

Senate Bill 173

By: Senators McLaurin of the 14th, Tillery of the 19th, Strickland of the 42nd, Esteves of the 35th, Parent of the 44th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 11 of Title 9 of the Official Code of Georgia Annotated,
2 relating to pleadings and motions, so as to authorize movants to file notices of uncontested
3 motions in superior courts and state courts; to provide for uncontested motions to be deemed
4 granted; to provide for review by chief judge of any judge with two uncontested motions
5 deemed granted on his or her docket; to require management reports regarding each such
6 review; to provide for construction; to provide for related matters; to repeal conflicting laws;
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to
11 pleadings and motions, is amended by adding a new Code section to read as follows:

12 "9-11-16.1.

13 (a) In the event that a superior court judge or a state court judge fails to rule upon a
14 properly served motion before him or her to which no objection has been filed by any party
15 or any valid intervenor within 90 days of the filing of such motion, the moving party may
16 file a notice of uncontested motion with such judge.

17 (b) Should a judge continue to fail to rule upon a motion before him or her within seven
18 days of the filing of a notice of uncontested motion pursuant to subsection (a) of this Code
19 section, such motion shall thereafter be deemed granted by such judge.

20 (c) In the event that a judge has a motion deemed granted pursuant to subsection (b) of this
21 Code section in a second matter before such judge, the chief judge of the jurisdiction at
22 issue shall conduct a review of the docket management techniques and procedures of such
23 judge and shall issue a report of his or her findings.

24 (d) Nothing in this Code section shall prohibit any court from conducting any review of
25 its own operations of its own initiative."

26 **SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.