

HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Consideration of the Creation of a New Staff Attorney Position and Associated Budget Adjustments for the Mountain Judicial Circuit

DATE: December 5, 2025

☐ **RECOMMENDATION**

☐ **POLICY DISCUSSION**

BUDGET INFORMATION:

☐ **STATUS REPORT**

ANNUAL- \$81,000

☐ **OTHER**

CAPITAL-

PRESENTED BY:

COMMISSION ACTION REQUESTED ON: February 16, 2026

PURPOSE: To consider authorization of a new county-funded Staff Attorney position to be shared among the Mountain Judicial Circuit and to approve associated budget adjustments funded through savings realized from the elimination of locally funded judicial supplements.

BACKGROUND / HISTORY: House Bill 85 significantly altered the funding structure for Superior Court Judges by increasing state-paid salaries and eliminating locally funded judicial supplements. As a result, counties within the Mountain Judicial Circuit no longer bear the cost of judicial salary supplements, creating savings within the circuit's shared budget.

Following these legislative changes, the Superior Court Judges of the Mountain Judicial Circuit submitted a request addressing circuit staffing and operational needs. The Judges have indicated that the circuit currently operates with two state-funded law clerks supporting three Superior Court Judges and that additional legal staffing would improve efficiency and enhance judicial support services.

FACTS AND ISSUES:

- The estimated annual cost of the proposed Staff Attorney position is \$81,000, including salary and benefits.
 - Funding for this position would be derived from savings realized due to the elimination of locally funded judicial supplements under House Bill 85.
 - This request is not mandated by House Bill 85 and represents a discretionary policy decision by the Board of Commissioners.
 - Approval would adjust the allocation of shared Mountain Judicial Circuit expenses among Habersham, Rabun, Banks, and Stephens Counties.
 - Even with approval of this position, the total shared cost to the participating counties will reflect an overall decrease compared to prior years when judicial supplements were locally funded.
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OPTIONS:

- 1) Approve the requested Staff Attorney position and authorize the associated budget adjustments.
 - 2) Deny the request.
 - 3) Provide an alternative as directed by the Board.
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RECOMMENDED SAMPLE MOTION: “Move to approve the creation of a new Staff Attorney position for the Mountain Judicial Circuit, funded through savings resulting from the elimination of judicial supplements, and authorize the associated budget adjustments.”

DEPARTMENT:

Prepared by:

Director: _____

**ADMINISTRATIVE
COMMENTS:**_____

_____ **DATE:** _____

County Manager

Read and Approved:

February _____, 2026

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
HABERSHAM COUNTY, GEORGIA**

RESOLUTION NO. 2026-02-001

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
HABERSHAM COUNTY, GEORGIA AUTHORIZING AN INCREASE
IN A PAY SUPPLEMENT FOR THE SENIOR STAFF ATTORNEY, OF
THE SUPERIOR COURT FOR HABERSHAM COUNTY AND FOR
OTHER PURPOSES**

WHEREAS, Habersham County, Georgia (“County”) is a political subdivision of the State of Georgia; and

WHEREAS, the Habersham County Board of Commissioners is empowered and allowed by the Georgia Constitution and general state law to adequately compensate the Senior Staff Attorney, for the Superior Court of Habersham County, Georgia out of County funds; and

WHEREAS, the Habersham County Board of Commissioners is authorized to supplement the state compensation for the Senior Staff Attorney for the Superior Court of Habersham County, Georgia; and

WHEREAS, it appears that the current County supplement of \$9,000 for the Senior Staff Attorney for the Superior Court of Habersham County, Georgia, is in need of an increase of \$20,000 in order for the salary to be competitive with similar positions;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Habersham County, Georgia as follows:

The Habersham County Board of Commissioners hereby authorizes an annual supplement of \$29,000 for the Senior Staff Attorney for the Superior Court of Habersham County, Georgia, to be effective February 1, 2026, and continuing to the end of the Senior Staff Attorney’s term of service. The provision of the within supplement is and shall be reflected in the approved 2026-2027 County budget recently adopted.

This resolution shall take effect immediately upon its adoption. All resolutions or parts thereof in conflict with this resolution are hereby repealed.

SO ADOPTED, this _____ day of February, 2026.

HABERSHAM COUNTY, GEORGIA

(SEAL)

By: _____

Bruce Harkness, Chair
Board of Commissioners
Habersham County, Georgia

Attest:

County Clerk