

House Bill 215

By: Representatives Heard of the 114th, Smith of the 113th, and McKillip of the 115th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act establishing a City Court in the County of Clarke, formerly known as the
2 State Court of Clarke County, Georgia, approved September 8, 1879 (Ga. L. 1878-79, p.
3 291), as amended, so as to repeal certain provisions relating to the office of the clerk of the
4 State Court of Athens-Clarke County, Georgia; to provide for continuing the existing term
5 of the present judge of said court; to provide that the present judge of the court be designated
6 chief judge; to provide that the current compensation of the present judge of the court shall
7 be the compensation to be paid to the chief judge of said court; to add a judge to said court;
8 to provide for the appointment, election, term of office, and compensation of said additional
9 judge and for the election of successors to such judge; to provide effective dates; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 An Act establishing a City Court in the County of Clarke, formerly known as the State Court
14 of Clarke County, Georgia, approved September 9, 1879 (Ga. L. 1878-79, p. 291), as
15 amended, is revised by adding a new Section II to read as follows:

16 "Section II. The Judge in office on July 1, 2007, shall continue to serve the term of office
17 for which he was elected and is now serving. Such Judge is to be designated as Chief
18 Judge on July 1, 2007. The Chief Judge is that Judge who has the primary responsibility
19 for the administration of the operations of said Court, including but not limited to, budget,
20 scheduling, policies, and rules of the Court. Successor Chief Judges shall be the Judge who
21 has the most years of continuous service in the State Court of Athens-Clarke County. The
22 Chief Judge shall be compensated as provided in Section XLI of this Act. Effective July
23 1, 2007, there shall be an additional Judge of the State Court of Athens-Clarke County.
24 The additional Judge shall be appointed by the Governor for an initial term of office ending
25 on December 31, 2008, and until his or her successor is elected and qualified. Future
26 successors shall be elected at the general election conducted immediately prior to the

1 expiration of the term of office, and they shall take office on the first day of January
2 following their election and shall serve for a term of office of four years and until their
3 successors are duly elected and qualified. Said additional Judge shall have and may
4 exercise all powers, duties, jurisdictions, privileges, and immunities of the present Judges
5 of the State Court of Athens-Clarke County. Any of the Judges of said Court may preside
6 over any cause and perform any official act as Judge thereof. Such second Judge, and all
7 successor Judges to such position, shall be compensated as provided in Section XLI of this
8 Act. Upon request of the Chief Judge, the governing authority of Athens-Clarke County
9 is authorized to furnish the additional Judge with suitable courtroom space and facilities,
10 office space, office equipment, supplies, and such personnel as may be considered
11 necessary by the Court to the proper function of the Court. All of these expenditures are
12 declared to be an expense of court and payable out of the Athens-Clarke County treasury
13 as such."

14 **SECTION 2.**

15 Said Act is further amended by repealing and reserving Section V.

16 **SECTION 3.**

17 Said Act is further amended by revising Section XLI as follows:

18 "Section XLI. Any other provisions of this Act to the contrary notwithstanding, no Judge
19 of the State Court of Athens-Clarke County shall be permitted to engage in the private
20 practice of law. The Chief Judge of such Court shall be paid an annual salary equal to the
21 sum of 90 percent of the annual base salary of a Judge of the Superior Courts of this State
22 plus 90 percent of the annual amount of any supplement paid by the governing authority
23 of Athens-Clarke County to the Judges of the Superior Court of said county. The Judge
24 filling the second judicial position created in Section II of this Act, and any other Judge
25 added to the Court thereafter, shall be paid an annual salary equal to the sum of 90 percent
26 of the annual base salary of a Judge of the Superior Courts of this State plus 50 percent of
27 the annual amount of any supplement paid by the governing authority of Athens-Clarke
28 County to the Judges of the Superior Court of said county. In addition to the salary
29 provided for the Judges of the State Court of Athens-Clarke County in this section, the
30 governing authority of Athens-Clarke County shall pay on behalf of each Judge of the State
31 Court of Athens-Clarke County a sum equal to the contribution required for judges by the
32 Georgia Judicial Retirement System created by Chapter 23 of Title 47 of the O.C.G.A. The
33 governing authority of Athens-Clarke County is hereby authorized to provide the
34 compensation specified in this section by the adoption of a resolution providing for such

1 compensation sums. The compensation paid to such Judges shall be an expense of said
2 Court."

3 **SECTION 4.**

4 This Act shall become effective on July 1, 2007, except that the Governor is authorized to
5 appoint the additional judge added by Section 1 of this Act prior to July 1, 2007, but any
6 person so appointed shall not take office until July 1, 2007.

7 **SECTION 5.**

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