

The Senate Judiciary Committee offered the following substitute to HB 1073:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the  
2 number of judges of superior court, so as to provide for a third judge of the superior courts  
3 of the Blue Ridge Judicial Circuit, a tenth judge of the superior courts of the Cobb Judicial  
4 Circuit, a sixth judge of the superior courts of the Coweta Judicial Circuit, a third judge of  
5 the superior courts of the Dublin Judicial Circuit, a third judge of the superior courts of the  
6 Houston Judicial Circuit, and a third judge of the superior courts of the Paulding Judicial  
7 Circuit; to provide for the appointment of such additional judges by the Governor; to provide  
8 for the election of successors to the judges initially appointed; to prescribe the powers of  
9 such judges; to prescribe the compensation, salary, and expense allowance of such judges to  
10 be paid by the State of Georgia and the counties comprising said circuits; to authorize the  
11 judges of such circuits to divide and allocate the work and duties thereof; to provide for the  
12 manner of impaneling jurors; to provide for an additional court reporter for such circuits; to  
13 authorize the governing authority of the counties that comprise such circuits to provide  
14 facilities, office space, supplies, equipment, and personnel for such judges; to declare  
15 inherent authority; to provide effective dates; to repeal conflicting laws; and for other  
16 purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **Part I**  
19 **SECTION 1-1.**

20 Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of  
21 judges of superior courts, is amended by striking paragraphs (6), (11), (14), (21), and (31.1)  
22 and inserting their place new paragraphs to read as follows:

- 23 "(6) Blue Ridge Circuit . . . . . 2 3"
- 24 "(11) Cobb Circuit . . . . . 9 10"
- 25 "(14) Coweta Circuit . . . . . 5 6"

1           "(16) Dublin Circuit . . . . . 2 3"  
 2           "(21) Houston Circuit . . . . . 2 3"  
 3           "(31.1) Paulding Circuit . . . . . 2 3"

**Part II**

**SECTION 2-1.**

6           One additional judge of the superior courts is added to the Blue Ridge Judicial Circuit,  
 7           thereby increasing to three the number of judges of said circuit.

**SECTION 2-2.**

9           Said additional judge shall be appointed by the Governor for a term beginning July 1, 2006,  
 10           and continuing through December 31, 2008, and until his or her successor is elected and  
 11           qualified; such judge shall take office on the date of his or her appointment by the Governor.  
 12           His or her successor shall be elected in the manner provided by law for the election of judges  
 13           of the superior courts of this state at the nonpartisan judicial election in 2008, for a term of  
 14           four years beginning on January 1, 2009, and until his or her successor is elected and  
 15           qualified. Future successors shall be elected at the nonpartisan judicial election each four  
 16           years after such election for terms of four years and until their successors are elected and  
 17           qualified. They shall take office on the first day of January following the date of the election.

**SECTION 2-3.**

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

**SECTION 2-4.**

26           The qualifications of such additional judge and his or her successors and his or her  
 27           compensation, salary, and expense allowance from the State of Georgia and from the county  
 28           comprising the Blue Ridge Judicial Circuit shall be the same as are now provided by law for  
 29           all other superior court judges. The provisions, if any, enacted for the supplementation by  
 30           the county of said circuit of the salary of the judges of the superior courts of the Blue Ridge  
 31           Judicial Circuit shall also be applicable to the additional judge provided for by this Act.

**SECTION 2-5.**

1  
2 All writs and processes in the superior courts of the Blue Ridge Judicial Circuit shall be  
3 returnable to the terms of said superior courts as they are now fixed and provided by law, or  
4 as they may hereafter be fixed or determined by law, and all terms of said courts shall be held  
5 in the same manner as though there were but one judge, it being the intent and purpose of this  
6 Act to provide three judges equal in jurisdiction and authority to attend and perform the  
7 functions, powers, and duties of the judges of said superior courts and to direct and conduct  
8 all hearings and trials in said courts.

**SECTION 2-6.**

9  
10 Upon and after qualification of the additional judge of the superior court of the Blue Ridge  
11 Judicial Circuit, the three judges of said court may adopt, promulgate, amend, and enforce  
12 such rules of practice and procedure in consonance with the Constitution and laws of the  
13 State of Georgia as they deem suitable and proper for the effective transaction of the business  
14 of the court; and, in transacting the business of the court and in performing their duties and  
15 responsibilities, they shall share, divide, and allocate the work and duties to be performed by  
16 each. In the event of a disagreement among the judges in respect hereof, the majority shall  
17 rule, or failing a majority, the decision of the senior judge in point of service, who shall be  
18 known as the chief judge, shall be controlling.

