

House Bill 1215

By: Representatives Parrish of the 158<sup>th</sup>, Jackson of the 128<sup>th</sup>, Hagan of the 156<sup>th</sup>, and Prince of the 132<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the  
2 number of judges of superior courts, so as to provide for a third judge of the superior courts  
3 of the Middle Judicial Circuit; to provide for the appointment and term of such additional  
4 judge by the Governor; to provide for the election and terms of successors to the judge  
5 initially appointed; to prescribe the powers of such judge; to prescribe the compensation,  
6 salary, and expense allowance of such judge to be paid by the State of Georgia and the  
7 counties comprising such circuit; to authorize the judges of such circuit to divide and allocate  
8 the work and duties thereof; to provide for the selection of the chief judge; to provide for the  
9 manner of impaneling jurors; to provide for an additional court reporter for such circuit; to  
10 authorize the governing authority of the counties comprising the Middle Judicial Circuit to  
11 provide facilities, office space, supplies, equipment, and personnel for such judges; to declare  
12 inherent authority; to provide for related matters; to provide for effective dates; to repeal  
13 conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15

**SECTION 1.**

16 Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of  
17 judges of superior courts, is amended by revising paragraph (24) as follows:

18 "(24) Middle Circuit ..... ~~2~~ 3"

19

**SECTION 2.**

20 One additional judge of the superior courts is added to the Middle Judicial Circuit, thereby  
21 increasing to three the number of judges of said circuit.

22

**SECTION 3.**

23 Said additional judge shall be appointed by the Governor for a term beginning  
24 January 1, 2027, and continuing through December 31, 2028, and until his or her successor  
25 is elected and qualified. His or her successor shall be elected in the manner provided by law  
26 for the election of judges of the superior courts of this state at the nonpartisan judicial  
27 election in 2028 for a term of four years beginning on January 1, 2029, and until his or her  
28 successor is elected and qualified. Future successors shall be elected at the nonpartisan  
29 judicial election every four years thereafter for terms of four years and until their successors  
30 are elected and qualified. The newly elected and qualified judge shall take office on the first  
31 day of January following the date of the election.

32

**SECTION 4.**

33 The additional judge of the superior courts of the Middle Judicial Circuit shall have and may  
34 exercise all powers, duties, dignities, jurisdiction, privileges, and immunities of the present  
35 judges of the superior courts of this state. Any judge of the Middle Judicial Circuit may  
36 preside over any cause, whether in his or her own or in other circuits, and perform any  
37 official act as judge thereof, including sitting on appellate courts as provided by law.

38

**SECTION 5.**

39 The qualifications of such additional judge and his or her successors shall be the same as are  
40 now provided by law for all other superior court judges, and his or her compensation, salary,  
41 and expense allowance from the State of Georgia and from the counties comprising the  
42 Middle Judicial Circuit shall be the same as are now provided by law for the other superior  
43 court judges of such circuit. The provisions, if any, enacted for the supplementation by the  
44 counties of such circuit of the salary of the judges of the superior courts of the Middle  
45 Judicial Circuit shall also be applicable to the additional judge provided for by this Act.

46

**SECTION 6.**

47 All writs and processes in the superior courts of the Middle Judicial Circuit shall be  
48 returnable to the terms of such superior courts as they are now fixed and provided by law,  
49 or as they may hereafter be fixed or determined by law, and all terms of such courts shall be  
50 held in the same manner as though there were but one judge, it being the intent and purpose  
51 of this Act to provide all judges equal in jurisdiction and authority to attend and perform the  
52 functions, powers, and duties of the judges of such superior courts and to direct and conduct  
53 all hearings and trials in such courts.

54

**SECTION 7.**

55 The chief judge of the Middle Judicial Circuit shall be elected from among the judges by  
56 majority vote of the total number of judges voting. In the event no judge obtains a majority  
57 of the vote after three ballots, the chief judge shall be the eligible judge having the most  
58 seniority. The term for a chief judge shall be two years, and a person may be elected to  
59 successive terms. The chief judge shall be vested with the power to make all appointments  
60 whenever the law provides for the superior court judge to make appointments, except as  
61 herein provided.

