

Senate Resolution 793

By: Senators Hamrick of the 30th and Smith of the 52nd

ADOPTED

A RESOLUTION

1 Ratifying the initial minimum standard promulgated by the Georgia Public Defender
2 Standards Council, hereinafter referred to as the "Standards Council," entitled "Standard for
3 Removal of a Circuit Public Defender for Cause Pursuant to O.C.G.A. § 17-12-20,"
4 hereinafter referred to as the "Standard for Removal for Cause"; to provide for an effective
5 date; and for other purposes.

6 WHEREAS, Code Section 17-12-8 of the O.C.G.A. provides that the initial minimum
7 standards promulgated by the Standards Council which are determined by the General
8 Oversight Committee for the Georgia Public Defender Standards Council, hereinafter
9 referred to as the "Legislative Oversight Committee," to have a fiscal impact shall be
10 submitted by the Standards Council to the General Assembly and shall become effective only
11 when ratified by joint resolution of the General Assembly and upon the approval of the
12 resolution by the Governor or upon its becoming law without such approval; and

13 WHEREAS, the Standards Council adopted the Standard for Removal for Cause on
14 May 27, 2005; and

15 WHEREAS, the Legislative Oversight Committee at its meeting on October 13, 2005,
16 reviewed and determined that the Standard for Removal for Cause has a fiscal impact; and

17 WHEREAS, a copy of the original document containing the Standard for Removal for Cause
18 is attached to and made a part of this resolution; and

19 WHEREAS, the original document containing the Standard for Removal for Cause is signed
20 by the chairperson of the Standards Council and is on file in the official records maintained
21 by the Standards Council; and

22 WHEREAS, the request for legislative ratification of the Standard for Removal for Cause has
23 been submitted to the General Assembly in accordance with subsection (c) of Code Section

1 17-12-8 of the O.C.G.A. and it is the desire of the General Assembly to ratify and approve
2 such standard.

3 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
4 GEORGIA that the General Assembly hereby ratifies and approves the Standard for Removal
5 for Cause adopted by the Standards Council and approved by the Legislative Oversight
6 Committee on October 13, 2005. A copy of the Standard for Removal for Cause has been
7 presented to the Legislative Oversight Committee and is attached to this resolution, and the
8 original document is on file in the official records maintained by the Standards Council.

9 BE IT FURTHER RESOLVED that this resolution shall become effective upon its approval
10 by the Governor or upon its becoming law without the Governor's approval.