

House Bill 132

By: Representatives Reeves of the 99th, Oliver of the 84th, Gullett of the 19th, Leverett of the 123rd, Smith of the 18th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated,
2 relating to the Council of Municipal Court Judges, so as to provide for the office of senior
3 municipal court judge; to provide for qualifications, application and approval procedures, and
4 amenities and privileges of such judges; to preserve local actions establishing senior judges
5 for particular municipal courts; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to the
10 Council of Municipal Court Judges, is amended in Code Section 36-32-40, relating to
11 creation of council, membership and organization, purpose, expenses, contracts, assistance
12 to council, members not ineligible to hold office of judge and notifications, by revising
13 subsection (a) as follows:

14 "(a) There is created a council of municipal court judges to be known as the 'Council of
15 Municipal Court Judges of Georgia.' The council shall be composed of the judges of the
16 municipal courts of this state together with the senior municipal court judges of this state

17 as provided for in Code Section 36-32-42. The council is authorized to organize itself and
18 to develop a constitution and bylaws. The officers of said council shall consist of a
19 president, a first vice president, a second vice president, a secretary, a treasurer, and such
20 other officers as the council shall deem necessary. The council shall have an executive
21 committee composed of two representatives from each judicial administrative district."

22 **SECTION 2.**

23 Said article is further amended by adding a new Code section to read as follows:

24 "36-32-42.

25 (a) There is created the office of senior municipal court judge of this state. Any former
26 judge of a municipal court of this state or any former judge of a court of this state
27 exercising municipal court jurisdiction may apply to become a senior municipal court judge
28 if such former judge is no longer serving as a municipal court judge and had previously
29 served in such capacity for an aggregate period of not less than ten years. The president
30 of the Council of Municipal Court Judges, shall prescribe the form for such applications,
31 review applications, and notify applicants as to whether or not he or she will be appointed
32 as a senior municipal court judge. The approval or denial of an application shall be made
33 within 30 days of the submission of such application.

34 (b)(1) A senior municipal court judge appointed pursuant to subsection (a) of this Code
35 section shall:

36 (A) Comply with the mandatory training required by subsection (c) of Code Section
37 36-32-27 in order to maintain the status as a certified municipal court judge or a
38 certified judge of a court exercising municipal court jurisdiction;

39 (B) Be licensed to practice law in the State of Georgia; and

40 (C) Be an active member in good standing of the State Bar of Georgia.

41 (2) Any former municipal court judge who is not licensed to practice law in this state
42 may apply for senior municipal court judge status if such former judge otherwise meets
43 the qualifications required by Code Section 36-32-1.1.

44 (c) A senior municipal court judge shall not be required to pay any support or registration
45 fees related to the mandatory training required by subparagraph (b)(1)(A) of this Code
46 section, but such judge shall be responsible for all other costs attendant to said mandatory
47 training.

48 (d) Senior municipal court judges shall enjoy all of the amenities and privileges of judges
49 of other classes of courts of this state that are otherwise accorded to municipal court judges.
50 Senior municipal court judges shall not be required to sit as a judge in any court or be
51 required to comply with the requirements of subsection (b) of this Code section in order
52 to enjoy the amenities and privileges accorded pursuant to this Code section.

53 (d) This Code section shall not supersede any local law, Act, ordinance, resolution, or
54 other official action by a municipality establishing the office of senior judge of a particular
55 municipal court."

56 **SECTION 3.**

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