62

**SECTION 8.**

63 Upon and after qualification of the additional judge of the superior courts of the Middle  
64 Judicial Circuit, the judges of such circuit may adopt, promulgate, amend, and enforce such  
65 rules of practice and procedure in consonance with the Constitution and laws of the State of  
66 Georgia as they deem suitable and proper for the effective transaction of the business of the  
67 court; and, in transacting the business of the court and in performing their duties and  
68 responsibilities, they shall share, divide, and allocate the work and duties to be performed by  
69 each judge. In the event of a disagreement among the judges in respect hereof, the decision  
70 of a majority shall control, or, in the absence of a majority, the decision of the chief judge  
71 shall be controlling. The judges of the superior courts of the Middle Judicial Circuit shall  
72 have and are clothed with full power, authority, and discretion to determine from time to time  
73 and term to term the manner of calling the dockets, fixing the calendars, and order of  
74 business in such courts. They may assign to one such judge the hearing of trials by jury for  
75 a term and the hearing of all other matters not requiring a trial by jury to the other judges, and  
76 they may rotate such order of business at the next term. They may conduct trials by jury at  
77 the same time in the same county or otherwise within such circuit, or they may hear  
78 chambers business and motion business at the same time at any place within such circuit.  
79 They may provide in all respects for holding the superior courts of such circuit so as to  
80 facilitate the hearing and determination of all the business of such courts at any time pending  
81 and ready for trial or hearing. In all such matters relating to the fixing, arranging for, and  
82 disposing of the business of such courts and making appointments as authorized by law  
83 where the judges thereof cannot agree or shall differ, the opinion or order of the chief judge  
84 as provided for in this Act shall control.

85

**SECTION 9.**

86 The drawing and impaneling of all jurors, whether grand, petit, or special, may be conducted  
87 by any of the judges of the superior courts of such circuit; and they, or any one such judge,

88 shall have full power and authority to draw and impanel jurors for service in such courts so  
89 as to have jurors for the trial of cases before any such judges separately or before each of  
90 them at the same time.

91 **SECTION 10.**

92 The judges of the superior courts of the Middle Judicial Circuit shall be authorized and  
93 empowered to appoint an additional court reporter for such circuit, whose compensation shall  
94 be as now or hereafter provided by law.

95 **SECTION 11.**

96 All writs, processes, orders, subpoenas, and any other official paper issuing out of the  
97 superior courts of the Middle Judicial Circuit may bear teste in the name of any judge of the  
98 Middle Judicial Circuit and, when issued by and in the name of any judge of such circuit,  
99 shall be fully valid and may be heard and determined before the same or any other judge of  
100 such circuit. Any judge of such circuit may preside over any case therein and perform any  
101 official act as judge thereof.

102 **SECTION 12.**

103 Upon request of any judge of the circuit, the governing authorities of the counties comprising  
104 the Middle Judicial Circuit shall be authorized to furnish the judges of such circuit with  
105 suitable courtrooms and facilities, office space, telephones, furniture, office equipment,  
106 supplies, and such personnel as may be considered necessary by the court to the proper  
107 functioning of the court. All of the expenditures authorized in this Act are declared to be an  
108 expense of the court and payable out of the county treasury as such.

109 **SECTION 13.**

110 Except as expressly stated, nothing in this Act shall be construed to alter or repeal any  
111 provision of any local Act relating to the Middle Judicial Circuit. Nothing in this Act shall  
112 be deemed to limit or restrict the inherent powers, duties, and responsibilities of superior  
113 court judges provided by the Constitution and statutes of the State of Georgia.

114 **SECTION 14.**

115 This Act shall become effective for the purposes of appointing the additional judge upon its  
116 approval by the Governor or upon its becoming law without such approval, and for all other  
117 purposes on January 1, 2027.

118 **SECTION 15.**

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