



BEMON GILMORE MCBRIDE III
JUDGE OF SUPERIOR COURT
CHATTAHOOCHEE JUDICIAL CIRCUIT

GOVERNMENT CENTER
CHAMBERS: 100 10TH STREET – 11TH FLOOR
MAILING: POST OFFICE BOX 1340
COLUMBUS, GEORGIA 31902-1340

TELEPHONE
(706) 225 – 4275

January 3, 2025

TO: All attorneys, clerks and community supervision officers with criminal cases before Judge McBride in Muscogee County

FROM: Bemon G. McBride III, Judge, Superior Court

RE: Criminal proceedings in Judge McBride's Muscogee County courtroom

As you may remember, we adopted procedures in my Muscogee County courtroom effective July 1, 2023 to make our criminal operations more efficient and productive, mindful of security concerns and manpower constraints in the offices of the Clerk and Sheriff. I think we all understand that the Sheriff needs as many deputies as possible on the road or at the jail, rather than tied up with transporting inmates. The Clerk has demands on her staff as well.

Guided by these considerations, I am updating and adopting procedures for criminal cases in my Muscogee County courtroom effective February 1, 2025:

1. Unless ordered otherwise, the Sheriff will no longer be transporting inmates from the jail to the courtroom so that inmates can talk to their attorneys, hear plea offers, etc.
2. Each criminal nonjury day will be divided into three dockets, each docket capped as follows: 9:30 a.m. (15 defendant maximum); 1:30 p.m. (15 defendant maximum); and 3:00 p.m. (10 defendant maximum). This approach has proven popular because it allows lawyers to concentrate their cases on a single docket, rather than have cases spread across an entire day.
3. The only inmates who will be transported by the Sheriff from the Muscogee County jail to the courtroom on criminal nonjury days will be: A. Those who are the subjects of filed, served and scheduled VOP petitions, B. Those who are parties to or witnesses in filed and served motions, and C. Those who are entering negotiated pleas, with sentence recommendation forms completed and signed by ALL counsel at least forty-eight hours before the scheduled criminal nonjury court appearance.
4. Copies of signed and completed sentence recommendation forms must be emailed to James Rich, the docket clerk and the jail at least forty-eight hours ahead of court. Inmates and defendants on bond who do not meet this deadline will be removed from the docket and, if appropriate, the jail transport list.

Adhering to this deadline will enable the jail to assign staff, compile transport lists and give the clerk a head start on preparation of sentences. Having the paperwork completed ahead of time also avoids the problem of lag time between entering the plea and having the sentence reduced to writing and filed. We have now been using this approach in Muscogee County for eighteen months, so everyone should be accustomed to this practice.

5. These changes mean that pleas must be negotiated, and paperwork prepared before court. Hopefully, a more proactive approach will allow the Sheriff to target his personnel where they are most needed.
6. We will continue our practice of calling regular delayed indictment dockets. Questions are sometimes raised about why bond has not been sought by counsel, why a client remains in jail, alleged speedy trial violations or the causes of delay in

court proceedings. These dockets are good opportunities for counsel to confer on the record about the State's plans for a case, the timeline for getting the case to trial or to negotiate and hear bond motions. All of this being said, defense lawyers and their clients can be excused from these particular dockets if they are satisfied with the progress of the case.

7. I will not generally pass a VOP to allow a "global resolution." If a VOP petition is properly before the Court and otherwise ripe for hearing, I would like to hear it. Should a revocation occur, a simple production order can secure the defendant's return to court from the Department of Corrections for a guilty plea, trial or other disposition on new charges.

8. VOPs will only be scheduled on my 9:30 dockets on criminal nonjury dates. The first eight slots on these dockets will be reserved exclusively for VOPs. VOPs will not be scheduled for the 1:30 and 3:00 p.m. dockets on criminal nonjury days.

9. My dockets are usually published with sufficient notice to allow compliance by attorneys with Uniform Rule 17.1 (pertaining to conflicts). Generally, a lawyer who does not give seven days' notice of a conflict and otherwise follow this rule should arrange to be present in my courtroom for scheduled proceedings. Failure to follow this rule is unfair to defendants, alleged victims, family members and others.

10.. Finally, the measures set forth in this memorandum apply solely to criminal cases in my Muscogee County courtroom. I speak for no judge except myself, although our Chief Judge will be made aware of these procedures.

Thanks for everyone's help. I look forward to a productive year. As always, I welcome questions and suggestions.

BGMcB,III/jar