

Senate Bill 424

By: Senators Robertson of the 29th and Brass of the 28th

A BILL TO BE ENTITLED
AN ACT

1 To create a new judicial circuit for the State of Georgia to be known as the West Georgia
2 Judicial Circuit and to be composed of Carroll County and Heard County; to provide for the
3 judges and the district attorney of said new circuit and their terms, selection, and
4 compensation; to transfer certain judges from the Coweta Judicial Circuit to the West
5 Georgia Judicial Circuit; to provide for the transfer of proceedings pending in the superior
6 courts of Carroll County and Heard County to the jurisdiction of the West Georgia Judicial
7 Circuit; to provide for the transfer of certain funds from the Coweta Judicial Circuit to the
8 West Georgia Judicial Circuit; to provide for and allocate circuit-wide costs and
9 expenditures; to conform the county salary supplements for the judges of the Coweta Judicial
10 Circuit; to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia
11 Annotated, relating to general provisions regarding superior courts, so as to revise the
12 composition, terms of court, and number of judges of the Coweta Judicial Circuit; to provide
13 for the composition, terms of court, and number of judges of the West Georgia Judicial
14 Circuit; to provide for related matters; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 424

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PART I
SECTION 1-1.

Effective January 1, 2025, there is created a new judicial circuit of the superior courts of this state to be known as the West Georgia Judicial Circuit, which circuit shall be composed of Carroll County and Heard County. There shall be a district attorney and four judges of the West Georgia Judicial Circuit. The offices of the judges and district attorney of the West Georgia Judicial Circuit shall be subject to the following provisions:

(1) The district attorney of the West Georgia Judicial Circuit shall be appointed by the Governor for a term beginning January 1, 2025, and expiring December 31, 2026. A successor to the district attorney so appointed shall be elected by the voters of the West Georgia Judicial Circuit at the 2026 general election, and at the general election quadrennially thereafter, for a term of four years. A candidate for appointment or election to this office in 2026 or thereafter shall be a resident of Carroll County or Heard County;

(2) The Honorable Dennis Blackmon, the Honorable Dustin Hightower, the Honorable John T. Simpson, and the Honorable Erica Tisinger, currently judges of the Coweta Judicial Circuit and residents of Carroll County or Heard County, respectively, shall become judges of the West Georgia Judicial Circuit. Each judge, respectively, shall serve out the current term of office for which he or she was selected, and his or her successor shall be elected by the voters of the West Georgia Judicial Circuit at the nonpartisan judicial election next preceding the expiration of his or her term of office, and at the nonpartisan judicial election quadrennially thereafter, for a term of four years. A candidate for election to these offices shall be a resident of Carroll County or Heard County; and

(3) The active judge who is senior in time of service shall serve as chief judge of the West Georgia Judicial Circuit.

SECTION 1-2.

All proceedings and litigations, civil, equitable, and criminal, pending in the Superior Courts of Carroll County and Heard County, respectively, at such time as each was part of the Coweta Judicial Circuit, including all complaints, pleadings, petitions, indictments, special presentments, summonses, processes, motions, writs, and mesne and final proceedings, together with all books and records of any kind or character belonging to or issued, returnable, filed, pending, or commenced in such county, shall relate to, become a part of, and be transferred to the West Georgia Judicial Circuit and its jurisdiction.

SECTION 1-3.

In addition to the salary and expenses paid from state funds, and notwithstanding any other provision of law, each judge of the superior court of the West Georgia Judicial Circuit shall receive from the funds of Carroll County and Heard County an additional supplement to such salary and expenses in an amount equal to the aggregate total of additional supplements to the salary and expenses of the judges of the Coweta Judicial Circuit then in effect and paid by the counties of the Coweta Judicial Circuit on January 1, 2024, with 90 percent of such additional supplement paid from the funds of Carroll County and 10 percent paid from the funds of Heard County.

SECTION 1-4.

In addition to the salary and expenses paid from state funds, the district attorney of the West Georgia Judicial Circuit shall receive from the funds of Carroll County and Heard County an additional supplement to such salary and expenses equal to the aggregate total of additional supplements to the salary and expenses of the district attorney of the Coweta Judicial Circuit then in effect and paid by the counties of the Coweta Judicial Circuit on January 1, 2024, with 90 percent of such additional supplement paid from the funds of Carroll County and 10 percent paid from the funds of Heard County.

