

2016-SV-MB-15

**IN THE SUPERIOR COURTS OF THE COWETA JUDICIAL CIRCUIT  
STATE OF GEORGIA  
CARROLL, COWETA, HEARD, MERIWETHER & TROUP COUNTIES**

FILED IN OFFICE  
CLERK OF  
SUPERIOR/JUVENILE  
COURT  
2016 JAN 29 PM 2:49  
ANDY S. BROWN, CLERK  
COWETA COUNTY, GA

**STANDING ORDER NUMBER 13**

**IN RE: CASE ASSIGNMENT**

**This Order supersedes Standing Order Number 12 as the case assignment order for 2016.**

Effective January 1, 2016, the Clerks of the Superior Court of the Coweta Judicial Circuit shall assign cases to the judges of the Coweta Judicial Circuit according to the following parameters, rules and procedures:

**I. CIVIL CASES**

Civil cases shall be assigned when they are filed with the Clerk of Court. In assigning civil cases, the Clerks shall utilize the random assignment functionality that is a part of their respective case management software programs. It is the intention of this order that case types of civil cases as identified in the *Georgia Court Guide to Statistical Reporting (as updated on January 27, 2015)*, be distributed among the judges in the percentages set forth in this order in as detailed a fashion as can be accomplished by their respective case management software programs without resort to custom

programming.

## **II. CRIMINAL CASES**

Criminal cases shall be assigned when the warrant is filed with the Clerk of Superior Court. It is the intention of this order that the Clerk of Superior Court receive criminal warrants for filing as soon as is reasonably practicable. The Clerks shall randomly assign criminal cases by utilizing the random assignment functionality that is a part of their respective case management software programs or by implementing a random manual assignment system of their choosing subject to the approval of a majority of the judges of the circuit. It is the intention of this order that criminal cases be distributed among the judges in the percentages set forth in this order so that each judge receives his proportionate share of serious felony cases and each judge receives his proportionate share of felony cases that are not serious felonies. "Serious felony" cases are those cases defined as such in the *Georgia Court Guide to Statistical Reporting (as updated on January 27, 2015)*. Uniform Appeal cases shall be assigned as hereafter set forth. In any situation wherein a defendant is accused of a misdemeanor and there is no related felony case, the misdemeanor case shall be treated the same as a non-serious felony case for purposes of assignment. Warrants shall be assigned from the lowest warrant

number. However, when a Clerk receives multiple warrants on the same defendant, and those warrants charge both serious and non-serious felony offenses, the Clerk shall assign the warrants on that defendant based upon the lowest serious felony warrant number (i.e. the lowest serious felony warrant on a defendant shall take precedence over a lower non-serious felony warrant on the same defendant).

### **III. CASE ASSIGNMENTS**

#### **A. Carroll County**

The Clerk of the Superior Court of Carroll County shall assign 0% of all civil cases filed and 0% of all criminal cases filed to Judge A. Quillian Baldwin, Jr.; 12% of all civil cases filed and 16.67% of all criminal cases filed to Judge John T. Simpson; 12% of all civil cases filed and 33.33% of all criminal cases filed to Judge Dennis Blackmon; 40% of all civil cases filed and 0% of all criminal cases filed to Judge Jack Kirby; 12% of all civil cases filed and 50% of all criminal cases filed to Judge Bill Hamrick; 12% of all civil cases filed and 0% of all criminal cases filed to Judge Emory Palmer; and, 12% of all civil cases filed and 0% of all criminal cases filed to Judge W. Travis Sakrison.

#### **B. Coweta County**

The Clerk of the Superior Court of Coweta County shall assign

0% of all civil cases filed and 0% of all criminal cases filed to Judge A. Quillian Baldwin, Jr.; 12% of all civil cases filed and 0% of all criminal cases filed to Judge John T. Simpson; 12% of all civil cases filed and 0% of all criminal cases filed to Judge Dennis Blackmon; 40% of all civil cases filed and 0% of all criminal cases filed to Judge Jack Kirby; 12% of all civil cases filed and 0% of all criminal cases filed to Judge Bill Hamrick; 12% of all civil cases filed and 50% of all criminal cases filed to Judge Emory Palmer; and, 12% of all civil cases filed and 50% of all criminal cases filed to Judge W. Travis Sakrison.

**C. Heard County**

The Clerk of the Superior Court of Heard County shall assign 100% of all cases filed to Judge John T. Simpson.

**D. Meriwether County**

The Clerk of the Superior Court of Meriwether County shall assign 100% of all civil cases filed to Judge Emory Palmer by and 100% of all criminal cases filed to Judge Bill Hamrick.

