

JUDICIAL COUNCIL OF GEORGIA

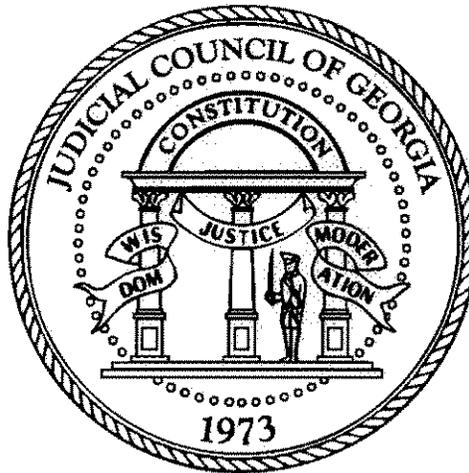
General Session

Wednesday, June 8, 2005

Savannah Marriott Riverfront Hotel

9:00 a.m.

Ballroom C



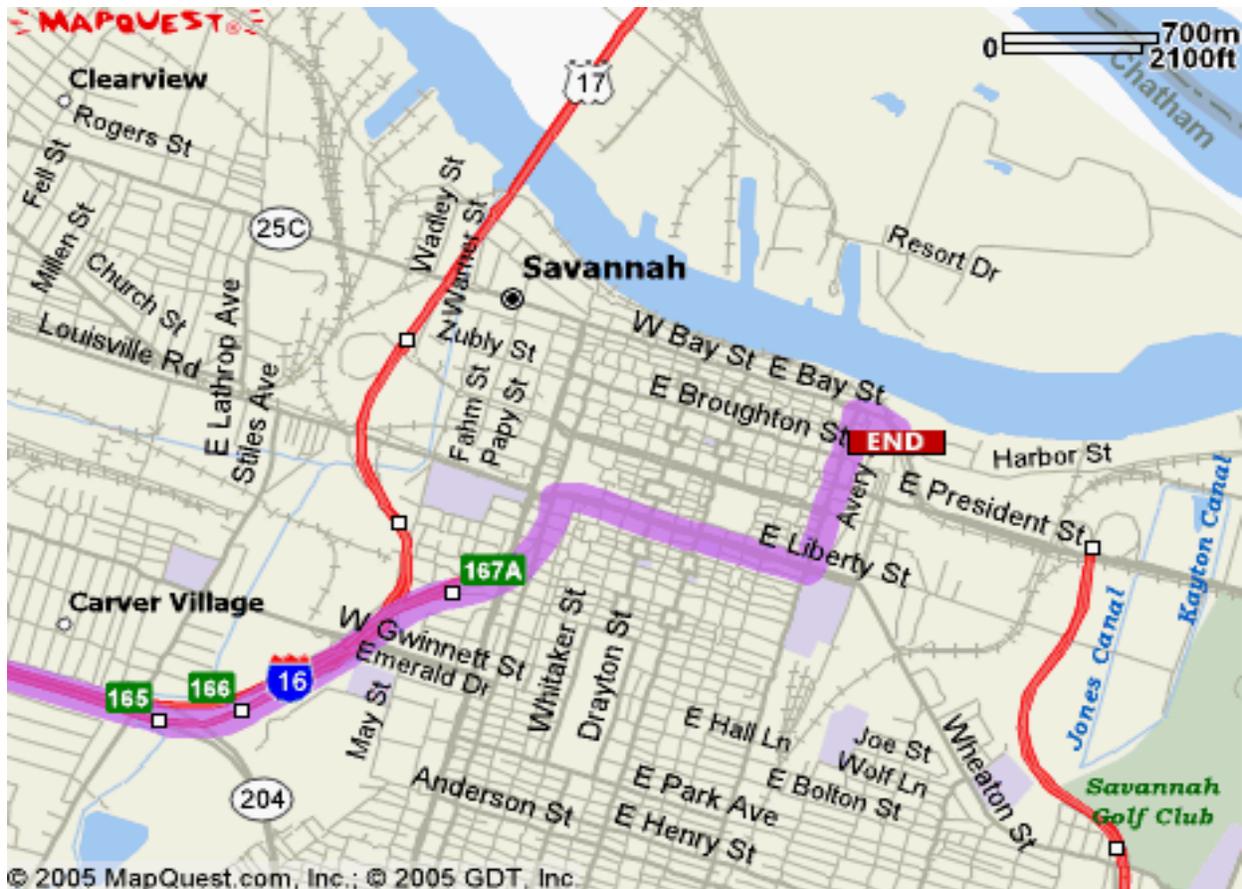
Luncheon

12 Noon

Ballroom D

*100 General McIntosh Boulevard
Savannah, GA 31401*

Driving Directions to the Savannah Marriott Riverfront Hotel
100 General McIntosh Boulevard
Savannah, GA 31401
912-373-2006



From I-75, merge onto I-16 Eastbound

Continue on I-16 East (GA 404 East) toward Savannah

Take the Montgomery Street **Exit #167B** (on the left toward Savannah/Civic Center/Downtown)

Turn *SLIGHT LEFT* onto **MONTGOMERY STREET**

Turn *RIGHT* onto **LIBERTY STREET**

Turn *LEFT* onto **E. BROAD STREET**

Turn *RIGHT* onto **E. BAY STREET**

East Bay Street becomes General McIntosh Boulevard

Judicial Council of Georgia
Savannah Marriott Riverfront Hotel
Ballroom C
Savannah, GA

Wednesday, June 8, 2005

9:00 a.m.

Continental Breakfast will be served beginning at 8:00 a.m.

1. **Introductions and Preliminary Remarks**
(Chief Justice Fletcher, Est. Time—5 Min.)
2. **Approval of December 10, 2004 Minutes** Tab 1
(Chief Justice Fletcher, Est. Time—3 Min.)
3. **Status of Judgeship Requests**
(Mr. Ratley, Est. Time—3 Min.)
4. **Reports from Committees and Commissions:**
 - A. Nominating Committee
Vacancies on the Board of Court Reporting
Vacancies on the Superior Court Clerks' Training Council
(Judge Carriere, Est. Time—5 Min.)
 - B. Standing Committee on Policy Tab 2
(Presiding Justice Sears, Est. Time—5 Min.)
 - C. Judicial Council Workload Assessment Committee
(Judge Bishop, Est. Time—5 Min.)
 - D. Drug Court Committee
(Judge Kreeger, Est. Time—5 Min.)
 - E. Cross Jurisdictional Study Committee Tab 3
(Justice Hines, Est. Time—5 Min.)
 - F. Access and Fairness Commission Tab 4
(Justice Hunstein, Est. Time—5 Min.)
 - G. Georgia Courts Automation Commission Tab 5
Report on Strategic Plan
(Judge Pape, Est. Time—10 Min.)
 - H. Georgia Courts Automation Commission Tab 6
Traffic Citation Program & Traffic Certification
(Judge Van Horn, Est. Time—5 Min.)

5. **AOC & DHR Office of Child Support Enforcement/E-Filing Project** Tab 7
(Ms. Moss & Mr. McElrath, Est. Time—10 Min.)

***** **BREAK—15 Minutes** *****

6. **Legislative Update**
(Ms. Nesbit, Est. Time—10 Min.)

7. **Budget Matters** Tab 8
(Judge Salter, Mr. Harris, Est. Time—10 Min.)

- A. Final FY2005 Budget
- B. FY2006 General Appropriations Budget

8. **Report from Assistant Director for Finance** Tab 9
State Accounting Office - Visual Presentation
(Mr. Dennis & Mr. Valinga, Est. Time—10 Min.)

9. **Report from AOC Director**
(Mr. Ratley, Est. Time—10 Min.)

10. **Reports from Appellate Courts and Trial Court Councils**

- A. Supreme Court
(Chief Justice Fletcher, Est. Time—5 Min.)
- B. Court of Appeals
(Chief Judge John H. Ruffin, Time—5 Min.)
- C. Council of Superior Court Judges
(Judge Coursey, Est. Time—5 Min.)
- D. Council of State Court Judges
(Judge Edward E. Carriere, Jr., Est. Time—5 Min.)
- E. Council of Juvenile Court Judges
(Judge McDonald, Est. Time—5 Min.)
- F. Council of Probate Court Judges
(Judge Bracewell, Est. Time—5 Min.)
- G. Council of Magistrate Court Judges
(Judge Townsend, Est. Time—5 Min.)
- H. Council of Municipal Court Judges Tab 10
(Judge Edwards, Est. Time—5 Min.)

11. **Written Reports from Various Judicial Agencies & Entities**
- A. Judicial Council Court Fee Committee Tab 11
Minutes of December 8, 2004
Minutes of February 24, 2005
Fees That Apply to Bonds
Fees That Apply to Bonds/Color Chart
 - B. Judicial Council Committee on Records Retention Tab 12
12. **Old/New Business**
 (Chief Justice Fletcher, Est. Time—15 Min.)
- A. Transition into Law Practice Program—Executive Summary Tab 13
 (Mr. Ashworth, Est. Time 5 Min.)
 - B. **Date and Place of Next Regular Council Meeting**
Date: Wednesday, August 24, 2005
Place: Wyndham Vinings Hotel, Atlanta, GA
13. **Concluding Remarks and Adjournment**
 (Chief Justice Fletcher, Est. Time 5 Min.)

* * * * *

12 Noon
Lunch Served in
Ballroom D

Judicial Council of Georgia
December 10, 2004
Crowne Plaza Ravinia Hotel
Atlanta, Georgia

Members Present:

Chief Justice Norman S. Fletcher
Presiding Justice Leah Ward Sears
Chief Judge J.D. Smith
Judge Melinda Anderson
Judge Edward E. Carriere, Jr.
Judge A. Wallace Cato
Judge Daniel M. Coursey, Jr.
Judge William H. Craig
Judge Doris L. Downs
Judge H. Gibbs Flanders, Jr.
Judge Linda Warren Hunter
Judge James E. McDonald, Jr.
Judge Robin S. Nash
Judge George F. Nunn, Jr.
Judge John M. Ott
Judge F. Gates Peed
Judge John F. Salter, Sr.
Judge Susan P. Tate
Judge Hayes Henton Townsend
Judge Phillip R. West
Judge John B. Wood

Judge Betty Cason for Judge Bracewell
Judge Frank Mills, III for Judge Stone

Members Absent:

Judge Mike Bracewell
Presiding Judge John H. Ruffin, Jr.
Judge Hugh W. Stone

Staff Present:

Mr. David L. Ratley
Dr. Greg Arnold
Mr. Jorge Basto
Ms. Billie Bolton

Mr. Byron Branch
Ms. Cynthia Clanton
Ms. Terry Cobb
Ms. Tonya Greisbach
Mr. Vince Harris
Ms. Bernetha Hollingsworth
Ms. Philippa Maister
Ms. Marla S. Moore
Ms. Debra Nesbit
Mr. Michael Neuren
Mr. George Nolan
Ms. Jill Radwin
Ms. Sharon Reiss
Ms. Helen Scholes
Ms. Ashley Stollar
Mr. Kevin Tolmich

Guests Present:

Judge Joe Bishop, Pataula Judicial Circuit
Judge William Boyett, Conasauga Judicial Circuit
Mr. George Collins, Ninth District Court Administrator
Mr. John Cowart, Second District Court Administrator
Ms. Judith Cramer, Fifth District Court Administrator
Judge David Darden, State Court of Cobb County
Judge Antony DelCampo, State Court of DeKalb County
Mr. Danny DeLoach, First District Court Administrator
Mr. Tom Gunnells, Tenth District Court Administrator
Justice Harris Hines, Supreme Court of Georgia
Mr. Eric John, Council of Juvenile Court Judges
Mr. Greg Jones, Third District Court Administrator
Judge George Kreeger, Cobb Judicial Circuit
Ms. Cathy McCumber, Fourth District Court Administrator
Judge Robert McDuff, State Court of Cobb County
Mr. Nolan Martin, Eighth District Court Administrator
Judge Henry Newkirk, State Court of Fulton County
Ms. Lois Oakley, Office of State Administrative Hearings
Ms. Jody Overcash, Seventh District Court Administrator
Judge Tim Pape, Juvenile Court of Floyd County
Judge Donnie Peppers, State Court of Walker County
Ms. Molly J.M. Perry, Council of Superior Court Judges
Mr. Richard Reaves, Institute of Continuing Judicial Education
Mr. Fred Roney, Sixth District Court Administrator
Judge Richard Slaby, State Court of Richmond County
Ms. Leila Taaffe, Office of Dispute Resolution
Ms. Sherie Welch, Clerk, Supreme Court of Georgia

Chief Justice Fletcher called the meeting to order at 9:05 a.m. He welcomed the members of the Council and those in the audience to the meeting. He announced that Judge Frank Mills is attending for Judge Stone and Judge Betty Cason is sitting in for Judge Bracewell. Chief Judge Ruffin has asked Justice Harris Hines to attend in his place. Chief Justice Fletcher asked that the members of the Judicial Council introduce themselves followed by those in the audience.

Approval of the Minutes

Chief Justice Fletcher called attention to the minutes of the August 20, 2004 meeting. He noted that a correction was needed on page 11 where the first line should read an “official court reporter member,” rather than a “practicing court reporter member.” No other corrections were brought forward. Judge Craig moved approval of the August minutes as corrected. Judge Carriere seconded. The motion carried.

Approval of ICJE Curriculum

Mr. Reaves called attention to the material provided in the agenda regarding the proposed schedule of courses to be offered in 2005 for certification and re-certification of magistrates. He noted that since many new judges took office in January, there will be 50 slots for basic certification. ICJE also expects a high demand for the 750 training slots that will be available for recertification during the year. Mr. Reaves stated that courses marked cross-jurisdictional will be open to all judges. ICJE will insure that judges receive notice of the availability of such courses.

Mr. Reaves turned to ICJE’s proposed training classes for municipal court judges. He stated that these curricula require approval from the Judicial Council. Judge

Townsend moved approval of the training curricula as presented. Judge Tate seconded. The motion carried.

Reports from Judicial Council Committees

Case-Count Committee. Judge Joe Bishop stated that the committee met in November to identify areas of concern regarding the case count and case weights used for the judgeship study. No action was taken at the meeting, but discussions were held regarding the need for case weights designed for specialty court proceedings, cases that require foreign language interpreters, and others. Changes to the threshold standard for qualification for a new superior court judgeship and a possible change to the Judicial Council ranking procedures were also discussed.

Judge Bishop noted that the case count is now based on electronic data received from the superior court clerks. In the thirty counties that do not have electronic transmittal, the AOC conducts a manual case count. The committee will meet again and make recommendations to the Judicial Council at the meeting in June, 2005.

Cross-Jurisdictional Issues Study Committee. Justice Hines reported that the committee is addressing some points of friction and overlapping jurisdiction facing trial court judges. The need for such discussion is especially important in family law cases that involve: guardianship matters, legitimation, child support, and training for Guardians ad Litem. A summary of the discussions from the October and November meetings is provided. Justice Hines stated that the committee has no recommendations for Judicial Council consideration at this time.

Court Fee Subcommittee: Judge Carriere reported for Judge Stone, chair of the committee. Mr. Bob Bray of the AOC also is staffing the committee which is made up of

twelve members, six of whom are judges. Judge Carriere noted that Georgia has 1092 trial courts, which are collecting fees for twenty-four separate funds as authorized by the General Assembly. The committee is just beginning its exploration of issues and welcomes any suggestions.

