



# Prosecuting Attorneys' Council of Georgia

**Policies & Procedures**

**Approved Jun. 6, 2012**

**1.2**

**Council Organization**

**Continuity of Operations**

1. Authority.
  - (a) O.C.G.A. § 15-18-44(a)(8).
  - (b) O.C.G.A. § 15-18-47.
  - (c) O.C.G.A. § 45-6-5.
  - (d) Ga. R. Of Professional Conduct, R. 5.1.
  
2. Application.
  - (a) In the event of the death, resignation, or inability of the Executive Director to perform the duties of his or her office due to illness or extended absence or other providential cause, the Deputy Executive Director shall notify the Council immediately and assume the powers, duties and responsibilities of Executive Director until such time as the Council shall provide.
  
  - (b) If the Deputy Executive Director is unable to perform the duties of Executive Director due to illness or extended absence or other providential cause, or if the Deputy Executive Director position is vacant, the senior staff member who is highest on the following list shall discharge the powers, duties and responsibilities of the Executive Director until such time as the Council shall otherwise provide:
    - (1) General Counsel
    - (2) Director of State Prosecution Support
    - (3) Chief Administrative Officer
    - (4) Director of Capital Litigation
    - (5) Chief Financial Officer
  
  - (c) If a senior staff member is discharging the powers, duties and responsibilities of the Executive Director, he or she is expected to exercise his or her duties, authority and responsibilities in a collegial manner and in consultation with the other members of the senior staff and the Chair of the Council. The other senior staff members are expected to continue to operate their divisions normally and cooperate with the senior staff member in charge.



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- (d) The senior staff member in charge shall be compensated at the same rate as they were receiving prior to assuming the powers, duties and responsibilities of the Executive Director unless otherwise provided, in writing, by the Council.
  - (e) If the senior staff member discharging the powers, duties and responsibilities of the Executive Director is not an attorney admitted to practice and in good standing in the State of Georgia, the senior staff member who is an attorney shall be responsible for making any decisions regarding any cases or other legal matters that would constitute the practice of law under the laws of this State.
3. The Director of each division shall, with the approval of the Executive Director, designate in writing, an employee within their Division who is authorized to act on their behalf in the event he or she unable to perform the duties due to illness or extended absence or other providential cause until such time as the Executive Director shall, with the approval of the Council, designate an acting director of the division. A copy of such designation shall be provided to the Council.