**SECTION 2-7.**

19  
20 The drawing and impaneling of all jurors, whether grand, petit, or special, may be by any of  
21 the judges of the superior court of said circuit; and they, or any one of them, shall have full  
22 power and authority to draw and impanel jurors for service in said courts so as to have jurors  
23 for the trial of cases before any of said judges separately or before each of them at the same  
24 time.

**SECTION 2-8.**

25  
26 The three judges of the Blue Ridge Judicial Circuit shall be authorized and empowered to  
27 appoint an additional court reporter for such circuit, whose compensation shall be as now or  
28 hereafter provided by law.

**SECTION 2-9.**

29  
30 All writs, processes, orders, subpoenas, and any other official paper issuing out of the  
31 superior courts of the Blue Ridge Judicial Circuit may bear teste in the name of any judge  
32 of the Blue Ridge Judicial Circuit, and when issued by and in the name of any judge of said  
33 circuit shall be fully valid and may be heard and determined before the same or any other

1 judge of said circuit. Any judge of said circuit may preside over any case therein and  
2 perform any official act as judge thereof.

3 **SECTION 2-10.**

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

10 **Part III**

11 **SECTION 3-1.**

12 One additional judge of the superior courts is added to the Cobb Judicial Circuit, thereby  
13 increasing to ten the number of judges of said circuit.

14 **SECTION 3-2.**

15 Said additional judge shall be appointed by the Governor for a term beginning January 1,  
16 2007, and continuing through December 31, 2008, and until his or her successor is elected  
17 and qualified; such judge shall take office on the date of his or her appointment by the  
18 Governor. His or her successor shall be elected in the manner provided by law for the  
19 election of judges of the superior courts of this state at the nonpartisan judicial election in  
20 2008, for a term of four years beginning on January 1, 2009, and until his or her successor  
21 is elected and qualified. Future successors shall be elected at the nonpartisan judicial  
22 election each four years after such election for terms of four years and until their successors  
23 are elected and qualified. They shall take office on the first day of January following the date  
24 of the election.

25 **SECTION 3-3.**

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

**SECTION 3-4.**

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 county  
4 of the superior courts of the Cobb Judicial Circuit shall be the same as are now provided by  
5 law for all other superior court judges. The provisions, if any, enacted for the  
6 supplementation by the county of said circuit of the salary of the judges of the superior courts  
7 of the Cobb Judicial Circuit shall also be applicable to the additional judge provided for by  
8 this Act.

**SECTION 3-5.**

9  
10 All writs and processes in the superior courts of the Cobb 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 ten 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 3-6.**

17  
18 Upon and after qualification of the additional judge of the superior court of the Cobb Judicial  
19 Circuit, the ten 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 3-7.**

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 3-8.**

The ten judges of the Cobb 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 3-9.**

All writs, processes, orders, subpoenas, and any other official paper issuing out of the superior courts of the Cobb Judicial Circuit may bear teste in the name of any judge of the Cobb 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 3-10.**

Upon request of any judge of the circuit, the governing authorities of the county comprising the Cobb 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.

**Part IV****SECTION 4-1.**

One additional judge of the superior courts is added to the Coweta Judicial Circuit, thereby increasing to six the number of judges of said circuit.

**SECTION 4-2.**

Said additional judge shall be appointed by the Governor for a term beginning January 1, 2007, and continuing through December 31, 2008, and until his or her successor is elected and qualified; such judge shall take office on the date of his or her appointment by the Governor. His or her successor shall be elected in the manner provided by law for the election of judges of the superior courts of this state at the nonpartisan judicial election in 2008, for a term of four years beginning on January 1, 2009, and until his or her successor is elected and qualified. Future successors shall be elected at the nonpartisan judicial election each four years after such election for terms of four years and until their successors

1 are elected and qualified. They shall take office on the first day of January following the date  
2 of the election.

3 **SECTION 4-3.**

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

10 **SECTION 4-4.**

11 The qualifications of such additional judge and his or her successors and his or her  
12 compensation, salary, and expense allowance from the State of Georgia and from the  
13 counties comprising the Coweta Judicial Circuit shall be the same as are now provided by  
14 law for all other superior court judges. The provisions, if any, enacted for the  
15 supplementation by the counties of said circuit of the salary of the judges of the superior  
16 courts of the Coweta Judicial Circuit shall also be applicable to the additional judge provided  
17 for by this Act.

18 **SECTION 4-5.**

19 All writs and processes in the superior courts of the Coweta Judicial Circuit shall be  
20 returnable to the terms of said superior courts as they are now fixed and provided by law, or  
21 as they may hereafter be fixed or determined by law, and all terms of said courts shall be held  
22 in the same manner as though there were but one judge, it being the intent and purpose of this  
23 Act to provide six judges equal in jurisdiction and authority to attend and perform the  
24 functions, powers, and duties of the judges of said superior courts and to direct and conduct  
25 all hearings and trials in said courts.

