

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

STANDING ORDER GOVERNING ASSIGNMENT OF CASES

22AP1508

CIVIL CASES

All civil actions will be randomly assigned to a division by the clerk of the court with the following exceptions:

- If a child support enforcement action is filed in which the payor has previously been the subject of a child support recovery action, regardless of whether the previous case involved a different payee and/or different children, the new case will go to the same division as the prior case.
- If a civil action is filed which is inextricably related to a criminal case that has already been indicted or accused, the civil case will be assigned to the same division to which the underlying criminal case is assigned.
- If an adoption case is filed which is inextricably related to a prior civil case, the adoption case will be assigned to the same division to which the prior civil case was assigned. Name changes are not considered related cases for purposes of adoption assignment.
- Habeas cases relating to a DeKalb County conviction will be assigned to the division to which the criminal case was assigned.

CRIMINAL CASES

All criminal cases will be randomly assigned to a division by the clerk of court at the time of indictment or accusation except that when an indictment or accusation names a defendant who has had a previous case assigned to one of the ten divisions, the new case will be assigned to that same division. The following exceptions apply:

- If a new case names a defendant with multiple prior cases assigned to different divisions, the newly filed case will be assigned to the division which was assigned the prior indictment or accusation with the lowest case number.
- When an indictment or accusation names multiple defendants who have prior cases which are or were assigned to different divisions, the newly filed case will be assigned to the division which was assigned the prior indictment or accusation with the lowest case number.

- If a new case involves more than three defendants and a prior case will cause the new one to be reassigned, the Office of Court Administration will evaluate the transfer to ensure that an equitable distribution of cases is maintained. After evaluation, the Court Administrator is authorized to decline to transfer the new case or to transfer it to any division in which any of the defendants have a prior case.
- If more than six total cases would be assigned to one division as a result of this Order, the Office of Court Administration will evaluate the situation to ensure that an equitable distribution of cases is maintained. After evaluation, the Court Administrator is authorized to decline to transfer the cases or to transfer any or all of the cases to any division to which one or more of the cases have already been assigned.
- Cases alleging crime(s) committed in the DeKalb County Jail that name multiple defendants will be randomly assigned regardless of which division any prior cases were assigned to. If only one defendant is named, and that defendant has had a previous case assigned to one of the ten divisions, the new case will be assigned to that same division.

For purposes of this Order, only indictments and accusations are to be used to determine assignments; ‘D#’s, DA numbers, ‘pre-file D numbers’ and the like will not. Only the filing dates of indictments and accusations will be used to determine the age of cases; incident dates, arrest dates and the like will not.

If the transfer of a criminal case from one Division to another is necessary, the case information and transfer request shall be sent to the Court Administrator's Office for the transfer to be made and entered into the case management system. No other person or office has the authority to initiate such a transfer or make changes to case assignments after indictment or accusation.

OUT-OF-CIRCUIT CASES

Cases filed outside this circuit that are to be assigned to a Judge within this circuit because of the recusal of all Judges in the circuit where the case is filed shall be assigned at random by the Court Administrator to one of the ten divisions of DeKalb Superior Court. When a division is assigned such a case, it shall be removed from the assignment process until all ten divisions have received such a case.

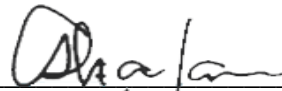
JUDICIAL ASSISTANCE

By agreement of the Judges involved, one Judge may assist another with the processing of their assigned cases.

RECUSALS

If a motion to recuse a DeKalb Superior Court Judge is filed and the Judge determines that it warrants a hearing, the motion shall be sent to the Court Administrator's office to be reassigned so that a randomly selected Judge may hear the matter. If a Judge is recused from a case, whether voluntarily or otherwise, the case shall be reassigned using the methods outlined above.

SO ORDERED this the 14th day of December, 2022.



ASHA F. JACKSON, Chief Judge
DeKalb County Superior Court
Stone Mountain Judicial Circuit