

**PROPOSED AMENDMENTS TO THE
UNIFORM RULES FOR SUPERIOR COURT,
APPROVED FOR FIRST READING, AUGUST 3, 2022**

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Rule 3.1. Method of Assignment

On or before July 1, 2023, all judicial circuits of this state shall adopt a formal system for how cases are to be assigned to judges in that circuit. The system adopted shall be reduced to writing and memorialized by an order agreed to by a majority of the active judges of the circuit. In the absence of a majority, the chief judge shall decide.

The formal system for judge assignment adopted by the judicial circuit may be one of the following:

(A) Cases may be assigned by the clerk of each superior court according to the order or timing of filing. In such systems the clerk shall have no power or discretion in determining the judge to whom any case is assigned; the clerk's duties are ministerial only in this respect and the clerk's responsibility is to carry out the method of assignment established by the judges. The assignment system is designed to prevent any persons choosing the judge to whom an action is to be assigned; all persons are directed to refrain from attempting to affect such assignment in any way. If the order or timing of filing is a factor in determining case assignment, neither the clerk nor any member of the clerk's staff shall disclose to any person the judge to whom a case is or will be assigned until such time as the case is in fact filed and assigned.

(B) Cases may be assigned by alphabet as to the last names of the defendant in criminal cases.

(C) Cases may be assigned by a geographical system in which cases in particular counties are assigned to one or more judges.

The assignment system or plan adopted, consistent with this rule, shall prevent parties from selecting or avoiding certain judges.

Nothing in this rule shall affect the creation and assignment of cases to accountability courts or to specially created family law or other divisions. Each circuit may by majority vote of the active judges provide for creation of a system of presiding judges to deal with daily emergency business and the issuance of ex parte orders. In the absence of a majority, the chief judge shall decide.

A copy of each order establishing an assignment plan shall be filed immediately with the Clerk of the Supreme Court of Georgia and the Administrative Office of the Courts. The orders shall be posted on the website of each circuit and shall be available in the Office of the Clerk of Superior Court of each county of the circuit.

~~In multi-judge circuits, unless a majority of the judges in a circuit elect to adopt a different system, all actions, civil and criminal, shall be assigned by the clerk of each superior court according to a plan approved by such judges to the end that each judge is allocated an equal number of cases. The clerk shall have no power or discretion in determining the judge to whom any case is assigned; the clerk's duties are ministerial only in this respect and the clerk's responsibility is to carry out the method of assignment established by the judges. The assignment system is designed to prevent any persons choosing the judge to whom an action is to be assigned; all persons are directed to refrain from attempting to affect such assignment in any way. If the order or the timing of filing is a factor in determining case assignment, neither the clerk nor any member of the clerk's staff shall disclose to any person the judge to whom a case is or will be assigned until such time as the case is in fact filed and assigned.~~

Rule 22.1. Audiovisual Media Use in Trials

For purposes of this rule, the term, “media,” shall include both audio and video files.

- (A) Proponent should use their best reasonable efforts to tender files in a format that is playable in a current version of a commonly used media player, such as Windows® or VLC media player™.
- (B) The files must be saved on a new or completely formatted USB flash drive that contains only the media files being tendered.
- (C) Proponents of evidence that require a proprietary player and codecs shall make an effort to convert the media format to one playable by Windows Media Player or VLC media player or any other format designated by the Administrative Office of the Courts. The converted file should be of similar quality that fairly and accurately depicts the recorded events. If the file cannot be converted, it will be up to the sound discretion of the trial judge to decide what formats are acceptable.
- (D) If a proprietary player or codec is necessary to play the file, those files should be included on the same USB drive as the media files or download instructions shall be included.
- (E) Multiple files may be submitted on one USB drive but should be titled in a way that makes it clear what exhibits they are.
- (F) The trial judge, upon sufficient notice to the parties, may require that the media files be presented to court personnel a minimum time before the hearing or trial is scheduled to take place to ensure an effective presentation.
- (G) Parties frequently appearing in court, law enforcement agencies, prosecutors, public defenders, court reporters, and other attorneys, are encouraged to contract with vendors to select products that produce output in commonly playable media formats creating non-proprietary formatted files.
- (H) Nothing in this rule shall prohibit trial courts from mandating procedures by court order that would require the parties to upload media files to a secure server or case management system that would facilitate playback and transmission to the appellate courts.

Rule 39.7. Required Forms

(A) The forms listed below shall be required for use in all superior courts in this state.

(B) It is the intent of this rule that all forms listed herein be uniform in appearance for purposes of efficiency and accuracy. Upon recommendation by its Uniform Rules Committee, the Council of Superior Court Judges may revise forms to reflect changes to the law. The rule also does not prohibit the use of stylistic additions such as check boxes. No heading is required when forms are reproduced.

SC-1	Summons
SC-2	Sheriff's Entry of Service
SC-3	Service by Publication
SC-4	Notice of Publication
SC-5	Writ of Fieri Facias
SC-6	Final Disposition Felony Confinement Sentence
SC-6.1	[Deleted]
SC-6.2	Final Disposition Felony Sentence With Probation
SC-6.3	Final Disposition Misdemeanor Sentence
SC-6.4	Special Conditions of Probation:
SC-6.4(A)	Index of Special Conditions of Probation
SC-6.4(B)	Inventory of Special Conditions of Probation
SC-6.4(C)	Sex Offender Special Conditions of Probation
SC-6.4(D)	Special Conditions of Probation for Conviction of an Offense Against a Minor or a Dangerous Sexual Offense
SC-6.4(E)	Special Conditions of Probation for Violation of OCGA §§ 16-5-90 or 16-5-91 (Stalking or Aggravated Stalking)
SC-6.5	Final Disposition Continuation of Sentence
SC-7	Exemplification
SC-8	Witness Subpoena
SC-9	Subpoena for the Production of Evidence
SC-9.1	Subpoena for the Production of Evidence at a Deposition
SC-10	Criminal Case Information Form
SC-11	[Deleted]
SC-12	[Deleted]
SC-13	[Deleted]
SC-14	[Deleted]
SC-15	Family Violence Ex Parte Protective Order
SC-16	Family Violence Twelve Month Protective Order
SC-17	Stalking Ex Parte Temporary Protective Order
SC-18	Stalking Twelve Month Protective Order
SC-19	Dismissal of Temporary Protective Order
SC-20	Order for Continuance of Hearing and Ex Parte Protective Order

SC-21	Order to Modify Prior Protective Order
SC-22	Family Violence Three Year/Permanent Protective Order
SC-23	Stalking Permanent Protective Order Pursuant to Criminal Conviction
SC-24	Stalking Three Year/Permanent Protective Order
SC-25	Child Support Addendum to Family Violence Protective Order
SC-26	Petition for Temporary Protective Order
SC-27	Defendant Identifying Information/Protected Parties Information
<u>SC-28</u>	<u>Petition for Dating Violence Temporary Protective Order</u>
<u>SC-29</u>	<u>Dating Violence Ex Parte Protective Order</u>
<u>SC-30</u>	<u>Dating Violence Twelve Month Protective Order</u>