

House Bill 1504

By: Representatives Crawford of the 89<sup>th</sup>, Tran of the 80<sup>th</sup>, Drenner of the 85<sup>th</sup>, Lupton of the 83<sup>rd</sup>, Mitchell of the 88<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the State Court of DeKalb County, formerly known as the Civil  
2 and Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401),  
3 as amended, particularly by an Act approved May 3, 2021 (Ga. L. 2021, p. 3624), so as to  
4 authorize the charge and collection of technology fees; to provide for a court administrator;  
5 to revise provisions related to compensation; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the State Court of DeKalb County, formerly known as the Civil and  
10 Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401), as  
11 amended, particularly by an Act approved May 3, 2021 (Ga. L. 2021, p. 3624), is amended  
12 by adding a new section to read as follows:

13 "SECTION 11B.3.

14 (a) The clerk of the State Court of DeKalb County is authorized to charge and collect a  
15 technology fee to be set by majority vote of the judges of the state court in an amount not

16 to exceed \$50.00 for the filing of each civil action with the court. Funds collected pursuant  
17 to this authorization shall be maintained in a segregated account by the clerk of the state  
18 court and shall be used only for the benefit of the state court for purposes authorized in this  
19 section.

20 (b) The clerk of the Magistrate Court of DeKalb County is authorized to charge and collect  
21 a technology fee to be set by the chief magistrate in an amount not to exceed \$50.00 for the  
22 filing of each civil action with the court. Funds collected pursuant to this authorization shall  
23 be maintained in a segregated account by the clerk of the magistrate court and shall be used  
24 only for the benefit of the magistrate court for purposes authorized in this section.

25 (c) The technology fees authorized by this section shall be used exclusively for the  
26 technological needs of the court collecting the fee and shall be used only for the following  
27 purposes:

- 28 (1) Computer hardware and software purchases;
- 29 (2) Lease, maintenance, and installation of computer hardware and software;
- 30 (3) Purchase, lease, maintenance, and installation of imaging, scanning, facsimile,  
31 communications, projection, and printing equipment and software; and
- 32 (4) Procurement of services and equipment for the conservation of court records and  
33 archiving the same to digital contents for public access."

34 **SECTION 2.**

35 Said Act is further amended by adding a new section to read as follows:

36 "SECTION 20.1.

37 (a) The court administrator of the State Court and Magistrate Court of DeKalb County  
38 shall be appointed by and may only be removed by a vote of at least eight judges of the  
39 state court, and the chief magistrate.

40 (b) Upon the position of court administrator becoming vacant, the chief judge, the  
41 presiding judge of Division B, and the chief magistrate of DeKalb County shall meet and  
42 nominate a person to serve as court administrator. Such nomination must be unanimous and  
43 shall be subject to approval as provided for in subsection (a) of this section.

44 (c) The court administrator on the effective date of this section shall remain in that position  
45 unless he or she resigns or is removed pursuant to subsection (a) of this section.

46 (d) The court administrator shall have the authority to appoint and remove such court  
47 administration personnel as he or she deems necessary.

48 (e) The court administrator shall have primary administrative responsibility for the budget,  
49 fiscal affairs, purchasing, human resources, payroll, facilities management and projects,  
50 information technology, court interpreters, accountability court programs, and government  
51 relations of the State Court and Magistrate Court of DeKalb County, subject to direction  
52 by the judges in a manner consistent with this Act.

53 (f) If the chief magistrate elects to appoint a separate court administrator to serve the  
54 Magistrate Court of DeKalb County, or if at least eight judges of the state court elect to  
55 appoint a separate court administrator to serve the State Court of DeKalb County, the chief  
56 magistrate shall cease to participate in and shall not be counted regarding the appointment,  
57 removal, and nomination processes established in subsections (a) and (b) of this section."

58 **SECTION 3.**

59 Said Act is further amended by revising Section 21.2 as follows:

60 "SECTION 21.2.

61 (a) As used in this section, the term 'State Court of DeKalb County' shall also mean 'State  
62 Court and Magistrate Court of DeKalb County' if applicable to a specific position.

63 (b) Each judge of the State Court of DeKalb County, the chief magistrate and each  
64 associate magistrate of DeKalb County, the judge of the Probate Court of DeKalb County,

65 and each judge of the Juvenile Court of DeKalb County shall receive the compensation  
66 provided in the Act providing for the compensation of certain county officers and officials  
67 of DeKalb County, approved March 31, 1976 (Ga. L. 1976, p. 3986), as amended, shall  
68 receive all benefits and supplemental compensation adopted on or before the effective date  
69 of this subsection by ordinance, resolution, or administrative action of the governing  
70 authority of DeKalb County, and shall receive such additional benefits and supplemental  
71 compensation as may be adopted after the effective date of this subsection by ordinance,  
72 resolution, or administrative action of the governing authority of DeKalb County.

73 (c) The court administrator of the State Court of DeKalb County shall be paid an annual  
74 salary equal to 90 percent of the annual salary paid to the court administrator of the  
75 Superior Court of DeKalb County, not including any longevity pay furnished to the court  
76 administrator of the Superior Court of DeKalb County; provided, however, that the annual  
77 salary of an individual serving as court administrator of the State Court of DeKalb County  
78 shall not be reduced while he or she continues to serve in that position.

79 (d) The clerk of the State Court of DeKalb County shall be paid an annual salary equal to  
80 90 percent of the annual salary paid to the court administrator of the State Court of DeKalb  
81 County, not including any longevity pay furnished to the court administrator of the State  
82 Court of DeKalb County; provided, however, that the annual salary of an individual serving  
83 as clerk of the State Court of DeKalb County shall not be reduced while he or she continues  
84 to serve in that position.

85 (e) The marshal and the chief probation officer of the State Court of DeKalb County shall  
86 each be paid an annual salary established by the judges of the State Court of DeKalb  
87 County, subject to funding and administrative approval by the governing authority of  
88 DeKalb County.

89 (f) Each judge of the State Court of DeKalb County shall be permitted to hire a staff  
90 attorney, the court administrator and the clerk of the State Court of DeKalb County shall  
91 jointly be permitted to hire a staff attorney, and the Magistrate Court of DeKalb County

92 shall be permitted to hire at least two staff attorneys, who shall be employees of DeKalb  
93 County.

94 (g) Each staff attorney provided in subsection (f) of this section shall be paid an annual  
95 salary equal to 90 percent of the highest annual salary paid to any staff attorney for any  
96 judge of the Superior Court of DeKalb County, not including any longevity pay furnished  
97 to any staff attorney of the Superior Court of DeKalb County; provided, however, that the  
98 annual salary of an individual serving as a staff attorney for the State Court or Magistrate  
99 Court of DeKalb County shall not be reduced while he or she continues to serve in that  
100 position.

101 (h) Unless provided otherwise in the Act providing for the compensation of certain county  
102 officers and officials of DeKalb County, approved March 31, 1976 (Ga. L. 1976, p. 3986),  
103 as amended, the annual salaries provided in this section shall be paid in equal biweekly  
104 installments from funds of DeKalb County.

105 (i) The court administrator, the clerk, the marshal, and the chief probation officer of the  
106 State Court of DeKalb County and each staff attorney for the State Court or Magistrate  
107 Court of DeKalb County shall be provided all benefits and supplemental compensation  
108 generally available to employees of DeKalb County, including, but not limited to, health  
109 insurance, dental insurance, life insurance, vision insurance, flexible benefits, retirement  
110 benefits, longevity pay, cost of living adjustments, incentives, annual leave, and sick leave."

111 **SECTION 4.**

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