

RECORDER'S [MUNICIPAL] COURT

Chapter 19

RECORDER'S [MUNICIPAL] COURT*

***Editor's note**—It should be noted that recorder's court is now municipal court, see OCGA § 36-32-1 et seq.

Charter references—Recorder's court, § 4.101 et seq.; city attorney may be prosecuting officer in recorder's court, § 3.105.

Cross reference—"Recorder" defined, § 1-3.

State law reference—Local courts generally, OCGA § 36-32-1 et seq.

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Sec. 19-1. Terms.

The recorder's [municipal] court shall be convened at 5:00 p.m. on the first Thursday of each month and at such other times as shall be ordered by the recorder when he deems it necessary to keep the dockets thereof current.

(Code 1967, § 7-2)

Charter law reference—Court to be convened at times designated by ordinance or as necessary to keep dockets current, § 4.101.

Sec. 19-2. Where sessions held.

Sessions of the recorder's [municipal] court shall be held in the council chamber at the city hall.

(Code 1967, § 7-3)

Sec. 19-3. Rules of procedure.

The rules of procedure of the recorder's [municipal] court shall be as provided by law and as supplemented by appropriate orders and rulings of the court.

(Code 1967, § 7-4)

Charter reference—Authority of recorder as to rules and regulations, § 4-104.

Sec. 19-4. Defendant must be present for trial, sentence, or discharge.

In no case shall any person charged with violating any ordinance of the city be tried, sentenced or discharged, unless such person is actually present before the recorder's [municipal] court at the time of such trial, sentence, or discharge.

(Code 1967, § 7-5)

Sec. 19-5. Appearance bonds generally.

Any person arrested under a warrant may give the arresting officer a bond with good security, to be approved by such officer or the recorder's [municipal] court, which bond shall be joint and several, and in such sum as may be endorsed on the warrant by the officer issuing the same. If no amount is so endorsed thereon, the arresting officer may take bond in a sum equal to double the highest fine that could be imposed for the offense charged in the warrant, and the recorder's [municipal] court may fix the amount of the bond at any reasonable sum. The conditions of the bond shall be for the appearance of the defendant at the recorder's court at a specified time, and from time to time thereafter as required, then and there to stand to and abide his trial on the charge, and not to depart thence without leave of court.

(Code 1967, § 7-8)

Cross reference—Professional bondsmen, Ch. 17.

Sec. 19-6. Forfeiture of bond or recognizance.

Upon the failure to appear of any principal in any bond or recognizance given by any person charged with a penal offense, the principal and sureties on the bond or recognizance shall be called in the manner practiced in the superior courts of this state, and on failure of such persons so called to cause the principal to appear at once in court. Such obligation shall be forfeited. Upon such forfeiture, the

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court shall order *scire facias* to issue, calling upon the principal and sureties to show cause why judgment shall not be entered against them for the amount of the bond.

(Code 1967, § 7-9)

Cross reference—Failure of professional bondsman to pay forfeited bond, § 17-4.

State law reference—Authority of city to provide for forfeiture of bonds, OCGA § 36-32-4.