

Duties of the Probate Court



Presented as a public service by:

**Keith Wood, Judge
John Cline, Associate
Judge**

**90 North Street, Suite 340
Cherokee County Justice
Center
Canton, Georgia 30114**

Main office number: 678/493-6160

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

Updated 09/20/2021

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:

- *Guardianship and Conservatorship of Incapacitated Adults*
- *Temporary Guardianships of Minors*
- *Permanent Guardianships of Minors (in absence of living parent or guardian)*
- *Conservatorships of Minors*
- *Approval of Settlements for Minors*
- *Revocation of Guardianships and Conservatorships*
- *Approval of the Transfers to Minors Act*

Licensing:

- *Marriage Licenses*
- *Weapons Carry Licenses*

Business:

- *Veterans (indigent)Licenses*

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*
- *Trust/Power of Attorney Litigation*

Governmental:

- *Appointment in Event of Vacancy in Certain County Offices*
- *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:

- *Petitions for Involuntary Outpatient Treatment*
- *Inpatient 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*
- *Orders for Institutionalized Patients to/from Hospitals*
- *Fireworks Permits pursuant to State and Federal laws*
- *Insurance Filings by Itinerant Entertainers*
- *Orders concerning Condemned Gasoline Pumps*

Real Estate:

- *Petitions to Clear Private Ways*
- *Petitions for Orders for Sale of Property Under Execution*