

House Bill 995

By: Representatives Day of the 126th, Oliver of the 56th, Post 2, Crawford of the 91st, and Willard of the 40th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding courts, so as to provide for continuing education requirements
3 for clerks of courts; to provide for procedures and conditions; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding courts, is amended by adding a new Code section at the end thereof, to
9 be designated Code Section 15-1-15, to read as follows:

10 "15-1-15.

11 (a) The requirements of this Code section shall apply to clerks of all courts in this state
12 except clerks of the superior courts whose continuing education shall be as specified in
13 Code Section 15-6-50.

14 (b)(1) Any person who is elected or appointed as a clerk of any court after July 1, 2003,
15 but before January 1, 2005, shall satisfactorily complete 40 hours of training in the
16 performance of his or her duties and shall file a certificate of training issued by the
17 Institute of Continuing Judicial Education of Georgia with the judge of the court of the
18 county in which he or she serves within one year from the date of his or her election or
19 appointment in order to become a certified clerk of court.

20 (2) Any person elected or appointed clerk of any court of any county of this state on or
21 after January 1, 2005, shall satisfactorily complete 40 hours of continuing judicial
22 education prior to taking office and assuming the duties and responsibilities of his or her
23 office. The clerk of such court shall file a certificate of training issued by the Institute of
24 Continuing Judicial Education of Georgia with the judge of the court of the county in
25 which he or she serves and shall enter the certificate on the minutes of the court in the
26 county in which he or she holds office. Upon completing such 40 hour curriculum, the

1 clerk shall become a certified clerk of the court. The training requirements of this
2 paragraph shall not apply to persons subject to the provisions of paragraph (1) of this
3 subsection.

4 (3) After the initial year of training as required in paragraphs (1) and (2) of this
5 subsection, each clerk of court shall complete 15 hours of additional training per annum
6 during each year in which he or she serves as a clerk of the court and shall file a
7 certificate of additional training issued by the Institute of Continuing Judicial Education
8 of Georgia with the judge of the court in his or her county. The certificate of training
9 shall be entered upon the minutes of the court in which the clerk of the court holds office.

10 (4) A clerk of the court may appoint an employee of his or her office as clerk pro
11 tempore for a period not exceeding five days per year in order for the clerk to attend
12 training authorized or required by this subsection or by any other Code section. If any
13 clerk, because of a lack of personnel in his or her office, is unable to appoint an employee
14 of such office as clerk pro tempore for this purpose, then the judge of the court shall serve
15 as clerk pro tempore for such period. The appointment of clerk pro tempore shall be
16 approved by the judge of the court and recorded in the minutes of the court.

17 (5) All reasonable expenses of training authorized or required by this subsection,
18 including any tuition which may be fixed by the Institute of Continuing Judicial
19 Education of Georgia, shall be paid by the clerk taking the training but shall be
20 reimbursed from county funds by the county governing authority.

21 (6) The failure to file the certificate required by this subsection or the failure to complete
22 the judicial education required by this subsection shall not invalidate any act or actions
23 taken by the clerk."

24 SECTION 2.

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