26 **SECTION 4-6.**

27 Upon and after qualification of the additional judge of the superior court of the Coweta  
28 Judicial Circuit, the six judges of such circuit may adopt, promulgate, amend, and enforce  
29 such rules of practice and procedure in consonance with the Constitution and laws of the  
30 State of Georgia as they deem suitable and proper for the effective transaction of the business  
31 of the court; and, in transacting the business of the court and in performing their duties and  
32 responsibilities, they shall share, divide, and allocate the work and duties to be performed by  
33 each. In the event of a disagreement among the judges in respect hereof, the majority shall

1 rule, or failing a majority, the decision of the senior judge in point of service, who shall be  
2 known as the chief judge, shall be controlling. The six judges of the superior courts of the  
3 Coweta Judicial Circuit shall have and are clothed with full power, authority, and discretion  
4 to determine from time to time and term to term the manner of calling the dockets, fixing the  
5 calendars, and order of business in such courts. They may assign to one of such judges the  
6 hearing of trials by jury for a term and the hearing of all other matters not requiring a trial  
7 by jury to the other judges, and they may rotate such order of business at the next term. They  
8 may conduct trials by jury at the same time in the same county or otherwise within such  
9 circuit, or they may hear chambers business and motion business at the same time at any  
10 place within such circuit. They may provide in all respects for holding the superior courts  
11 of such circuit so as to facilitate the hearing and determination of all the business of such  
12 courts at any time pending and ready for trial or hearing. In all such matters relating to the  
13 fixing, arranging for, and disposing of the business of such courts and making appointments  
14 as authorized by law where the judges thereof cannot agree or shall differ, the opinion or  
15 order of the chief judge as provided for in this Act shall control.

#### 16 **SECTION 4-7.**

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

#### 22 **SECTION 4-8.**

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

#### 26 **SECTION 4-9.**

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



**SECTION 4-10.**

1  
2 Upon request of any judge of the circuit, the governing authorities of the counties comprising  
3 the Coweta Judicial Circuit are authorized to furnish the judges of such circuit with suitable  
4 courtrooms and facilities, office space, telephones, furniture, office equipment, supplies, and  
5 such personnel as may be considered necessary by the court to the proper function of the  
6 court. All of the expenditures authorized in this Act are declared to be an expense of the  
7 court and payable out of the county treasury as such.

**Part V****SECTION 5-1.**

8  
9  
10 One additional judge of the superior courts is added to the Dublin Judicial Circuit, thereby  
11 increasing to three the number of judges of said circuit.

**SECTION 5-2.**

12  
13 Said additional judge shall be appointed by the Governor for a term beginning January 1,  
14 2007, and continuing through December 31, 2008, and until his or her successor is elected  
15 and qualified; such judge shall take office on the date of his or her appointment by the  
16 Governor. His or her successor shall be elected in the manner provided by law for the  
17 election of judges of the superior courts of this state at the nonpartisan judicial election in  
18 2008, for a term of four years beginning on January 1, 2009, and until his or her successor  
19 is elected and qualified. Future successors shall be elected at the nonpartisan judicial  
20 election each four years after such election for terms of four years and until their successors  
21 are elected and qualified. They shall take office on the first day of January following the date  
22 of the election.

**SECTION 5-3.**

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

**SECTION 5-4.**

30  
31 The qualifications of such additional judge and his or her successors and his or her  
32 compensation, salary, and expense allowance from the State of Georgia and from the

1 counties comprising the Dublin Judicial Circuit shall be the same as are now provided by law  
2 for all other superior court judges. The provisions, if any, enacted for the supplementation  
3 by the counties of said circuit of the salary of the judges of the superior courts of the Dublin  
4 Judicial Circuit shall also be applicable to the additional judge provided for by this Act.

5 **SECTION 5-5.**

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

13 **SECTION 5-6.**

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

23 **SECTION 5-7.**

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

29 **SECTION 5-8.**

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

**SECTION 5-9.**

All writs, processes, orders, subpoenas, and any other official paper issuing out of the superior courts of the Dublin Judicial Circuit may bear teste in the name of any judge of the Dublin 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 5-10.**

Upon request of any judge of the circuit, the governing authority of the counties comprising the Dublin 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 counties' treasuries as such.

