



SUPREME COURT OF GEORGIA

Atlanta March 7, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

It is ordered that Uniform Superior Court Rule 45 (relating to court security and emergency operations) and Uniform Superior Court Form SC-6.2 (Final Disposition Felony Sentence with Probation) be amended. Rule 45 is amended to conform to statutory language. The amendments, which shall be effective March 22, 2018, are as follows:

Rule 45. COURT SECURITY AND EMERGENCY OPERATIONS

Courts within a judicial circuit shall prepare for emergencies by developing both a security plan to address the safety of the public and employees and a judicial emergency operations plan to provide for an immediate response to any type of crisis and provide for continuity of operations during such crisis.

(A) Courthouse Security Plan. The Sheriff, in consultation with the Chief Judge of the Superior Court of the circuit, shall develop and implement a comprehensive plan for the security of the county courthouse and any courthouse annex. A comprehensive plan for courthouse security shall be considered a confidential matter of public security and shall not be disseminated except as in accordance with OCGA § 15-16-10(a)(10). The plan shall be reviewed and updated annually, and employees shall be educated annually on their role, if any, in said plan.

(B) Emergency Operations Plan. The Chief Judge, or his/her designee, shall develop and implement an Emergency Operations Plan for each county courthouse and/or courthouse annex in the jurisdiction. The plan shall at a minimum, include:

- (1) A method for collecting and maintaining contact information for all employees to be utilized during an emergency;
- (2) Identification of relocation sites and provisions for preparing such sites;
- (3) Identification of essential activities and functions to be performed;
- (4) Identification of employees designated to perform essential activities and method for training of said employees at least annually;

- (5) A person designated to provide information to the public and the press, during and immediately following an emergency;
- (6) Identification of vital records and equipment and provisions for their protection or back-up.

The Council of Superior Court Judges shall maintain and make available materials to assist Chief Judges in complying with this rule.

(C) Judicial Operations Emergency Order. Pursuant to OCGA § 38-3-60 et seq., upon his/her own motion or after consideration of a request from another judge or court official, the Chief Judge of the circuit experiencing an emergency or disruption in operations may issue an order authorizing relief from time deadlines imposed by statutes, rules, regulations, or court orders until the restoration of normal court operations or as specified.

The emergency order may also designate one or more facilities as temporary courthouses that shall be suitable for court business and located as near as possible to the county seat.

The order shall contain (1) the identity and position of the judge, (2) the date, time, and place executed, (3) the jurisdiction affected, (4) the nature of the emergency, (5) the period of duration, and (6) other information relevant to the suspension or restoration of court operations. The duration of a court emergency order is limited to a maximum of 30 days. The order may only be extended twice by the issuing judge for additional 30-day periods, and any extension must contain the information required in the original order.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I 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.



IN THE SUPERIOR COURT OF _____ COUNTY, STATE OF GEORGIA

STATE OF GEORGIA

versus *Clerk to complete if*

incomplete:

OTN(s): _____

DOB: _____

Ga. ID#: _____

CRIMINAL ACTION #: _____

_____ **Term of 20** _____

**Final Disposition:
FELONY with PROBATION**

**First Offender/Conditional Discharge
entered under:**

PLEA:

VERDICT:

- O.C.G.A. § 42-8-60
 O.C.G.A. § 16-13-2
 Negotiated
 Non-negotiated
 Jury
 Non-jury
- Repeat Offender as imposed below**
- Repeat Offender waived

The Court enters the following judgment:

Count	Charge (as indicted or accused)	Disposition (Guilty, Not Guilty, Guilty- <u>Alford</u> , Guilty- Lesser Incl, Nolo, Nol Pros, Dead Docket)	Sentence	Fine	Concurrent/ Consecutive, Merged, Suspended
1					
2					
3					

The Defendant is adjudged guilty or sentenced under First Offender/Conditional Discharge for the above-stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

Sentence Summary: The Defendant is sentenced for a total of _____, with the first _____ to be served in confinement and the remainder to be served on probation; or to be served on probation.

The Defendant is to receive credit for time served in custody: from _____; or as determined by the custodian.

1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

2. Upon service of _____, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

3. The Court sentences the Defendant as a recidivist under O.C.G.A.:

§ 17-10-7(a); § 17-10-7(c); § 16-7-1(b); § 16-8-14(b); or § _____.

4. The above sentence includes a behavioral incentive date of _____ in accordance with O.C.G.A. § 17-10-1.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Community Supervision Officer as directed and permit the Community Supervision Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Community Supervision Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Community Supervision Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

FINE SURCHARGES or ADD-ONS: The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted.

- 1) The Court orders that: the Defendant shall pay the community supervision fee as required by law; or the community supervision fee is waived.
- 2) If counsel was provided under the Georgia Indigent Defense Act: the Defendant shall pay the \$50 Public Defender Application Fee; or the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense: the Defendant shall pay attorney's fees of \$_____ to _____ County; or attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee as required by law.

SPECIAL CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all Special Conditions of Probation: as designated on the attached Inventory of Special Conditions of Probation; or as follows: (*import conditions to be imposed from Inventory of Special Conditions of Probation*).

FIRST OFFENDER OR CONDITIONAL DISCHARGE

(If designated by the Court)

The Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time but that further proceedings are deferred and the Defendant is hereby sentenced to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law.

Upon violation of the terms of probation, upon conviction for another crime during the period of probation, or upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act or for Conditional Discharge, the Court may enter an adjudication of guilt and proceed to sentence the Defendant to the maximum sentence as provided by law.

Upon fulfillment of the terms of this sentence, or upon release of the Defendant by the Court prior to the termination of this sentence, the Defendant shall stand discharged of said offense without court adjudication of guilt and shall be completely exonerated of guilt of said offense charged.

Defendant's school enrollment: The Defendant: is 17 years of age or older, was convicted of the felony offense(s) of _____, and is or will be enrolled in _____ School or school system, O.C.G.A. § 15-6-36; or is 13-17 years of age, was convicted of the felony offense(s) of _____, and is or will be enrolled in _____ School or school system, O.C.G.A. § 15-11-560(g). The Clerk shall give notice as required by the statute.

For Court's Use:

The Hon. _____, Attorney at Law, represented the Defendant by:
 employment; or appointment.

SO ORDERED this _____ day of _____, 20_____.

Judge of Superior Court
_____ Judicial Circuit

(print or stamp Judge's name)

FIREARMS: If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

Acknowledgment: I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

Defendant