

House Bill 1175

By: Representatives Stokes of the 92<sup>nd</sup>, Walker of the 87<sup>th</sup> and Unterman of the 84<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of superior court judges for each judicial circuit, so as to create a new fourth superior court judgeship for the Alcovy Judicial Circuit; to provide for the initial appointment and term of office of such judge; to provide for the qualifications and for the compensation, salary, and expense allowance of said judge to be paid by the State of Georgia and the counties comprising the judicial circuit; to provide for jurors; to provide for powers, duties, and responsibilities of judges of said circuit; to provide for an additional court reporter and personnel and the compensation of such reporter and personnel; to declare inherent authority; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of superior court judges for each judicial circuit, is amended by striking paragraph (2) in its entirety and inserting in lieu thereof a new paragraph (2) to read as follows:

"(2) Alcovy Circuit . . . . . 3 4"

**SECTION 2.**

The additional judge of the superior courts of the Alcovy Judicial Circuit shall be appointed by the Governor for a term beginning July 1, 2002, and expiring December 31, 2004, and until his or her successor is elected and qualified. At the general election to be held in 2004, there shall be elected a successor to the first additional judge appointed as provided for in this Act, and he or she shall take office on the first day of January, 2005, and serve for a term of office of four years and until his or her successor is duly elected and qualified. All subsequent successors to such judge shall be elected at the general election conducted in the year in which the term of office shall expire for a term of four years and until his or her successor is duly elected and qualified. Said elections shall be held and conducted as is now

1 or may hereafter be provided by law for the election of judges of the superior courts of the  
2 State of Georgia.

3 **SECTION 3.**

4 The additional judge of the superior courts of the Alcovy Judicial Circuit shall have and may  
5 exercise all powers, duties, dignities, jurisdiction, privileges, and immunities of the present  
6 judges of the superior courts of this state. Any of the judges of said court may preside over  
7 any cause, whether in their own or in other circuits, and perform any official act as judge  
8 thereof, including sitting on appellate courts as provided by law.

9 **SECTION 4.**

10 The compensation, salary, and contingent expense allowance of said additional judge of the  
11 superior courts of the Alcovy Judicial Circuit shall be the same as that of other judges of the  
12 superior courts of Georgia. The additional judge shall also be paid a county supplement by  
13 the counties comprising said circuit in the same manner and to the same extent as the present  
14 superior court judges of said circuit are paid.

15 **SECTION 5.**

16 All writs, processes, orders, subpoenas, and any other official papers issuing out of the  
17 superior courts of the Alcovy Judicial Circuit may bear teste in the name of any judge of said  
18 circuit and, when issued by and in the name of any of said judges of said circuit, shall be  
19 fully valid and may be held and determined before any judge of said circuit.

20 **SECTION 6.**

21 The drawing and impaneling of all jurors, whether grand, petit, or special, may be by any of  
22 the judges of the superior courts of said circuit; and any such judge of the superior courts of  
23 said circuit shall have full power and authority to draw and impanel jurors for service in said  
24 courts so as to have jurors for the trial of cases before each of said judges separately or before  
25 each of them at the same time.

26 **SECTION 7.**

27 The four judges of the superior courts of the Alcovy Judicial Circuit shall be authorized to  
28 employ an additional court reporter for such duties and for such compensation as such judges  
29 see fit, up to and including, but not exceeding, the remuneration of the present court reporters  
30 of the Alcovy Judicial Circuit as the same is now fixed or may hereafter be fixed.

**SECTION 8.**

The governing authorities of the counties comprising the Alcovy Judicial Circuit are authorized to provide suitable courtrooms, jury rooms, and chambers for the judges of the superior courts of the Alcovy Judicial Circuit upon the recommendation of said judges.

**SECTION 9.**

(a) For purposes of making the initial appointment of the judge to fill the superior court judgeship created by this Act, this Act shall become effective upon its approval by the Governor or its becoming law without such approval.

(b) For all other purposes, this Act shall become effective July 1, 2002.

**SECTION 10.**

All laws and parts of laws in conflict with this Act are repealed.