

IN THE SUPERIOR COURT OF PAULDING COUNTY
STATE OF GEORGIA

STANDING ORDER REGARDING CASE ASSIGNMENT TO JUDGES

Uniform Superior Court Rule 3.1 allows the judges of the superior courts in multi-judge circuits to adopt appropriate plans for assigning cases to judges. Consistent with the purpose of Unif. Super. Ct. Ru. 3.1, the following assignment system is adopted to prevent any person from improperly choosing the judge to whom an action is assigned. All parties and attorneys filing any action in this Court are hereby restrained from improperly attempting to affect the assignment of a case to a particular judge.

The Judges of the Superior Court of the Paulding Judicial Circuit recognize that the most effective way to prevent persons from improperly influencing case assignment is for the Clerk to randomly assign the cases.

Criminal matters shall be subject to two different assignments. The first assignment shall be done randomly at the Magistrate Court level. Upon the return of a warrant, the Magistrate Court Clerk shall randomly assign a Superior Court Judge for the purposes of presiding or carrying out administrative duties pertaining to said criminal matter. The second assignment shall occur upon the filing of a bill of indictment or accusation with the Clerk of Superior Court, whereupon the Clerk of Superior Court shall then make a random judge assignment.

When any other action is filed in the Court's civil or adoption docket, the Clerk shall make a random judge assignment.

Once a matter has been assigned to a particular judge, the assigned judge will have exclusive control of such action. No person shall change any assignment without an order of the judge to whom the case is assigned, except as provided below.

Filed and recorded in Minute Book 51.
Page 248, Paulding County Georgia Records
This 11 day of August, 2017.
Trevia W. Shelton, Clerk of Superior Court

STANDING ORDER REGARDING CASE ASSIGNMENT TO JUDGES

SCANNED

FILED IN OFFICE
PAULDING COUNTY, GA
07 AUG 11 AM 11:03
TREVIA W. SHELTON, CLERK
PAULDING COUNTY
SUPERIOR COURT

Several exceptions to the random case assignment system are adopted to promote judicial efficiency. Several exceptions to the random case assignment system are adopted to promote judicial efficiency. First, due to the fact that Thomas David Lyles will become the Post III judge on January 1, 2017 and that he has served as Senior Assistant District Attorney in this Court, all cases where the alleged dates of crime occurred before January 1, 2017 are to be assigned to either one of the other superior court judges. With this, the random selection process in criminal matters shall be suspended for Post III beginning June 10, 2016 until January 1, 2018. Second, to balance case assignments among all judicial posts, civil assignments beginning January 1, 2017 shall be made at the ratio of 4 (Post III) to 1 (Post II) to 1 (Post I). However, beginning January 1, 2018, the random selection process in both civil and criminal matters shall be in the ratio of 1 (Post III) to 1 (Post II) to 1 (Post I). Efficient handling of death penalty cases demands that each case be assigned to a particular judge due to inherent legal complexities. To ensure that no judge is assigned an unequal number of death penalty cases, the Chief Judge of the Paulding Judicial Circuit will assign death penalty cases in an equal manner between the three judges. Pursuant to Unif. Super. Ct. R. 3.2, when practical, all actions involving substantially the same subject matter, or substantially the same factual issues, whether pending simultaneously or not, shall be assigned to the same judge. Whenever an action is refiled or a derivative or companion action is filed or refiled, or a defendant is re-indicted or re-accused on a previous charge, or is indicted or accused on a subsequent charge while still under charges or serving a confinement or probated sentence on a previous action, or co-defendants are indicted separately, such actions shall be assigned to the judge to whom the original action was or is assigned.

This system in no way affects the court's ability to call on the assistance of a senior judge if needed based upon the provisions of O.C.G.A. §§ 15-1-9.1 and 15-1-9.2 and the supplemental policies and procedures of the Council of Superior Court Judges.

When implementing this case management system, the Clerk's duties shall remain entirely ministerial. The Clerk and all members of the Clerk's staff shall not disclose to any person which judge will be assigned to which case until after the case has been filed and assigned. A copy of this order shall be provided to the Paulding County Bar Association.

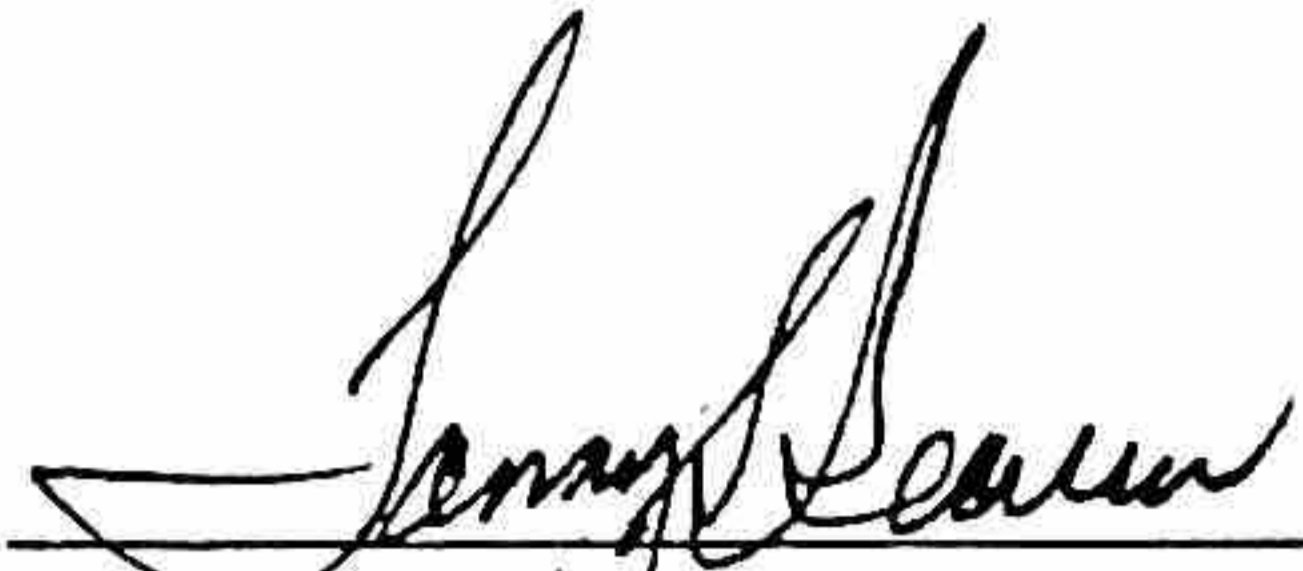
Filed and recorded in Minute Book 51.
 Page 249, Paulding County Georgia Records
 This 11 day of August, 20 17.
 Treva W. Shelton, Clerk of Superior Court

STANDING ORDER REGARDING CASE ASSIGNMENT TO JUDGES


Page 2 of 3

SCANNED


SO ORDERED, this 11TH day of August, 2017.



Tony S. Beavers, Chief Judge
Superior Court
Paulding Judicial Circuit



Dean C. Bucci, Judge
Superior Court
Paulding Judicial Circuit



T. David Lyles, Judge
Superior Court
Paulding Judicial Circuit

Filed and recorded in Minute Book 51.
Page 250, Paulding County Georgia Records
This 11 day of August, 2017.
Trevia W. Shelton, Clerk of Superior Court