

Bylaws of the Judicial Council of Georgia

Adopted June 17, 2015; Amended by Judicial Council April 29, 2016; Amended by Supreme Court Order September 20, 2018

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PURPOSE

The purpose of the Judicial Council is to establish policy for Georgia's judiciary, effectuate its statutory responsibilities, and improve the administration of Georgia's courts.

ARTICLE I: OFFICERS

Officers of the Council shall be the Chair, Vice-Chair, and Secretary.

Chair

The Council Chair shall be the Chief Justice of the Supreme Court. The Chair, or his or her designee, shall: serve as the presiding officer of the Council; call the meetings, affording written notice as hereinafter required; preside at Council meetings and control debate; serve as ex-officio member on all committees; and serve as the official spokesperson for the Council.¹ In the event the Chair, or Vice-Chair, is not present to preside at Council meetings, the Chair will appoint a presiding officer.

Vice-Chair

The Vice-Chair shall be the Presiding Justice of the Supreme Court. The Vice-Chair shall assist the Chair as needed and preside at meetings in the event the Chair is unable to do so.² The Vice-Chair shall serve as chair of designated committees.

Secretary

The Director of the Administrative Office of the Courts shall serve as Secretary for the Judicial Council. The Director, or his or her designee, shall be responsible for an accurate recordation and distribution of meeting minutes, for updating and distributing Judicial Council Handbooks, and for providing a copy of the bylaws and other governing documents to all members. The Director shall not be considered a member of the Judicial Council for purposes of voting or determining a quorum.

ARTICLE II: COMPOSITION AND ORGANIZATION

Council Membership and Terms

Council members should be committed to improving justice through collaboration, innovation and information. Members of the Council and their terms shall be as provided by the Supreme Court of Georgia.³

Vacancies

A vacancy occurs when a Council member no longer serves in the capacity of representative for his or her respective group. The vacancy shall be filled for the remainder of the unexpired term as provided by Supreme Court order.

¹ Supreme Court Order dated August 5, 1983.

² Supreme Court Order dated August 5, 1983.

³ O.C.G.A. §15-5-20(b).

ARTICLE III: MEETINGS

Call to Meetings/Notification

Regular Council meetings may be called at least four times a year by the Chair, or by a majority of the voting members of the Council, at such times and places as may be deemed necessary and convenient. A proposed schedule of future meetings shall be published at the last regular meeting of each fiscal year.

Council members must be notified of regular meeting times and locations at least thirty (30) business days in advance. Notice may be sent by mail or electronic communication.

In case of an emergency, or other event necessitating an unscheduled meeting as deemed by the Chair, notice shall be given at least twenty-four (24) hours prior to the meeting.

Quorum

A quorum consisting of a majority of Council members is required for voting and conducting business.

Conduct of Meetings

Regular Council meetings shall be conducted in person unless otherwise authorized by the Chair. Emergency meetings may be conducted electronically.

Rules

Except as otherwise provided in these bylaws, all meetings of the Council and its committees shall be conducted in accordance with the most current edition of Robert's Rules of Order.

Voting

All members shall be entitled to vote, except that the presiding officer shall vote only in the event of a tie.⁴ A member unable to attend a meeting for good cause shall be entitled to designate a meeting representative to cast his or her vote. The absent member shall notify the Chair in writing of the designated representative, who shall be a judge or senior judge of the same class of court as the member. The designated representative may be heard, entitled to vote, and be considered part of the quorum for the meeting.

When a quorum is present at a Judicial Council meeting, or a committee meeting, a simple majority of votes cast will pass an item unless specified by Supreme Court order, Council policy, or the Chair. When a vote is called and a member, or his or her designated representative, takes no position, that vote will not be counted in favor of or against the item being voted upon.

Any member of the Council, or his or her designated representative, shall have the right to dissent or abstain from the majority of any official action, and request that their vote be reflected in the minutes.

⁴ Supreme Court Order dated August 5, 1983.

ARTICLE IV: COMMITTEES

Standing Committees

Standing Committees exist to address issues of ongoing, long-term importance to the Council. Standing Committees and their memberships shall be determined by Supreme Court order. Committee membership may include advisory members appointed, as needed, by each Standing Committee Chair. Advisory members may be heard but shall not be entitled to vote.

Ad-Hoc Committees

Ad-Hoc Committees exist to address issues of limited scope and duration. The Council Chair shall create and charge ad-hoc committees as are necessary to conduct the business of the Council.⁵ Committee membership may include advisory members appointed, as needed, by each Ad-Hoc Committee Chair. Advisory members may be heard but shall not be entitled to vote.

ARTICLE V: DUTIES

The Council shall effectuate its duties as defined by statute and Supreme Court order. In addition, the Council shall engage in ongoing strategic planning.

The Council shall issue, publish, and distribute official opinions or policies concerning matters of court administration.

The Council shall appoint a Director of the Administrative Office of the Courts, who shall serve at the pleasure of the Council.⁶ The appointment of a Director shall be confirmed by a majority vote of the Council. Duties of the Director shall be defined by law and as directed by the Council.

ARTICLE VI: AMENDMENTS TO BYLAWS

The Council shall vote on any proposed bylaw amendments during its final regular meeting of the fiscal year. Proposed amendments shall be sent to the Chair no later than December 31. Council members shall receive at least sixty (60) days' notice of proposed amendments prior to the date of the meeting. Proposed amendments may be accepted by the Chair after December 31 if received within such period of time that the Council members may be afforded at least sixty (60) days' notice prior to the final regular meeting of the fiscal year. The bylaws shall be approved by a two-thirds vote of the Council. The bylaws may also be amended at any time as a result of a Supreme Court order.

⁵ Supreme Court Order dated August 5, 1983.

⁶ O.C.G.A. §15-5-23.