Rules and Regulations of the State of Georgia

Department 145 CRIMINAL CASE DATA EXCHANGE BOARD

Current through Rules and Regulations filed through October 27, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 145-1 entitled "Rules of General Applicability", Chapter 145-2 entitled "Criminal Justice e-Filing Rule" adopted. F. Dec. 13, 2018; eff. Jan. 1, 2019, as specified by the Agency.

Cite as Ga. Comp. R. & Regs. R. dept. 145, ADMINISTRATIVE HISTORY

Chapter 145-1. RULES OF GENERAL APPLICABILITY.

Rule 145-1-.01. Criminal Case Data Exchange Board.

(1) The General Assembly created the Criminal Case Data Exchange Board to promulgate rules for criminal e-Filing and to facilitate the implementation of statewide criminal case e-Filing and related data exchanges.

(2) The mailing address of the Criminal Case Data Exchange Board is 104 Marietta Street, Suite 440, Atlanta, Georgia 30303.

Cite as Ga. Comp. R. & Regs. R. 145-1-.01
Authority: O.C.G.A. § 35-6A-14.
History. Original Rule entitled "Criminal Case Data Exchange Board" adopted. F. Dec. 13, 2018; eff. Jan. 1, 2019, as specified by the Agency.

Rule 145-1-.02. General Definitions.

(1) "Board" means the Criminal Case Data Exchange Board.

(2) "County-level partners" means the head of a county governing authority (Chairperson of the County Board of Commissioners, Sole Commissioner, or Mayor of a Consolidated Government), Sheriff, Chief Superior Court Judge, Clerk of Superior Court, Chief State Court Judge, Clerk of State Court, Public Defender, District Attorney, Solicitor General, and Chief Magistrate Judge.

(3) "State-level partners" means the Georgia Bureau of Investigation, Georgia Department of Community Supervision, Georgia Department of Corrections, Georgia Technology Authority, Georgia Public Defender Council, and Prosecuting Attorneys' Council of Georgia.

(4) "Approved vendor" means a vendor that has been certified to participate in the Criminal Justice e-Filing Project by the Georgia Technology Authority (GTA) based on an approved scope of work and associated budget from the Criminal Case Data Exchange Board.

Cite as Ga. Comp. R. & Regs. R. 145-1-.02
Authority: O.C.G.A. § 35-6A-14.
History. Original Rule entitled "General Definitions" adopted. F. Dec. 13, 2018; eff. Jan. 1, 2019, as specified by the Agency.

Rule 145-1-.03. Petition for Promulgation, Amendment, or Repeal of Rule.

(1) Any interested person may petition the Criminal Case Data Exchange Board requesting the promulgation, amendment, or repeal of a rule, as contemplated in the Georgia Administrative Procedure Act. (O.C.G.A. § 50-13-1, et seq.).

(2) Each such petition should be filed with the Criminal Case Data Exchange Board in writing and state:

(a) The name and address of the petitioner;

(b) The full text of the rule requested to be amended or repealed, or the full text of the rule desired to be promulgated;

(c) A paragraphed statement of the reasons such rule should be amended, repealed or promulgated, including a statement of all pertinent and existing facts as to the petitioner's interest in the matter;

(d) Citations of legal authorities, if any, which authorize, support or require the action requested by the petitioner. The petition must be verified under oath, by or in proper behalf of the petitioner.

(3) Upon receipt of the petition, the Chairperson of the Criminal Case Data Exchange Board shall give the petition due consideration and present it to the Criminal Case Data

Exchange Board for determination. Within 30 days after submission of a petition, the Criminal Case Data Exchange Board either shall deny the petition in writing, stating its reasons for the denial, or shall initiate rule-making proceedings in accordance with O.C.G.A. § 50-13-4. with the Georgia Administrative Procedure Act (O.C.G.A. § 50-13-1, et seq.).

Cite as Ga. Comp. R. & Regs. R. 145-1-.03
Authority: O.C.G.A. § 35-6A-14.
History. Original Rule entitled "Petition for Promulgation, Amendment, or Repeal of Rule" adopted. F. Dec. 13, 2018; eff. Jan. 1, 2019, as specified by the Agency.

Chapter 145-2. CRIMINAL JUSTICE E-FILING RULE.

Rule 145-2-.01. Criminal Justice e-Filing Rule.

(1) The Criminal Case Data Exchange Board is charged with promulgating rules for facilitating the exchange of information and documents between criminal justice systems, linking litigants, prosecuting attorneys, public defenders, private attorneys, sheriffs, superior court clerks, court administrators, judges, and related entities in courts of this state.

(2) The Criminal Case Data Exchange Board has the authority to promulgate rules in order to ensure that the rollout and operation of the Criminal Justice e-Filing Project complies with the directives charged in O.C.G.A. §§ 15-6-11(a), 15-6-61(a)(4)(B), 15-7-5(a) and 35-6A-14.

(3) The Criminal Case Data Exchange Board recognizes the following superior courts as being in compliance with O.C.G.A. § 15-6-11(a):

(a) Superior courts which have entered into a Memorandum of Understanding with the Board, county-level partners, and state-level partners; and are engaged in the Criminal Justice e-Filing Project by utilizing an approved vendor.

(b) Superior courts that have yet to be selected by the Board. Once selected, a superior court shall enter into a Memorandum of Understanding with the Board and become engaged in the Criminal Justice e-Filing Project with an approved vendor within 1 year of signing the MOU.

(4) The Criminal Case Data Exchange Board recognizes the following state courts as being in compliance with O.C.G.A. § 15-7-5(a):

(a) State courts which have entered into a Memorandum of Understanding with the Board, county-level partners, and state-level partners; and are engaged in the Criminal Justice e-Filing Project by utilizing an approved vendor.

(b) State courts that have yet to be selected by the Board. Once selected, a superior court shall enter into a Memorandum of Understanding with the Board and become engaged in the Criminal Justice e-Filing Project with an approved vendor within 1 year of signing the MOU.

(5) To ensure the exchange of data amongst agencies and entities with respect to a criminal case from its inception to its conclusion can occur, once a county is selected for participation by the Board, county-level partners shall make reasonable efforts to ensure that the county-level partners' vendors are approved vendors.

(6) A list of approved vendors for the Criminal Justice e-Filing Project shall be included by reference in a separate addendum in order to comply with this rule.

Cite as Ga. Comp. R. & Regs. R. 145-2-.01
Authority: O.C.G.A. § 35-6A-14.
History. Original Rule entitled "Criminal Justice e-Filing Rule" adopted. F. Dec. 13, 2018; eff. Jan. 1, 2019, as specified by the Agency.