Drug Court Committee. Judge Kreeger stated that the committee held meetings in October and November to discuss legislation establishing statutory authorization for drug courts and to review drug court standards recently adopted by the Council of Superior Court Judges. The standards, as presented in the agenda materials, are recommended for approval by the Judicial Council.

Judge Flanders moved for adoption of the standards. Judge Wood seconded. The motion carried. Judge Tate requested that in future discussions, the committee consider the possibility of extending such programs to defendants with mental illnesses.

Records Retention Committee. Judge Cato reported for Judge Barrett Whittemore, chair of the committee. The records retention committee, staffed by Dr. Arnold of the AOC, met on November 5, 2004, to review the retention schedules developed by a task force appointed by Chief Justice Fletcher. The schedules, presented in the agenda behind Tab 8, require approval by the Judicial Council. Judge Cato moved adoption of the schedules. Judge Smith seconded. The motion carried.

Standard Code and Statute Committee. Mr. Harris stated that the committee will be collaborating with staff members from the Attorney General's office, the Department of Motor Vehicles Services, the Office of Legislative Counsel and others to begin work on standardization. A meeting schedule has been established for 2005.

The Chief Justice called attention to written reports provided to the Council by the following groups: the Board of Court Reporting, the Committee on Domestic Violence and the Georgia Courts Automation Commission.

Legislative Tracking

Ms. Nesbit distributed a guide to using the Legislative Website developed by her legislative assistant, Ms. Tonya Greisbach. The website, up-dated daily during the session, can be found at www.georgiacourts.org. In addition to links to bills introduced in the House and Senate, the site presents legislative news items, a daily recap of legislative activity, reports on committee meetings, etc. Ms. Greisbach organizes the bills into subject areas and by jurisdiction. Judges are encouraged to submit comments about pending legislation to Ms. Nesbit by using the website's on-line analysis form. A calendar of scheduled committee meetings is provided along with meeting agendas.

AOC Information Technology

Mr. George Nolan reported on the department's strategic plan which provides a road map for technology initiatives. Consultants were hired to guide a three-day meeting during which priorities were assigned to IT projects reflecting the needs of external and internal customers. Mr. Nolan provided a list of the current projects handled by AOC IT. He noted that the SUSTAIN software, the help desk system, and Citrex are all staffed by AOC IT. A trial e-filing project is currently being tested between the Washington County courts and the Supreme Court of Georgia.

Mr. Nolan introduced Mr. Jorge Basto who has recently been hired to oversee IT's internal applications; Mr. Byron Branch is now manager of field services.

Standing Committee on Policy

Following a 20 minute break, Presiding Justice Sears reported on policies and procedures for the 2005 legislative session adopted by the Policy Committee. She noted that the committee includes officers of the various judges' councils. A separate Advisory Group helps identify legislative issues of greatest concern. The goal of the committee is two-fold: 1) to make a coordinated effort to gain consensus regarding court-related legislation pending before the General Assembly and 2) to enable the judicial branch to exercise greater influence on the legislative process by agreeing on certain matters before the various councils adopt individual positions. Justice Sears thanked the judges and staff who participated in formulating the procedures. She asked Ms. Nesbit to explain the process adopted by the Policy Committee.

Ms. Nesbit distributed notes from the policy committee meeting. She stated that the size of the original Advisory Group had been reduced to make the group more functional. Members will be notified of their appointment to the committee by December 20, 2005. The group will identify major pieces of court-related legislation that may require a position statement from the Judicial Council. It is expected that they will meet every two weeks during the session by conference call.

Budget Report

Judge Salter stated that the Judicial Council budget requests for 2005 and 2006 had been approved in August 20, 2004. Mr. Harris presented a spreadsheet showing the breakdown of items contained in the budget request. He noted that the bulk of the supplemental request increase reflects funds needed for the public defender system to

finish out the current fiscal year. Another part of the increase funds the twenty-fourth payroll payment which the General Assembly did not fund in the 2004 session.

Report from AOC Director

Mr. Ratley reported the retirement of AOC Deputy Director Jay Martin. Jay and his wife were honored at a farewell reception in November. They have since relocated to Indianapolis. Mr. Martin's administrative responsibilities have been redistributed among existing senior staff: Ms. Helen Scholes is now handling the Human Resources duties; Mr. Bob Bray is in charge of training; and Ms. Marla Moore has been named Senior Associate Director of the agency.

Regarding the upcoming legislative session, Mr. Ratley stated that his initial contacts with the new leaders of the House and Senate have been encouraging. He sees the changeover in leadership as an opportunity to promote greater understanding of the workings of the judicial branch. We have a new regime to work with and a real chance to influence their perception of the judicial branch and its function.

Leadership of the Criminal Justice Coordinating Council is also changing in the New Year. Mr. Ratley hopes to clearly articulate the needs of judges to the new director so that the judicial branch continues to receive its share of federal grant funds. Judge Ken Followill and Ms. Helen Scholes are members of the council. AOC will continue to pursue these and other funding opportunities for judicial branch projects.

Mr. Ratley noted that while there is some criticism of AOC activities, during his tenure he has heard no criticism regarding the agency's inertia. The staff is working more closely with all the courts; he is proud of the accomplishments to date and will keep working for the optimum use of resources in providing services to the courts.

Mr. Ratley recognized the professionalism and overall excellence of AOC staffers: Ms. Lisa Durden, contract and grant compliance manager, Ms. Marla Moore and the Court Services Division; Mr. Vince Harris who heads the Administrative Division and oversees Information Technology; Mr. Randy Dennis and Mr. Kevin Tolmich, of the fiscal department; Ms. Debra Nesbit, Legislative and Governmental Affairs and General Counsel, Ms. Cynthia Clanton.

In closing Mr. Ratley recognized Ninth District Court Administrator George Collins who will retire January 31, 2005, after 16 years of service to the courts.

With regard to the new legislative leadership, Chief Justice Fletcher asked Mr. Ratley if others have been named in addition to House Speaker Glenn Richardson. Ms. Nesbit stated that Rep. Don Parsons is expected to chair the House Appropriations Committee and Rep. Earl Erhardt will serve as chairman of the Rules Committee. The Committee on Assignments is currently at work and will make official announcements once the session begins. Judge Craig expressed his concern regarding the judicial branch budget request. He believes that the large increases proposed for the District Attorneys and Public Defenders could bring criticism to the judicial branch when actually the judges have no control, budgetary or otherwise, over these groups.

Reports from Councils

Supreme Court. Chief Justice Fletcher stated that he will be following George Collins's lead when he retires on June 30, 2005. Over the Christmas holidays, he will be preparing his final State of the Judiciary address to the General Assembly; he would like judges to let him know of items that he might consider mentioning in this speech. Suggestions should be sent to him in writing by December 18. The Chief Justice stated

that he will address judicial branch budget issues in his speech and will be active in working with legislators and committees during the session.

Chief Justice Fletcher expressed his appreciation to the district court administrators and judges throughout the state for their support of the new Public Defender system. He noted that the Public Defender Standards Council has worked tirelessly; forty-two circuit defender offices will be operative on January 1, 2005. The Association of County Commissioners has also been most supportive. To date four circuits have gained approval to opt out of new system, three others made such requests, but have not gained approval from the new council.

The Chief Justice asked for continued cooperation from judges to allow the fledgling system to begin operation with a minimum of disruption. He requested that judges refrain from seeking amendments from the legislature that would apply piecemeal to the Public Defender system. He urged the judges to allow the Standards Council the opportunity to work with local officials who have problems with the new system. He will be happy to talk with anyone who has ongoing concerns. Georgia's new system has already received favorable recognition around the country.

In closing he asked the Council to welcome Presiding Justice Sears when she becomes the new Chief Justice; he is confident she will do a wonderful job.

Court of Appeals. Judge Smith noted that the election process to fill the vacant position on the Court of Appeals has finally ended. He looks forward to working with Judge Debra Bernes and stated that Judge Eldridge will be missed by his colleagues.

Superior Courts. Judge Flanders reported they are working to enhance communication through improving their website and listserv capabilities. The juvenile

court judges will soon be using the Sidebar system for their internal communications. In the area of Access to Justice they have received funding to devise standardized forms for family law cases and are working together with the district court administrators on this project. They have formed a Work Group to study current Child Support Guidelines and will meet with members of the House and Senate and juvenile court judges later in the day. Judge Flanders stated that they have begun a two-year process of outreach to the legislative branch. Superior court district meetings will host legislators and a program is planned for legislators and judges before the 2006 session begins. During the 2005 session, four superior court judges will act as principal contacts for the legislative branch. The council has named a special committee to review the Judicial Assistance Act and make recommendations regarding use of senior judges. In closing he expressed good wishes to George Collins on behalf of their council.

State Court. Judge Carriere reported that the state court judges will also focus on establishing relationships with legislators. He believes the Standing Committee on Policy, chaired by Presiding Justice Sears can be a vehicle for the courts to speak with a unified voice. The state court judges continue their pilot programs for DUI offenders in four counties. He noted that Ms. Nesbit has assisted in obtaining grant funding for these courts. State court judges continue to participate as coaches, trainers, and evaluators, in the mock trial program for high school students. Eighteen newly-elected state court judges will take office on January 1, 2005. These judges are attending training classes in Athens to prepare for their new duties.

Juvenile Courts. Judge Nash expressed appreciation to Chief Justice Fletcher for appointing Justice Hines to work with the juvenile courts on children's issues. He noted

that a comprehensive revision of the Juvenile Code is underway and will be considered in the next two sessions of the General Assembly. Judge Peggy Walker and other juvenile court judges recently met with Governor Purdue to discuss areas of concern regarding jurisdictional issues involving children. Judge Nash stated that the cross-jurisdictional committee is a valuable resource in working on a statewide registry for putative fathers. Ms. Jill Radwin of the AOC is assisting the judges with child support issues. Avenues for assistance to children who are exposed to drug-manufacturing within their homes will be discussed at a Task Force meeting in January at Fulton County Juvenile Court. The council supports legislation, backed by the Office of the Child Advocate, establishing mandatory training for Guardians ad Litem. Work continues on the Infant Mental Health project targeting children 0-3 years of age and on possible efforts to teach child development skills to first graders so that they can assist younger children at home.

Probate Court. Judge Tate stated that they have recently entered into a contract with WestLaw to provide on-line legal research to all probate judges. She expressed appreciation to Marla Moore, Cynthia Clanton and Bonnie Tinker for their assistance. In October, Judge Cason hosted a legislative outreach meeting focusing on communication and collaboration with other groups. Their recent strategic planning sessions resulted in plans to reach out to other organizations to improve administration of justice in probate courts. These include the State Bar of Georgia, the Association of County Commissioners and others. Also as recommended in the strategic plan, a courts automation committee will assist all probate courts in selecting case management software. They have contracted with a consultant to conduct an evaluation of available software systems. In other matters, they are seeking mandatory training for probate judges handling traffic

cases and publication of a probate judges bench book covering criminal jurisdiction. As in other courts newly-elected probate judges will soon take office in 26 counties. New judge orientation has been provided by ICJE; an April follow-up meeting is planned to address concerns of new judges. Mental health problems dealt with by the probate courts continue as an area of concern. Judge Tate stated there is a chronic lack of mental health treatment resources, transition planning for people being released from jail or mental health facilities, and guidance for families dealing with mental health issues. A survey to reach judges and law enforcement officials regarding mental health treatment issues is planned. Ms. Gwen Skinner, new director of DHR's Mental Health services, is conducting a state-wide needs assessment. DHR has plans to sponsor a statewide summit on this issue. Judge Tate expressed appreciation to Judge Nash, Ms. Nesbit and Jane Martin for their help in pursuing mental health court funding sources. Her term on the Judicial Council is ending, but she will continue to work with cross-jurisdictional committee and others.

Magistrate Court. Judge Townsend expressed appreciation to Mr. Ratley, Ms. Moore and Ms. Smith for their continuing support of the magistrate council. Their long- range planning committee meeting is scheduled for early 2005. They plan to create a brochure for distribution to magistrate court judges to explain the function of the council and training provided by ICJE. Magistrate court judges are serving on the cross-jurisdictional committee. He invited judges from other courts to attend their quarterly meetings. They will again pursue legislation to establish a retirement system for magistrates and continue efforts to obtain nonpartisan status for magistrate court judges.

Municipal Courts. Ms. Moore reported for Judge John Edwards who is ill. She stated that the recent loss of Judge Bill Coolidge was a blow to the municipal court council. Judge Coolidge, a friend and valuable advisor for many judges, was serving as council president. The vice president of the Council of Municipal Court Judges was recently appointed to the juvenile court bench. They are working with the Public Defender Council on developing standards for their courts. The council's next meeting will be a legislative function on February 3, 2005. Written reports found in the agenda.

Old/New Business

None.

Adjournment

The Chief Justice stated that the next meeting of the Judicial Council will be held June 8, 2005 in Savannah. He presented certificates of appreciation to council members whose terms are expiring prior to that meeting: Judge Robin Nash, Judge Susan Tate, Judge Gibbs Flanders and Chief Judge J.D. Smith.

The meeting was adjourned.

Respectfully submitted,

Billie Bolton, Assistant Director

The above and foregoing minutes
were approved at the meeting held on ____
day of _____, 200_.

