



Atlanta February 21, 2014

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that Uniform Magistrate Court Rule 4.2.4 (relating to assignment of cases and the recusal/disqualification procedure) and Rule 12 (relating to completion of caseload reports) be amended, and that Rule 43.1 (relating to default judgments) be added, effective March 13, 2014, as follows:

Rule 4.2. Recusal/Disqualification of Judge

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4.2.4 Procedure upon a Motion for Recusal/Disqualification. The motion shall be assigned to another judge who shall be selected according to the following rules in the order stated:

- (a) No judge shall ever select the judge to hear the motion about his or her own recusal;
- (b) Subject to the requirement of section (a) the selection of the judge to hear the motion shall be made by:
 - (1) A random, impartial selection process, if available in the county; otherwise
 - (2) The chief judge of the county;
 - (3) Another judge of the county beginning with the most senior in terms of service as a judge;
 - (4) If the above fails to provide a judge able to hear the matter, a request for assistance shall be made to the District Administrative judge as provided for in OCGA § 15-1-9.1.
 - a. A District Representative to the Executive Committee of the Council of Magistrate Court Judges representing the county, beginning with the most senior in terms of service on the Executive Committee, may prepare the request provided for in OCGA § 15-1-9.1, secure the agreement of a suitable judge to hear the matter, and submit a suitable Order of Assignment, if required, to assist the District Administrative judge.
 - b. A District Representative of an adjoining district to the Executive Committee of the Council of Magistrate Court Judges may perform the actions provided for in section (b)
- (4)a. if all the District Representatives are subjects of the Motion to Recuse/Disqualify.

If the motion is sustained, the selection of another judge to hear the case shall follow the same procedure as outlined above.

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Rule 12. Completion of Caseload Reports

In order to compile accurate data on the operation of the magistrate courts, each chief magistrate shall ensure the accurate completion and timely submission of the Caseload Reports sent to them by the Administrative Office of the Courts.

Rule 43.1. Default Judgments in Civil Actions

The party seeking entry of a default judgment in any action shall certify to the court the following: the date and type of service effected; that proof of service was filed with the court; the date on which proof of service was filed; and that no defensive pleading has been filed by the defendant as shown by court records. This certificate shall be in writing and must be attached to the proposed default judgment, together with the military affidavit, if required by 50 U.S.C. appx. § 521, when presented to the judge for signature.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 Clerk