

O.C.G.A. § 15-18-6

Current through Acts 2023, No. 23-353 of the 2023 Session, but not including corrections and changes made to the 2023 session laws by the Code Commissioner.

**Official Code of Georgia Annotated > TITLE 15 Courts (Chs. 1 — 25) > CHAPTER 18
Prosecuting Attorneys (Arts. 1 — 5) > Article 1 General Provisions (§§ 15-18-1 — 15-18-32)**

15-18-6. Duties of district attorney.

The duties of the district attorneys within their respective circuits are:

- (1) To attend each session of the superior courts unless excused by the judge thereof and to remain until the business of the state is disposed of;
- (2) To attend on the grand juries, advise them in relation to matters of law, and swear and examine witnesses before them;
- (3) To administer the oaths the laws require to the grand and trial jurors and to the bailiffs or other officers of the court and otherwise to aid the presiding judge in organizing the courts as he may require;
- (4) To review every individual case for which probable cause for prosecution exists, and make a prosecutorial decision available under the law based on the facts and circumstances of each individual case under oath of duty as provided in [Code Section 15-18-2](#);
- (5) To draw up all indictments or presentments, when requested by the grand jury, and to prosecute all indictable offenses;
- (6) To prosecute civil actions to enforce any civil penalty set forth in *Code Section 40-6-163* and to prosecute or defend any other civil action in the prosecution or defense of which the state is interested, unless otherwise specially provided for;
- (7) To attend before the appellate courts when any criminal case emanating from their respective circuits is tried, to argue the same, and to perform any other duty therein which the interest of the state may require;
- (8) To advise law enforcement officers concerning the sufficiency of evidence, warrants, and similar matters relating to the investigation and prosecution of criminal offenses;
- (9) To collect all money due the state in the hands of any escheators and to pay it over to the educational fund, if necessary, compelling payment by rule or order of court or other legal means;
- (10) To collect all claims of the state which they may be ordered to collect by the state revenue commissioner and to remit the same within 30 days after collection; and on October 1 of every year to report to the state revenue commissioner the condition of the claims in their hands in favor of the state, particularly specifying:
 - (A) The amounts collected and paid, from what sources received and for what purposes, and to whom paid;
 - (B) What claims are unpaid and why;
 - (C) What judgments have been obtained, when, and in what court; and (D) What actions are instituted, in what courts, and their present progress and future prospects;

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- (11) To ensure disposition information is submitted in accordance with subsection (g) of [Code Section 35-3-36](#) when a final disposition decision is made by a district attorney;
- (12) To assist victims and witnesses of crimes through the complexities of the criminal justice system and ensure that the victims of crimes are apprised of the rights afforded them under the law; and
- (13) To perform such other duties as are or may be required by law or which necessarily appertain to their office.

History

Laws 1799, Cobb's 1851 Digest, p. 574; Laws 1823, Cobb's 1851 Digest, p. 1025; Laws 1828, Cobb's 1851 Digest, p. 1027; Laws 1836, Cobb's 1851 Digest, p. 254; Laws 1845, Cobb's 1851 Digest, p. 452; Ga. L. 1853-54, p. 107, § 2; Code 1863, § 351; Code 1868, § 412; Code 1873, § 377; Code 1882, § 377; Civil Code 1895, § 4392; Penal Code 1895, § 798; Civil Code 1910, § 4926; Penal Code 1910, § 798; Code 1933, § 24-2908; Ga. L. 1984, p. 842, § 1; Ga. L. 1995, p. 394, § 1; Ga. L. 1997, p. 1319, § 1; [Ga. L. 2012, p. 53, § 1/SB 352](#); [Ga. L. 2022, p. 121, § 8/SB 441](#); Ga. L. 2023, p. SB 92, § 1/SB 92, effective May 5, 2023.

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