

The House Committee on Judiciary offers the following substitute to SB 173:

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 and entered; to provide for review by chief judge of any judge with two uncontested  
5 motions deemed granted on his or her docket; to provide for management reports regarding  
6 each such review; to provide for statutory construction; to require that parties to a case  
7 provide a copy of filed motions or notices to the judge assigned to such case; to provide for  
8 instructions on how to provide such copies; to provide for related matters; to repeal  
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

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

14 "9-11-16.1.

15 (a) In the event that a superior court judge or a state court judge fails to rule upon a  
16 properly served pretrial motion before him or her to which no objection has been filed by

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17 any party or any valid intervenor within 60 days of the filing of such motion, the moving  
18 party may file a notice of uncontested motion with such judge.

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

22 (c) The operation of subsection (a) or (b) of this Code section shall be tolled during any  
23 period that a hearing on the motion is scheduled until the day after such hearing is held.

24 (d) In the event that a judge has a motion deemed granted and entered pursuant to  
25 subsection (b) of this Code section in two or more cases before such judge within two  
26 years, the chief judge of the court at issue may conduct a review of the docket management  
27 techniques and procedures of such judge and may issue a report of his or her findings.

28 (e) Nothing in this Code section shall prohibit any court from conducting any review of  
29 its own operations of its own initiative.

30 9-11-16.2.

31 (a) Whenever a party to a case files a motion or notice with a court in this state pursuant  
32 to the provisions of this chapter, the party shall cause a copy of such motion or notice to  
33 be provided to the judge assigned to the case in which such motion or notice is filed or to  
34 another designee as identified by such judge.

35 (b) Each judge of a court in which the provisions of this chapter apply shall, by the  
36 issuance of a standing order or any other manner, provide instructions on how parties to  
37 any case before such judge can provide copies of filed motions or notices to such judge  
38 pursuant to the provisions of subsection (a) of this Code section."

39 **SECTION 2.**

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