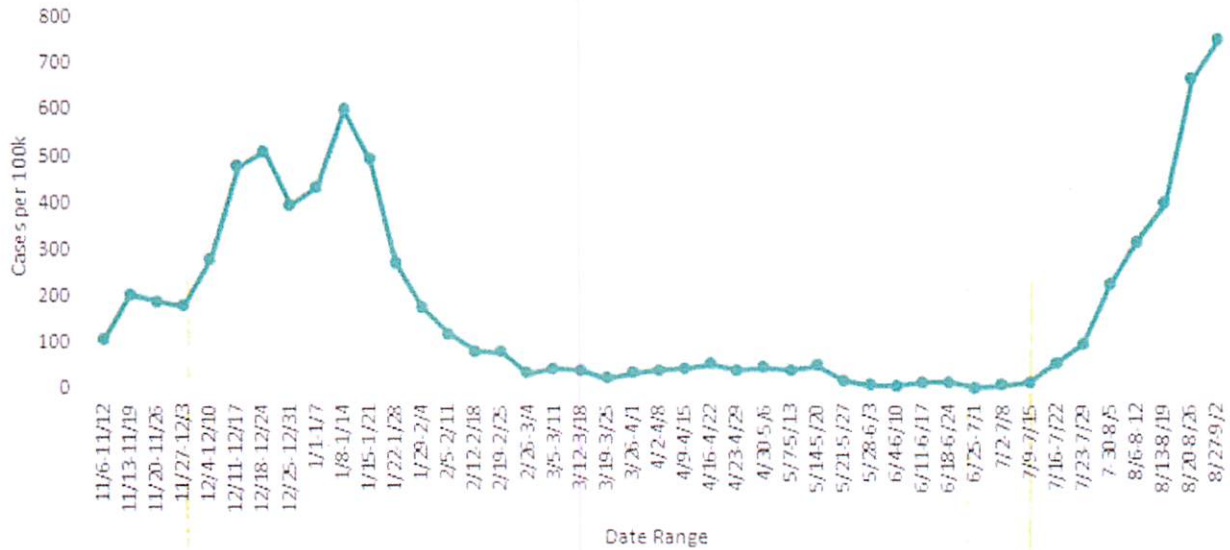
  
Joy R. Parks, Judge  
Enotah Judicial Circuit

  
T. Buckley Levins, Judge  
Enotah Judicial Circuit

# LUMPKIN COUNTY – September 6, 2021 Coronavirus **Update**

Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total Deaths
<b>3,771</b>	<b>1,464</b>	<b>24.1%</b>	<b>74</b>

Lumpkin County COVID-19 Positive Cases per 100k



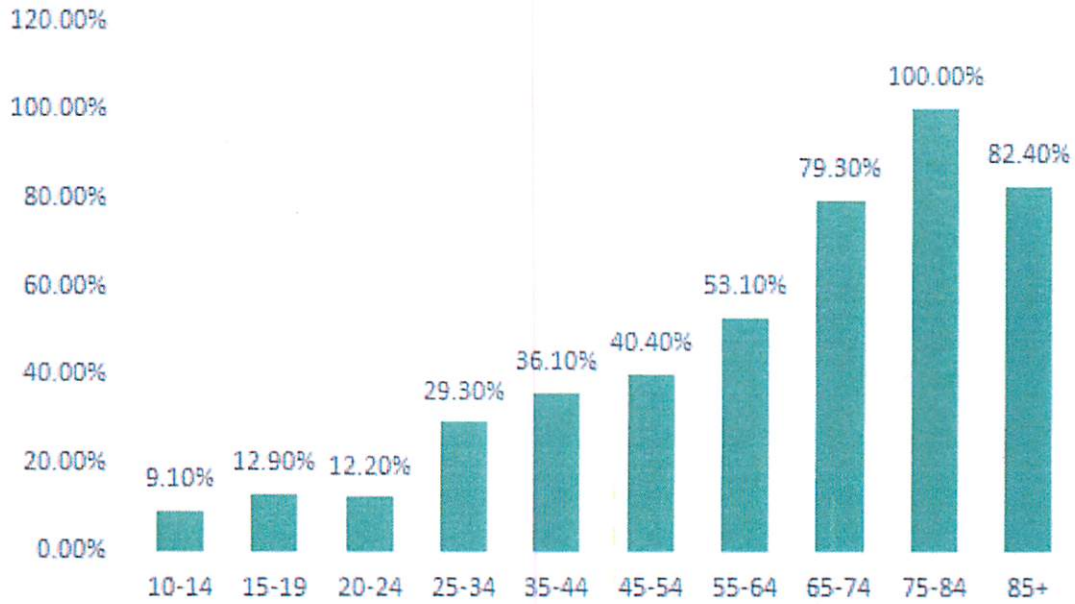
EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/02/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graph is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>21,435</b> <b>(66,153 per 100K)</b>	<b>12,844</b>	<b>11,642</b> <b>(36% population)</b>	<b>10,215</b> <b>(32% population)</b>