JUDICIAL COUNCIL OF GEORGIA

Chief Justice Norman S. Fletcher
Chairperson
Supreme Court of Georgia
507 State Judicial Building
Atlanta, GA 30334
404-656-3477/FAX 657-4211

Presiding Justice Leah Ward Sears
Vice Chairperson
Supreme Court of Georgia
501 State Judicial Building
Atlanta, GA 30334
404-656-3474/FAX 657-6997

Judge Melinda Anderson
Magistrate Court of Liberty County
P. O. Box 912
Hinesville, GA 31310-0912
912-368-2063/FAX 876-2474

Judge Stephen H. Andrews
Juvenile Court of the
Southern Judicial Circuit
P. O. Box 6443
Thomasville, GA 31758
229-226-5308/FAX 228-9108

Judge Anne Elizabeth Barnes
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, GA 30334
404-656-3454/FAX 463-8303

Judge William T. Boyett
Superior Courts
Conasauga Judicial Circuit
P. O. Box 2582
Dalton, GA 30722-2582
706-278-3340/FAX 275-7567

Judge Mike Bracewell
Probate Court of Morgan County
P. O. Box 857
Madison, GA 30650-0857
706-343-6500/FAX 343-6465

Judge Betty B. Cason
Probate Court of Carroll County
Carroll County Courthouse
Room 204
Carrollton, GA 30117
770-830-5840/FAX 830-5995

Judge A. Wallace Cato
Superior Courts
South Georgia Judicial Circuit
P. O. Box 65
Bainbridge, GA 39818-0065
229-246-1111/FAX 246-5265

Judge Daniel M. Coursey, Jr.
Superior Court
Stone Mountain Judicial Circuit
900 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-4710/FAX 371-2993

Judge William H. Craig
Superior Court
Flint Judicial Circuit
Henry County Courthouse
1 Courthouse Square, 2nd Floor
McDonough, GA 30253-3293
770-954-2107/FAX 954-2083

Judge Doris L. Downs
Superior Court
Atlanta Judicial Circuit
T-7955 Justice Center Tower
185 Central Avenue, S. W.
Atlanta, GA 30303
404-730-4991/FAX 335-2828

Judge Linda Warren Hunter
Superior Court
Stone Mountain Judicial Circuit
505 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-2525/FAX 371-4754

Judge James E. McDonald, Jr.
Juvenile Court of the
Western Judicial Circuit
325 E. Washington Street, Room 115
Athens, GA 30601
706-613-3300/FAX 613-3306

Judge George F. Nunn, Jr.
Superior Court
Houston Judicial Circuit
201 North Perry Parkway
Perry, GA 30169
478-218-4840/FAX 218-4845

Judge John M. Ott
Superior Courts
Alcovy Judicial Circuit
1132 Usher Street, N. W., Room 220
Covington, GA 30014
770-784-2080/FAX 784-2130

Judge F. Gates Peed
Superior Courts
Ogeechee Judicial Circuit
P. O. Box 967
Statesboro, GA 30459
912-764-6095/FAX 489-3148

Chief Judge John H. Ruffin, Jr.
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, GA 30334
404-656-3458/FAX 651-8139

Judge John F. Salter, Sr.
State Court of Dougherty County
P. O. Box 1827
Albany, GA 31702-1827
229-431-2152/FAX 431-3282

Judge Hugh W. Stone
Superior Courts
Enotah Judicial Circuit
114 Courthouse Street, Box 2
Blairsville, GA 30512
706-439-6100/FAX 439-6099

Chief Judge Ben Studdard, III
State Court of Henry County
40 Atlanta Street, Suite 200
McDonough, GA 30253
770-898-7612/FAX 898-7616

Judge Haynes Henton Townsend
Magistrate Court of Whitfield County
210 N. Thornton Avenue
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Dalton, GA 30720-4272
706-278-5052/FAX 278-8810

Judge Phillip R. West
Superior Courts
Oconee Judicial Circuit
P. O. Box 1058
Eastman, GA 31023-1058
478-374-7731/FAX 374-0344

Judge Jon B. Wood
Superior Courts
Lookout Mountain Judicial Circuit
P. O. Box 1185
LaFayette, GA 30728-1185
706-638-1650/FAX 638-1654

Judicial Council of Georgia
Savannah Marriott Riverfront Hotel
Savannah, GA
June 8, 2005

NEW JUDICIAL COUNCIL MEMBERS
WHO HAVE JOINED SINCE THE DECEMBER 10, 2004 MEETING

1. Judge Anne Elizabeth Barnes, Court of Appeals of Georgia
2. Chief Judge William T. Boyett, President-Elect, Council of Superior Court Judges
3. Chief Judge Ben Studdard, III, President-Elect, Council of State Court Judges
4. Judge Stephen H. Andrews, President-Elect, Council of Juvenile Court Judges
5. Judge Betty B. Cason, President-Elect, Council of Probate Court Judges

MEMBERS WHO HAVE LEFT **OR** ARE KNOWN TO BE LEAVING
PRIOR TO THE AUGUST 2005 MEETING

1. Chief Justice Norman S. Fletcher, Supreme Court of Georgia
2. Chief Judge J. D. Smith, Court of Appeals of Georgia
3. Chief Judge H. Gibbs Flanders, Superior Courts, Dublin Judicial Circuit
4. Chief Judge Linda Warren Hunter, Administrative Judge, 4th JAD
5. Chief Judge Doris L. Downs, Administrative Judge, 5th JAD
6. Judge Edward E. Carriere, Jr., State Court of DeKalb County
7. Judge Robin S. Nash, Juvenile Court of the Stone Mountain Judicial Circuit
8. Judge Susan P. Tate, Probate Court of Clarke County
9. Haynes Henton Townsend, Magistrate Court of Whitfield County

HB 475 - Superior court clerk; serve in state, magistrate, and juvenile court of county
Juvenile, State, Probate and Magistrate Courts OPPOSED this bill.

Did not Pass.

HB 500 - Guardians of adults; amend provisions; public guardians; definitions
Legislative Standing Committee voted to TAKE NO POSITION on this bill.

Did not Pass.

HB 561 - Probate courts; additional civil filing fee; clarify
Juvenile, State, Probate and Magistrate Courts SUPPORTED this bill.

Did not Pass, was added SB 203 which failed during the last moments of the session.

HB 597 – Elections; amend provisions
Legislative Standing Committee voted to TAKE NO POSITION on this bill.

Language was added to H.B. 244, signed on May 5, 2005 by the Governor with an effective date of May 5, 2005.

HB 609 - Courts; requesting judicial assistance from other courts, judges, and senior judges
Legislative Standing Committee voted to OPPOSE this bill.

Did not pass.

SB 32 - Probate Court Judges; nonpartisan elections
Legislative Standing Committee voted to SUPPORT this bill.

Did not pass.

SB 101 - Elected Judge of Superior/State Court; definitions; request hearings
Legislative Standing Committee voted to OPPOSE this bill.

Did not pass.

SB 201 – Deer Management Act; change certain provisions
Juvenile, State, Probate and Magistrate Courts OPPOSED this bill.

Did not pass.

SB 216 - Public Libraries; delete references; State Law Library
Juvenile, State, Probate and Magistrate Courts OPPOSED this bill.

Did not pass.

SB 244 - Magistrates Retirement Fund; define terms create board of commissioners; powers
Juvenile, State, Probate and Magistrate Courts SUPPORTED this bill.

Did not pass. This legislation requires a two-year cycle.

A compilation of the 2005 Enacted Legislation has been published and provided to the Judicial Council Members, Judges, and court staff.

The Standing Committee on Policy will meet throughout the summer months to develop recommendations on pending legislation for the full Judicial Council Consideration.

Submitted by:

Debra Nesbit, Associate Director
Legislative & Governmental Affairs
Staff to the Standing Committee on Policy

Summary of Accomplishments of the Cross Jurisdictional Study Committee

I. MISSION OF STUDY COMMITTEE

Established as a sub-committee of the Judicial Council, the goal of the Cross Jurisdictional Study Committee is to have all classes of courts interface with each other in a collaborative manner, specifically on jurisdictional issues involving children, youth and families. The Committee, consisting of representatives from the various classes of courts, can within this forum have open dialogue and see the needs and desires of each class of courts to help the children, youth and families that may come before the courts. The Committee also includes members from the executive branch, specifically DHR, who specifically work on issues involving children, youth and families. As a result of this Committee reviewing issues and potential legislation impacting courts, well-studied and analyzed formal recommendations can be made to the full Judicial Council on these cross jurisdictional issues.

II. MEMBERSHIP

The Committee members invited to the Cross Jurisdictional Study Committee meetings are: Judge Anne Workman, Superior Court, Stone Mountain Judicial Circuit; Judge Neal W. Dickert, Superior Court, Augusta Judicial Circuit; Judge William L. Tribble, Sr., Juvenile Court, Dublin Judicial Circuit; Judge Peggy H. Walker, Juvenile Court, Douglas Judicial Circuit; Judge Edward E. Carriere, Jr., State Court, DeKalb County; Judge Susan P. Tate, Probate Court, Clarke County; Judge Haynes H. Townsend, Magistrate Court, Whitfield County; Brenda Woodard, Chief Legal Officer, Department of Human Resources; and, Vivian Egan, Legal Services Officer, Department of Family and Children Services. Justice P. Harris Hines, Georgia Supreme Court, chairs the Committee.

In addition, regularly invited guests include: Nina Edidin, Director of Legal Services, Department of Juvenile Justice; Eric John, Executive Director, Council of Juvenile Court Judges; and Molly J.M. Perry, Executive Director, Council of Superior Court Judges. The meetings are staffed by Debra Nesbit, Associate Director for Legislative and Governmental Affairs, Administrative Office of the Courts; Jane Martin, Assistant Director for Grants and Performance Outcomes, Administrative Office of the Courts; Jill Radwin, Child Support Judicial Liaison, Administrative Office of the Courts; Michelle Barclay, Director, Child Placement Project, Administrative Office of the Courts; and Marla Moore, Associate Director for Court Services, Administrative Office of the Courts.

Meetings were held on October 1 and November 30, 2004. A meeting was also held on February 11, 2005, with another one scheduled for June 6, 2005.

III. ACCOMPLISHMENTS

The Committee Members will likely agree that the greatest and most productive accomplishment of this Study Committee has been to open communication channels between the courts. With improved communications and knowledge of the issues the other courts are facing, collaboration between the courts is greatly enhanced. Among the specific issues that have been discussed and the actions taken include:

- Creation of Family Courts Statewide – During the 2005 legislative session, it was brought to the Committee’s attention, that a bill was introduced in the House to authorize creation of a family court division in any superior court throughout the state. This bill was separate from the legislation introduced to extend the pilot program found in Fulton County which creates a family law division within Fulton County’s Superior Court. Chiefly, a concern over the statewide bill is that it appears that most of the judges were unaware of the bill, and it was headed toward passage without the review and scrutiny of the courts. As drafted, the proposed legislation was vague. The Committee Members feared that without more defining and narrowing language, the application will be inconsistent and problematic. Jurisdictional conflicts could become the norm, rather than the occasional situation. The bill was tabled this legislative session, with the understanding that this Committee, through the Judicial Council, will provide the legislature with recommendations of revisions to the bill, drafted more narrowly and with more concise definitions, a precise model and a body providing oversight.
- Methamphetamine Crisis and Its Impact on the Courts – Judge Walker, taking a leadership role in this issue statewide, has continually made the Committee Members aware of this issue and sought involvement from the other courts in the Georgia Alliance for Drug Endangered Children. The Committee has also discussed how drug courts can be a part of the solution. Information was distributed to the Members informing them also of the Administrative Office of the Courts’ listserv, providing information regarding drug courts and treatment models, and the upcoming Judicial Council Drug and DUI Court Conference in June.
- Child Support in Juvenile Court – Currently, through legislation which was enacted in 2003, juvenile courts have concurrent jurisdiction with superior courts to order temporary child support. Conflicts ensued as to what is considered “temporary” and whether superior courts are able to incorporate the juvenile

court order for enforcement. There was some discussion as to whether this Committee should propose or recommend to the Judicial Council statutory language which would serve to fill in some of the gaps and vague language of the Juvenile Court jurisdictional statute (O.C.G.A. §15-11-28(c)). However, at the direction of the Council of Juvenile Court Judges' Executive Committee, the Committee has agreed to let Jill Radwin, Child Support Judicial Liaison, continue working with individual juvenile court judges or judicial circuits on the implementation of this statute.

- Guardian ad Litem Training – The Cross Jurisdictional Study Committee recognized that Guardian ad Litem training was needed for both juvenile and superior courts. Much of the impetus for the training derives from the recent federal regulations requiring juvenile court guardian ad litem training to be certified. Yet, at the same time, the superior court judges have shown much interest in either an organized guardian ad litem program or training for their potential guardians ad litem. Regional training was initiated in Atlanta on February 24, 2005 with the 200 persons limited enrollment filling up immediately. Most recent, this training was held again in Columbus. Plans are underway for training in other regional centers of the state. Judge Tate expressed interest in having guardian ad litem training conducted for Probate Courts. Initiatives have been already been taken in pursuit of this goal. At this time, though, the plan is to have probate court guardian ad litem training separate as the issues differ widely from that found in both juvenile and superior courts.
- Legitimation – In Georgia, unlike any of the other states, a father may only establish legitimation through the courts by initiating a petition, rather than to establish it administratively, as may be done with paternity. In addition, a father may not seek visitation or custody claims in his initial petition seeking to establish legitimation rights. This would instead require a separate action. As a result of these restrictions, the courts were facing jurisdictional conflicts, with parties running from juvenile to superior court, filing multiple actions. Lack of judicial economy and access to the courts were also occurring. The Judges, though, had concerns that if the legitimation statute (O.C.G.A. §19-7-22) was amended, new issues would be arise, such as fraud, endangerment to the children, pro se representation of the mothers, domestic violence and other related issues. The Cross Jurisdictional Study Committee studied and discussed this issue at length. In the end, the concerns and input of the judges did contribute to SB 53, its substitute version and its eventual passage. This new law, effective July 1, 2005, creates an administrative process for legitimation, in which the father may legitimate child by voluntary acknowledgement made contemporaneously with an acknowledgement of paternity. It also amends §19-7-22, eliminating the requirement that issues of custody and visitation must be

addressed in separate judicial proceedings thereby allowing the father to seek visitation or custody rights in the initial legitimation petition.

- Forum Shopping – This was both a major concern of the judges, in which superior, juvenile and probate courts were primarily being affected. Through research and collaboration, Judges Walker and Tate cleared up jurisdictional issues concerning guardianships. This Committee was able to foster concerns and open discussion about this issue and others which may not have been communicated without this forum. In addition, Justice Hines at each meeting strongly urged the Committee Members to go back to their respective councils and encourage that representatives from other classes of courts be invited to speak at the bi-yearly meetings to create awareness of the impact that cross jurisdictional issues may have on other courts. Justice Hines has already spoken to ICJE to ensure there is a session on this topic during upcoming council meetings. Further, Judge Walker shared that her council, Council of Juvenile Court Judges is in the process of developing a form which will require the parties to disclose any other related matters or cases at the time of filing. Further, if any other action is filed during the pendency of the case, parties will have an affirmative duty to disclose this to the present court.

Report from the Georgia Commission on Access and Fairness in the Courts May 2005

The Georgia Commission on Access and Fairness in the Courts recently hosted the 17th Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts (NCREFC) conference, April 13-16 at the Omni Hotel. The National Consortium on Racial and Ethnic Fairness in the Courts is a subdivision of the National Center for State Courts established by various state courts task forces and commissions who seek to effect fair and equal administration of justice to all persons entering in to our court systems. This year's conference was recognized as one of the best attended and well organized conferences in recent past. Thirty-six states were represented at the Atlanta conference along with approximately 120 attendees with delegation coming as far away as the United Kingdom and Hawaii.

Justice Robert Benham, Supreme Court of Georgia, Judge Alvin T. Wong, State Court of Dekalb County, Attorneys Phyllis Holmen and Lisa Krisher from Georgia Legal Services Program and Dekalb County District Attorney Gwen Keyes were among local speakers and presenters during the conference. This year's plenary sessions focused on timely and global subject matters such as Islamic and Tribal Law. The sessions were designed to educate the audience on current socio-political and cultural matters oftentimes presented in courts around the country as well as encourage reasoned dialogue. Guest speaker Asifa Quraishi of the University of Wisconsin Law School and expert on Islamic Law spoke before a packed, seated and standing room audience about the Qu'ran, Muslim women and men and their assimilation to American laws and culture. She also disproved some preconceived notions regarding Muslim women and marriage, typically viewed as negative by many Americans. Attorney Sarah Deer from the Tribal Law and Policy Institute of West Hollywood, CA talked about the underreporting of sexual assault crimes within Indian jurisdictions. Many Native Americans adhere to traditional tribal laws and legal systems. Therefore, offenders and acts of domestic violence go unreported and unprosecuted by our American justice system. Other breakout session topics included Differential Sentencing among Minorities, The Impact of Poverty and Ethnicity in the Courts, Immigrants: Human Trafficking and Judicial Obstacles, Prosecutorial Discretion and Removing Language and Access Barriers in the Courts to name a few.

