

House Bill 1595

By: Representatives Bordeaux of the 125th, Parrish of the 102nd, and Campbell of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to the
2 Georgia Civil Practice Act, so as to require that a civil case or domestic relations filing
3 information form be filed with a complaint; to require that a civil case or domestic relations
4 final disposition form be filed with a judgment; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to the Georgia Civil
9 Practice Act, is amended by striking Code Section 9-11-3, relating to commencement of an
10 action and filing of a civil case filing form, and inserting in lieu thereof the following:

11 "9-11-3.

12 (a) A civil action is commenced by filing a complaint with the court.

13 (b) At the time of filing the complaint for a civil action in superior court or state court, ~~or~~
14 ~~as soon as practicable thereafter~~, the plaintiff shall file the appropriate civil case filing
15 information form with the clerk of the court. ~~The form shall be~~ The clerk of court shall not
16 accept, and is not authorized to accept, a complaint for filing unless it is accompanied by
17 a completed civil case or domestic relations filing information form which is substantially
18 in the form prescribed in Code Section 9-11-133. The filing of the complaint shall ~~not~~ be
19 delayed for the filing of the case filing information form."

20 **SECTION 2.**

21 Said chapter is further amended by striking Code Section 9-11-58, relating to entry of
22 judgment and filing of a civil case disposition form, and inserting in lieu thereof the
23 following:

1 "9-11-58.

2 (a) *Signing.* Except when otherwise specifically provided by statute, all judgments shall
3 be signed by the judge and filed with the clerk. The signature of the judge shall be followed
4 by the spelling of the judge's name and title legibly typed, printed, or stamped. The failure
5 of the judgment to have the typed, printed, or stamped name of the judge shall not
6 invalidate the judgment.

7 (b) *When judgment entered.* The filing with the clerk of a judgment, signed by the judge,
8 constitutes the entry of the judgment, and, unless the court otherwise directs, no judgment
9 shall be effective for any purpose until the entry of the same, as provided in this subsection.

10 At the time of the filing of the final judgment, a civil case or domestic relations final
11 disposition form shall be filed by the prevailing party, or by the plaintiff if the case is
12 settled, dismissed, or otherwise disposed of without a prevailing party, or by the judge if
13 any of the required information is under seal by the court. The form shall be The clerk of
14 court shall not accept, and is not authorized to accept, a judgment for filing unless it is
15 accompanied by a completed civil case or domestic relations final disposition form which
16 is substantially in the form prescribed in Code Section 9-11-133. If any of the information
17 required by the civil case or domestic relations final disposition form is sealed by the court,
18 the civil case or domestic relations final disposition form shall state that fact and the
19 information under seal shall not be provided. The entry of the judgment shall not be
20 delayed for the taxing of costs ~~or the filing of the case disposition form.~~"

21

SECTION 3.

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