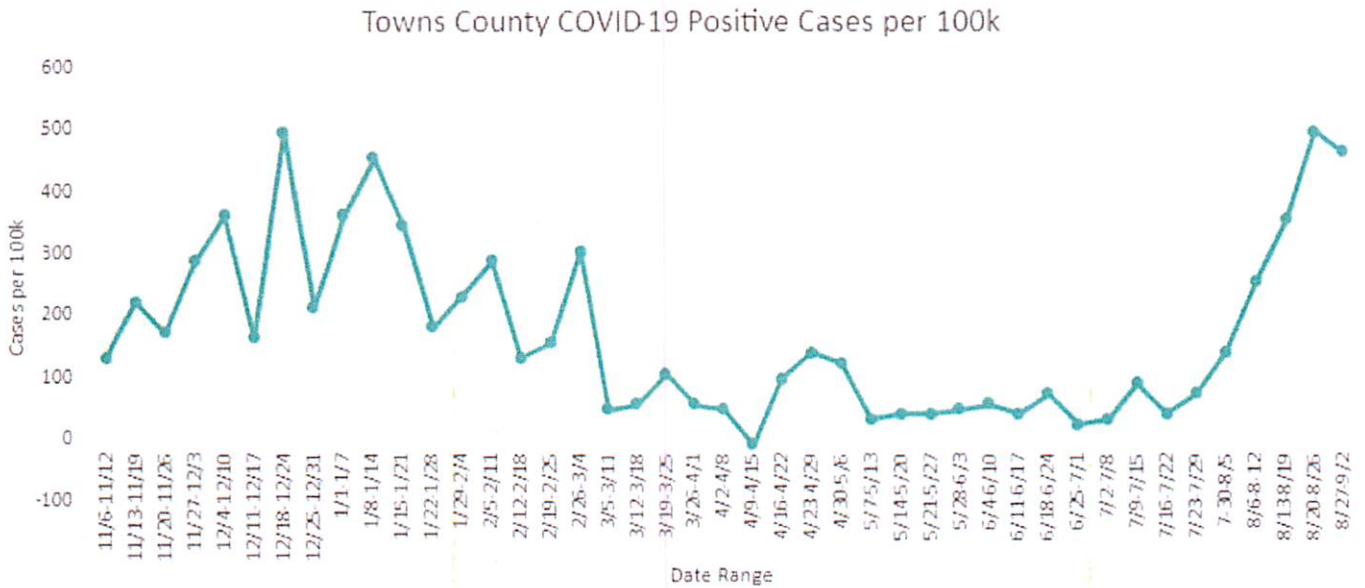


## Percent Vaccinated by Age



**VACCINE SUMMARY:** Lumpkin County Health Department has provided 12,844 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 21,435 vaccines have been administered in Lumpkin County. This includes 11,642 residents with one dose; 10,215 residents with two doses or fully vaccinated.

Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total deaths
<b>1,395</b>	<b>873</b>	<b>24.6%</b>	<b>53</b>

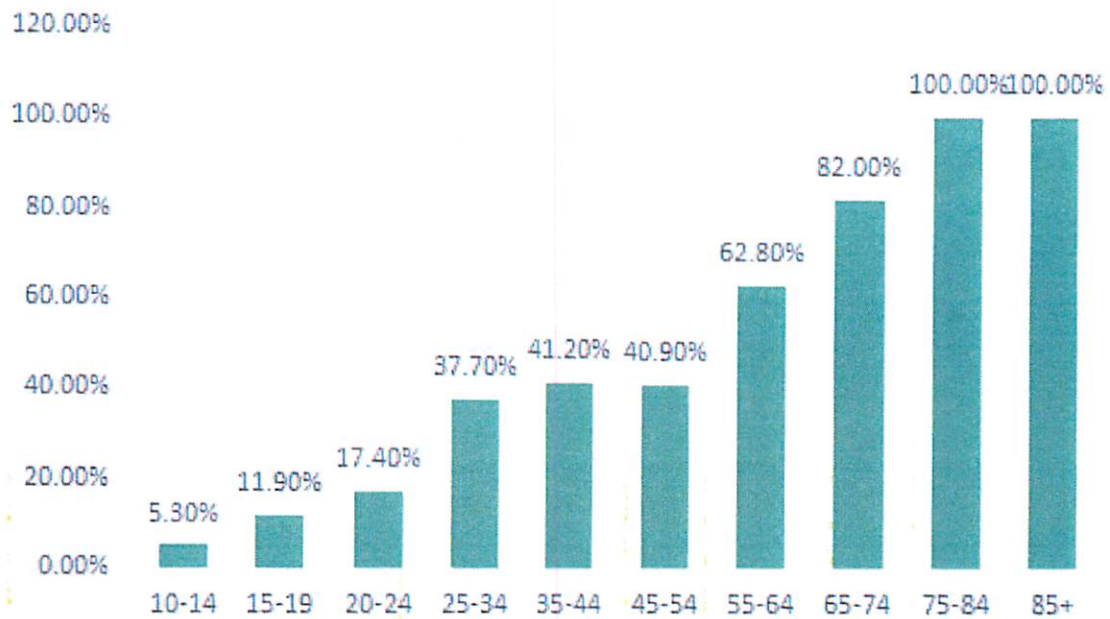


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/02/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graphs is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>11,379</b> <b>(97,951 per 100K)</b>	<b>4,041</b>	<b>5,988</b> <b>(52% population)</b>	<b>5,422</b> <b>(47% population)</b>