SECTION 1-5.

The governing authorities of Carroll County and Heard County, respectively, shall be authorized, but not required, to authorize the employment of assistant district attorneys, deputy district attorneys, or other attorneys, investigators, paraprofessionals, clerical assistants, victim and witness assistance personnel, and other employees or independent contractors, as authorized under Code Section 15-18-20 of the Official Code of Georgia Annotated.

SECTION 1-6.

(a) Effective with the creation of the West Georgia Judicial Circuit, the Coweta Judicial Circuit shall transfer to the West Georgia Judicial Circuit the sum equal to 40 percent of the amount it holds as of January 1, 2024, for costs collected pursuant to Code Section 15-23-7 of the Official Code of Georgia Annotated for court-connected or court-referred alternative dispute resolution programs.

(b) Effective with the creation of the West Georgia Judicial Circuit, the district attorney of the Coweta Judicial Circuit shall pay over to the district attorney of the West Georgia Judicial Circuit the sum equal to the amount he or she holds as of January 1, 2025, that was secured pursuant to condemnation or forfeiture actions from criminal cases that originated from a violation of law in Carroll County or Heard County, respectively.

SECTION 1-7.

All staffing for all judicial circuits referenced herein shall be governed pursuant to Code Section 15-18-28.

PART II**SECTION 2-1.**

(a) Effective with the creation of the West Georgia Judicial Circuit, the judges of the Coweta Judicial Circuit shall be composed of the four remaining judges of the Coweta Judicial Circuit, namely, the Honorable N. Markette Baker, the Honorable Carter J. Bendinger, the Honorable Emory L. Palmer, and the Honorable W. Travis Sakrison, and their successors. Each judge shall serve out the current term of office for which he or she was selected, and his or her successor shall be elected by the voters of the Coweta Judicial Circuit at the nonpartisan judicial election next preceding the expiration of his or her term of office, and at the nonpartisan judicial election quadrennially thereafter, for a term of four years. A candidate for election to these offices shall be a resident of Coweta County, Meriwether County, or Troup County.

(b) Effective with the creation of the West Georgia Judicial Circuit, the active judge who is senior in time of service shall serve as acting chief judge of the Coweta Judicial Circuit until such time as a chief judge is elected from among the active judges of the Coweta Judicial Circuit by a majority vote by secret ballot. Elections for chief judge of the Coweta Judicial Circuit shall be held during the second week of August preceding the expiration of the term of the current chief judge or acting chief judge. A quorum for conducting such election shall be three active judges. In the event no person obtains a majority vote after three ballots, the chief judge shall be the active judge who is senior in time of service. The term for the chief judge shall be two years beginning on January 1. An active judge may be elected to successive terms as chief judge. If the chief judge resigns the position or the position otherwise become vacant, the active judge who is senior in time of service, excepting an active judge who vacated the position of chief judge, shall serve as acting chief judge for the remainder of the vacated term. The chief judge shall be vested with the power to prepare schedules for conducting the business of the Coweta Judicial Circuit for his or her term and

114 shall make all appointments whenever the law provides for the chief superior court judge of
115 a judicial circuit to make appointments.

116 **SECTION 2-2.**

117 Effective upon the creation of the West Georgia Judicial Circuit, the district attorney of the
118 Coweta Judicial Circuit shall be the Honorable John Herbert Cranford, Jr. and his successors.
119 Mr. Cranford shall serve out his current term of office for which he was elected, and his
120 successor shall be elected by the voters of the Coweta Judicial Circuit at the general election
121 next preceding the expiration of his term of office, and at the general election quadrennially
122 thereafter, for a term of four years. A candidate for election to this office shall be a resident
123 of Coweta County, Meriwether County, or Troup County.

