

House Bill 572

By: Representatives Stephens of the 164th, Petrea of the 166th, Hitchens of the 161st, Gilliard of the 162nd, Gordon of the 163rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a chief judge of the Recorder's Court of Chatham County,
2 approved March 31, 1987 (Ga. L. 1987, p. 5156), as amended, particularly by an Act
3 approved March 27, 1998 (Ga. L. 1998, p. 3557), so as to revise the responsibilities of the
4 chief judge; to revise the method of selection of the chief judge; to provide for a court
5 administrator; to provide for the hiring and discharge of same; to provide for the court
6 administrator's responsibilities; to require the court administrator to provide a bond; to
7 provide personnel policies and procedures of employees of the court; to authorize the
8 adoption of rules, policies, or regulations; to provide for judges pro tempore; to provide for
9 related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act providing for a chief judge of the Recorder's Court of Chatham County, approved
13 March 31, 1987 (Ga. L. 1987, p. 5156), as amended, particularly by an Act approved
14 March 27, 1998 (Ga. L. 1998, p. 3557), is amended by revising Section 1 as follows:

15 "SECTION 1.

16 (a) The Recorder's Court of Chatham County, Georgia, being an independent judicatory
17 and a constitutional court of record created by a local constitutional amendment, shall have
18 a chief judge, who shall have the following responsibilities:

- 19 (1) Acting as the head of the court in all official functions;
20 (2) Consulting with the court administrator in the preparation of an annual budget for the
21 court, which shall be submitted to both the city manager of the City of Savannah and the
22 county manager of Chatham County;
23 (3) Submitting an annual report on the operations of the court to both the mayor and
24 aldermen of the City of Savannah and the board of commissioners of Chatham County,
25 including such data as may be outlined in any intergovernmental agreement or

- 26 memorandum of understanding entered into between the city and the county that funds
27 the operations of the court;
- 28 (4) Advising and consulting with the city manager and county manager in the hiring and
29 termination of the court administrator; and
- 30 (5) Performing such other duties as may be required by law.
- 31 (b) The chief judge of the court shall not have any authority or responsibility for the
32 assignment of cases or caseloads.
- 33 (c) The chief judge of the court shall be chosen as follows:
- 34 (1) The chief judge in office on the effective date of this Act shall remain as chief judge
35 so long as such judge remains in office; and
- 36 (2) Thereafter, the chief judge shall be elected by a majority vote of all seated judges of
37 the Recorder's Court currently holding office. In the event of a tie, the judge who has
38 served continuously for the longest time as a judge shall be designated as the chief judge.
39 The position of chief judge shall be elected in like manner every two years, and a judge
40 may succeed himself or herself as chief judge.
- 41 (d)(1) There shall be a court administrator of the Recorder's Court who shall be an
42 employee of the City of Savannah and shall report to the city manager so long as the city
43 funds at least one-half of the court's operational costs. Should the city no longer fund at
44 least one-half of the court's operational costs, then the court administrator shall become
45 an employee of the county and report to and be supervised by the county manager.
- 46 (2) As applicable pursuant to paragraph (1) of this subsection, the city manager or the
47 county manager shall have the administrative responsibility of vetting candidates for the
48 position of court administrator. Such manager shall advise and consult with the chief
49 judge on hiring and regarding the discharge of the court administrator, but the ultimate
50 decision on whether to hire or discharge an individual for the position of the court
51 administrator shall be made by the city manager or the county manager, as applicable.
- 52 (e) The court administrator shall be responsible for:
- 53 (1) Hiring, supervising, investigating, and disciplining all employees of the court other
54 than the judges;
- 55 (2) The day-to-day operations of court;
- 56 (3) Keeping the city manager or county manager, as applicable, and all seated judges
57 fully informed as to the operations of the court;
- 58 (4) Managing the dockets of the court, assigning all cases to judges, scheduling hearings,
59 and administering all operations of the court;
- 60 (5) Maintaining such management reports as may be requested by the city manager, the
61 county manager, or a majority of sitting judges, and submitting such reports to the
62 requesting party;

- 63 (6) Consulting with all seated judges on the preparation of an annual budget and then
64 submitting said annual budget to both the city manager and county manager; and
65 (7) Performing such other duties as may be assigned by the city manager or county
66 manager, as applicable.
- 67 (f) The court administrator shall be bonded in the amount of \$100,000.00 in the same
68 manner and method as the clerk of the superior court of Chatham County. The cost of the
69 premium for the bond shall be borne by the court.
- 70 (g) All employees of the court shall be employees of the City of Savannah and shall be
71 subject to the personnel policies and procedures of the city, provided that the City of
72 Savannah and Chatham County shall have the authority to provide by intergovernmental
73 agreement that such employees shall be employees of Chatham County.
- 74 (h) The judges of the court may adopt rules, policies, or regulations upon a majority vote
75 of the judges seated so long as no rule, policy, or regulation adopted violates the powers
76 and duties outlined in this Act or other law.
- 77 (i) All judges pro tempore seated on the Recorder's Court bench shall be appointed by a
78 majority vote of both the board of commissioners of Chatham County and the city council
79 of the City of Savannah."

80

SECTION 2.

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