## Percent Vaccinated by Age

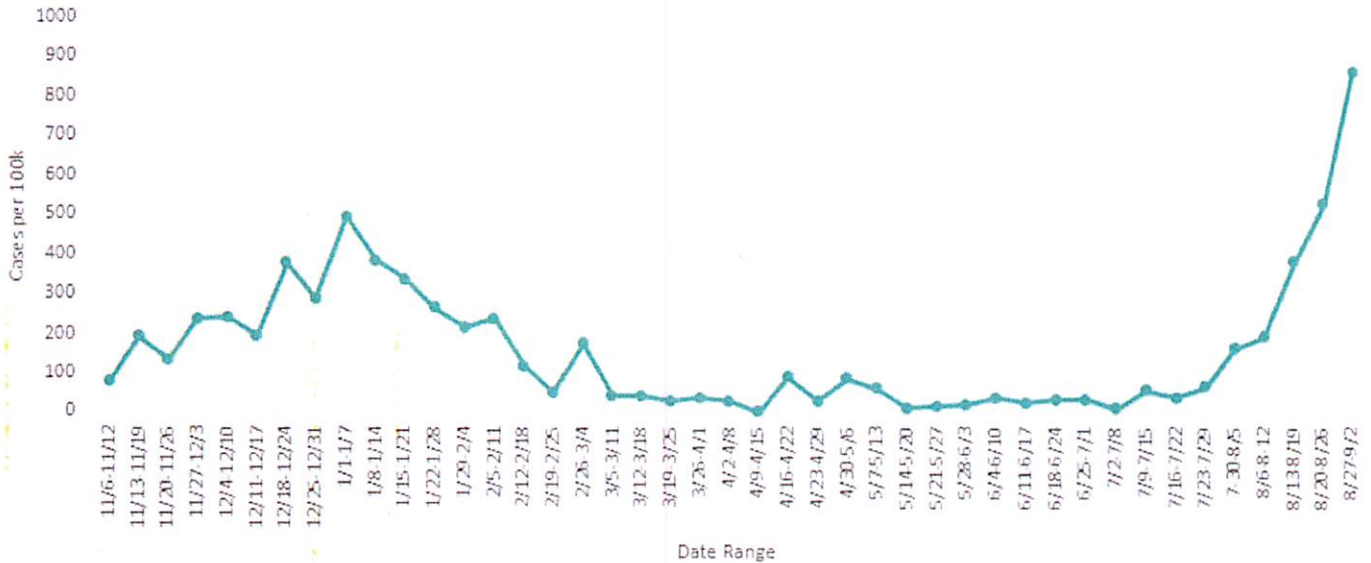


**VACCINE SUMMARY:** Towns County Health Department has provided 4,041 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 11,379 vaccines have been administered in Towns County. This includes at least 5,988 residents with one dose; 5,422 residents with two doses or fully vaccinated.



Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total Deaths
<b>2,713</b>	<b>1,306</b>	<b>31.5%</b>	<b>84</b>

Union County COVID-19 Positive Cases per 100k

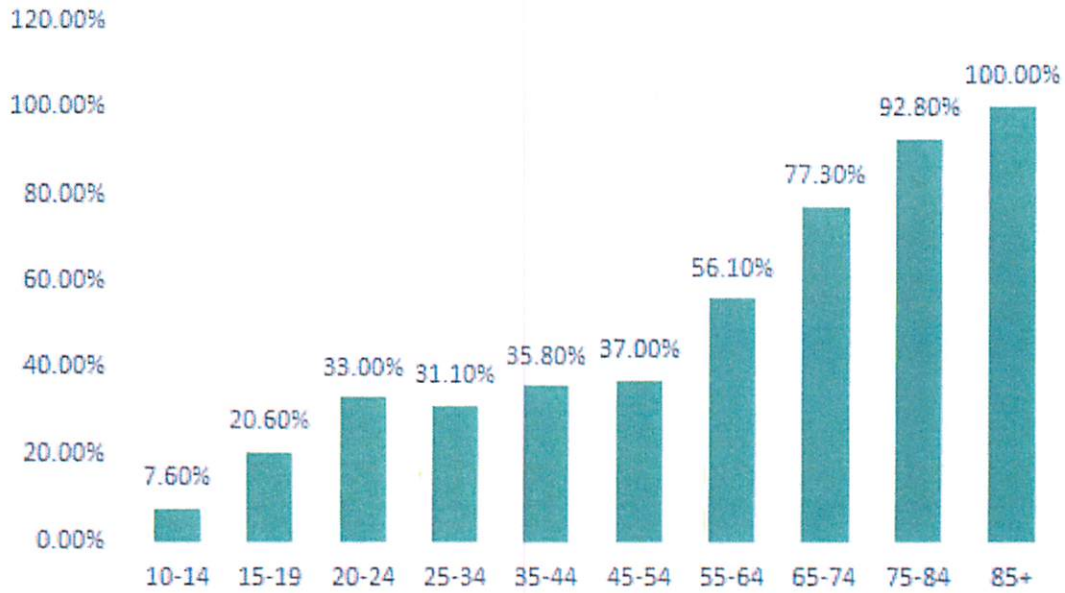


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/02/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graph is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>20,975</b> <b>(90,067 per 100K)</b>	<b>12,488</b>	<b>11,223</b> <b>(48% population)</b>	<b>10,113</b> <b>(43% population)</b>

