



## SUPREME COURT OF GEORGIA

Atlanta June 9, 2011

The Honorable Supreme Court met pursuant to adjournment.  
The following order was passed:

It is ordered that Uniform State Court Rule 25.4 (relating to recusal) be approved effective July 7, 2011, as follows:

### **RULE 25. RECUSAL**

#### **25.4. Procedure Upon a Motion for Disqualification.**

The motion shall be assigned for hearing to another judge, who shall be selected in the following manner:

(A) If within a single-judge county, the district chairperson serving on the Executive Committee of the Council of State Court Judges shall select the judge;

(B) If within a two-judge county, the other judge, unless disqualified, shall hear the motion;

(C) If within a county composed of three (3) or more judges, selection shall be made by use of the county's existing random, impartial case assignment method. If the county does not have random, impartial case assignment rules, then assignment shall be made as follows:

(1) The chief judge of the county shall select a judge within the county to hear the motion, unless the chief judge is the one against whom the motion is filed; or

(2) In the event the chief judge is the one against whom the motion is filed, the assignment shall be made by the judge of the county who is most senior in terms of service other than the chief judge and who is not also a judge against whom the motion is filed; or

(3) When the motion pertains to all active judges in the county, the district chairperson serving on the Executive Committee of the Council of State Court Judges shall select a judge other than an active judge of the referring court to hear the motion.

(D) If the district chairperson serving on the Executive Committee of the Council of State Court Judges is the one against whom the motion is filed, or if said judge sua sponte recuses from the case, the President of the Council of State Court Judges shall serve in this selection process instead of the district chairperson.

(E) If all judges within a county are disqualified, as well as the district chairperson serving on the Executive Committee of the Council of State Court Judges and the

President of the Council of State Court Judges, the matter shall be referred by the disqualified district chairperson to the district chairperson serving on the Executive Committee of the Council of State Court Judges of an adjacent district for the appointment of a judge other than an active judge of the referring court to hear the motion.

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

**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