

**STATE OF GEORGIA
COUNTY OF WHITFIELD**

INTERGOVERNMENTAL AGREEMENT REGARDING

FIRST APPEARANCE BOND HEARINGS

THIS AGREEMENT made and executed this 17 day of February, 2020,
by and between Whitfield County, Georgia, a political subdivision of the State of Georgia,
hereinafter referred to as “County”, the Whitfield County Magistrate Court, hereinafter referred to
as “Court”, and the City of Dalton, a Georgia municipal corporation, hereinafter referred to as
“City”.

RECITALS

1.

City operates Dalton Municipal Court, which is required by law to provide first appearance bond
hearings for its detainees within forty-eight (48) hours of incarceration (hereinafter referred to as
“Hearings”).

2.

Because City presently contracts with a part-time judge, the scheduling of the Hearings on a regular
and expedited basis is difficult to manage from time to time.

3.

Court regularly conducts similar Hearings on behalf of County and the Sheriff’s Office in its role as
the Whitfield County Magistrate Court.

4.

Pursuant to O.C.G.A § 15-10-150 et seq., the governing authority of any county may contract with
the governing authority of any municipal corporation for the Magistrate Court of the county to

provide municipal court services. Such Agreement is subject to the approval of the governing authority and the Chief Magistrate Judge of said County.

THEREFORE, IT IS HEREWITH AGREED, AS FOLLOWS:

5.

County and Court hereby agree to provide first appearance bond hearings for defendants detained at the Whitfield County Jail whose cases are pending in the Dalton Municipal Court, in accordance with all requirements set forth under applicable law.

6.

City shall pay County Fifteen dollars (\$15.00) per inmate for whom such First Appearance Bond Hearing services are provided. County shall account for all such services and provide County a written record monthly. County shall thereafter bill City monthly with payment being due within fifteen (15) days of receipt.

7.

Court shall provide qualified interpreters at the First Appearance Bond Hearing for any case in which the Court determines is necessary at county expense.

8.

Court personnel shall have the authority to act as personnel and officers of the Dalton Municipal Court, pursuant to O.C.G.A § 15-10-152. Court shall have discretion to set bonds as it shall deem appropriate, under the facts and circumstances of each case..

9.

Nothing herein shall limit the Dalton Municipal Court from conducting any first appearance bond hearings during the pendency hereof. Court agrees that it may provide assistance to City by

conducting said hearings, as required by the City for City to maintain compliance with all applicable laws in this regard.

7.

The term of this intergovernmental agreement shall continue from year to year and may be terminated by Court, County, or City upon sixty (60) days written notice to the other parties for any reason or no reason. However, in accordance with O.C.G.A § 15-10-151, this agreement shall not extend beyond the term of the undersigned Chief Magistrate, which is presently December 31, 2020.

SO AGREED upon the date first written hereinabove.

CITY OF DALTON, a Georgia Municipal Corporation

By: _____
David Pennington, Mayor

Attest: _____
Clerk

WHITFIELD COUNTY, a political subdivision of
the State of Georgia

Attest: _____
Clerk

By: _____
Lynn Laughter, Chairperson
Whitfield County Board of Commissioners

MAGISTRATE COURT OF WHITFIELD COUNTY

By: _____
Hon. Chris Griffin
Chief Magistrate Judge