

House Bill 435

By: Representatives Willard of the 51<sup>st</sup>, Lindsey of the 54<sup>th</sup>, Jones of the 47<sup>th</sup>, Geisinger of the 48<sup>th</sup>, Martin of the 49<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the State Court of Fulton County, approved March 24, 1976 (Ga.  
2 L. 1976, p. 3023), as amended, particularly by an Act approved April 6, 1981 (Ga. L. 1981,  
3 p. 3537), so as to change the compensation of the chief judge of the court; to provide for  
4 duties of the chief judge; to provide an effective date; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating the State Court of Fulton County approved March 24, 1976 (Ga. L. 1976,  
9 p. 3023), as amended, particularly by an Act approved April 6, 1981 (Ga. L. 1981, p. 3537),  
10 is amended by revising subsection (d) of Section 6 as follows:

11 "(d) The chief judge of the court for his services as chief judge shall be paid from county  
12 funds the sum of \$6,000.00 per annum. This compensation for performing the duties of  
13 chief judge shall be in addition to his or her compensation as a judge of the court."

14 **SECTION 2.**

15 Said Act is further amended in such section by adding a new subsection to read as follows:

16 "(e) The duties of the chief judge shall include:

17 (1) Regularly meeting with all judges of the court to discuss issues affecting the courts,  
18 to collaborate on best practices regarding case management and sentencing, and to  
19 achieve other operational efficiencies;

20 (2) In consultation with the chief judge of the Superior Court of Fulton County,  
21 managing the available courtroom space, including any courtrooms in ancillary facilities,  
22 in order to maximize secure courtrooms for criminal trials and other criminal  
23 proceedings, including assigning judges to a particular courtroom on a permanent or  
24 temporary basis;

- 25 (3) In consultation with the chief judge of the Superior Court of Fulton County, annually  
26 identifying present and projected courtroom and administrative space and other facility  
27 needs to the Fulton County Board of Commissioners after consultation with all of the  
28 judges of the court;
- 29 (4) After consulting with all of the judges of the court, determining if divisions should  
30 be created or maintained, the appropriate workload for any such divisions, the  
31 requirements to transfer a judge in or out of a division, and the number of judges to be  
32 placed in a division;
- 33 (5) Assigning judges to any created court division, taking into account a judge's interests,  
34 expertise, and training in particular subjects as well as demonstrated ability to effectively  
35 manage the docket of a division;
- 36 (6) Revoking a judge's division assignment if the chief judge determines that such judge  
37 is not properly or efficiently performing his or her duties in a division;
- 38 (7) Assigning specific cases and motions to a specific judge or judges, including  
39 requiring case management conferences and orders, to most efficiently utilize judicial  
40 resources and facilities;
- 41 (8) Working with the court administrator, the county manager of Fulton County, other  
42 courts of Fulton County, and the Fulton County Board of Commissioners to eliminate  
43 duplication of functions and achieve greater operational efficiencies;
- 44 (9) Preparing and presenting the court's budget to local authorities after conferring with  
45 all of the judges of the court;
- 46 (10) After consulting with all of the judges of the court, establishing criteria and  
47 qualifications for the employment, discipline, and dismissal of employees assigned to the  
48 courts and each judge;
- 49 (11) Devising and implementing a personnel system for the courts to ensure fair  
50 treatment for all personnel assigned to the courts and each judge;
- 51 (12) Requiring the clerk of court or court administrator to prepare and disseminate to the  
52 chief judge and all other judges on the court monthly case activity reports which, at a  
53 minimum, show the number of civil cases assigned, disposed of, and pending for each  
54 judge and the number of criminal cases assigned, disposed of, and pending for each  
55 judge.
- 56 (13) Meeting with judges who are not meeting case management expectations, including  
57 those judges who fail to timely manage court calendars, fail to timely rule on motions,  
58 or whose number of cases far exceeds other judges, and determining what remedial action  
59 should be taken or assistance should be provided, taking into account fair treatment of all  
60 other judges; and
- 61 (14) Performing all other duties required by law."

62 **SECTION 3.**

63 This Act shall become effective on the first day of the month following the month in which  
64 it is approved by the Governor or otherwise becomes law without such approval.

65 **SECTION 4.**

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