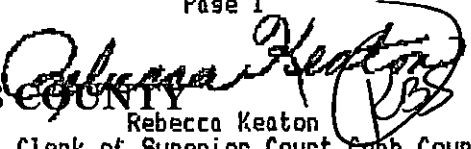


IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA


Rebecca Keaton
Clerk of Superior Court Cobb County

IN RE:
CASE ASSIGNMENT ORDER

CAFN: 19-1-0005

The Council of Superior Court Judges for the Cobb Judicial Circuit **HEREBY ORDERS:**

1.

Except as otherwise provided herein, at the time a civil or criminal case is filed, prior to docketing the case, the Clerk of Court shall assign the case to a Judge of this Court on a random basis using a computer program to assign cases. The purpose of the computer program shall be to prevent judge shopping by litigants and to equalize the caseload among the Judges not only in terms of total gross number of cases assigned but also by case type. In order to effectuate this purpose, the computer program shall assign cases on a random rotation by priority of case type.

2.

In unindicted or unaccused criminal matters that have been assigned to a Judge, the Clerk of Court shall assign motions in those matters to the assigned Judge for the Judge's exercise of jurisdiction over those motions. This provision also shall not prevent a Magistrate Judge, sitting by designation as an Assisting Judge of this Court pursuant to O.C.G.A. § 15-1-9.1, from presiding over any matters that the assigned Judge has approved to be heard by an assisting Judge.

3.

When the number of co-defendants is five (5) or more in a case alleging charges of Racketeer Influenced and Corrupt Organizations ("RICO") or Street Gang Terrorism and Prevention Act ("Criminal Gang Activity"), the case shall be designated to the Multi-Defendant Complex Case case-type and assigned to a judge on a random basis, as described in Paragraph 1 of this order. The directive of Uniform Superior Court Rule 3.2 regarding the assignment of actions involving

parties currently under a sentence of confinement or probation shall not apply, as such is not practical for these case-types.

4.

No later than every Monday at 9:00AM, the Court Administrator shall designate a Judge or Senior Judge of this Court as the Presiding Judge. (This designation shall rotate among the Judges). The Court Administrator shall furnish the Magistrate Court with the Presiding Judge's name and contact information.

5.

The Presiding Judge shall give priority attention to Presiding Judge duties and responsibilities and shall be available for such duties and responsibilities from 9:00AM to 5:00PM during his or her presiding week. The Presiding Judge shall be available in his or her chambers during each business day of the presiding week from 9:00AM to 9:30AM and from 4:00PM to 5:00PM.

6.

If a Presiding Judge is unavailable to perform his or her duties as Presiding Judge, then he or she shall arrange, through the Court Administrator, for another Judge to be available to carry out the Presiding Judge's duties.

7.

The Presiding Judge will consider or hear all:

- a) Applications for writs of certiorari, motions for temporary restraining orders, petitions for habeas corpus, family violence petitions, and all other applications for *ex parte* legal or equitable relief in matters or cases not previously assigned to a Judge or when the assigned Judge is absent or unavailable;
- b) Adoptions assigned to him or her, and the Clerk of this Court shall coordinate with each Judge to set the day and time for the adoption hearings to be held.
- c) Uncontested domestic relations matters and petitions for name change at 9:30AM Monday through Friday;

- d) Uniform Interstate Family Support Act (UIFSA) cases, on the Wednesday of each week;
- e) Motions for Bond in unindicted or unaccused criminal matters, except as determined otherwise in paragraph 2 above;
- f) Extradition matters;
- g) Civil condemnation matters regarding contraband or other seized property, if the assigned Judge chooses not to hear those matters;
- h) Abandoned Vehicle Orders;
- i) GCIC Orders; and
- j) Criminal matters on unassigned cases – for example, wiretaps, pen register applications, etc.

8.

The Presiding Judge may delegate any of his or her duties as Presiding Judge to a Senior Judge.

9.

The Chief Magistrate of Cobb County, in his or her capacity as an Assisting Judge of this Court pursuant to O.C.G.A. § 15-1-9.1, shall have the authority¹:

- a) to conduct hearings and to make all determinations concerning appearance bonds;
- b) to accept Defendants' pleas, and to enter sentences pursuant thereto as well as Orders of nolle prosequi, dismissal, or dead docket in connection therewith; and
- c) to conduct bench trials, jury trials, or hearings on any case or category of cases referred to that Court for judicial assistance.

¹ This provision shall also apply to any other full-time Judge in this county given an assisting Order pursuant to O.C.G.A. § 15-1-9.1

10.

This Case Assignment Order shall supersede the previous Case Assignment Orders entered on July 10, 1985 and January 5, 2011. This Case Assignment Order will remain in effect without expiration until superseded by new Case Assignment Order. Any other previously entered Orders – however they may be titled - specifically providing for assignment of certain case-types not mentioned herein, remain in full force and effect.

SO ORDERED this 8 day of August, 2019.


Judge Mary Staley Clark


Judge S. Lark Ingram


Robert E. Flournoy III


Judge J. Stephen Schuster


Judge C. LaTain Kell


Judge Reuben M. Green


Judge Robert D. Leonard II


Judge A. Gregory Poole


Judge Ann B. Harris


Judge Kimberly A. Childs