

Announcements:

Rockdale County Probate Court becomes an Article 6 court:

On July 1, 2022, as a result of the 2020 United States Census, the Rockdale County Probate Court became an Article 6 Probate Court. Under the Georgia law, Article VI probate courts are those courts in any Georgia county having a population of more than 90,000 according to the most recent United States decennial census. *See* O.C.G.A . Sections 15-9-4 and 15-9-6. According to the 2020 United States Census Rockdale County's population is 93,570.

The jurisdiction of Article 6 probate courts is enhanced or expanded beyond the jurisdiction of non-Article 6 probate courts. The Article 6 probate courts have concurrent jurisdiction with the superior courts in certain matters. Some of the expanded Article 6 jurisdiction that is concurrent with the superior court include proceedings for:

- (1) Declaratory judgments involving fiduciaries;
- (2) Tax motivated estate planning of wards' property;
- (3) Approval of certain settlement agreements;
- (4) Actions involving trusts, trustees and trust directors;
- (5) Actions to construe a power of attorney or review the agent's actions;
- (6) Actions to grant an agent authority under a power of attorney;
- (7) Petitions for direction or construction of will or trust;

Whereas non-Article 6 courts cannot conduct jury trials, Article 6 courts can conduct jury trials for issues properly before the court. Further, whereas appeals from non-Article 6 courts are made to the county superior court, Appeals from Article 6 courts are made to the Georgia Court of Appeals or the Georgia Supreme Court, as is appropriate.

With one exception, Article 6 probate court judges must have the same qualifications as a superior court judge, including being an attorney admitted to practice law for at least seven years. The one exception is that a non-attorney judge of the probate court already serving when the county population reaches or exceeds 90,000 may continue to serve and may run for re-election.

Rockdale County Probate Judge Gary Washington has been admitted to practice law in Georgia for more than thirty years.

https://rockdalecountyga.gov/cpo_team/judge-gary-w-washington/

Proposed Constitutional Amendments and State-Wide Referendum Questions for the Upcoming General Election:

Proposed constitutional amendments and state-wide referendum questions are available for public inspection and copies are available to the public at the Rockdale County Probate Court.

You may also view the full text below:

[Full Text of Proposed Constitutional Amendments - November 8 2022.pdf](#)