Another major accomplishment during the 17th Annual meeting was the adoption of essential amendments to the NCREFC by-laws and articles of incorporation, and the expansion of the number of board members. The amendments seek to align the Consortium, as a whole, on the recommendations studied by (past) commissions and tasks forces while assisting those states who have not created committees to study the issue of perceived and ignored bias and fairness in the courts.

During the conference, the Georgia Commission on Access and Fairness in the Courts also featured one of its most prized and recent projects, *A Meaningful Opportunity to Participate: A Handbook for Georgia Court Officials on Courtroom Accessibility for Individuals with Disabilities*. The 100 plus page publication was completed early spring with the assistance of Mr. Mike Galifianakis, State ADA Coordinator of the Georgia

State Financing and Investment Commission. Several components from the document were introduced during the Removing Language and Access Barriers in the Courts breakout session conducted by Mr. Galifianakis and Ms. Dew Kaneshiro. The handbook will be distributed to all classes of court, district court administrators, county commissioners and other parties interested in overcoming barriers in courthouses. Excerpts from the Accessibility Handbook will also be featured during the California Judicial College, June 8-9, 2005.

TAB 5

**MATERIALS FOR THIS TAB WERE NOT AVAILABLE
AT THE TIME OF AGENDA MAILING**

THIS MATERIAL WILL BE DISTRIBUTED AT THE MEETING

TAB 6

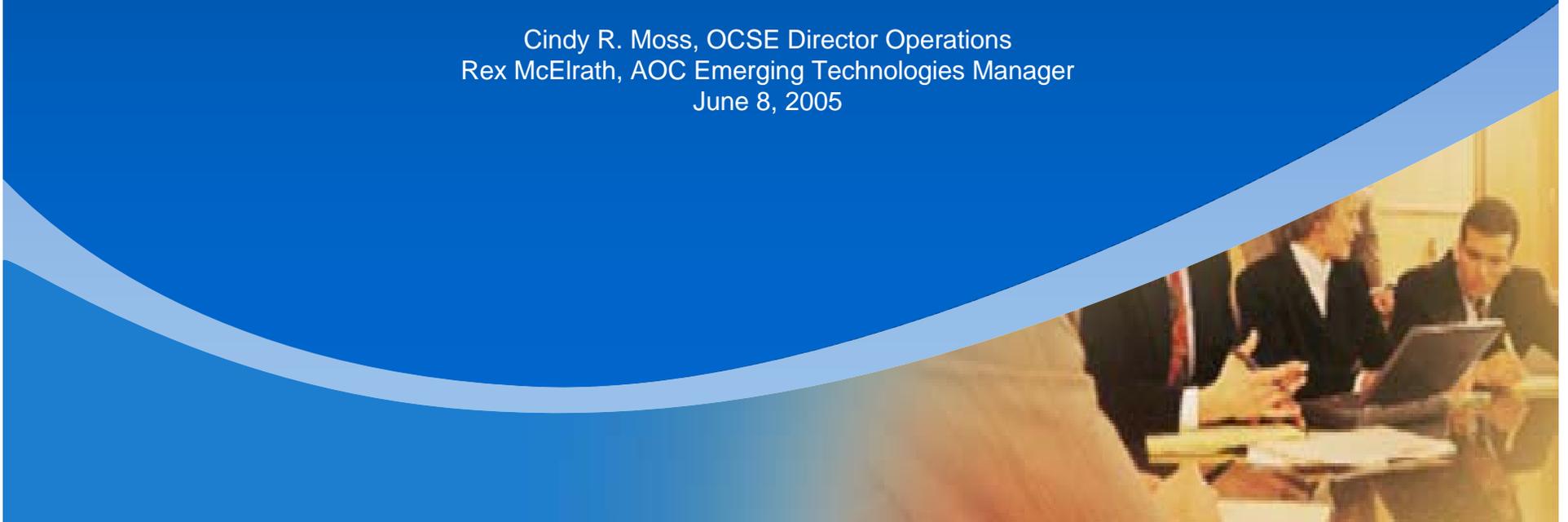
**MATERIALS FOR THIS TAB WERE NOT AVAILABLE
AT THE TIME OF AGENDA MAILING**

THIS MATERIAL WILL BE DISTRIBUTED AT THE MEETING



Data Exchange Between the Courts and Child Support

Cindy R. Moss, OCSE Director Operations
Rex McElrath, AOC Emerging Technologies Manager
June 8, 2005



Introduction

Douglas County Proof of Concept

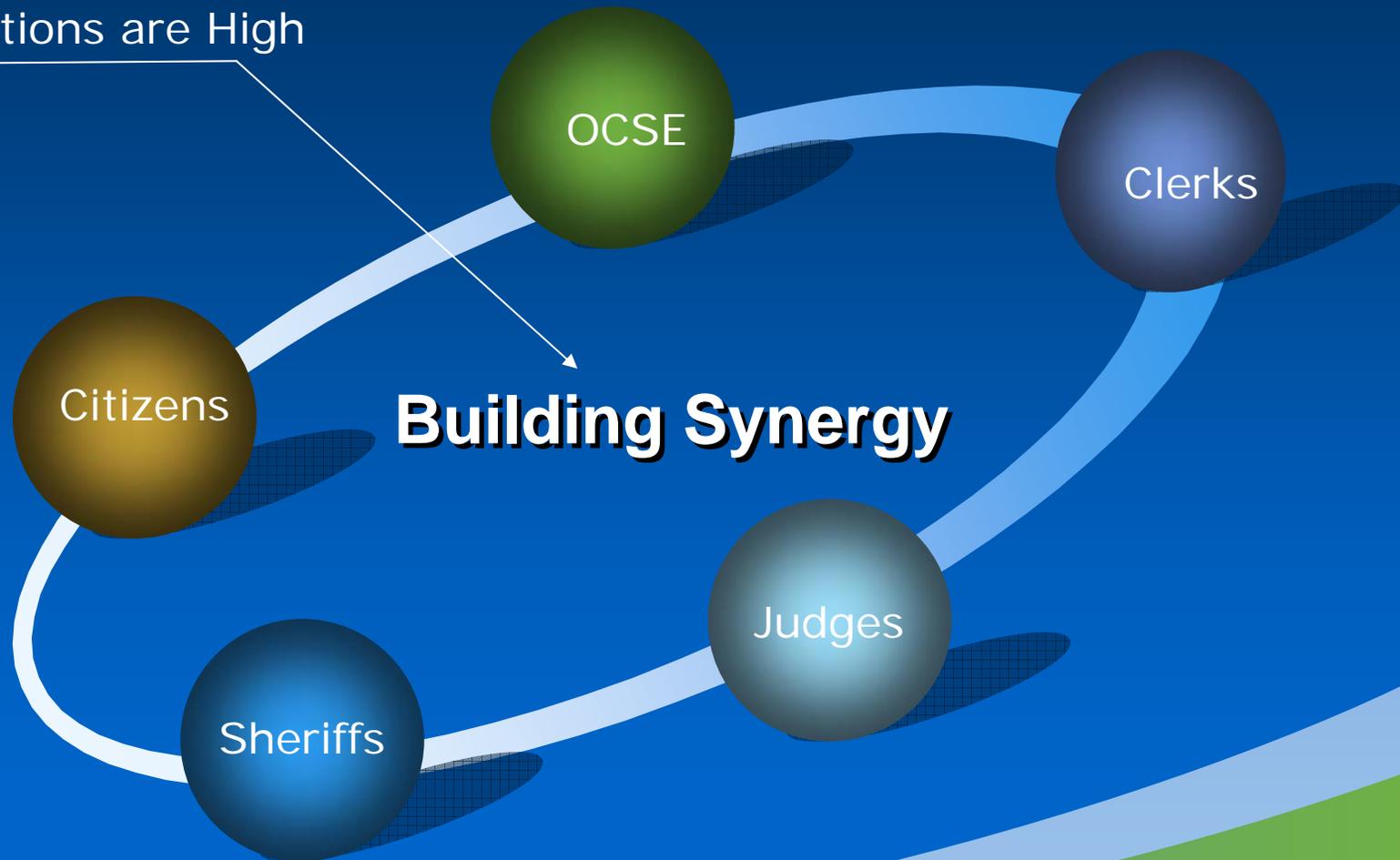
Georgia Supreme Court Project

AOC – OCSE Collaboration

Washington County Pilot

Data Exchange Stakeholders

Expectations are High



E-Filing Project

Supreme Court

- Project Initiated with Supreme Court
- Receive Test Filings and Positive Feedback From Trial Courts
- Allow for web services based E-Filing

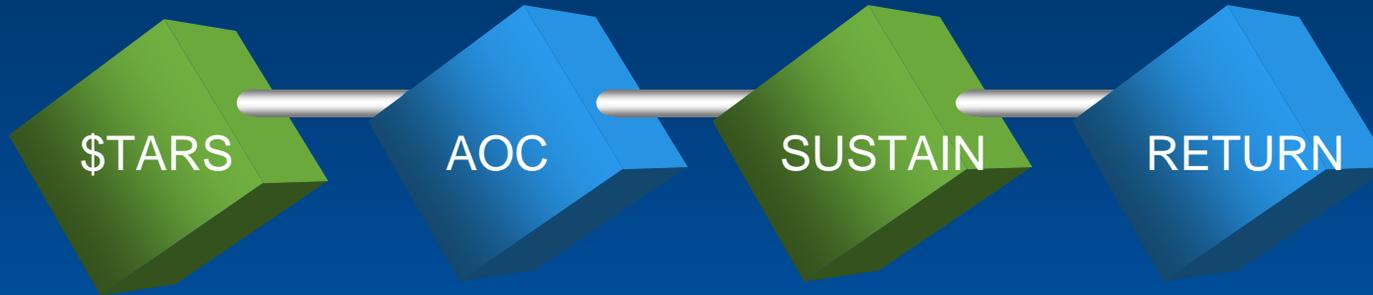
Washington Co

- Project Initiated with OCSE, AOC, and Washington Co Officials
- Enable exchanges between executive and judicial agencies

Next Phase

- Working with Walker County and other counties this summer.
- Expand scope of exchanges

E-Filing Process



1. Determine Legal Action Needed.
2. Generate Documents
3. Submit Electronically via Legal XML

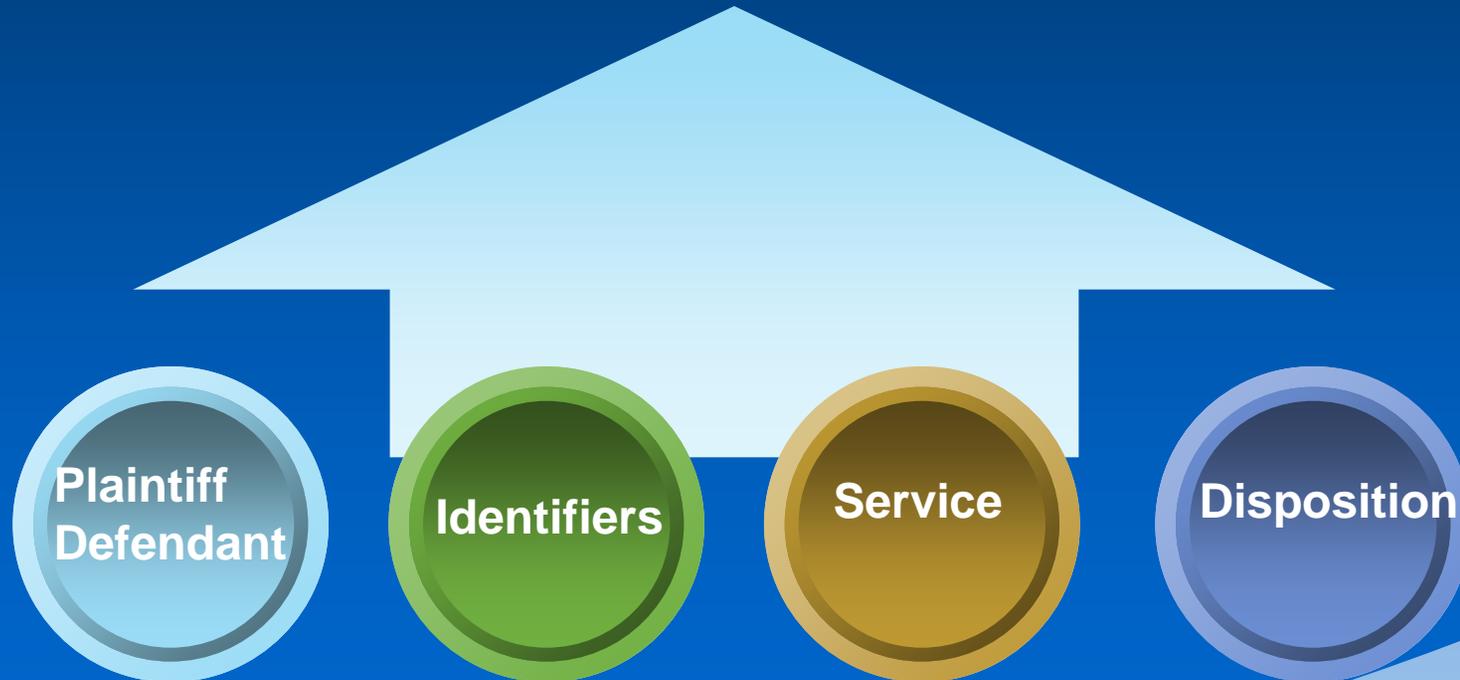
1. Receive Data from \$TARS via OXCI
2. Transport to the Court

1. Receive Data from OCSE via OXCI
2. Review, Accept or Reject

1. Notice to OCSE-Process Server to "pick" up Accepted Filings
2. Notice of Rejects

Reducing Redundancy

Data Entered Once



Questions

?

