

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

ADMINISTRATIVE ORDER 11-02

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE

AUG 12 2011

L. B. Allen
CLERK SUPERIOR COURT

CRIMINAL CASEFLOW MANAGEMENT PLAN

This administrative order is issued in accordance with Uniform Supreme Court Rules 31.1, 31.2, 32.1, and 32.2.

A. Goals of the Court

The court adopts the following Criminal Caseflow Management Plan to:

1. expedite the disposition of all criminal cases in a manner consistent with fairness to all parties;
2. minimize the uncertainties associated with processing cases;
3. assure equal access to the adjudicative process for all litigants;
4. ensure that the resolution of matters is guided by what is permissible under law by defined standards of service and by balancing the needs of the individual and society; and
5. enhance the quality of litigation.

B. Scheduling Policy

The Court adopts a scheduling policy whereby all criminal cases will be set in a manner that minimizes delay for the parties and that reduces the possibility of continuance of set times. This includes early and continuous control of all cases from case initiation through post-disposition proceedings by the use of:

1. appropriate case screening;
2. scheduling orders and conferences for the purpose of achieving date certainty;
3. management of discovery and motion practice;
4. realistic setting of trial dates and time limits; and

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5. court control of continuances in compliance with Uniform Superior Court Rule 32.2 for the purpose of achieving date certainty.

Criminal cases will be reviewed continually to ensure that no case exists for which a future action or review date has not been set by the court. Scheduling will comply with the time guidelines set forth in Uniform Superior Court Rules 31.1, 31.2, and 32.2.

The District Attorney shall notice and schedule all arraignments. At the time of arraignment, each party will be provided with a motion date by which every motion filed must be heard, unless that time is extended by the court.

The Superior Court Criminal Calendar Clerk shall have the duties of calendaring pleas, motions, non-jury matters, and jury trials in all criminal cases. If contested, motions for continuance shall be scheduled prior to the hearing date of the matter for which a continuance is requested. Motions for continuance may be scheduled on any day and are not required to be set on specific criminal motion days.

C. Motion Practice

The court adopts the following criminal motion practice policy:

1. Pursuant to O.C.G.A. 17-7-110, all motions shall be filed no later than 10 days after arraignment unless the time for filing is extended by the court.
2. A Rule Nisi containing the motion date obtained from the calendar clerk shall be filed concurrently with the motion and copies shall be provided to both opposing counsel and the court's calendar clerk.
3. All motions shall be heard prior to the case appearing on the trial calendar, except by leave of court.

D. Continuance Policy

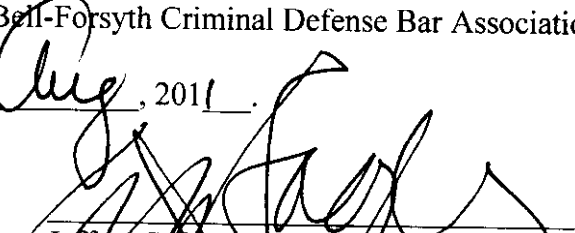
The court adopts the following continuance policy for all matters:

1. Unless the court allows otherwise, a request for a continuance must be by written motion based on good cause shown. All requests for continuance will be decided by the judge. Continuances that are granted will be classified and tracked based on the reason given.
2. A motion for continuance must state:
 - a. which party is requesting the continuance;

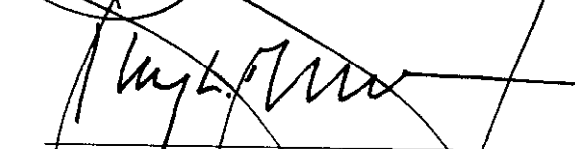
- b. the reason for the continuance; and
 - c. whether other continuances have been granted in the proceeding and, if so, the number granted, the party receiving the previous continuances, and reasons for continuances granted.
3. If the parties agree to a continuance, a signed stipulation stating the reasons for continuance, along with a proposed order, shall be submitted to the judge for final decision.
 4. At the time any criminal proceeding is continued, the moving party shall immediately notify the Superior Court Criminal Calendar Clerk of the continuance and reschedule the matter for a specific date and time. If the matter is a motion, failure to obtain another hearing date may result in the court determining the motion has been abandoned.
 5. The moving party shall immediately provide a courtesy copy of all Orders for Continuance to the Superior Court Criminal Calendar Clerk.

The Clerk of the Superior Court of Forsyth County shall file this administrative order and enter it upon the minutes of the Court, and shall mail a copy to each member of the Bell-Forsyth Circuit Bar Association and the Bell-Forsyth Criminal Defense Bar Association.

SO ORDERED, this 12th day of Aug, 2011.



Jeffrey S. Bagley, Chief Judge
Superior Court for the
Bell-Forsyth Judicial Circuit



David L. Dickinson, Judge
Superior Court for the
Bell-Forsyth Judicial Circuit