

1 Senators Clay of the 37th and Tanksley of the 32nd offered the following amendment:

2 Amend the Senate Judiciary Committee substitute to SB 594 by inserting after the comma  
3 on line 4 of page 1 the following:

4 "a new third superior court judgeship for the Flint Judicial Circuit,".

5 By inserting between lines 22 and 23 of page 1 the following:

6 "(18) Flint Circuit ..... 23".

7 By inserting between lines 24 and 25 of page 6 the following:

8 **"PART III-A**  
9 **SECTION 23.1.**

10 One additional judge of the superior courts is added to the Flint Judicial Circuit, thereby  
11 increasing to three the number of judges of said circuit.

12 **SECTION 23.2.**

13 Said additional judge shall be appointed by the Governor for a term beginning July 1, 2004,  
14 and continuing through December 31, 2006, and until his or her successor is elected and  
15 qualified; such judge shall take office on the date of his or her appointment by the Governor.  
16 His or her successor shall be elected in the manner provided by law for the election of judges  
17 of the superior courts of this state at the nonpartisan judicial election in 2006, for a term of  
18 four years beginning on January 1, 2007, and until his or her successor is elected and  
19 qualified. Future successors shall be elected at the nonpartisan judicial election each four  
20 years after such election for terms of four years and until their successors are elected and  
21 qualified. They shall take office on the first day of January following the date of the election.

22 **SECTION 23.3.**

23 The additional judge of the superior courts of the Flint Judicial Circuit of Georgia shall have  
24 and may exercise all powers, duties, dignity, jurisdiction, privileges, and immunities of the  
25 present judges of the superior courts of this state. Any of the judges of the Flint Judicial  
26 Circuit may preside over any cause, whether in their own or in other circuits, and perform  
27 any official act as judge thereof, including sitting on appellate courts as provided by law.

**SECTION 23.4.**

1  
2 The qualifications of such additional judge and his or her successors and his or her  
3 compensation, salary, and expense allowance from the State of Georgia and from the  
4 counties of the superior courts of the Flint Judicial Circuit shall be the same as are now  
5 provided by law for all other superior court judges. The provisions, if any, enacted for the  
6 supplementation by the counties of said circuit of the salary of the judges of the superior  
7 courts of the Flint Judicial Circuit shall also be applicable to the additional judge provided  
8 for by this Act.

**SECTION 23.5.**

9  
10 All writs and processes in the superior courts of the Flint Judicial Circuit shall be returnable  
11 to the terms of said superior courts as they are now fixed and provided by law, or as they may  
12 hereafter be fixed or determined by law, and all terms of said courts shall be held in the same  
13 manner as though there were but one judge, it being the intent and purpose of this Act to  
14 provide three judges equal in jurisdiction and authority to attend and perform the functions,  
15 powers, and duties of the judges of said superior courts and to direct and conduct all hearings  
16 and trials in said courts.

**SECTION 23.6.**

17  
18 Upon and after qualification of the additional judge of the superior court of the Flint Judicial  
19 Circuit, the three judges of said court may adopt, promulgate, amend, and enforce such rules  
20 of practice and procedure in consonance with the Constitution and laws of the State of  
21 Georgia as they deem suitable and proper for the effective transaction of the business of the  
22 court; and, in transacting the business of the court and in performing their duties and  
23 responsibilities, they shall share, divide, and allocate the work and duties to be performed by  
24 each. In the event of a disagreement among the judges in respect hereof, the majority shall  
25 rule, or failing a majority, the decision of the senior judge in point of service, who shall be  
26 known as the chief judge, shall be controlling.

**SECTION 23.7.**

27  
28 The drawing and impaneling of all jurors, whether grand, petit, or special, may be by any of  
29 the judges of the superior court of said circuit; and they, or any one of them, shall have full  
30 power and authority to draw and impanel jurors for service in said courts so as to have jurors  
31 for the trial of cases before any of said judges separately or before each of them at the same  
32 time.

**SECTION 23.8.**

The three judges of the Flint Judicial Circuit shall be authorized and empowered to appoint an additional court reporter for such circuit, whose compensation shall be as now or hereafter provided by law.

**SECTION 23.9.**

All writs, processes, orders, subpoenas, and any other official paper issuing out of the superior courts of the Flint Judicial Circuit may bear teste in the name of any judge of the Flint Judicial Circuit, and when issued by and in the name of any judge of said circuit shall be fully valid and may be heard and determined before the same or any other judge of said circuit. Any judge of said circuit may preside over any case therein and perform any official act as judge thereof.

**SECTION 23.10.**

Upon request of any judge of the circuit, the governing authorities of the counties comprising the Flint Judicial Circuit are authorized to furnish the judges of said circuit with suitable courtrooms and facilities, office space, telephones, furniture, office equipment, supplies, and such personnel as may be considered necessary by the court to the proper function of the court. All of the expenditures authorized in this Act are declared to be an expense of the court and payable out of the county treasury as such.

**SECTION 23.11.**

Nothing in this Act shall be deemed to limit or restrict the inherent powers, duties, and responsibilities of superior court judges provided by the Constitution and statutes of the State of Georgia."

By inserting between lines 20 and 21 of page 11 the following:

"(c) Part III-A of this Act shall become effective on July 1, 2004."