JUDICIAL BRANCH CONSOLIDATED BUDGET

	FY2006				FY2006 GENERAL APPROPRIATIONS
	FY2005 APPROPRIATIONS	CONTINUATION APPROPRIATIONS REQUEST	ENHANCEMENTS/ ADJUSTMENTS	GOVERNOR VETOES	
Supreme Court	\$ 7,526,705	\$ 7,946,499	\$ (298,519)	\$ -	\$ 7,647,980
Court of Appeals	\$ 11,799,673	\$ 12,430,662	\$ 106,924	\$ -	\$ 12,537,586
Superior Courts	\$ 50,431,872	\$ 52,520,037	\$ (148,572)	\$ (882,809)	\$ 51,488,656
Council of Superior Court Clerks		\$ -	\$ 144,925	\$ -	\$ 144,925
Council of Superior Court Judges		\$ -	\$ 882,809	\$ (882,809)	\$ -
Judicial Administrative Districts	\$ 2,098,614	\$ -	\$ 155,104	\$ -	\$ 2,253,718
Drug Courts	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000
Superior Court Judges		\$ 50,421,423	\$ (2,331,410)	\$ -	\$ 48,090,013
Prosecuting Attorneys	\$ 46,014,401	\$ 52,416,553	\$ (3,025,848)	\$ (5,465,257)	\$ 43,925,448
District Attorneys		\$ 45,099,214	\$ (1,173,766)	\$ -	\$ 43,925,448
Prosecuting Attorneys' Council		\$ 7,317,339	\$ (1,852,082)	\$ (5,465,257)	\$ -
Juvenile Courts	\$ 1,410,096	\$ 1,497,043	\$ 4,736,897	\$ -	\$ 6,233,940
Council of Juvenile Court Judges		\$ 1,497,043	\$ 22,955	\$ -	\$ 1,519,998
Grants to Counties		\$ -	\$ 4,713,942	\$ -	\$ 4,713,942
Institute of Continuing Judicial Education	\$ 1,126,382	\$ 1,283,173	\$ (1,283,173)	\$ -	\$ -
Judicial Council	\$ 16,356,425	\$ 18,131,146	\$ (4,954,854)	\$ -	\$ 13,176,292
Georgia Office of Dispute Resolution		\$ -	\$ 362,494	\$ -	\$ 362,494
ICJE		\$ -	\$ 1,126,382	\$ -	\$ 1,126,382
Judicial Council		\$ 17,131,146	\$ (6,501,776)	\$ -	\$ 10,629,370
JQC		\$ -	\$ 258,046	\$ -	\$ 258,046
Resource Center		\$ 1,000,000	\$ (200,000)	\$ -	\$ 800,000
Georgia Public Defender Standards Council	\$ 29,808,043	\$ 43,744,383	\$ (1,665,323)	\$ -	\$ 42,079,060
Public Defender Standards Council		\$ 43,744,383	\$ (33,137,173)	\$ -	\$ 10,607,210
Public Defenders		\$ -	\$ 31,471,850	\$ -	\$ 31,471,850
Judicial Qualifications Commission	\$ 253,951	\$ 280,967	\$ (280,967)	\$ -	\$ -
Office of Dispute Resolution	\$ 355,628	\$ 381,276	\$ (381,276)	\$ -	\$ -
Council of Superior Court Clerks	\$ 144,925	\$ 144,925	\$ (144,925)	\$ -	\$ -
TOTALS FOR THE JUDICIAL BRANCH	\$ 165,228,101	\$ 190,776,664	\$ (7,339,636)	\$ (6,348,066)	\$ 177,088,962

**JUDICIAL COUNCIL PROGRAM/ACTIVITY BUDGET DETAIL
FY2006**

	FY2006 GENERAL <u>APPROPRIATIONS</u>
Judicial Council	\$ 10,629,370
Administrative Office of the Courts	\$ 7,635,757
Victims of Domestic Violence	\$ 2,095,081
GA Law School Consort Fellowship Program	\$ 180,939
Council of Magistrate Court Judges	\$ 60,416
Council of Probate Court Judges	\$ 60,138
Council of State Court Judges	\$ 270,652
Georgia Courts Automation Commission	\$ 326,387

**AOC ACTIVITY/SUB-ACTIVITY BUDGET DETAIL
FY2006**

	FY2006 GENERAL	POSITION COUNT	
	APPROPRIATIONS	APPROVED	FILLED
Administrative Office of the Courts	\$ 7,635,757	100	86
Director's Office	\$ 389,579	4	3
Director's Office	\$ 344,980	4	3
Judicial Council Operations	\$ 44,599	0	0
Administration	\$ 4,321,178	50	45
Administration Division	\$ 2,760,802	26	24
Administration/Budget/Support Services	\$ 996,215	6	5
AOC Technology Services	\$ 1,764,586	20	19
Technology Administration	\$ 593,380	4	4
Emerging Technology	\$ 88,188	4	4
Database Administration	\$ 187,609	2	2
Network Administration	\$ 134,430	2	2
Applications Development	\$ 208,014	4	3
Software Services - Sustain	\$ 502,307	4	4
AOC/Judicial Data Center	\$ 50,657	0	0
Finance/Accounting Division	\$ 570,790	10	9
Statewide Technology	\$ 569,148	9	7
Client Services/Help Desk	\$ 143,132	2	2
Field Technology Services	\$ 426,016	7	5
Court Business Process Division	\$ 278,057	5	5
Training	\$ 170,138	3	3
Court Assistance	\$ 107,919	2	2
Macon Training Facility	\$ 95,081	0	0
Buford Office	\$ 22,350	0	0
Statesboro Office	\$ 24,950	0	0
Court Services	\$ 1,542,413	21	18
Georgia Council of Court Administrators	\$ 4,884	0	0
Council of Municipal Court Judges	\$ 19,534	0	0
Court Services	\$ 410,976	4	3
Operations	\$ 342,062	3	2
Public Relations	\$ 68,915	1	1
Judicial Liaison	\$ 140,284	3	2
Human Resource Division	\$ 205,986	4	3
Communications Division	\$ 216,852	2	2
Research Division	\$ 543,896	8	8
Research Operations	\$ 156,720	2	2
Statistical Research	\$ 190,525	3	3
Court Services Research	\$ 177,001	3	3
Case Count	\$ 19,650	0	0
Government/Legislative Affairs and Grants	\$ 702,249	14	9
Legislative Affairs Division	\$ 253,684	4	2
Governmental Affairs Operations	\$ 244,572	4	2
Intern Program	\$ 9,112	0	0
Grants Management Division	\$ 245,064	5	4
Children, Family and the Courts Division	\$ 203,500	5	3
Legal/General Counsel	\$ 680,338	11	11
General Counsel	\$ 263,747	3	3
Regulatory Division	\$ 416,591	8	8
Regulatory Operations	\$ 84,844	1	1
Board of Court Reporting	\$ 78,133	2.5	2.5
Commission on Interpreters	\$ 119,491	2.5	2.5
Private Probation	\$ 134,123	2	2

ADMINISTRATIVE OFFICE OF THE COURTS
DIRECTOR'S OFFICE
DIRECTOR'S OFFICE
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	217,602
513000 Temp Salaries	\$	-
514000 FICA	\$	16,647
515000 Retirement	\$	23,588
516000 Health Insurance	\$	30,899
518000 Unemployment	\$	124
520000 Merit System	\$	588

Total Personal Services **\$ 289,448**

OPERATING

612000 Motor Vehicle Expense	\$	1,500
613000 Printing & Publication	\$	4,000
614000 Supplies & Materials	\$	9,008
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	4,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	24
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	10,000
627000 Other Operating	\$	7,000
640000 Travel	\$	5,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	9,500
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	5,000
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 55,532**

TOTALS **\$ 344,980**

STATE FUNDS **\$ 344,980**

OTHER FUNDS **\$ -**

**ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
TECHNOLOGY ADMINISTRATION
FY2006
BUDGET BY PROJECT**

PERSONAL SERVICES

510000 Salaries	\$	255,742
513000 Temp Salaries	\$	-
514000 FICA	\$	19,564
515000 Retirement	\$	27,722
516000 Health Insurance	\$	36,315
518000 Unemployment	\$	124
520000 Merit System	\$	588

Total Personal Services **\$ 340,056**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	100
614000 Supplies & Materials	\$	1,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,000
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	24
622000 Freight	\$	100
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	1,500
640000 Travel	\$	3,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	60,000
654000 Contracts - State	\$	-
663000 Software	\$	185,000
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 253,324**

TOTALS **\$ 593,380**

STATE FUNDS **\$ 593,380**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
EMERGING TECHNOLOGY
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	63,872
513000 Temp Salaries	\$	-
514000 FICA	\$	4,886
515000 Retirement	\$	6,924
516000 Health Insurance	\$	9,070
518000 Unemployment	\$	124
520000 Merit System	\$	588

Total Personal Services **\$ 85,464**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	1,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	24
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	500
640000 Travel	\$	1,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 2,724**

TOTALS **\$ 88,188**

STATE FUNDS **\$ 88,188**

OTHER FUNDS **\$ -**

**ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
DATABASE ADMINISTRATION
FY2006
BUDGET BY PROJECT**

PERSONAL SERVICES

510000 Salaries	\$	139,077
513000 Temp Salaries	\$	-
514000 FICA	\$	10,639
515000 Retirement	\$	15,076
516000 Health Insurance	\$	19,749
518000 Unemployment	\$	62
520000 Merit System	\$	294

Total Personal Services **\$ 184,897**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	1,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	12
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	500
640000 Travel	\$	1,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 2,712**

TOTALS **\$ 187,609**

STATE FUNDS **\$ 187,609**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
NETWORK ADMINISTRATION
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	97,869
513000 Temp Salaries	\$	-
514000 FICA	\$	7,487
515000 Retirement	\$	10,609
516000 Health Insurance	\$	13,897
518000 Unemployment	\$	62
520000 Merit System	\$	294

Total Personal Services **\$ 130,218**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	1,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	12
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	500
640000 Travel	\$	2,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 4,212**

TOTALS **\$ 134,430**

STATE FUNDS **\$ 134,430**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
SOFTWARE SERVICES - SUSTAIN
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	170,602
513000 Temp Salaries	\$	-
514000 FICA	\$	13,051
515000 Retirement	\$	18,493
516000 Health Insurance	\$	24,225
518000 Unemployment	\$	124
520000 Merit System	\$	588

Total Personal Services **\$ 227,083**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	2,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	24
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	2,500
640000 Travel	\$	20,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	250,000
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 275,224**

TOTALS **\$ 502,307**

STATE FUNDS **\$ 502,307**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
 ADMINISTRATION
 FINANCE/ACCOUNTING
 FY2006
 BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	413,709
513000 Temp Salaries	\$	-
514000 FICA	\$	31,649
515000 Retirement	\$	44,846
516000 Health Insurance	\$	58,747
518000 Unemployment	\$	310
520000 Merit System	\$	1,470

Total Personal Services **\$ 550,730**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	250
614000 Supplies & Materials	\$	6,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	60
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	5,650
640000 Travel	\$	6,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 20,060**

TOTALS **\$ 570,790**

STATE FUNDS **\$ 570,790**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
CLIENT SERVICES/HELP DESK
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	104,050
513000 Temp Salaries	\$	-
514000 FICA	\$	7,960
515000 Retirement	\$	11,279
516000 Health Insurance	\$	14,775
518000 Unemployment	\$	62
520000 Merit System	\$	294

Total Personal Services **\$ 138,420**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	2,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	12
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	500
640000 Travel	\$	2,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 4,712**

TOTALS **\$ 143,132**

STATE FUNDS **\$ 143,132**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
FIELD TECHNOLOGY SERVICES
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	290,171
513000 Temp Salaries	\$	-
514000 FICA	\$	22,198
515000 Retirement	\$	31,455
516000 Health Insurance	\$	41,204
518000 Unemployment	\$	217
520000 Merit System	\$	1,029

Total Personal Services **\$ 386,274**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	3,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	42
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	100
627000 Other Operating	\$	1,000
640000 Travel	\$	35,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 39,742**

TOTALS **\$ 426,016**

STATE FUNDS **\$ 426,016**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
COURT BUSINESS and PROCESS - TRAINING
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	119,516
513000 Temp Salaries	\$	-
514000 FICA	\$	9,143
515000 Retirement	\$	12,956
516000 Health Insurance	\$	16,971
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 159,120**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	2,000
614000 Supplies & Materials	\$	3,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	1,000
620000 Insurance & Bonding	\$	18
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	1,000
640000 Travel	\$	3,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 11,018**

TOTALS **\$ 170,138**

STATE FUNDS **\$ 170,138**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
ADMINISTRATION
COURT BUSINESS and PROCESS - COURT ASSISTANCE
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	75,774
513000 Temp Salaries	\$	-
514000 FICA	\$	5,797
515000 Retirement	\$	8,214
516000 Health Insurance	\$	10,760
518000 Unemployment	\$	62
520000 Merit System	\$	294

Total Personal Services **\$ 100,901**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	1,000
614000 Supplies & Materials	\$	1,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	18
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	500
640000 Travel	\$	3,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 7,018**

TOTALS **\$ 107,919**

STATE FUNDS **\$ 107,919**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
COURT SERVICES
PUBLIC RELATIONS
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	47,389
513000 Temp Salaries	\$	-
514000 FICA	\$	3,625
515000 Retirement	\$	5,137
516000 Health Insurance	\$	6,729
518000 Unemployment	\$	31
520000 Merit System	\$	147

Total Personal Services **\$ 63,059**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	1,000
614000 Supplies & Materials	\$	1,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	6
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	250
627000 Other Operating	\$	2,000
640000 Travel	\$	1,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 5,856**

TOTALS **\$ 68,915**

STATE FUNDS **\$ 68,915**

OTHER FUNDS **\$ -**

**ADMINISTRATIVE OFFICE OF THE COURTS
COURT SERVICES
HUMAN RESOURCES
FY2006
BUDGET BY PROJECT**

PERSONAL SERVICES

510000 Salaries	\$	107,838
513000 Temp Salaries	\$	41,208
514000 FICA	\$	11,402
515000 Retirement	\$	11,690
516000 Health Insurance	\$	15,313
518000 Unemployment	\$	124
520000 Merit System	\$	588

Total Personal Services **\$ 188,162**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	750
614000 Supplies & Materials	\$	2,500
615000 Repairs & Maintenance	\$	100
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	24
622000 Freight	\$	100
626000 Procurement Card Purchases	\$	250
627000 Other Operating	\$	2,000
640000 Travel	\$	5,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	5,000
663000 Software	\$	500
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 17,824**

TOTALS **\$ 205,986**

STATE FUNDS **\$ 205,986**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
COURT SERVICES
STATISTICAL RESEARCH
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	129,563
513000 Temp Salaries	\$	4,000
514000 FICA	\$	10,218
515000 Retirement	\$	14,045
516000 Health Insurance	\$	18,398
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 176,757**

OPERATING

612000 Motor Vehicle Expense	\$	750
613000 Printing & Publication	\$	1,500
614000 Supplies & Materials	\$	2,750
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	750
620000 Insurance & Bonding	\$	18
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	750
627000 Other Operating	\$	1,250
640000 Travel	\$	4,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 13,768**

TOTALS **\$ 190,525**

STATE FUNDS **\$ 190,525**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
COURT SERVICES
COURT SERVICES RESEARCH
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	121,255
513000 Temp Salaries	\$	4,000
514000 FICA	\$	9,582
515000 Retirement	\$	13,144
516000 Health Insurance	\$	17,218
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 165,733**

OPERATING

612000 Motor Vehicle Expense	\$	500
613000 Printing & Publication	\$	1,000
614000 Supplies & Materials	\$	2,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	750
620000 Insurance & Bonding	\$	18
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	1,000
640000 Travel	\$	4,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 11,268**

TOTALS **\$ 177,001**

STATE FUNDS **\$ 177,001**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
COURT SERVICES
CASE COUNT
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	-
513000 Temp Salaries	\$	8,500
514000 FICA	\$	650
515000 Retirement	\$	-
516000 Health Insurance	\$	-
518000 Unemployment	\$	-
520000 Merit System	\$	-

Total Personal Services **\$ 9,150**

OPERATING

612000 Motor Vehicle Expense	\$	1,000
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	-
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	-
627000 Other Operating	\$	-
640000 Travel	\$	7,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 10,500**

TOTALS **\$ 19,650**

STATE FUNDS **\$ 19,650**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
GOVERNMENT AND LEGISLATIVE AFFAIRS
INTERN PROGRAM
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	-
513000 Temp Salaries	\$	8,000
514000 FICA	\$	612
515000 Retirement	\$	-
516000 Health Insurance	\$	-
518000 Unemployment	\$	-
520000 Merit System	\$	-