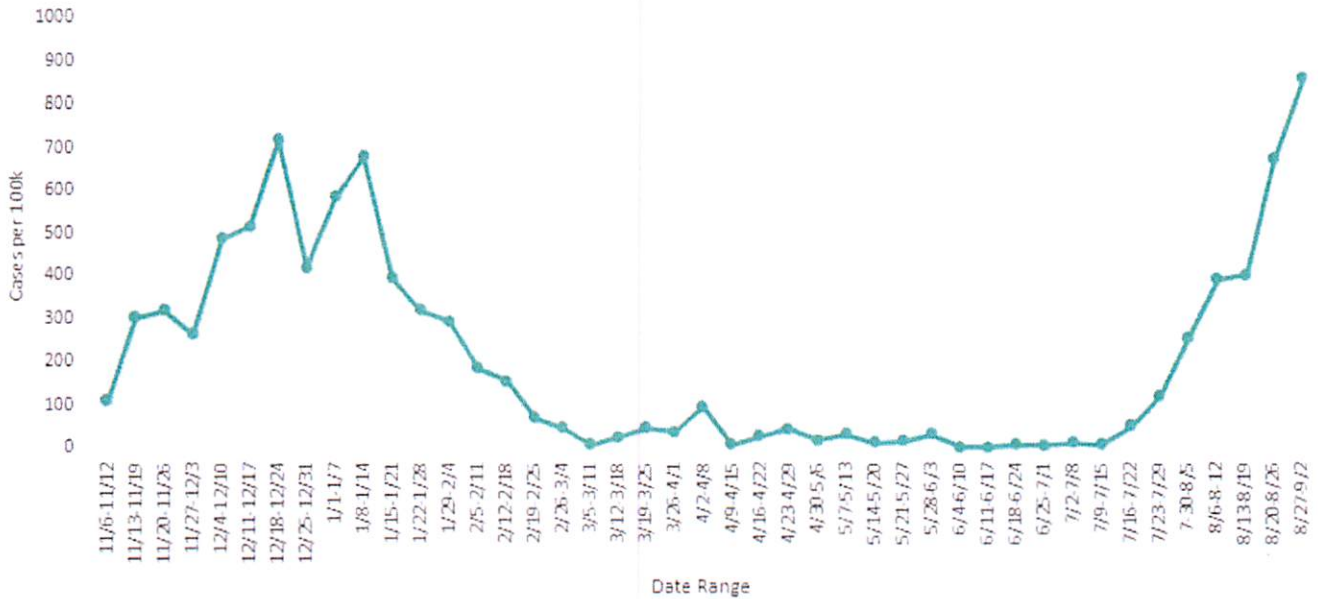
## Percent Vaccinated by Age



**VACCINE SUMMARY:** Union County Health Department has provided 12,488 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 20,975 vaccines have been administered in Union County. This includes at least 11,223 residents with one dose; 10,113 residents with two doses or fully vaccinated.

Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total Deaths
<b>3,918</b>	<b>1,499</b>	<b>25.8%</b>	<b>82</b>

White County COVID-19 Positive Cases per 100k

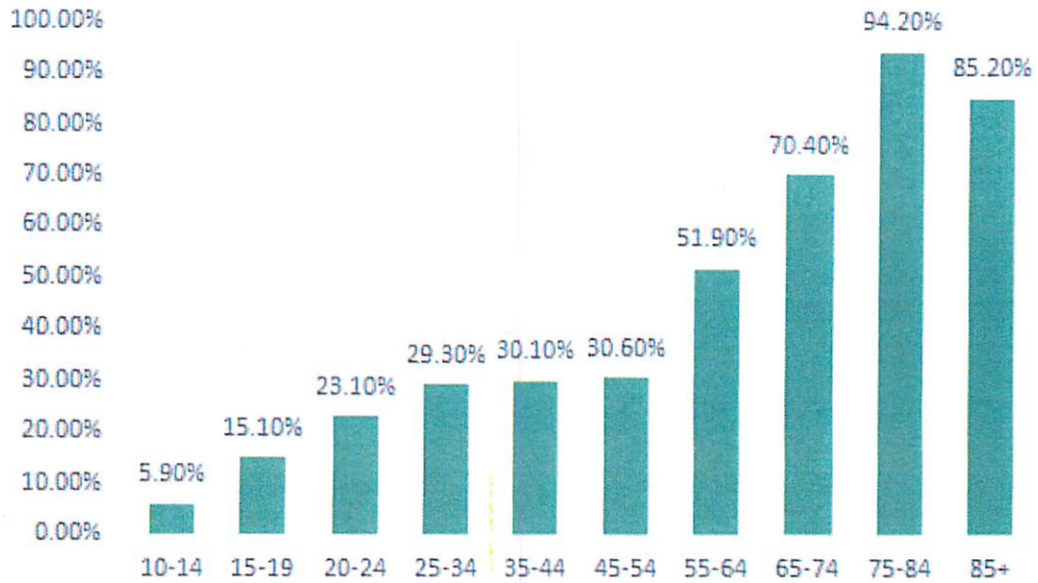


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/02/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graph is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>20,072</b> <b>(68,066 per 100K)</b>	<b>9,382</b>	<b>10,930</b> <b>(37% population)</b>	<b>9,523</b> <b>(32% population)</b>

