



# Prosecuting Attorneys' Council of Georgia

**Policies & Procedures**

**Approved May 16, 2008**

**2.11**

**Council Personnel**

**Council Attorneys**

1. Authority.

This policy implements the provisions of O.C.G.A. §§15-18-47 and 45-3-1.

2. Appointment and Qualifications.

- (a) Attorneys employed by the Council shall be appointed, in writing, by the Executive Director with the approval of the Council. The title of such attorneys shall be determined by the Executive Director.
- (b) Each attorney shall be a member of the State Bar of Georgia, admitted to practice before the appellate courts of this state and shall serve at the pleasure of the Council.
- (c) The Executive Director is authorized to pay the Bar dues of attorneys, including membership in any section or national bar organization that the Executive Director determines is reasonably related to a staff attorney's official duties.

3. Oath of Office.

- (a) Each Council attorney shall take and subscribe to the following oath:

I \_\_\_\_\_ (name) do swear (or affirm) that I will faithfully and impartially and without fear, favor, or affection discharge my duties as staff attorney for the Prosecuting Attorneys' Council of the State of Georgia and will take only my lawful compensation. I further swear (or affirm) that I am not the holder of any unaccounted money due this State, or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state or the State of Georgia,; and that I am otherwise qualified to hold said office; and that I will support the Constitutions of the United States and this state.

So help me God.



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- (b) The original of the subscribed oath shall be placed in the individual's personnel file. A duplicate original of the subscribed oath shall be filed with the Office of the Governor as required by O.C.G.A. § 45-3-4.

#### 4. Duties and Authority of Staff Attorneys.

- (a) Attorneys shall perform such duties as may be assigned by the Executive Director.
- (b) When assisting a district attorney, solicitor-general, or the Attorney General, council attorneys shall have the same authority and power as an attorney employed by such district attorney, solicitor-general, or the Attorney General.
- (c) Council attorneys are expected to:
  - (1) Maintain the honor and dignity of their profession at all times;
  - (2) Conduct themselves professionally, in accordance with the law and the Rules of Professional Conduct;
  - (3) Exercise the highest standards of integrity and care;
  - (4) Keep themselves well-informed and abreast of relevant legal developments;
  - (5) Strive to be, and to be seen to be, consistent, independent and impartial;
  - (6) Always serve and protect the public interest;
- (d) Any Council attorney who carries a firearm while in the performance of official duties as authorized by O.C.G.A. § 16-11-130(a)(5) shall at least once each calendar year satisfactorily complete the annual firearms training required of peace officers by the Rules of the Georgia Peace Officers Standards and Training Council. A copy of the records of such qualification shall be maintained in the attorney's personnel file.



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5. Private Practice of Law.

- (a) Staff attorneys shall not engage in the private practice of law without the prior approval of the Executive Director and the Council.
- (b) Staff attorneys may not represent any person in a private capacity in a civil or criminal action or administrative proceeding in which the State of Georgia or any department, agency, authority or political subdivision is the opposing party.
- (c) Staff attorneys are encouraged to participate in activities of the State Bar of Georgia and local Bar associations that will improve the administration of criminal justice and the law.