Total Personal Services **\$ 8,612**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	-
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	-
627000 Other Operating	\$	-
640000 Travel	\$	-
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 500**

TOTALS **\$ 9,112**

STATE FUNDS **\$ 9,112**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
GOVERNMENT AND LEGISLATIVE AFFAIRS
GRANTS MANAGEMENT
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	176,280
513000 Temp Salaries	\$	-
514000 FICA	\$	13,485
515000 Retirement	\$	19,109
516000 Health Insurance	\$	25,032
518000 Unemployment	\$	155
520000 Merit System	\$	735

Total Personal Services **\$ 234,796**

OPERATING

612000 Motor Vehicle Expense	\$	250
613000 Printing & Publication	\$	500
614000 Supplies & Materials	\$	1,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	18
622000 Freight	\$	250
626000 Procurement Card Purchases	\$	250
627000 Other Operating	\$	1,500
640000 Travel	\$	4,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 10,268**

TOTALS **\$ 245,064**

STATE FUNDS **\$ 245,064**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
GOVERNMENT AND LEGISLATIVE AFFAIRS
CHILDREN, FAMILY and the COURTS
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	115,013
513000 Temp Salaries	\$	-
514000 FICA	\$	8,798
515000 Retirement	\$	12,467
516000 Health Insurance	\$	16,332
518000 Unemployment	\$	155
520000 Merit System	\$	735

Total Personal Services **\$ 153,500**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	2,000
614000 Supplies & Materials	\$	5,000
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	1,500
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	2,500
620000 Insurance & Bonding	\$	-
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	2,000
640000 Travel	\$	5,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	5,500
653000 Contracts	\$	26,000
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 50,000**

TOTALS **\$ 203,500**

STATE FUNDS **\$ 203,500**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
LEGAL/GENERAL COUNSEL
GENERAL COUNSEL
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	177,762
513000 Temp Salaries	\$	10,000
514000 FICA	\$	14,364
515000 Retirement	\$	19,269
516000 Health Insurance	\$	25,242
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 247,171**

OPERATING

612000 Motor Vehicle Expense	\$	100
613000 Printing & Publication	\$	500
614000 Supplies & Materials	\$	1,700
615000 Repairs & Maintenance	\$	400
616000 Equipment not on Inventory	\$	1,508
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	250
620000 Insurance & Bonding	\$	18
622000 Freight	\$	100
626000 Procurement Card Purchases	\$	500
627000 Other Operating	\$	1,000
640000 Travel	\$	2,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	500
652000 Per Diem & Fee - Reimb. Expenses	\$	500
653000 Contracts	\$	6,500
654000 Contracts - State	\$	500
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 16,576**

TOTALS **\$ 263,747**

STATE FUNDS **\$ 263,747**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
LEGAL/GENERAL COUNSEL
REGULATORY OPERATIONS
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	60,600
513000 Temp Salaries	\$	-
514000 FICA	\$	4,636
515000 Retirement	\$	6,569
516000 Health Insurance	\$	8,605
518000 Unemployment	\$	31
520000 Merit System	\$	147

Total Personal Services **\$ 80,588**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	250
614000 Supplies & Materials	\$	500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	6
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	-
627000 Other Operating	\$	1,000
640000 Travel	\$	2,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 4,256**

TOTALS **\$ 84,844**

STATE FUNDS **\$ 84,844**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
LEGAL/GENERAL COUNSEL
REGULATORY OFFICE - BOARD of COURT REPORTING
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	94,888
513000 Temp Salaries	\$	-
514000 FICA	\$	7,259
515000 Retirement	\$	10,286
516000 Health Insurance	\$	13,474
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 126,441**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	10,500
614000 Supplies & Materials	\$	10,500
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	3,675
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	11,550
620000 Insurance & Bonding	\$	30
622000 Freight	\$	5,250
626000 Procurement Card Purchases	\$	-
627000 Other Operating	\$	10,500
640000 Travel	\$	10,500
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	8,900
652000 Per Diem & Fee - Reimb. Expenses	\$	7,875
653000 Contracts	\$	-
654000 Contracts - State	\$	10,000
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 89,280**

TOTALS **\$ 215,721**

STATE FUNDS **\$ 78,133**

OTHER FUNDS **\$ 137,588**

ADMINISTRATIVE OFFICE OF THE COURTS
LEGAL/GENERAL COUNSEL
REGULATORY OFFICE - COMMISSION on INTERPRETERS
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	89,627
513000 Temp Salaries	\$	-
514000 FICA	\$	6,856
515000 Retirement	\$	9,716
516000 Health Insurance	\$	12,727
518000 Unemployment	\$	93
520000 Merit System	\$	441

Total Personal Services **\$ 119,461**

OPERATING

612000 Motor Vehicle Expense	\$	-
613000 Printing & Publication	\$	-
614000 Supplies & Materials	\$	-
615000 Repairs & Maintenance	\$	-
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	-
620000 Insurance & Bonding	\$	30
622000 Freight	\$	-
626000 Procurement Card Purchases	\$	-
627000 Other Operating	\$	-
640000 Travel	\$	-
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	-
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 30**

TOTALS **\$ 119,491**

STATE FUNDS **\$ 119,491**

OTHER FUNDS **\$ -**

ADMINISTRATIVE OFFICE OF THE COURTS
LEGAL/GENERAL COUNSEL
PRIVATE PROBATION
FY2006
BUDGET BY PROJECT

PERSONAL SERVICES

510000 Salaries	\$	93,530
513000 Temp Salaries	\$	-
514000 FICA	\$	7,155
515000 Retirement	\$	10,139
516000 Health Insurance	\$	13,281
518000 Unemployment	\$	62
520000 Merit System	\$	294

Total Personal Services **\$ 124,461**

OPERATING

612000 Motor Vehicle Expense	\$	750
613000 Printing & Publication	\$	1,200
614000 Supplies & Materials	\$	1,000
615000 Repairs & Maintenance	\$	100
616000 Equipment not on Inventory	\$	-
617000 Water & Sewage	\$	-
618000 Energy	\$	-
619000 Rents Other Than Real Estate	\$	1,000
620000 Insurance & Bonding	\$	12
622000 Freight	\$	100
626000 Procurement Card Purchases	\$	250
627000 Other Operating	\$	250
640000 Travel	\$	2,000
648000 Real Estate Rents	\$	-
651000 Per Diem & Fees	\$	-
652000 Per Diem & Fee - Reimb. Expenses	\$	3,000
653000 Contracts	\$	-
654000 Contracts - State	\$	-
663000 Software	\$	-
672000 Telecommunications	\$	-
720000 Equipment > \$5,000	\$	-
721000 Computer Equipment > \$5,000	\$	-
762000 Indirect Costs	\$	-
791000 Intergovernmental Transfers	\$	-

Total Operating **\$ 9,662**

TOTALS **\$ 134,123**

STATE FUNDS **\$ 134,123**

OTHER FUNDS **\$ -**

STATE OF GEORGIA

DEPARTMENT OF AUDITS AND ACCOUNTS

Russell W. Hinton
State Auditor

MANAGEMENT REPORT

JUDICIAL BRANCH

AN ORGANIZATIONAL UNIT OF THE STATE OF GEORGIA
YEAR ENDED JUNE 30, 2004



JUDICIAL BRANCH
MANAGEMENT REPORT
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DEPARTMENT OF AUDITS AND ACCOUNTS

254 Washington Street, S.W., Suite 214

Atlanta, Georgia 30334-8400

RUSSELL W. HINTON
STATE AUDITOR
(404) 656-2174

December 17, 2004

Honorable Sonny Perdue, Governor
Members of the General Assembly of Georgia
Justices of the Supreme Court of Georgia
Judges of the Court of Appeals of Georgia
Members of the Executive Committee of the Council of Superior Court Judges
Members of the Prosecuting Attorneys' Council of Georgia
Members of the Executive Committee of the Council of Juvenile Court Judges
Trustees of the Institute of Continuing Judicial Education
Members of the Georgia Magistrate Courts Training Council
Members of the Board of the Judicial Council
Members of the Judicial Qualifications Commission
Members of the Executive Committee of the Georgia Indigent Defense Council
Members of the Georgia Courts Automation Commission
Members of the Office of Dispute Resolution
Honorable Dana R. Russell, Commissioner
Department of Administrative Services
and
Honorable David L. Ratley, Director
Administrative Office of the Courts

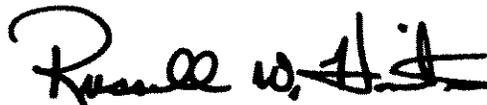
Ladies and Gentlemen:

As part of our audit of the statutory basis financial statements of the State of Georgia presented in the *State of Georgia Report of the State Auditor*, the basic financial statements of the State of Georgia presented in the *State of Georgia Comprehensive Annual Financial Report*, and the issuance of a *Statewide Single Audit Report* pursuant to the Single Audit Act Amendments, as of and for the year ended June 30, 2004, we have performed certain audit procedures at the Judicial Branch. Accordingly, the financial statements and compliance activities of the Judicial Branch were examined to the extent necessary in order to express an opinion as to the fair presentation of the financial statements contained in the foregoing documents and to issue reports on compliance and internal controls as required by the Single Audit Act Amendments of 1996.

This Management Report contains information pertinent to the financial and compliance activities of the Judicial Branch as of and for the year ended June 30, 2004. The particular information provided is enumerated in the Table of Contents.

This report is intended solely for the information and use of management of the State of Georgia and members of the various organizations comprising the Judicial Branch and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russell W. Hinton". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Russell W. Hinton
State Auditor

RWH:cec

SELECTED FINANCIAL INFORMATION

JUDICIAL BRANCH
ANALYSIS OF CHANGES IN FUND BALANCE
BUDGET FUND
YEAR ENDED JUNE 30, 2004

EXHIBIT "A"

FUND BALANCE - JULY 1, 2003

Reserved	\$	3,574,733.33
Surplus		213,711.21
	\$	3,788,444.54

ADDITIONS

Adjustments to Prior Year's Accounts Payable	\$	11,576.76
Excess of Funds Available over Expenditures		2,300,229.48
Exhibit "B"		150.00
Prior Year's Checks Voided		597.38
Reimbursement of Prior Year's Expenditures		2,312,553.62
	\$	2,312,553.62

DEDUCTIONS

Unreserved Fund Balance (Surplus)		
Returned to Office of Treasury and		
Fiscal Services		
Year Ended June 30, 2003	\$	213,711.21
Reserved Fund Balance Carried Over from		
Prior Year as Funds Available		3,574,733.33
	\$	3,788,444.54

FUND BALANCE - JUNE 30, 2004

\$ 2,312,553.62

SUMMARY OF FUND BALANCE

Reserved		
Georgia Bar Foundation Grant	\$	1,829,698.86
Food Stamp Prosecution Agreement		420,371.94
Office of Dispute Resolution		6,626.21
	\$	2,256,697.01
Surplus		55,856.61
	\$	2,312,553.62

JUDICIAL BRANCH
SCHEDULE OF FUNDS AVAILABLE AND EXPENDITURES
COMPARED TO BUDGET
BUDGET FUND
YEAR ENDED JUNE 30, 2004

EXHIBIT "B"

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE - FAVORABLE (UNFAVORABLE)</u>
<u>FUNDS AVAILABLE</u>			
<u>REVENUES</u>			
State Appropriation	\$ 140,268,407.00	\$ 140,268,407.00	0.00
Federal Revenues	3,790,299.21	4,083,275.46	292,976.25
Other Revenues Retained	<u>5,348,067.18</u>	<u>4,103,919.18</u>	<u>-1,244,148.00</u>
	<u>\$ 149,406,773.39</u>	<u>\$ 148,455,601.64</u>	<u>\$ -951,171.75</u>
<u>CARRY-OVER FROM PRIOR YEAR</u>			
Transfer from Reserved Fund Balance	<u>0.00</u>	<u>3,574,733.33</u>	<u>3,574,733.33</u>
	<u>\$ 149,406,773.39</u>	<u>\$ 152,030,334.97</u>	<u>\$ 2,623,561.58</u>
<u>EXPENDITURES</u>			
Personal Services	\$ 16,500,521.00	\$ 17,026,844.65	\$ -526,323.65
Other Operating	125,316,722.98	127,319,653.67	-2,002,930.69
Prosecuting Attorney's Council	4,765,927.00	2,620,403.32	2,145,523.68
Judicial Administrative Districts	1,978,677.41	1,918,278.85	60,398.56
Payment to Council of Superior Court Clerks	44,925.00	44,925.00	0.00
Payment to Resource Center	<u>800,000.00</u>	<u>800,000.00</u>	<u>0.00</u>
	<u>\$ 149,406,773.39</u>	<u>\$ 149,730,105.49</u>	<u>\$ -323,332.10</u>
Excess of Funds Available over Expenditures		<u>\$ 2,300,229.48</u>	<u>\$ 2,300,229.48</u>

JUDICIAL BRANCH
RECONCILIATION OF SALARIES
YEAR ENDED JUNE 30, 2004

EXHIBIT "C"

	<u>SALARIES</u>
Totals per Annual Supplement	\$ 85,461,667.64
Adjustments	
Averitt, Melissa	22,884.12
Bright, Converse J.	4,500.00
Dupree, Hylton	4,500.00
Eason, Hillary	15,698.04
Glance, Jonathan	500.00
Greene, Deborah	1,500.00
Griffith, Ben	1,750.00
Hartfield, Christopher	600.00
Henwood, William Scott	49,711.20
Home, Kathleen	4,500.00
Horton, Janice	28,185.42
Kilpatrick, Paul Jr.	4,500.00
Lewis, Stacy	13,952.04
Maass-Robinson, Sandra	2,000.00
Martin, Mary M.	2,500.00
Mason, Johnny W.	2,500.00
Minor, John T.	2,000.00
Overby, Enoch	2,500.00
Painter, Paul W. Jr.	4,500.00
Porter, Patsy T.	2,500.00
Roseborough, Teresa W.	4,500.00
Russell, Jean	34,268.67
Wade, Ginger	30,771.36
West, Ruth Tinsley	2,250.00
Prior Year's Accounts Payables	<u>-1,177.25</u>
	<u>\$ 85,703,561.24</u>

JUDICIAL BRANCH
RECONCILIATION OF PER DIEM AND FEES
YEAR ENDED JUNE 30, 2004

EXHIBIT "D"

	<u>TYPE PAYMENT</u>	<u>FEE AMOUNT</u>	<u>EXPENSE AMOUNT</u>	<u>TOTAL</u>
Totals per Annual Supplement		\$ 2,191,307.92	\$ 732,391.47	\$ 2,923,699.39 ¹
Adjustments				
Bright, Converse J.	Other Fees	-4,500.00		-4,500.00
Dupree, Hylton	Other Fees	-4,500.00		-4,500.00
Glance, Jonathan	Other Fees	-500.00		-500.00
Greene, Deborah	Other Fees	-1,500.00		-1,500.00
Griffith, Ben	Other Fees	-1,750.00		-1,750.00
Home, Kathleen	Other Fees	-4,500.00		-4,500.00
Kilpatrick, Paul Jr.	Other Fees	-4,500.00		-4,500.00
Maass-Robinson, Sandra	Other Fees	-2,000.00		-2,000.00
Martin, Mary M.	Other Fees	-2,500.00		-2,500.00
Mason, Johnny W.	Other Fees	-2,500.00		-2,500.00
Minor, John T.	Other Fees	-2,000.00		-2,000.00
Overby, Enoch	Other Fees	-2,500.00		-2,500.00
Painter, Paul W. Jr.	Other Fees	-4,500.00		-4,500.00
Porter, Patsy T.	Other Fees	-2,500.00		-2,500.00
Roseborough, Teresa W.	Other Fees	-4,500.00		-4,500.00
West, Ruth Tinsley	Other Fees	-2,250.00		-2,250.00
		<u>\$ 2,144,307.92</u>	<u>\$ 732,391.47</u>	<u>\$ 2,876,699.39</u>

Georgia

SONNY PERDUE, Governor

REPORT OF THE STATE AUDITOR
JUNE 30, 2004

DRAFT - Subject to Changes

Prepared by
GEORGIA DEPARTMENT OF AUDITS AND ACCOUNTS
RUSSELL W. HINTON, State Auditor

Budgeted Object Classes Over Expended For the Fiscal Year Ended June 30, 2004

The following State organizations incurred expenditures in excess of authorized levels in the object classes indicated below by the amounts shown. The authorized expenditure level for the "common object classes," as defined in the amended Appropriations Act, is one hundred two percent (102%) of the budgeted amount. The authorized expenditure level for all other object classes is the budgeted amount.

