

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
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PATTY BAKER, CLERK

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA

In the matter of:
Bailiffs

Administration and Procedure

ORDER

The Court finds that heretofore, the bailiffs of the Blue Ridge Circuit have been employed pursuant to Rule 79 of the Superior Courts codified in the 1933 Georgia Code at Georgia Code Annotated § 24-3379. However, such rules were probably repealed by O.C.G.A. §1-1-10 and in any event are specifically repealed by Rule 1.3 of the Uniform Rules for the Superior Courts, previously adopted and to become effective on July 1, 1985. Therefore, there currently exists no legal guidelines nor frame-work, nor direction by law, as to which agency has the responsibility of employing and supervising bailiffs' to be used in court.

Nevertheless, the laws of this State still prescribe the duties and the oaths pertaining thereto for bailiffs taking charge of grand and petit juries. O.C.G.A. §15-12-69 and O.C.G.A. §15-12-1 Furthermore, the law still provides for the compensation of such bailiffs. O.C.G.A. §15-12-7(1). Finally the Courts have powers "preserve and enforce order in its immediate presence and, as near thereto as is necessary, to prevent interruption, disturbance or hindrance to its proceedings;" O.C.G.A. §15-1-3(1).

Therefore, the Court finds that the Courts have implicit statutory powers, and inherent powers to provide for, employ and supervise bailiffs for the above purposes. Supervision may be exercised by the Courts directly or may be delegated to a chief bailiff or such other officer of the court as the Courts shall provide. All bailiffs presently serving shall continue to serve in their present capacity at the pleasure of the Courts and shall be paid in similar fashion to jurors

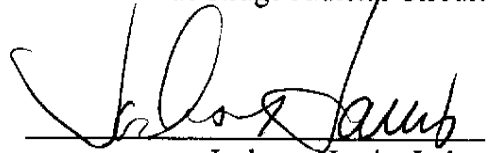
as provided by law. O.C.G.A. §15-12-7.

This Order supersedes the Order entered June 18, 1985 and recorded in Minute Book 113, Page 586.

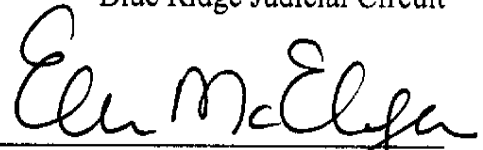
SO ORDERED this 30 day of October, 2009.



Frank C. Mills, III, Chief Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit



Jackson Harris, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit



Ellen McElyea, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit