

1     **RESOLUTION TO CONFIRM THE APPOINTMENT OF MARIAN PARKER TO THE**  
2     **POSITION OF ASSOCIATE JUDGE OF THE FULTON COUNTY PROBATE COURT,**  
3     **AND FOR OTHER PURPOSES**

4             **WHEREAS**, the COVID-19 pandemic and other emergency circumstances have  
5 highlighted the need for the proper staffing of the Fulton County Probate Court at all times; and

6             **WHEREAS**, O.C.G.A. § 15-9-2.1(a)(1) authorizes the chief judge of a probate court to  
7 appoint one or more individuals to serve as associate judges of the probate court in probate matters  
8 on a full-time or part-time basis subject to the approval of the governing authority of the county;  
9 and

10            **WHEREAS**, pursuant to O.C.G.A. 15-9-2.1(b), full-time and part-time associate judges  
11 of the probate court shall be vested with all of the authority of the judge of the probate court of the  
12 county or counties for which the associate judge of the probate court is appointed; and

13            **WHEREAS**, upon appointment as a full-time Associate Judge of the Fulton County  
14 Probate Court, Marian Parker, will be bound by the same requirements as the full-time elected  
15 Probate Judge of Fulton County and must complete all the training requirements that apply to  
16 probate court judges; and

17            **WHEREAS**, upon appointment, Marian Parker will be charged to oversee contested court  
18 matters, and in times of emergency, if a vacancy in the office of the Judge of the Fulton County  
19 Probate Court occurs, Marian Parker, as the Associate Judge, shall serve pursuant to O.C.G.A. §  
20 15-9-10 until such vacancy is filled; and

21            **WHEREAS**, the Probate Judge of Fulton County has determined that the efficiency and  
22 succession planning of the Fulton County Probate Court would be served by the appointment of  
23 Marian Parker; and

24            **WHEREAS**, Marian Parker, as Associate Judge of the Fulton County Probate Court, shall  
25 serve at the pleasure of the current Fulton County Probate Court Judge, and Ms. Parker's  
26 appointment, if approved, will be for the duration of the current Probate Court Judge's term, which  
27 will expire on January 1, 2025, if she is not re-elected; and

28            **WHEREAS**, pursuant to O.C.G.A. § 15-9-2.1 (a) (4), compensation of the associate judges  
29 of the probate court shall be fixed by the Judge of the probate court subject to the approval of the  
30 governing authority or governing authorities of the county or counties for which the associate  
31 judge of the probate court is appointed.

32            **WHEREAS**, O.C.G.A. § 15-9-2.1(a)(4) also provides that the salary and any employment  
33 benefits of each associate judge shall be paid from county funds; and

34            **WHEREAS**, the Fulton County Board of Commissioners approved a proposal presented  
35 by the Department of Human Resources Management ("DHRM") on November 17, 2021, in  
36 Agenda Item No. 21-0913 to establish new salaries and/or county supplements for elected and  
37 appointed officials to the extent allowed by law and where such authority is vested in the Board of  
38 Commissioners; and

1           **WHEREAS**, on April 13, 2022, the Board of Commissioners approved Agenda Item #22-  
2 0237 and adopted a Salaries and Supplements Schedule for elected and appointed officials  
3 presented by the DHRM but the Salaries and Supplements Schedule did not include the annual  
4 salary of an Associate Probate Court Judge;

5           **WHEREAS**, the DHRM recommends and the Probate Court Judge of Fulton County  
6 agrees, that the salary for an Associate Judge of the Fulton County Probate Court, shall be  
7 \$162,801.00 and said amount and the cost of attendant fringe benefits for this position having been  
8 confirmed as available in the Probate Court Judge's FY 2023 budget; and

9           **WHEREAS**, Marian Parker meets all the requirements to serve as an Associate Judge of  
10 the Fulton County Probate Court and has agreed to accept appointment as an Associate Judge of  
11 the Fulton County Probate Court; and

12           **NOW, THEREFORE BE IT RESOLVED**, that the Salaries and Supplements Schedule  
13 approved by the Fulton County Board of Commissioners as part of Agenda Item #22-0237 on  
14 April 13, 2022, is hereby amended to include Associate Probate Court Judge at an annual salary  
15 of \$162,801.

16           **BE IT FURTHER RESOLVED**, that the Board of Commissioners of Fulton County  
17 hereby approves Marian Parker as an Associate Judge of the Fulton County Probate Court with an  
18 annual salary of \$162,801.00 with the cost of attendant fringe benefits to be paid by funds allocated  
19 to the Probate Court's FY2023 budget.

20           **BE IT FURTHER RESOLVED**, that said appointment will begin on April 12, 2023, and  
21 continue thereafter at the pleasure of the current Fulton County Probate Court Judge.

22           **BE IT FURTHER RESOLVED**, however, that, in no event, shall Marian Parker's term  
23 of service as an Associate Judge extend beyond the term of the current Fulton County Probate  
24 Court Judge.

25           **BE IT FINALLY RESOLVED**, that the Department of Human Resources Management  
26 and Finance Department are to create one Associate Judge position in the Fulton County Probate  
27 Court which shall be a permanent full-time position to which Marian Parker shall be assigned with  
28 the compensation and benefits authorized herein.

29  
30           **BOARD OF COMMISSIONERS**  
31           **OF FULTON COUNTY**  
32           (SEAL)

33  
34           By:   
35           Robert L. Pitts, Chairman  
36  
37  
38

1 ATTEST:

2 Tonya R. Grier

3 Tonya Grier  
4 Clerk to the Board of Commissioners



7 APPROVED AS TO FORM:

8  
9 Y. Soo Jo

10  
11 Y. Soo Jo  
12 Fulton County Attorney  
13

14 [https://fc0365.sharepoint.com/CountyAttorney/CALegislation/ProbCt/Resolutions/Associate Probate Judge Position/04.12.23 Resolution to](https://fc0365.sharepoint.com/CountyAttorney/CALegislation/ProbCt/Resolutions/AssociateProbateJudgePosition/04.12.23Resolutionto)  
15 Appoint Assoc Judge (03.21.2023 FCAO Edits – clean copy)

ITEM # 23-0251 RM 4.12.23  
REGULAR MEETING