Judicial Branch

Judicial Branch

Personal Services	\$ 526,323.65
Other Operating	\$ 2,002,930.69

Executive Branch

Administrative Services, Department of "B" Building Authority, Georgia

Regular Operating Expenses (See Note)	\$ 1,104,872.00
Facilities Renovations and Repairs	\$ 7,175,437.00

Community Affairs, Department of

Local Assistance Grants	\$ 1,982,083.62
Local Development Fund	\$ 1,342,938.72

Community Health, Department of "A" Medicaid Services

Grant in Aid to Counties	\$ 131,000.00
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"B" Indigent Trust Fund Contracts

\$ 614,866.84

Forestry Commission, Georgia Per Diem and Fees

\$ 5.28

Industry, Trade and Tourism, Department of Per Diem and Fees

\$ 392,131.46

Natural Resources, Department of "B" Agricultural Exposition Authority, Georgia

Travel	\$ 4,306.29
Capital Outlay	\$ 22,000.00

"C" Agrirama Development Authority, Georgia

"Common Object Classes" - Total Expenditures	\$.25
Contracts	\$.20
Capital Outlay	\$.14
Goods for Resale	\$.08

Regents of the University System of Georgia, Board of

"A" Resident Instruction Office of Minority Business Enterprise	\$ 617.02
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"D" Lottery for Education

Prior Year ETACT-University of Georgia	\$ 100,480.40
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Biographical Information
Thomas Randall (Randy) Dennis, CPA, CGFM

Randy Dennis is a Certified Public Accountant (CPA), licensed in the State of Georgia and a Certified Government Financial Manager (CGFM) issued by the Association of Government Accountants. Randy has nearly 16 years of government accounting experience. He currently is employed by the Administrative Office of the Courts of Georgia (AOC) as Chief Accounting Officer. He is responsible for all accounting and payroll operations provided to various judicial organizations served by the AOC.

Before joining the AOC in November 2001, Randy worked as a Senior Auditor for the State of Georgia Auditors Office for nearly 12 years where he conducted financial and compliance audits of numerous local boards of education, public libraries, regional educational service agencies, and departments of the state executive. Randy also worked briefly as audit manager for the Gwinnett County Board of Commissioners. He has also worked for 6 years as a tour guide for FDR Little White House in Warm Springs, Georgia.

Randy is a member of the American Institute of Certified Public Accountants (AICPA), Association of Government Accountants (AGA) – Treasurer for the Atlanta Chapter, Georgia Fiscal Management Council, Board of Directors for the State Employees Credit Union – Supervisory Committee and the Georgia Council of Court Administrators.

Randy is a native of Manchester, Georgia and now resides in Marietta, Georgia with his wife, Leanne, and two daughters, Rachel (11) and Amanda (7). He enjoys hunting, fishing, golf, and plays ALTA tennis. Randy is an assistant coach with the Georgia Fire, a premier 10 and under girls travel softball team, and also coaches with the Sandy Plains Athletic Association 8 and under girls softball.

Randy is a 1989 graduate of the University of West Georgia with a BBA in Accounting.

Lynn H. Vellinga, CPA

Mr. Vellinga is the new State Accounting Officer for the State of Georgia. He is responsible for the State's financial reporting, statewide financial systems and state wide accounting policies and procedures.

Prior to coming to Georgia, Mr. Vellinga worked in Utah state government for 26 years. Most recently, he served as the Assistant Director of the State's Division of Finance. The Division of Finance is similar in operations to the new State Accounting Office being created in Georgia. Mr. Vellinga also served as the Assistant Controller from 1984 to 2001. Prior to transferring to the Division of Finance he served as Staff Auditor and Audit Senior in the Utah State Auditor's Office.

Mr. Vellinga graduated cum laude from Weber State University with a bachelor's degree in accounting.

Mr. Vellinga brings a broad range of experience to the State of Georgia. In Utah, he was responsible for financial reporting, state accounting policies, implementing new accounting standards, and providing feedback to GASB on new standards. Under Mr. Vellinga's supervision, Utah received its first Certificate of Achievement for Excellence in Financial Reporting in 1985. He was a key resource to legislators and governor's staff on budget and finance issues. He played a lead role in implementing new accounting and payroll systems both as a functional expert and in management.



Georgia Council of Municipal Court Judges
244 Washington St., S.W., Suite 300
Atlanta, GA. 30334-5900
(404) 656-5171
Fax (404) 651-6449

May 23, 2005

Honorable Norman S. Fletcher
Chief Justice, Supreme Court of Georgia
507 State Judicial Building
Atlanta, Georgia 30334

Dear Chief Justice Fletcher:

On behalf of the Georgia Council of Municipal Court Judges, I am pleased to report to the Judicial Council regarding the activities of our Council.

As you know, our Council has not reported to you since November of 2003. Our organization suffered a tremendous loss in 2004 when our President, Judge Bill Coolidge, passed away suddenly and unexpectedly. We continue to feel the absence of Judge Coolidge and his tireless advocacy of the municipal courts throughout our State. I know, however, that Judge Coolidge would be pleased with our continued efforts to address the challenges facing our courts.

2004 was a watershed year for municipal courts in Georgia as we strove to face the new responsibilities imposed by both *Alabama v. Shelton* and House Bill 1EX. New mechanisms for reporting, changes in traditional procedures, and additional responsibilities in fine and fee collection presented unique burdens for Georgia's largest class of courts. I am proud to report that the Council of Municipal Court Judges rose to face these burdens through the timely dissemination of critical information and education for our judges. As much of this information was still being formulated and was subject to frequent change, our Council utilized several methods of communication to our judges including print through the Council of Municipal Court Judges newsletter, electronically through our e-mail listserv and orally by informed speakers at our many training courses throughout that year.

In February 2005, our Council heard from John Earle, project Director for the Georgia Superior Court Clerks' Cooperative Authority (GSCCCA). Although he reported to us that the GSCCCA had given the municipal courts an 87% compliance rate, I know that the municipal courts throughout our state continue to seek full compliance with both the law and the GSCCCA reporting rules. Our Council continues to support legislation that would make both conformity and reporting a much easier prospect.

Honorable Norman S. Fletcher
May 23, 2005
Page Two

I am also proud to report of our many judges who continue to be dedicated liaisons on behalf of the Council of Municipal Court Judges. These include: past-president, Judge Charles Barrett as our Public Defender Standards Council Liaison and Legislative Committee Chair; Judge Tommy Bobbitt as our Liaison to the Georgia Superior Court Clerk's Cooperative Authority and the Georgia Municipal Association; Judge Frost Ward as our Liaison to the County and Municipal Probation Advisory Council and Chair of the Budget Committee; and Judge Michael Cielinski as Chair of the Municipal Court Judges Training Council. The Council also wishes to thank you for including and appointing representatives from the Council of Municipal Court Judges on so many of the Judicial Council's committees including Judge David Pierce's appointment to the Judicial Council Workload Assessment Committee; Judge Glen Ashman's appointment to the Judicial Council Records Retention Committee; Judge David Strickland's appointment to the Georgia Courts Automation Commission; and my own appointments to the Supreme Court Committee on Court Technology and the Court Fee Committee of the Judicial Council of Georgia.

In June of 2005, our judges will once again convene for our annual meeting and recertification sponsored by the invaluable staff of the Institute of Continuing Judicial Education. Having received a final agenda for this event just today, I can say that these seminars continue to provide the highest level of education and information to our municipal court judges.

Perhaps our most important project of 2005 will be the creation of a proposed set of Uniform Rules of the Municipal Courts. With help from Keith Scott, former Chair of the Magistrate Court Uniform Rules Committee, this momentous undertaking is now in its second draft and was just presented to the officers of the Council of Municipal Court Judges at our last meeting in April. Our next step will be dissemination to membership at large in the near future for review and comment.

All of the judges which compose the Georgia Council of Municipal Court Judges are keenly aware of our pivotal role in our State's Judiciary. As the court of first impression for so many people, we realize our responsibility to achieve the highest level of professionalism and judicial ethics while providing fair and efficient justice to our citizenry. I thank you again for the opportunity to provide both you and the Judicial Council with this information.

With deepest regards and thanks, I remain,

Sincerely,



John K. Edwards, Jr., President
Georgia Council of Municipal Court Judges



Judicial Council of Georgia

Court Fee Committee

Minutes of Meeting on December 8, 2004 at 1:30 p.m.
5th Floor Conference Room, Supreme Court of Georgia
Atlanta, Georgia

Members present:

Judge Hugh W. Stone	Chair
Ms. Elizabeth Blackwell	Clerk, Gwinnett County Recorder's Court
Mr. Carlton W. Blair, Jr.	Clerk/Court Administrator
Judge Edward E. Carriere, Jr.	Dekalb County State Court
Ms. Sherri Lanford	Clerk, Probate Court of Bibb County
Judge Robin W. Shearer	Clerk, Clarke County Juvenile Court
Ms. Carolyn Sullivan,	Clerk, Superior Court of Houston County
Mr. P. Vinson Harris	Associate Director for Administration (AOC)
Mr. Bob Bray	Assistant Director, Court Business and Process

The chair also acknowledged the following guests who attended the meeting:
Director David Ratley, Kevin Tolmich, Steve Nevels, and Greg Arnold of the AOC.

Judge Hugh W. Stone opened the meeting at 1:30 p.m. he introduced himself, welcomed everyone, and asked everyone present to introduce him or herself.

Judge Stone shared Chief Justice Fletcher's input by reading a letter he received. Each committee member had also received a copy of the letter. Judge Stone explained that the committee's objective for today is to search for a mission statement, set goals, and give feedback on the status of court fees to the Judicial Council. Judge Stone asked Mr. Harris for further clarification of why the committee was developed.

Mr. Harris verbalized the background of HB869, which turned into HB1EX. He summarized by saying he is glad there is a Judicial Council committee looking at the court fee issue. The goal is to come up with recommendations to submit to the legislature. In addition, as a result of this court fee committee I am hopeful that you will recommend ways to make the Judicial Branch run smoother overall. Mr. Bray was also asked for his input, he began by reading a poem, he then gave an in-depth overview of court fees, the many significant issues involved and how we got to where we are today. Mr. Bray concluded his input saying it is much more than just about fees, as a group we must determine what the mission will be; if we are not alert, we will be following the parade instead of leading. It was determined that a copy to the committee members would be helpful in determining their focus. A copy of his poem and overview is attached.

New Business: The following issues were discussed:

Mission statement and goals; after the group had a great deal of discussion on how monies is collected and compatibility verses capability of following procedures for the calculation of these monies per HB 1EX. Judge Stone said that it was time to determine where the committee wants to go, what task should be addressed and what we really need to be concentrating on at this time. He then appointed the following persons

to a sub-committee to develop a Mission statement that will support what the court fee committee want to do and how it would be implemented.

The members are Ms. Libby Blackwell, chairperson, Mr. Carlton W. Blair, Jr., Judge Stefani Searcy and Ms. Carolyn Sullivan. Mr. Bray will give the committee some guidance and support.

It was decided that Robert's rules of order would not be followed since the committee is so small, they can simply make a motion and base results on consensus. Meeting minutes will be posted on the web site within 14 days. Mr. Bray will email the email addresses and Judicial Council Court Fee Committee web site information to each member.

Judge Stone felt it would be more efficient to schedule meetings quarterly, the dates are as follows: February 25, 2005, May 26, 2005, August 25, 2005, and December 1, 2005. The February meeting will allow for a travel day for those driving to this meeting in Savannah, Mr. Harris has accepted the responsibility of securing the facilities. Locations for the remainder of the meetings will be determined later.

Judge Stone pointed out that additional subcommittee appointments were not needed until a mission statement has been established and it is determined what needs to be done. Mr. Bray said his staff can assist with field reports, Judge Stone accepted the responsibility for interpretations, and he will be looking at how the Authority is interpreting things. Mr. Bray said the GSCCCA Rules and Regulations need to be examined and their interpretation on court cost need to be analyzed. Ms. Sullivan agreed that there is a need to examine the Rules and Regulations because she was a part of the GSCCCA committee and they were rushed through the process. The AOC was appointed to do research.

Judge Carriere was appointed to report the results of today's court fee meeting to the Judicial Council on Friday, December 10, 2004.

Judge Stone and Mr. Bray will be attending the GSCCCA special meeting on Friday December 10, 2004.

Next meeting is scheduled for February 25, 2005, in Savannah, Georgia, committee members will be notified of facility location and an agenda will be forthcoming.

The meeting was adjourned at 3:15p.m.

Respectfully submitted,

Vi Farness

Vi Farness
December 10, 2004

Attachments: Court fee poem
Mr. Bray's Court fee presentation



Judicial Council of Georgia

Court Fee Committee

Minutes of Meeting on February 24, 2005 at 1:30 p.m.

110 Holiday North Drive, Suite B

Macon, Georgia

A. Members present:

Judge Hugh W. Stone	Chair
Ms. Elizabeth Blackwell	Clerk, Gwinnett County Recorder's Court
Mr. Carlton W. Blair, Jr.	Clerk/Court Administrator
Judge Edward E. Carriere, Jr.	Dekalb County State Court
Judge John Kinsley Edwards, Jr.	Valdosta Municipal Court
Judge J. Mike Green	Magistrate/Probate Court of Jones County
Judge E. Wayne Jernigan, Sr.	Juvenile Court of Marion County
Ms. Sherri Lanford	Clerk, Probate Court of Bibb County
Judge Robin W. Shearer	/Clerk, Clarke County Juvenile Court
Mr. P. Vinson Harris	Associate Director for Administration (AOC)
Mr. Bob Bray	Assistant Director, Training and Development

Judge Hugh W. Stone opened the meeting at 1:30 p.m. he introduced himself, welcomed everyone, and asked everyone present to introduce him or herself.

