

## House Resolution 255

By: Representatives Wiles of the 34<sup>th</sup>, Ehrhart of the 36<sup>th</sup>, Westmoreland of the 104<sup>th</sup>, Smith of the 19<sup>th</sup>, Richardson of the 26<sup>th</sup> and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the election of Supreme  
2 Court Justices, Court of Appeals Judges, and superior and state court judges when a vacancy  
3 occurs or a new judgeship is created; to provide for the submission of this amendment for  
4 ratification or rejection; and for other purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

## 6 SECTION 1.

7 Article VI, Section VII of the Constitution is amended by striking Paragraph III and inserting  
8 in lieu thereof a new Paragraph III to read as follows:

9 "Paragraph III. *Vacancies.* (a) Vacancies shall be filled by ~~appointment of the Governor~~  
10 ~~except as otherwise~~ election for Supreme Court Justices, Court of Appeals Judges, and  
11 superior and state court judges as provided by law and as provided by law in the magistrate,  
12 probate, and juvenile courts.

13 (b) When the General Assembly creates a new Supreme Court, Court of Appeals,  
14 superior, or state court judgeship, the office shall be filled by election as provided by law."

## 15 SECTION 2.

16 The above proposed amendment to the Constitution shall be published and submitted as  
17 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
18 above proposed amendment shall have written or printed thereon the following:

19 "( ) YES Shall the Constitution be amended so as to provide that vacancies or new  
20 judgeships created for Supreme Court, Court of Appeals, superior, and state  
21 ( ) NO court judges be filled by election as provided by law?"

22 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

23 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
24 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
25 become a part of the Constitution of this state.