## Percent Vaccinated by Age

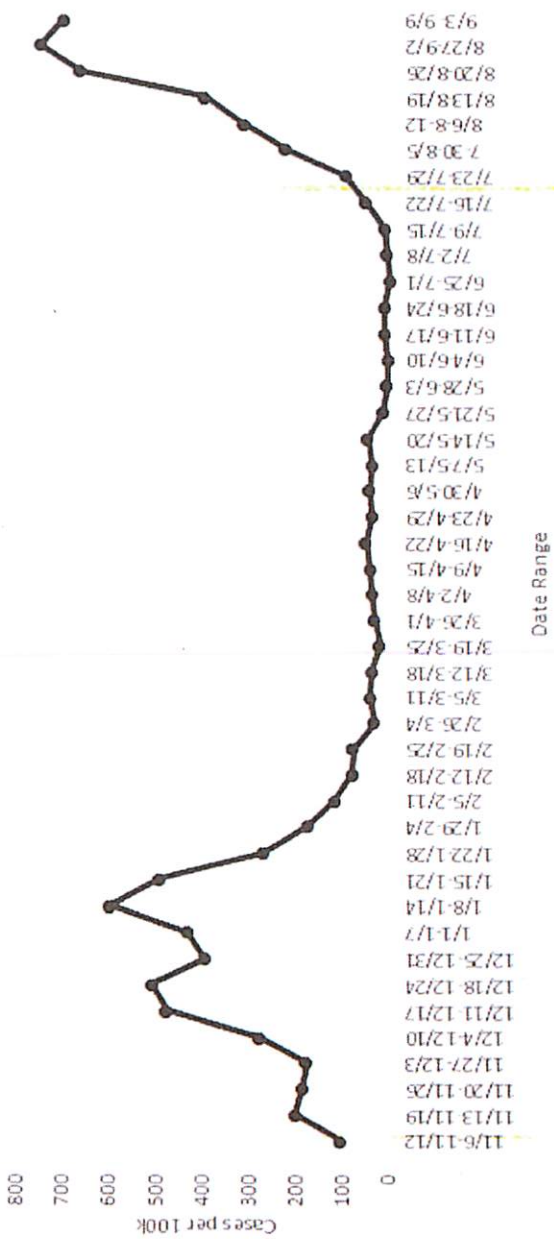


**VACCINE SUMMARY:** White County Health Department has provided 9,382 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 20,072 vaccines have been administered in White County. This includes 10,930 residents with one dose; 9,523 residents with two doses or fully vaccinated.

# LUMPKIN COUNTY – September 9, 2021 Coronavirus Update

<b>Cumulative Cases</b>	<b>14 Day Case Rate (per 100K)</b>	<b>% Positive over last 2 weeks</b>	<b>Total Deaths</b>
<b>3,966</b>	<b>1,447</b>	<b>22.8%</b>	<b>74</b>

Lumpkin County COVID-19 Positive Cases per 100k

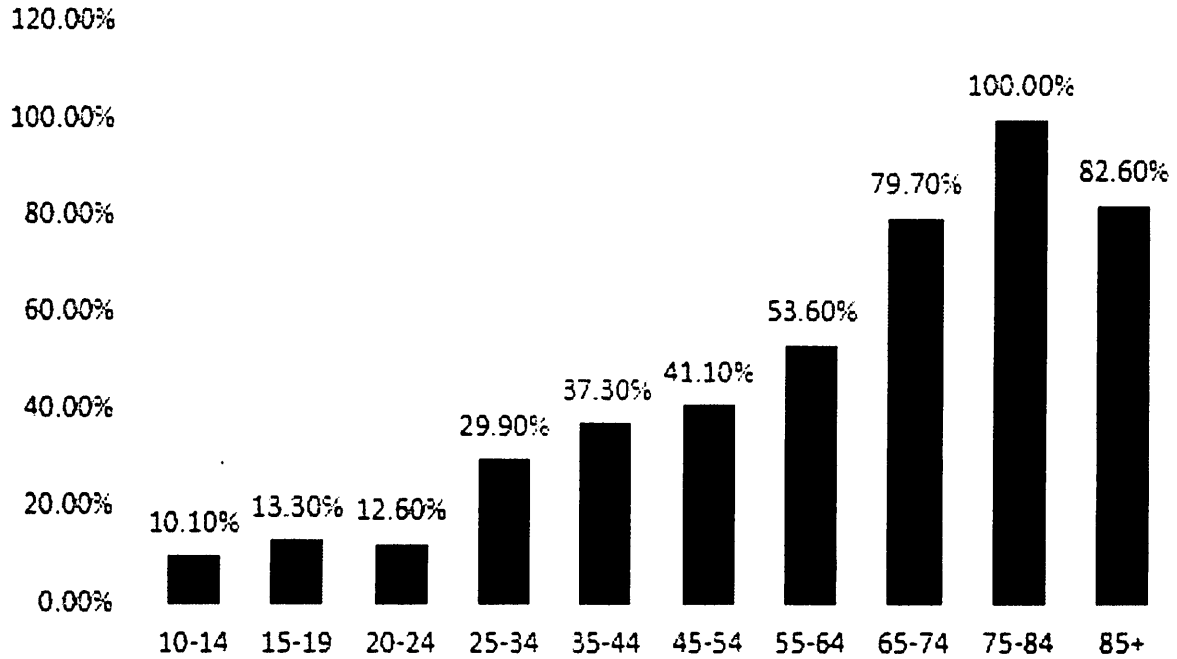


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/09/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graph is approximately half of the 14 day case rate.

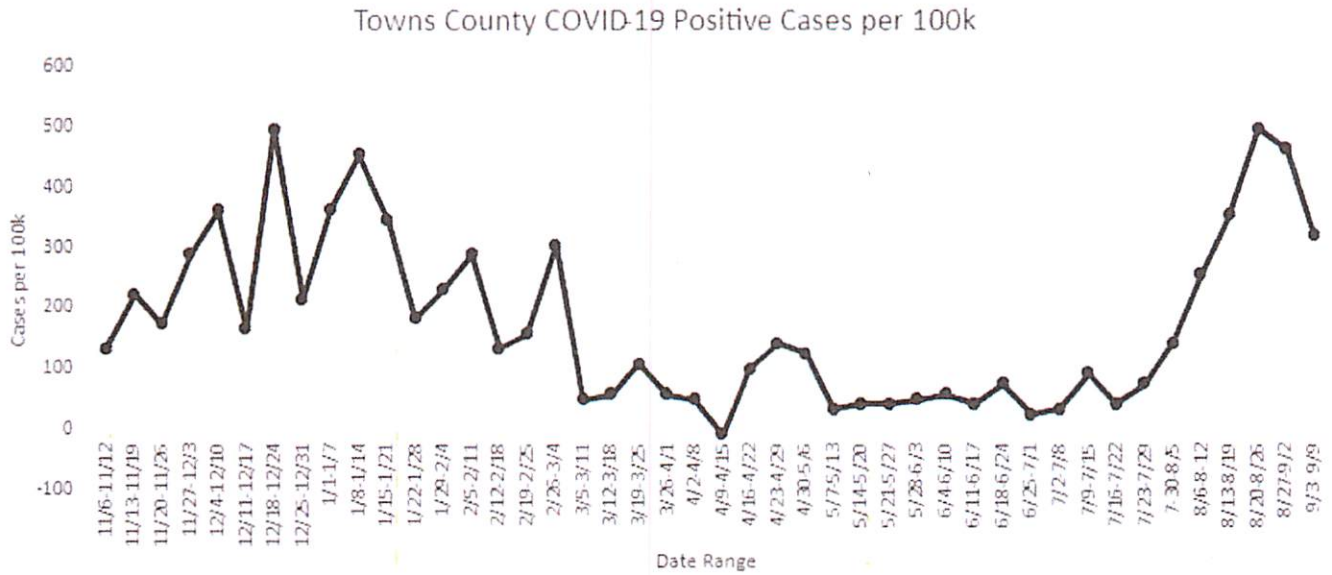
<b>Vaccines Administered</b>	<b>Vaccines Administered by Health Department</b>	<b>Residents with one dose</b>	<b>Residents with two doses</b>
<b>21,841</b>	<b>12,921</b>	<b>11,808</b> <b>(36% population)</b>	<b>10,431</b> <b>(32% population)</b>
<b>(67,406 per 100K)</b>			

