



Supreme Court of Georgia

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COURT AMENDS RULES

Atlanta, June 10, 2010 – The Supreme Court of Georgia today unanimously adopted a change in its rules to ensure that those seeking to appeal a lower court’s ruling will be able to afford to do so.

Under the rule change, which amends Rules 67 and 69 of the “Rules of the Supreme Court of the State of Georgia,” the parties on both sides of an appeal will together certify and provide the case record to the high court. Before this change, court clerk’s offices prepared, copied and certified the record.

“This is an interim solution to the problems created by the passage of House Bill 1055,” said Chief Justice Carol Hunstein. “I have been in communication with members of the legislature and the executive branch, as well as with the association of county commissioners, and I don’t think anyone involved in this legislation understood what the impact would be.”

House Bill 1055, passed in the last two weeks of the legislature, raised the cost of sending a case record from the trial court to the appeals court from \$1.50 a page to \$10.00 a page. Court records include everything filed in a case, including motions, court orders, depositions and attorneys’ briefs. For a record of 500 pages or more, the cost to appeal under House Bill 1055 would rise from \$750 to \$5,000 – more than a 500 percent increase.

“The whole purpose of this is to make sure the people of Georgia continue to have access to their appellate courts,” the Chief Justice said. “It is a stopgap measure until the legislature reconvenes next year.”