

IN THE _____ COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

V.

CASE NO. _____

DEFENDANT

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WAIVER OF RECUSAL ISSUES

The defendant and their counsel acknowledge that as consideration for acceptance and/or continued participation in the Mental Health Court program:

1. That the above-styled case will be assigned to the Mental Health Court before the Honorable B. Keith Wood or such other judge as may be designated;
2. That should Defendant fail to successfully complete the Mental Health Court program and be terminated from said program, that the above-styled case will remain assigned before Judge Wood;
3. Understanding that the assignment of this case is to Judge Wood throughout all proceedings until ultimate disposition of the case, irrespective of Defendant's success or failure in completing the Mental Health Court program, the Defendant hereby waives their right to assert as a basis for a motion to recuse the sitting judge, the following grounds:
 - a. the judge's personal involvement with the Defendant during Defendant's participation in the Mental Health Court program;
 - b. the judge's knowledge, both personal and otherwise, of Defendant's compliance or non-compliance with the requirements of the Mental Health Court program; or
 - c. the judge's decision to terminate the Defendant from the Mental Health Court program on the basis of the Defendant's failure to comply with such requirements.

Defendant hereby freely, voluntarily and knowingly waives the right to assert the foregoing as grounds for a motion to recuse and acknowledges that Defendant does so having consulted with counsel.

This ___ day of _____, 20___.

Defendant/Participant

Attorney for the Defendant