## Percent Vaccinated by Age



**VACCINE SUMMARY:** Lumpkin County Health Department has provided 12,921 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 21,841 vaccines have been administered in Lumpkin County. This includes 11,808 residents with one dose; 10,431 residents with two doses or fully vaccinated.

Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total deaths
1,427	723	23.1%	55

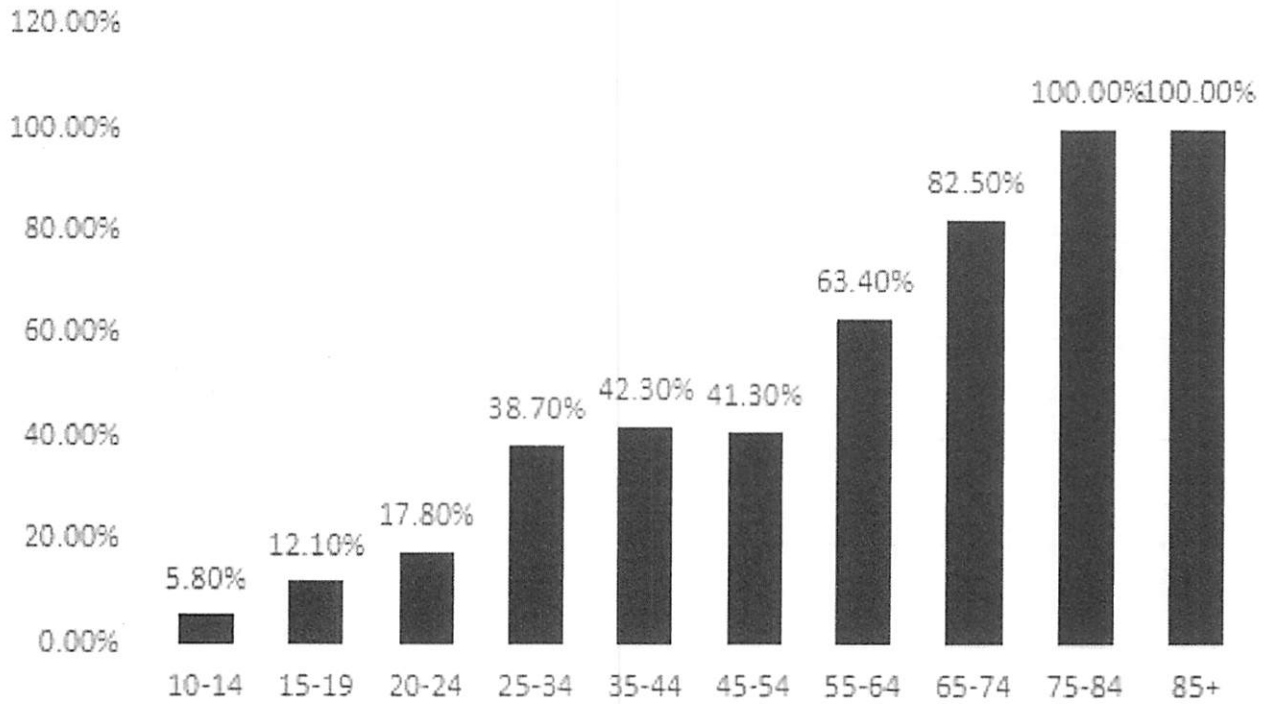


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/09/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graphs is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
11,515 (99,121 per 100K)	4,077	6,044 (52% population)	5,485 (47% population)

