

Duties of the Probate Court



Presented as a public service by:

**Keith Wood, Judge
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Judge**

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Center
Canton, Georgia 30114**

This informational brochure is not intended
to be used as legal advice.
Please consult with your attorney.

**Information line: 770/704-2610
Main office number: 678/493-6160**

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The Cherokee County Probate Court is an expanded jurisdiction pursuant to Article Six of Title 15 of the Code of Georgia. This includes concurrent jurisdiction with Superior Court in some matters. This Court conducts its own jury trials. Decisions of the Court are directly appealable to the Court of Appeals or Supreme Court.

Duties of the Judge and the office of the Cherokee County Probate Court include:

Estates:

- *Probate of Wills*
- *Administration of Estates*
- *Twelve Months Support Applications*
- *Hearings on Accountings, Appraisals, Inventories, where required*
- *Revocation of Letters in Estates*

Guardianships and Conservatorships:

- *Guardianship and Conservatorship of Incapacitated Adults*
- *Temporary Guardianships of Minors*
- *Permanent Guardianships of Minors*
- *Conservatorships of Minors*
- *Approval of Settlements for Minors*
- *Revocation of Letters of Guardianship and Conservatorship*
- *Approval under the Transfers to Minors Act*

Licensing:

- *Marriage Licenses*
- *Weapons Carry Licenses*

Business:

- *Certificate of Exemption for Business Licenses Fees for Disable Veterans*

Criminal:

- *Probable Cause Hearings in Arrest Warrants against Law Enforcement or Educators as to Acts While in Performance of Regular Duties*
- *Writs of Habeas Corpus*
- *Acceptance of Waiver of Extradition Proceedings*

Civil:

- *Residency Determinations for other Agencies*
- *Suits to Establish Mutilated, Lost, or Destroyed Public Records*

Governmental:

- *Appointment in Event of Vacancy in Certain County Offices such as Superior Court Clerk, Tax Commissioner, Coroner*
- *Disclosures of Sales to Political Subdivision by Employees or Officials*
- *Grand Jury Panel Selection upon Failure of Superior Court*
- *Historical Data Preservation*
- *Legal Organ Selection, along with Sheriff and Clerk of Court*
- *Swearing in Public Officers and Maintaining Bonds of Public Officials*
- *Ordering Guards for Transportation of Capital Felons in the Absence of a Superior Court Judge*
- *Certification of Publications on Insurance Company Charters*

- *Establishment of non-UCC Lost Documents*
- *Registration of Animal Brands*
- *Registration of Junk Dealers*

Health and Safety:

- *Involuntary Evaluation Orders in Mental, Drug, and Alcohol Cases*
- *Involuntary Outpatient Treatment Orders in Mental, Drug, and Alcohol Cases*
- *Involuntary Sterilization Proceedings*
- *Habilitation of Mentally Retarded Persons*
- *Protection Orders for Disabled Adults and Elderly Persons*
- *Fireworks Permits pursuant to State and Federal laws*
- *Insurance Filings by Itinerant Entertainers*
- *Orders concerning Condemned Gasoline Pumps*

Real Estate:

- *County Boundary Line Changes*
- *Petitions to Clear Private Ways*
- *Petitions for Orders for Sale of Property Under Execution*