124 **SECTION 2-3.**

125 (a) Except as provided for under Sections 2-4 and 2-5 of this Act:

126 (1) Fifty-seven percent of the circuit-wide costs and expenditures of the Coweta Judicial
127 Circuit shall be paid by Coweta County;

128 (2) Thirty-two percent of the circuit-wide costs and expenditures of the Coweta Judicial
129 Circuit shall be paid by Troup County; and

130 (3) Eleven percent of the circuit-wide costs and expenditures of the Coweta Judicial
131 Circuit shall be paid by Meriwether County.

132 (b) The percentages provided for under subsection (a) of this section may be revised by an
133 agreement in writing executed between the governing authorities of Coweta County,
134 Meriwether County, and Troup County, respectively.

135 **SECTION 2-4.**

136 (a) In addition to the salary and expenses paid from state funds, and notwithstanding any
137 other provision of law, each judge of the superior courts of the Coweta Judicial Circuit shall

138 receive from the funds of Coweta County, Meriwether County, and Troup County,
139 respectively, additional supplements in proportions provided for under subsection (b) of this
140 section.

141 (b)(1) Coweta County shall pay an additional supplement equal to 57 percent of the
142 additional supplement to the salary and expenses of the judges of the Coweta Judicial
143 Circuit then in effect on January 1, 2025.

144 (2) Troup County shall pay an additional supplement equal to 32 percent of the
145 additional supplement to the salary and expenses of the judges of the Coweta Judicial
146 Circuit then in effect on January 1, 2025.

147 (3) Meriwether County shall pay an additional supplement equal to 11 percent of the
148 additional supplement to the salary and expenses of the judges of the Coweta Judicial
149 Circuit then in effect on January 1, 2025.

150 **SECTION 2-5.**

151 (a) In addition to the salary and expenses paid from state funds, the district attorney of the
152 Coweta Judicial Circuit shall receive from the funds of Coweta County, Meriwether County,
153 and Troup County, respectively, additional supplements in proportions provided for under
154 subsection (b) of this section.

155 (b)(1) Coweta County shall pay an additional supplement equal to 57 percent of the
156 additional supplement to the salary and expenses of the district attorney of the Coweta
157 Judicial Circuit then in effect on January 1, 2025.

158 (2) Troup County shall pay an additional supplement equal to 32 percent of the
159 additional supplement to the salary and expenses of the district attorney of the Coweta
160 Judicial Circuit then in effect on January 1, 2025.

161 (3) Meriwether County shall pay an additional supplement equal to 11 percent of the
162 additional supplement to the salary and expenses of the district attorney of the Coweta
163 Judicial Circuit then in effect on January 1, 2025.

PART III
SECTION 3-1.

Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions regarding superior courts, is amended by striking "and" at the end of paragraph (41) of, revising paragraph (14) of, and adding a new paragraph to Code Section 15-6-1, relating to composition of judicial circuits, as follows:

"(14) Coweta Judicial Circuit, composed of the Counties of ~~Carroll~~, Coweta, ~~Heard~~, Meriwether, and Troup;"

"(41.1) West Georgia Judicial Circuit, composed of the Counties of Carroll and Heard;
and"

SECTION 3-2.

Said article is further amended by revising paragraph (14) of and adding a new paragraph to Code Section 15-6-2, relating to number of superior court judges, to read as follows:

"(14) Coweta Circuit 8 4"

"(41.1) West Georgia Circuit 4"

SECTION 3-3.

Said article is further amended by revising paragraph (14) of and adding a new paragraph to Code Section 15-6-3, relating to terms of court, as follows:

"(14) **Coweta Circuit:**

(A) ~~Carroll County — Second Monday in January and first Monday in April and third Monday in June and first Monday in October.~~

(~~B~~) Coweta County — First Monday in March and first Tuesday in September.

(~~C~~) Heard County — Third Monday in March and September.

187 ~~(D)~~(B) Meriwether County — Third Monday in February, May, August, and
188 November.

189 ~~(E)~~(C) Troup County — First Monday in February, May, August, and November."

190 "(41.1) **West Georgia Circuit:**

191 (A) Carroll County — Second Monday in January, first Monday in April, third
192 Monday in June, and first Monday in October.

193 (B) Heard County — Second Monday in January, first Monday in April, third Monday
194 in June, and first Monday in October."

195 **PART IV**

196 **SECTION 4-1.**

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