**E. Troup County**

The Clerk of the Superior Court of Troup County shall assign 0% of all civil cases filed and 0% of all criminal cases filed to Judge A. Quillian Baldwin, Jr.; 0% of all civil cases filed and 0% of all criminal cases filed to Judge John T. Simpson; 30% of all civil cases filed and

50% of all criminal cases filed to Judge Dennis Blackmon; 40% of all civil cases filed and 0% of all criminal cases filed to Judge Jack Kirby; 0% of all civil cases filed and 0% of all criminal cases filed to Judge Bill Hamrick; 15% of all civil cases filed and 0% of all criminal cases filed to Judge Emory Palmer; and, 15% of all civil cases filed and 50% of all criminal cases filed to Judge W. Travis Sakrison.

#### **IV. UNIFIED APPEAL CASES.**

Upon the filing of a notice of intent to seek the death penalty in any case in any county of the circuit, the Judges of the Circuit shall confer and consider the distribution of death penalty cases among the judges of the Circuit, the respective pending case load, and allocation of resources for the handling of such a case. After such conference, the Chief Judge shall assign the case regardless of any prior assignment made by the Clerk.

#### **V. COMPANION AND RELATED ACTIONS**

It is the responsibility of the Clerk of Court to assure that companion and related cases are assigned to the same judge in accordance with Uniform Superior Court Rule 3.2. The random assignment system employed by the Clerks shall apply to the earliest case filed. Thereafter, all actions involving substantially the same parties, or substantially the same subject matter, or substantially the

same factual issues, whether pending simultaneously or not, shall be assigned to the same judge. Whenever such action is re-filed, or a derivative or companion action is filed or re-filed, or a defendant is re-indicted on a previous charge, or is indicted 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. Generally, such actions will be assigned to the judge to whom the action with the lower action number is assigned. In the event that it comes to the attention of the Clerk or any party or attorney involved in a case that any case is related to another case assigned to a different judge, that fact shall be made known to the judges effected who shall confer to determine whether a transfer pursuant to Uniform Superior Court Rule 3.3 is appropriate.

#### **VI. MANUAL ASSIGNMENT**

Should any Clerk decide to assign cases manually, the random method of assignment chosen shall be reduced to writing and submitted to the judges of the Superior Court for approval.

#### **VII. EXCLUSIVE CONTROL – BALANCING THE CASELOAD**

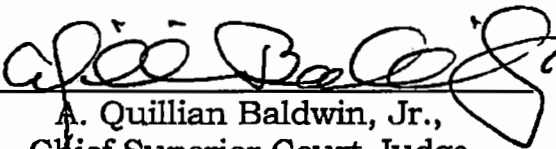
The Clerks shall run case assignment reports every six months

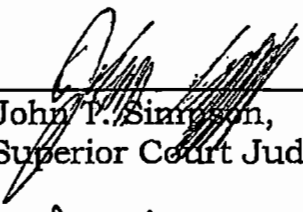
to determine whether their random assignment systems have fairly distributed the cases in accordance with the current Case Assignment Order. Such reports shall be sent to each judge in the circuit by January 15<sup>th</sup> and July 15<sup>th</sup> of each year. The judges of the circuit shall meet to discuss the assignment reports and, utilizing Uniform Superior Court Rule 3.3, transfer cases between and among themselves in order to balance the caseload should it be determined to be out of balance. At any time that any judge in the circuit believes that he is receiving a disproportionate share of the assigned cases, he may request a meeting in which the judges of the circuit shall determine whether any cases need to be transferred in order to fairly balance the caseload.


**VIII. EFFECT ON PREVIOUS STANDING ORDERS**

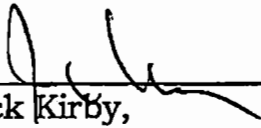
This order supersedes all previous Standing Orders addressing case assignment, which, upon the effective date of this order, are rescinded.

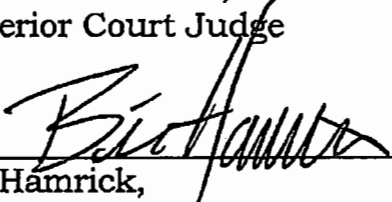
**SO ORDERED** this 1<sup>st</sup> day of January, 2016.

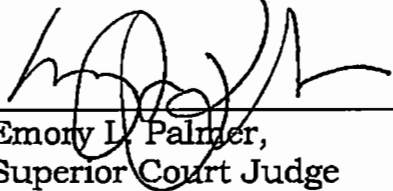
  
A. Quillian Baldwin, Jr.,  
Chief Superior Court Judge

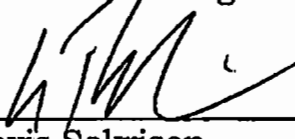
  
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John P. Simpson,  
Superior Court Judge

  
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Dennis Blackmon,  
Superior Court Judge

  
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Jack Kirby,  
Superior Court Judge

  
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Bill Hamrick,  
Superior Court Judge

  
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Emory L. Palmer,  
Superior Court Judge

  
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W. Travis Sakrison,  
Superior Court Judge