## Percent Vaccinated by Age

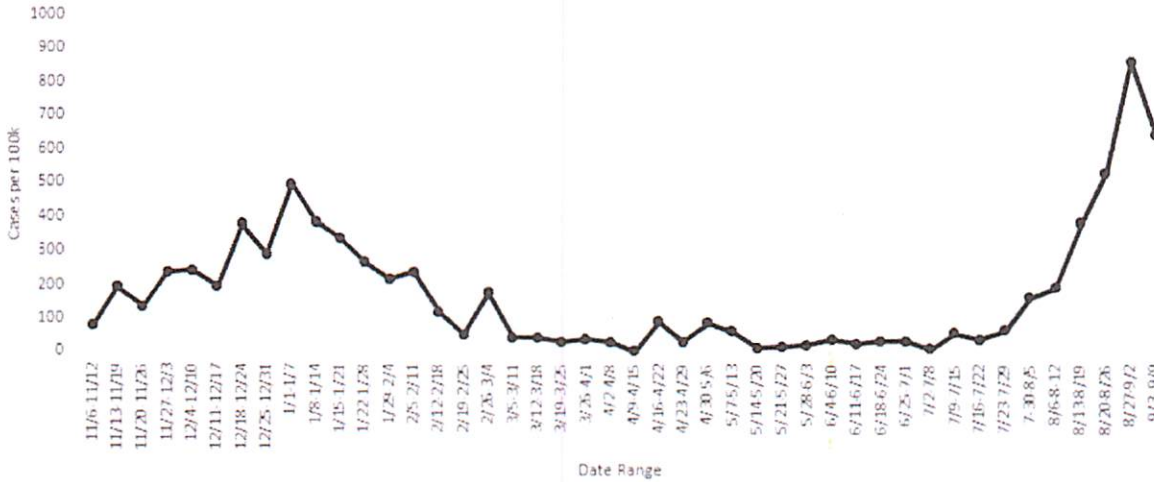


**VACCINE SUMMARY:** Towns County Health Department has provided 4,077 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 11,515 vaccines have been administered in Towns County. This includes at least 6,044 residents with one dose; 5,485 residents with two doses or fully vaccinated.



Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total Deaths
<b>2,850</b>	<b>1,421</b>	<b>30.6%</b>	<b>88</b>

Union County COVID-19 Positive Cases per 100k

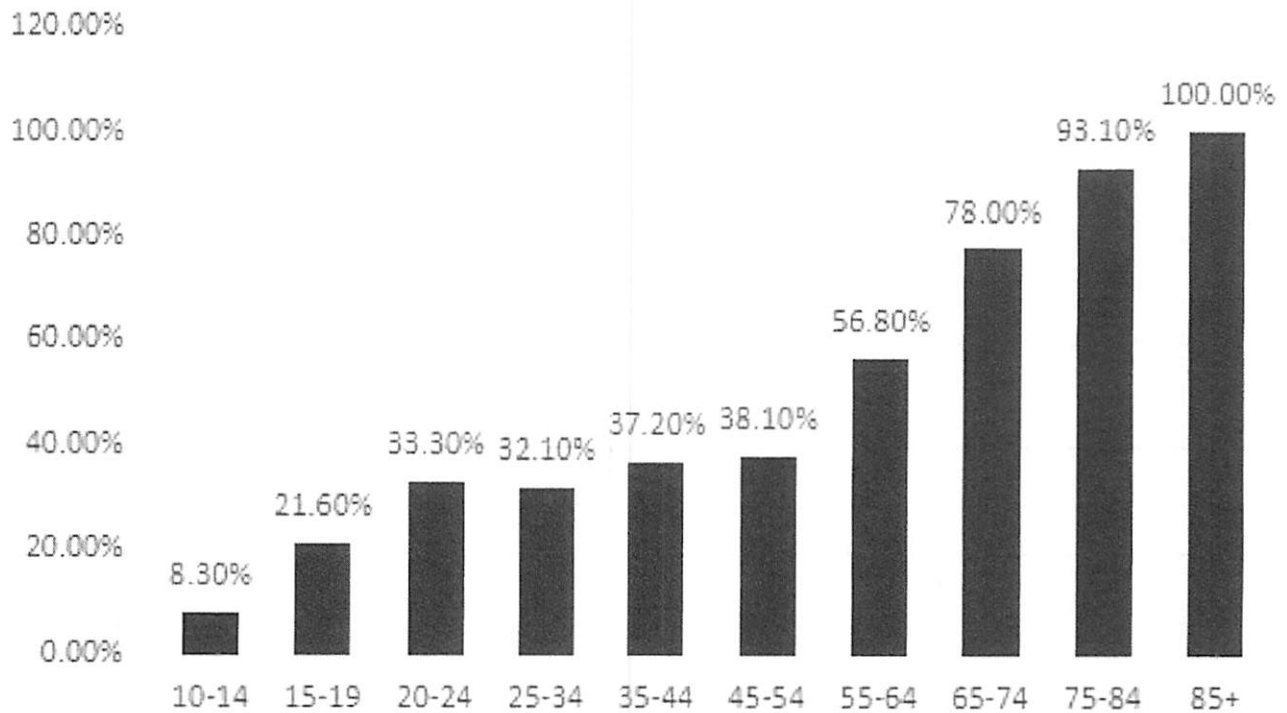


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/09/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

