

Senate Bill 18

By: Senators Harp of the 29th and Harbison of the 15th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 23 of Title 15 of the Official Code of Georgia Annotated, relating to
2 court-connected alternative dispute resolution, so as to add municipal courts with jurisdiction
3 over civil cases to the list of courts that may charge additional filing fees for civil actions and
4 cases filed to fund alternative dispute programs; to change the composition of the Board of
5 Trustees of County Fund for the Administration of Alternative Resolution Dispute Programs;
6 to include cities with municipal courts with jurisdiction over civil cases within the chapter;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 23 of Title 15 of the Official Code of Georgia Annotated, relating to court-connected
11 alternative dispute resolution, is amended by revising subsection (a) of Code Section
12 15-23-3, relating to Board of Trustees of County Fund for the Administration of Alternative
13 Dispute Resolution Programs, to read as follows:

14 "(a) There is created in each county in this state a board to be known as the Board of
15 Trustees of the _____ County Fund for the Administration of Alternative Dispute
16 Resolution Programs. The board shall consist of:

17 (1) The chief judge of the superior court of the circuit in which the county is located, or
18 the superior court judge with the longest service if there is no chief judge, or a superior
19 court judge designated by the chief judge or the judge with the longest service;

20 (2) The chief judge of the state court, if any, or the state court judge with the longest
21 service if there is no chief judge, or a state court judge designated by the chief judge or
22 the judge with the longest service;

23 (3) The judge of the probate court;

24 (4) The presiding judge of the juvenile court, if any, or a juvenile court judge designated
25 by that judge;

26 (5) The chief magistrate or a magistrate designated by the chief magistrate;

1 (d) The clerk of each and every such court in such counties and cities shall collect such
2 fees and remit the same to the treasurer of the board of the county in which the case was
3 brought, on the first day of each month. No change in the amount collected pursuant to this
4 Code section may be made within a period of 12 months from the date of a previous
5 change."

6 **SECTION 3.**

7 Said chapter is further amended by revising Code Section 15-23-12, relating to contracting
8 by boards of several counties to combine funds; secretary-treasurer for combined fund, and
9 chairperson, to read as follows:

10 "15-23-12.

11 Notwithstanding any other provision of this chapter, the board of trustees of each county
12 fund is authorized by contract to combine such fund with the fund of any other county or
13 counties or cities that have municipal courts with jurisdiction over civil cases within the
14 same judicial circuit, within the same administrative district, or in any other combination
15 which would foster an efficient use of available resources. Any such combined fund
16 created by any such contract shall be administered by a board of trustees which shall be
17 composed of the judicial members and the clerks who are members of the boards of
18 trustees of each participating county fund without the participating attorney members
19 thereof but with one practicing attorney appointed by the members of the combined board.
20 In the event two or more county funds are combined, the board of trustees of the combined
21 fund may appoint a secretary-treasurer for the combined fund who shall perform such
22 duties as may be provided by the combined board of trustees and who shall give bond in
23 the same manner as provided by Code Section 15-23-5. The combined board shall be
24 chaired by the chairperson of one of the constituent county boards elected by the combined
25 board as provided by contract. In the event two or more boards combine as provided in this
26 Code section, the judges of the courts within such combined territory are authorized to
27 combine programs for such courts to provide for the most efficient use of available
28 resources in providing alternative dispute resolution programs."

29 **SECTION 4.**

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