**Part VI****SECTION 6-1.**

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

**SECTION 6-2.**

Said additional judge shall be appointed by the Governor for a term beginning January 1, 2007, and continuing through December 31, 2008, and until his or her successor is elected and qualified; such judge shall take office on the date of his or her appointment by the Governor. His or her successor shall be elected in the manner provided by law for the election of judges of the superior courts of this state at the nonpartisan judicial election in 2008, for a term of four years beginning on January 1, 2009, and until his or her successor is elected and qualified. Future successors shall be elected at the nonpartisan judicial election each four years after such election for terms of four years and until their successors are elected and qualified. They shall take office on the first day of January following the date of the election.

**SECTION 6-3.**

The additional judge of the superior courts of the Houston Judicial Circuit of Georgia shall have and may exercise all powers, duties, dignity, jurisdiction, privileges, and immunities

1 of the present judges of the superior courts of this state. Any of the judges of the Houston  
2 Judicial Circuit may preside over any cause, whether in their own or in other circuits, and  
3 perform any official act as judge thereof, including sitting on appellate courts as provided by  
4 law.

5 **SECTION 6-4.**

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

12 **SECTION 6-5.**

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

20 **SECTION 6-6.**

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

30 **SECTION 6-7.**

31 The drawing and impaneling of all jurors, whether grand, petit, or special, may be by any of  
32 the judges of the superior court of said circuit; and they, or any one of them, shall have full  
33 power and authority to draw and impanel jurors for service in said courts so as to have jurors

1 for the trial of cases before any of said judges separately or before each of them at the same  
2 time.

3 **SECTION 6-8.**

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

7 **SECTION 6-9.**

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

14 **SECTION 6-10.**

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

21 **Part VII**

22 **SECTION 7-1.**

23 One additional judge of the superior courts is added to the Paulding Judicial Circuit, thereby  
24 increasing to three the number of judges of said circuit.

25 **SECTION 7-2.**

26 Said additional judge shall be appointed by the Governor for a term beginning January 1,  
27 2007, and continuing through December 31, 2008, and until his or her successor is elected  
28 and qualified; such judge shall take office on the date of his or her appointment by the  
29 Governor. His or her successor shall be elected in the manner provided by law for the  
30 election of judges of the superior courts of this state at the nonpartisan judicial election in  
31 2008, for a term of four years beginning on January 1, 2009, and until his or her successor

1 is elected and qualified. Future successors shall be elected at the nonpartisan judicial  
2 election each four years after such election for terms of four years and until their successors  
3 are elected and qualified. They shall take office on the first day of January following the date  
4 of the election.

5 **SECTION 7-3.**

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

12 **SECTION 7-4.**

13 The qualifications of such additional judge and his or her successors and his or her  
14 compensation, salary, and expense allowance from the State of Georgia and from the county  
15 comprising the Paulding Judicial Circuit shall be the same as are now provided by law for  
16 all other superior court judges. The provisions, if any, enacted for the supplementation by  
17 the county of said circuit of the salary of the judges of the superior courts of the Paulding  
18 Judicial Circuit shall also be applicable to the additional judge provided for by this Act.

19 **SECTION 7-5.**

20 All writs and processes in the superior courts of the Paulding Judicial Circuit shall be  
21 returnable to the terms of said superior courts as they are now fixed and provided by law, or  
22 as they may hereafter be fixed or determined by law, and all terms of said courts shall be held  
23 in the same manner as though there were but one judge, it being the intent and purpose of this  
24 Act to provide three judges equal in jurisdiction and authority to attend and perform the  
25 functions, powers, and duties of the judges of said superior courts and to direct and conduct  
26 all hearings and trials in said courts.

27 **SECTION 7-6.**

28 Upon and after qualification of the additional judge of the superior court of the Paulding  
29 Judicial Circuit, the three judges of said court may adopt, promulgate, amend, and enforce  
30 such rules of practice and procedure in consonance with the Constitution and laws of the  
31 State of Georgia as they deem suitable and proper for the effective transaction of the business  
32 of the court; and, in transacting the business of the court and in performing their duties and  
33 responsibilities, they shall share, divide, and allocate the work and duties to be performed by

1 each. In the event of a disagreement among the judges in respect hereof, the majority shall  
2 rule, or failing a majority, the decision of the senior judge in point of service, who shall be  
3 known as the chief judge, shall be controlling.

4 **SECTION 7-7.**

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

10 **SECTION 7-8.**

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

14 **SECTION 7-9.**

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

21 **SECTION 7-10.**

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

**Part VIII****SECTION 8-1.**

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.

**SECTION 8-2.**

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

(b) For all other purposes, Part II of this Act shall become effective July 1, 2006.

(c) For all other purposes, Parts III, IV, V, VI, and VII of this Act shall become effective January 1, 2007.

(d) For all other purposes, Parts I and VIII of this Act shall become effective upon this Act's approval by the Governor or upon its becoming law without such approval.

**SECTION 8-3.**

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