



*The Court of Appeals
of the
State of Georgia
Atlanta, Georgia 30334*

CHAMBERS OF
CHIEF JUDGE DOROTHY TOTH BEASLEY

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**TO ALL SENIOR JUDGES, SUPERIOR COURTS, STATE OF GEORGIA, GREETINGS
FROM THE COURT OF APPEALS.**

As you may know, this year the General Assembly has enacted, and the Governor has signed, Senate Bill 279 to provide for the assistance of appellate courts by senior appellate court justices or judges and senior judges of superior courts. Because of the caseload on this Court, we found it advisable to seek authority to call upon the wisdom, experience and industry of the senior judges of this State to participate in the resolution of these cases. A copy of the bill is enclosed.

In accommodating this innovation, the Court suspended the Appellate Settlement Conference Program on July 1. The selfless judges who conducted the conferences and who thus served so well to resolve a portion of the Court's cases, and the clerks of the superior and state courts, have been notified.

The Court intends to begin implementing the provisions of Senate Bill 279 and invites you to advise whether you wish to take part. If so, please write to me with your available time periods and approximate number of cases you are willing to be assigned per month. If you have not been appointed to the position of senior judge by the Governor, it will be necessary to follow the procedure set out in OCGA § 47-8-60, OCGA § 47-9-60, or OCGA § 47-10-131, whichever applies to you. However, you may wish to delay obtaining such an appointment until the Court finds that your services in particular are needed. It is quite unknown how many senior judges are willing to sit.

We anticipate this process will proceed as follows. The caseload will still be split 9 ways. Instead of each sitting judge's total portion being assigned to him or her, a given number of cases will be randomly assigned instead to a senior judge who will step into the shoes of the otherwise assigned sitting judge and assume that judge's responsibilities for that case. No cases for which oral argument is granted will be assigned to a senior judge, so the senior judges will not be bound by the oral argument calendars.

Only one senior judge will be on any one case; no senior judge will be assigned to vote in a case assigned to another senior judge. Whole court cases in which a senior judge participates will still involve only nine judges, as the senior judge will be substituting for a sitting judge. Thus OCGA § 15-3-1, which provides for a Court of Appeals of nine judges sitting in three divisions of three and a quorum of five, will remain inviolate with the addition of subsection (g). So will Section V of Article VI of the Constitution of Georgia.

A floating or central staff attorney will be assigned to act as the senior judge's staff attorney on the case, for purposes of research and drafting and other aspects of opinion development which are assigned by the senior judge responsible for the opinion.

Although we are almost hanging from the rafters, the Court has reserved an office for senior judges to use when they are present. There will be some technological equipment available also.

Enclosed is a description of the compensation which will be paid and some suggestions for meeting the challenge of parking.

We appreciate your devotion to the operation of the courts in Georgia in a way which will best fulfill the Constitution and laws of the State in an expeditious and fair manner.

Sincerely,

DOROTHY TOTH BEASLEY

Enclosures