

House Bill 138

By: Representatives Hawkins of the 27<sup>th</sup>, Barr of the 103<sup>rd</sup>, Dunahoo of the 30<sup>th</sup>, Dubnik of the 29<sup>th</sup>, and Tanner of the 9<sup>th</sup>

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 courts, so as to provide for a fifth judge of the superior courts  
3 of the Northeastern Judicial Circuit; to provide for the appointment of such additional judge  
4 by the Governor; to provide for the election of successors to the judge initially appointed; to  
5 prescribe the powers of such judge; to declare inherent authority; to provide for related  
6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of  
10 judges of superior courts, is amended by revising paragraph (26) as follows:

11 "(26) Northeastern Circuit ..... 4 5"

12 **SECTION 2.**

13 One additional judge of the superior courts is added to the Northeastern Judicial Circuit,  
14 thereby increasing to five the number of judges of said circuit.

15 **SECTION 3.**

16 Said additional judge shall be appointed by the Governor for a term continuing through  
17 December 31, 2020, and until his or her successor is elected and qualified. His or her  
18 successor shall be elected in the manner provided by law for the election of judges of the  
19 superior courts of this state at the nonpartisan judicial election in 2020, for a term of four  
20 years beginning on January 1, 2021, and until his or her successor is elected and qualified.  
21 Future successors shall be elected at the nonpartisan judicial election each four years after  
22 such election for terms of four years and until their successors are elected and qualified.  
23 They shall take office on the first day of January following the date of the election.

24 **SECTION 4.**

25 The additional judge of the superior courts of the Northeastern Judicial Circuit shall have and  
26 may exercise all powers, duties, dignity, jurisdiction, privileges, and immunities of the  
27 present judges of the superior courts of this state. The new judge is authorized to employ  
28 court personnel on the same basis as other judges of the Northeastern Judicial Circuit.

29 **SECTION 5.**

30 Except as expressly stated, nothing in this Act shall be construed to alter or repeal any  
31 provision of any local Act relating to the Northeastern Judicial Circuit. Nothing in this Act  
32 shall be deemed to limit or restrict the inherent powers, duties, and responsibilities of  
33 superior court judges provided by the Constitution and statutes of the State of Georgia.

34 **SECTION 6.**

35 This Act shall become effective on January 1, 2018.

36 **SECTION 7.**

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