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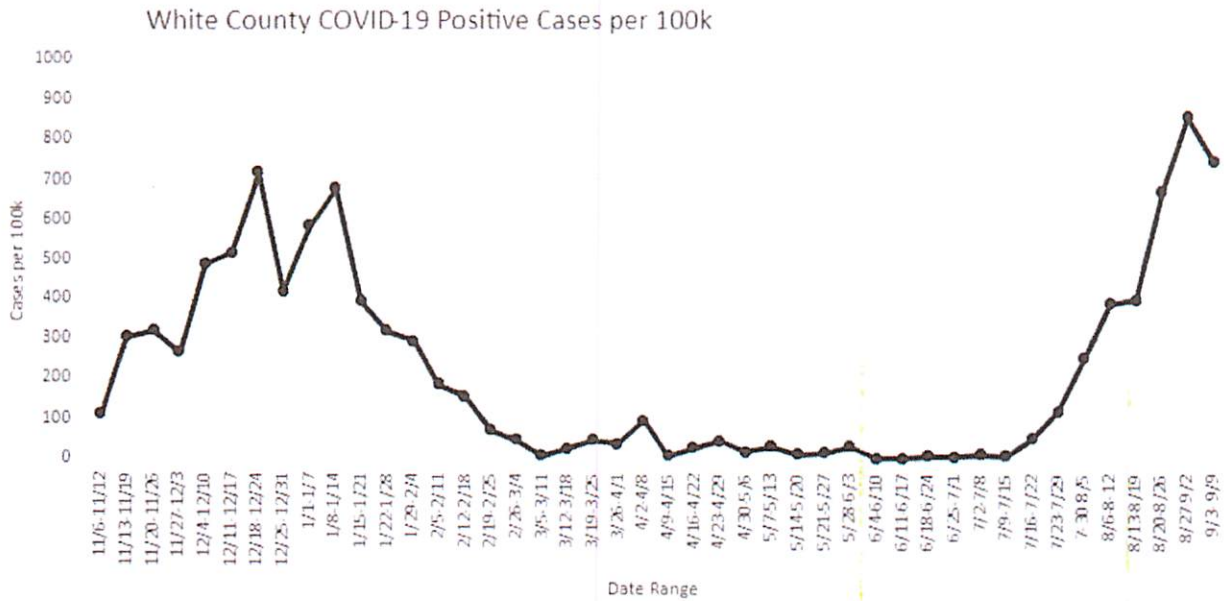
Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>21,242</b> <b>(91,214 per 100K)</b>	<b>12,592</b>	<b>11,382</b> <b>(49% population)</b>	<b>10,216</b> <b>(44% population)</b>

## Percent Vaccinated by Age



**VACCINE SUMMARY:** Union County Health Department has provided 12,592 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 21,242 vaccines have been administered in Union County. This includes at least 11,382 residents with one dose; 10,216 residents with two doses or fully vaccinated.

Cumulative Cases	14 Day Case Rate (per 100K)	% Positive over last 2 weeks	Total Deaths
<b>4,116</b>	<b>1,556</b>	<b>27.5%</b>	<b>89</b>

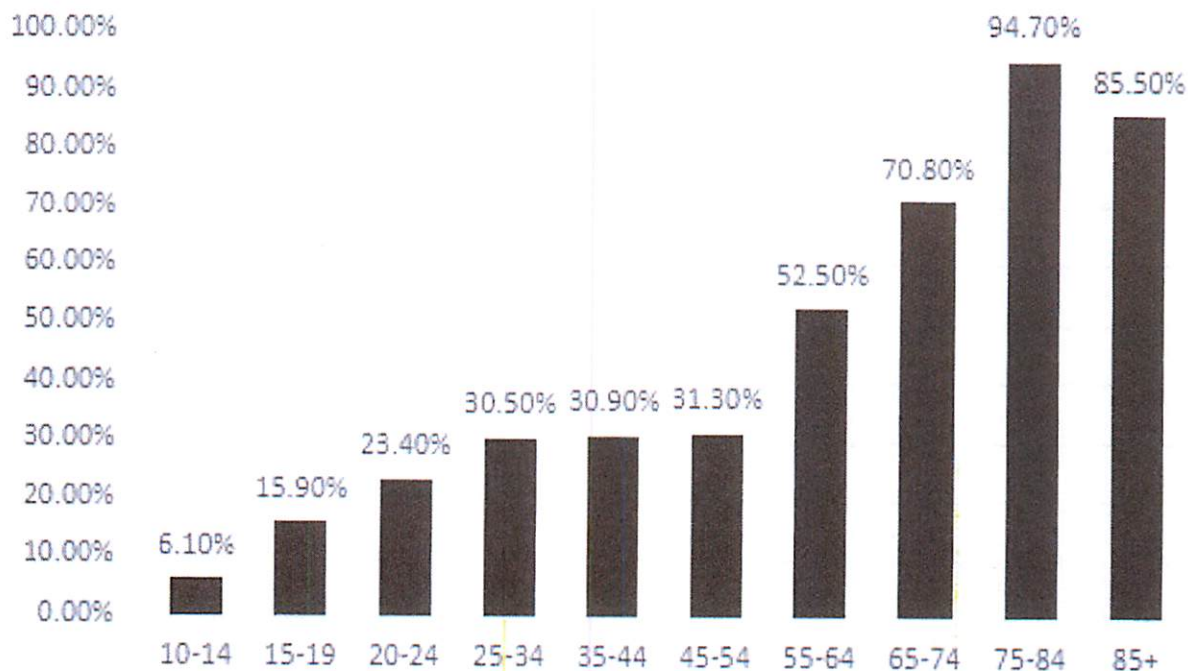


EPI SUMMARY: Data source Georgia DPH and SendSS. Cases include all confirmed and probable cases. Population data source Oasis, 2019. Time frame as of 11/06/2020 to 09/09/2021. Vaccines introduced 12/19/2020 – decline noted in cases after vaccine implementation.

\*Graph above shows weekly changes in COVID cases. The case rate reported in the graph is approximately half of the 14 day case rate.

Vaccines Administered	Vaccines Administered by Health Department	Residents with one dose	Residents with two doses
<b>20,432</b> <b>(69,286 per 100K)</b>	<b>9,423</b>	<b>11,093</b> <b>(38% population)</b>	<b>9,681</b> <b>(33% population)</b>

## Percent Vaccinated by Age



**VACCINE SUMMARY:** White County Health Department has provided 9,423 vaccinations. Health department vaccination numbers may include individuals who live outside of the county. A total of 20,432 vaccines have been administered in White County. This includes 11,093 residents with one dose; 9,681 residents with two doses or fully vaccinated.