

House Bill 437 (AS PASSED HOUSE AND SENATE)

By: Representatives Willard of the 51st, Geisinger of the 48th, Jones of the 47th, Martin of the 49th, Rice of the 95th, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for the selection of the chief judge of the Atlanta Judicial Circuit; to provide for
2 terms; to provide for powers and duties; to repeal conflicting laws; and for other purposes.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

4 **SECTION 1.**

5 The chief judge of the Atlanta Judicial Circuit shall be selected by an election of the majority
6 of the judges of the circuit. If no agreement is reached on the selection of the chief judge,
7 the judge most senior in time of service who has not previously served as chief judge shall
8 be the chief judge. The chief judge shall serve for a term of two years, and he or she may
9 only serve two consecutive terms. After a two-year break in service, a judge may be again
10 selected as the chief judge.

11 **SECTION 2.**

12 The duties of the chief judge shall include:

- 13 (1) Regularly meeting with all judges of the circuit and other courts located in Fulton
14 County to discuss issues affecting the courts, to collaborate on best practices regarding
15 case management and sentencing, and to achieve other operational efficiencies;
- 16 (2) In consultation with the chief judge of the State Court of Fulton County, managing
17 the available courtroom space, including any courtrooms in ancillary facilities, in order
18 to maximize secure courtrooms for criminal trials and other criminal proceedings,
19 including assigning judges to a particular courtroom on a permanent or temporary basis;
- 20 (3) Annually identifying present and projected courtroom and administrative space and
21 other facility needs to the Fulton County Board of Commissioners after consultation with
22 all of the judges of the circuit and the chief judge of the State Court of Fulton County;
- 23 (4) After consulting with all of the judges of the circuit, determining if divisions should
24 be created or maintained, the appropriate workload for any such divisions, the

- 25 requirements to transfer a judge in or out of a division, and the number of judges to be
26 placed in a division;
- 27 (5) Assigning judges to any created court division, taking into account a judge's interests,
28 expertise, and training in particular subjects as well as demonstrated ability to effectively
29 manage the docket of a division;
- 30 (6) Revoking a judge's division assignment if the chief judge determines that such judge
31 is not properly or efficiently performing his or her duties in a division;
- 32 (7) Assigning specific cases and motions to a specific judge or judges, including
33 requiring case management conferences and orders, to most efficiently utilize judicial
34 resources and facilities;
- 35 (8) Selection of the jury clerk and providing oversight and direction to assure that a
36 sufficient number of jurors are summoned for jury trial weeks for all courts;
- 37 (9) Working with the district court administrator, the county manager of Fulton County,
38 other courts of Fulton County, and the Fulton County Board of Commissioners to
39 eliminate duplication of functions and achieve greater operational efficiencies;
- 40 (10) Managing senior judges;
- 41 (11) Preparing and presenting the court's budget to state and local authorities after
42 conferring with all of the judges of the circuit;
- 43 (12) After consulting with all of the judges of the circuit, establishing criteria and
44 qualifications for the employment, discipline, and dismissal of employees assigned to the
45 courts and each judge;
- 46 (13) Devising and implementing a personnel system for the courts to ensure fair
47 treatment for all administrative personnel assigned to the courts and each judge;
- 48 (14) Requiring the court administrator to prepare and disseminate to the chief judge and
49 all other judges on the court monthly case activity reports which, at a minimum, show the
50 number of civil cases assigned, disposed of, and pending for each judge and the number
51 of criminal cases assigned, disposed of, and pending for each judge;
- 52 (15) In consultation with all judges of the court, establishing case management standards
53 and ensuring such standards are met, including taking remedial action or providing
54 assistance, taking into consideration the fair treatment of all other judges on the bench;
55 and
- 56 (16) Performing all other duties required by law.

57 **SECTION 3.**

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