

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 ATTEST:

2 _____

3 Tonya Grier
4 Clerk to the Board of Commissioners

5
6

7 APPROVED AS TO FORM:

8
9 _____

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/Associate%20Probate%20Judge%20Position/04.12.23%20Resolution%20to%20Appoint%20Assoc%20Judge%20(03.21.2023%20FCAO%20Edits%20-%20clean%20copy))
15 [Appoint Assoc Judge \(03.21.2023 FCAO Edits – clean copy\)](https://fc0365.sharepoint.com/CountyAttorney/CALegislation/ProbCt/Resolutions/Associate%20Probate%20Judge%20Position/04.12.23%20Resolution%20to%20Appoint%20Assoc%20Judge%20(03.21.2023%20FCAO%20Edits%20-%20clean%20copy))