

ORDINANCE

#20-23

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN TO AMEND SECTION 2-206 OF ARTICLE VIII – MUNICIPAL COURT PROSECUTOR OF CHAPTER 2 – ADMINISTRATION OF THE CODE OF ORDINANCES FOR THE CITY OF DUBLIN TO PROVIDE FOR THE APPOINTMENT OF ATTORNEYS TO SERVE AS MUNICIPAL COURT PROSECUTORS FOR THE CITY OF DUBLIN IN THE EVENT OF THE ABSENCE OR CONFLICT OF THE MUNICIPAL COURT PROSECUTOR; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Municipal Court Prosecutor may from time to time be absent from certain proceedings in municipal court or may have ethical conflicts with handling the prosecution of certain cases; and

WHEREAS, the Mayor and Council want to ensure that substitute prosecutors are able to fill in on short notice without the need for additional approval from Council; and

WHEREAS, prosecuting attorneys in the office of the District Attorney for the Dublin Judicial Circuit are sworn prosecuting attorneys for the State of Georgia; and

WHEREAS, the Mayor and Council find it in the best interest of the City to provide for efficient handling of cases in the Municipal Court of the City of Dublin.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN HEREBY ORDAIN AS FOLLOWS:

SECTION ONE:

Section 2-206 of Article VIII, Municipal Court Prosecutor, of Chapter 2 – Administration, of the Code of Ordinances, which currently reads:

“The prosecuting attorney of the municipal court may appoint one (1) or more assistant prosecuting attorneys whose appointment shall be ratified by the city council before becoming an assistant prosecuting attorney for the municipal court. Such assistant prosecuting attorney shall be a member in good standing of the State Bar of Georgia or satisfy the provisions of the Third Year Practice Act, found in the O.C.G.A. § 15-18-22. The prosecuting attorney may, when absent from court, appoint a substitute prosecutor who shall serve for the limited time of his appointment.”

IS HEREBY AMENDED TO READ AS FOLLOWS:

“ (a) The prosecuting attorney of the municipal court may appoint one (1) or more assistant prosecuting attorneys whose appointment shall be ratified by the city council before becoming an assistant prosecuting attorney for the municipal court. Such assistant prosecuting attorney shall be a member in good standing of the State Bar of Georgia or satisfy the provisions of the Third Year Practice Act, found in the O.C.G.A. § 15-18-22.

(b) The prosecuting attorney of the municipal court, when absent from court or when he or she has a conflict in the handling of a particular case, may appoint a substitute prosecutor who meets the qualifications of the office to serve and who shall serve for the limited time of his or her appointment.”

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