

House Bill 140

By: Representatives Welch of the 110th, Willard of the 51st, Caldwell of the 131st, Hitchens of the 161st, and Evans of the 42nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated,
2 relating to the Department of Law, so as to provide for review and accounting of work
3 performed by attorneys at law under independent contract to the Department of Law who
4 have been appointed or designated either specially or generally as an assistant attorney
5 general; to establish such review and accounting requirements; to require certification of the
6 completion of such reviews to certain legislative committee chairpersons; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Article 2 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to the
11 Department of Law, is amended by adding a new Code section to read as follows:

12 "45-15-31.1.

13 (a) At the conclusion of each fiscal year starting with Fiscal Year 2018, the Attorney
14 General shall conduct a review of the work performed within the fiscal year by each
15 attorney at law under independent contract to the Department of Law who has been
16 appointed or designated either specially or generally as an assistant attorney general.

17 (b)(1) In the reviews provided for under subsection (a) of this Code section, the Attorney
18 General shall compile and evaluate information on the performance of the attorney at law,
19 including, but not limited to:

20 (A) For matters completed, the date assigned, the date resolved, and the manner of
21 resolution;

22 (B) For pending matters, the date assigned, the date of last action, and the nature of
23 such last action;

24 (C) For matters involving a completed monetary settlement, the initial demand, any
25 amount paid into the registry of the court by the state, and the final settlement or award;

26 (D) For matters involving the completion of appellate review, the nature of the appeal
 27 and the outcome of the appeal;
 28 (E) For each matter:
 29 (i) Any awards of attorney's fees and sanctions against the state;
 30 (ii) Expenses incurred for the service of experts;
 31 (iii) Total expenses incurred;
 32 (iv) A summation of the total hours billed; and
 33 (v) The time between any hearing and the issuance of a corresponding order;
 34 (F) The amount of state appropriations paid to the attorney at law as compensation for
 35 his or her services; and
 36 (G) The total number of matters assigned to the attorney at law.
 37 (2)(A) The Attorney General shall compile the information required by paragraph (1)
 38 of this subsection from the attorney at law or any other legally available source.
 39 (B) Each attorney at law shall electronically submit information as required by the
 40 Attorney General for his or her completion of reviews pursuant to this Code section.
 41 (C) In the reviews provided for under subsection (a) of this Code section, the Attorney
 42 General shall identify any aberrations that the Attorney General has determined not to
 43 be consistent with the performance or results of other assistant attorneys general
 44 handling similar matters and any reasons which may explain such aberrations.
 45 (c) By October 1 after the conclusion of the fiscal year, the Attorney General shall certify
 46 to the chairperson of the House Committee on Appropriations and the chairperson of the
 47 Senate Appropriations Committee that reviews have been completed pursuant to this Code
 48 section."

49 **SECTION 2.**

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