B. Items of Interest and Handout Materials:

Each member received a packet of handouts which included the following materials:

- Meeting Agenda
- Minutes from the Previous Committee Meeting
- Draft of Proposed Mission Statement
- Bond Fee Assessment Chart
- 7 Legislative Recommendations of the GSCC Authority to improve Fee Practice
- State of the Judiciary 2005 by Chief Justice Norman S. Fletcher
- Filed House and Senate Bills as listed Infra

C. Approval of Minutes:

Minutes were approved as submitted and will be made available on the web site next week at <http://www.georgiacourts.org/councils/courtfeescomm.html>.

D. Old Business:

a. Report on the Georgia Superior Court Clerk's Cooperative Authority by Judge Stone

i. Judge Stone went to the GSCCCA (hereinafter referred to as the Authority) open forum meeting on December 10, 2004 attended by representatives from a cross-section of courts, a representative from the Public Defender's Standards Council, the Authority representative from the Attorney General's office, and their lobbyist was there as well as officials from interested agencies and organizations. The meeting gave the Authority lots of input and information about ten items that they wanted to address about changes to former HB 1EX. They discussed problems associated with criminal fees and those associated with civil filing fees such as the one identified by judges of Probate Courts requesting a clearer definition of what actions the fees apply to. The meeting then

examined specific issues related to fees. The most significant recommendation was to remove the criminal sanctions associated with reporting requirements. The attendees discussed that there are sufficient penalties in place that address individuals that do not fulfill their official duties and responsibilities. Municipal Courts did not know who was ultimately responsible for fee disbursement under their processes since many of the tasks are performed by other city officials. They discussed restoring the reporting requirements of the local victim's assistance back to the county and they discussed some problems associated with bonds forfeitures. The Audit function was discussed and there is no good system in HB 1EX for that function. Some Superior Court judges are waiving the state mandated fees. Judge Stone believed that it was a good meeting.

ii. Judge Stone reported that the Authority met as scheduled on January 12, 2005 and took the points raised at the December meeting and refined them from several points down to 13 points. The Authority reported that they were told that no legislation would be permitted without the Governor's approval. If the Governor does not support the proposal then they will not introduce it. Without the sanction of the Governor the Authority was not going to introduce any amendments to HB 1EX.

iii. The Authority met again on February 2, 2005, Judge Stone reported, and refined the 13 points to 7 points which are included in today's packets. No Bills have yet been filed that relate to these 7 items of interest other than the Bill on Local Victim Assistance and a Bill has been introduced to clear up the definitions for Probate Courts which states that if we open up an estate proceeding – the fee surcharges are only collected once at case initiation. A discussion was held about utilizing a flat fee of 30%. It will be interesting to see how this develops because everyone spent a lot of money to modify or rewrite technology to reflect the legislative intent of HB 1EX and any changes would create more rewrites and expense to repeatedly update software applications. How is the pie to be divided? The Attorney General is drafting a Bill that would give Auditing authority to GSCCCA, at least to selected courts that they do not think are functioning. Information on the money collected by the Authority was presented. The Authority has collected a little over \$31 million since the implementation of HB 1EX. A report was presented on the courts that were complying between July and November of 2004 and the percentages of courts in compliance have fallen off since then – there are fewer courts in compliance since July. The Authority has conducted several training classes and handed out balance sheets showing the flow through of the collections and Judge Stone found it interesting that there was a \$2.3 million liability to the indigent defense fund. The Authority lives off of the funds they collect quite efficiently and they have an impressive computer room and are able to operate for three days with their backup generators. Also handed out was a report on the courts that are not in compliance (again July – November). According to the Authority, more juvenile courts are in noncompliance than the other courts. Municipal courts were not listed.

iv. Assistant Director Bob Bray reported on the court fee calculator available on the Authority's web site and proffered that there are now many examples of new fee legislation that promote different principles and concepts and that we as a group need to be both knowledgeable and conversant about in order to articulate to others the specific impacts they may have on the judicial branch. Questions involving the appropriateness of changes such as a flat percentage and a "division of the pie" to beneficiaries ensued.

One member commented that a judge should only be concerned about the punishment sentenced and not the fees and surcharges or the people who might benefit from these funds. Once the fine is established – everything related to fees is immaterial to the judge in the aspect of how the fine is to be determined. Another member asked the question as to whether there was a number or percentage statewide that indicated the collection rate on fines and fees. Judge Stone agreed that such information would be quite useful and all of the committee members participated in a lively discussion of this and correlating issues. Associate Director Harris of the AOC noted that the number of pending Bills clearly indicates that the use of fees added to criminal fines and civil fillings is like a runaway train and that there should be a statement perhaps from the Judicial Branch that establishes what the best practice should be for Georgia. Discussions by the committee members raised the following questions: Should we reconfigure this practice to utilizing just one fee as a percentage that is added from which the beneficiaries dip into the bucket? At what amount should the percentage be set? What are the drawbacks? Why are the funds that benefit from these surcharges not funded through budget processes? Judges Jernigan, Judge Edwards and Judge Shearer noted that municipalities focus on fines assessed by their judges and anticipate certain revenues generated from fines and if the judge wants to remain as the judge they must accommodate those expectations. Judge Shearer gave an example of being approached by her county officials to discuss how the juvenile court might contribute to increasing revenues – when juvenile courts generally do not impose fines except for traffic offenses. Recorder’s Court Clerk Libby Blackwell stated that she has to fill out a revenue projection form indicating how much she anticipates that she will collect from fines for the year, and the county finance office may reject her number and impose a higher number. She is also expected to raise those numbers every year and last year she protested when the county officials made her increase her revenue anticipations. Judge Edwards identified a major concern that the other two branches of government are now placing upon the judicial branch a “taxing-to-generate-revenue” requirement which historically never existed before and may adversely impact the fundamental purpose of courts and impair their ability to fulfill their role in government. The question raised is should courts tax? Judge Shearer noted that the judicial branch has come under some tremendous criticism during this legislative session that is totally unwarranted and based upon incorrect information. On one hand the judicial branch is criticized as being inefficient and on the other the legislature places more taxing authority upon the courts, creating greater inefficiencies. Municipal courts feel as though they are catching a vast majority of the criticism, yet it is acknowledged that they generate and collect most of the surcharges assessed even as the amounts to be retained by the governing authority ever diminish. Such practices seriously threaten the justifications for the existence of such courts.

b. Report of the Subcommittee on the Mission Statement by Chair Elizabeth Blackwell

i. Subcommittee Chair Elizabeth Blackwell reported that the Mission Statement Subcommittee met on January 14, 2005 at Houston County Superior Court and was hosted by Superior Court Clerk Carolyn Sullivan. The proposed mission statement that the subcommittee drafted and being presented broke it down into three elements:

1. The Court Fee Committee should be the cognizant resource on court fee practice; the place to seek and obtain information on surcharges and fees;

2. Provide a forum to discuss issues, laws and practices related to surcharges and fees and their impact upon the judicial branch;
3. Make recommendations as necessary to the Judicial Council.

As an example, Associate Director Vince Harris noted that initiatives by the Clerks' Authority to audit courts would require research to explore the ramifications of such a fiscal examination by the Executive Branch and related funding problems related to the making of such an audit. Judge Stone shared the position of the Clerks' Authority and several items that would be necessary to audit courts on issues related to surcharge fee practice. Recorder's Court Clerk Elizabeth Blackwell shared how audits can be abused to hide political agendas instead of legitimate purposes. The discussions also focused on the Clerks' Authority's enforcement of surcharge collections while at the same time directly benefiting as a fee beneficiary. The issues surrounding audits would be one that needs to be referred to a committee to examine and make appropriate recommendations to the committee with possible actions on behalf of the Judicial Council.

The proposal by the subcommittee was presented with an amendment to add the following words "court fees" so that the mission statement would read as follows:

Draft Mission Statement of the Court Fee Committee as amended

"The mission of the court fee committee of the Judicial Council is to be the cognitive resource of all laws, rules, regulations and issues pertaining to court fines and assessments; to provide a forum to identify court fee concerns and issues that impact the Judicial Branch of state government; and to make recommendations to the Judicial Council."

The Chair noted that subcommittees can further our mission and he will later discuss the need for two subcommittees. One could examine legislation and research how other states are handling this practice; and another can provide a forum to listen to what people have to say and can collect field reports and observations of fee assessment and collection practices in the courts and see the impacts on implementation of these laws; and when we meet as a whole we can marry what we learn to determine some course of action that may need to be addressed and presented to the Judicial Council when it is appropriate.

The mission statement as amended was adopted by the Court Fee Committee by unanimous consensus.

E. New Business:

a. Pending Legislation to Date:

i. Assistant Director Bob Bray identified some of the pending legislation that has been filed to date during this session that will impact court fee practice in Georgia. The proposed legislation was presented as an example of the varied methods and concepts that are introducing themselves into the thinking behind the drafting of these Bills. The following Bills were mentioned:

- HB 64 - reduces confinement in probation detention and diversion center may impact the court's ability to collect fines, fees and restitution.
- HB 77 & 79 - provide for the a DATE fee to also go to local juvenile diversion Programs.

- HB 192 - LVAP not reported to GSCCCA, but restores process to remit funds to local jurisdiction.
- HB 172 - Restitution in criminal cases and juvenile actions, enforcement as for civil judgments.
- HB 176 - New subclass of crime with fine only on traffic violation bureau offenses, adds new category for license suspension for failing to pay a fine.
- HB 242 - Requires detailed red-light camera information and reports to Legislative as well as to Executive Branch.
- HB 294 - (Mentioned but not included) Civil traffic offense of speeding by photographic device.
- HB 366 - Opt out of Public Defender Standards Council
- HB 413 & 414- Adds \$8.00 technology fee in Magistrate and Probate cases in Lumpkin County.
- HB 419 - Fines for speeding on interstate highway goes to state.
- HB 475 & 476- Superior Court Clerks as clerks for other courts, increases fees assessed for Superior Court Clerks Retirement Funds.
- SB 101 - Right to elected judge to hear or try a matter.

b. Fees Assessed on Bonds:

i. Next Bob Bray discussed the Bond Fee Assessment Chart included in the handout packet. This chart indicates the fees associated with criminal cases that are to be assessed on bonds. It was noted that the practice of assessing fees on bonds, especially cash bonds that are common in traffic cases, is not understood and that courts are assessing and collecting fees that are not required by law to be assessed. We will be incorporating this tool in the court fee training provided by the AOC and included in the publication on court fees in Georgia. Judge Stone agreed that this practice needed to be examined further.

c. Creation of Subcommittees and Appointments

i. *Legislative and Research Committee*

To look at legislation and the practice in other states to come up with ideas for Georgia.

Judge F. Gates Peed, Chair
 Carlton Blair
 Judge John Kinsley Edwards, Jr.
 Judge J. Mike Green
 Judge/Clerk Robin W. Shearer
 Carolyn Sullivan

ii. *Reports and Implementation Committee*

To gather observations from the field or court experiences to determine the impact of implementation of fee practice and how to improve the process. Included in the purview of this committee would be to identify the problems associated with cloudy or confusing interpretations of fee statutes, opinions and rules.

Judge Edward E. Carriere, Jr. Chair
Libby Blackwell
Judge E. Wayne Jernigan, Sr.
Sherry Lanford
Judge/Court Administrator Stefani Searcy
Judge Susan P. Tate

The Committee staff will be in touch with the Chairs of these committees to establish a meeting schedule along with the appropriate details and should be held prior to the next Committee meeting on May 26th. The *Legislation/Research Committee* should be focusing on the legislation that was passed in this session and examine the practice in other states, such as South Carolina that imposes a flat fee of at least 100%. The *Reports and Implementation Committee* should be examining the practice associated with fees assessed on Bonds and other problems associated with fee practice and collection of the monies assessed. Judge Stone will serve as an *ex officio* member of both subcommittees and will attend subcommittee meetings as his schedule permits. Judge Stone suggested that the subcommittees concentrate on meeting in central locations as much as possible.

d. Related Fee Matters

i. Associate Director Vince Harris asked about the determination of civil filing fees and the issues related to their imposition under new methods of filing such as E-Filing of pleadings and case documents. It would be helpful as we discuss fees assessed in courts that we identify best practices so that these may be shared by the courts.

F. Announcements:

The subcommittee members will be notified in writing of their appointments and direction of focus and should hold at least one meeting before the next scheduled Court Fee Committee meeting on May 26th.

G. Next Committee Meeting:

The next scheduled meeting of the Court Fee Committee will be held at 1:30 p.m. on Thursday, May 26, 2005 at a place to be announced later.

H. Adjournment:

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Bob Bray

Bob Bray
March 4, 2005



Mission Statement Subcommittee Members (l-r) Carlton Blair, Stefani Searcy, Carolyn Sullivan, Bob Bray and Libby Blackwell

FEES THAT APPLY TO BONDS

A. According to the various fee statutes, the following fees are assessed on the original bond amount to determine the total principal amount of the bond:

POAB	Police Officer Annuity Benefit	(Deducted from original amount of Bond)
CRF	Superior and State Clerk's Retirement Fund	(Deducted from original amount of Bond)
PJRF	Probate Judges Retirement Fund	(Deducted from original amount of Bond)
SRF	Sheriffs Retirement Fund	(Deducted from original amount of Bond)
POPT	Police Officer and Prosecutor Training Fund	
IDF	Indigent Defense Fund	
JAIL	Jail Fee	
DETF	Joshua's Law	

These fees are not assessed on a bond pursuant to their respective statutes:

CVEF	Crime Victims Emergency Fund on DUI cases
BSITF	Brain and Spinal Injury Trust Fund on DUI cases
CLF (SGF)	Crime Lab Fee (State Gen. Fund) on DUI and Drug cases
DATE	Drug Abuse and Treatment Education Fee
LVAP	Local Victims Assistance Program Fee
LL	Law Library Fee

BOND FEE CHART

Official Code Reference	Beneficiary Fund	Purpose of Fee	Add or Deduct To or from Base fine	Application/ Calculation	These courts <u>MAY</u> be required to assess					
					SUP	ST	JUV	PRO	MAG	MUN
O.C.G.A. §47-17-60(a)	POAB Peace Officers' Annuity and Benefit	Retirement Fund	-	Criminal and quasi-criminal fines: \$3 if fine is \$4-25; \$4 if fine is \$26-50; \$5 if fine is \$51-100; 5% if fine is \$101+						
O.C.G.A. §47-14-50(a)	SCCRF (CRF) Superior and State Court Clerk Retirement Fund	Retirement Fund	-	\$1.75 per criminal fine						
O.C.G.A. §§47-11-51(a)	PCJRF (PRF) Probate Court Judge's Retirement Fund	Retirement Fund	-	Criminal, quasi-criminal, and traffic fines: \$1 if fine is \$4-25; \$1.50 if fine is \$25-49; \$2 if fine is \$50-99; \$2.50 if fine is \$100+						
O.C.G.A. §§47-16-60-61(a)	SRF Sheriff's Retirement Fund	Retirement Fund	-	\$2 per quasi-criminal or criminal fine						
O.C.G.A. §15-21-73(a)(2)(A)*	POPTF Peace Officer and Prosecutor Training Fund [POPIDF(a)(1)(A)]	Training for law enforcement	+	10% of criminal fine up to \$50						
O.C.G.A. §15-21-73(a)(2)(B)*	IDF* Indigent Defense Fund [POPIDF(a)(1)(B)]	Funding for Indigent Defense Programs	+	10% of criminal fine up to \$50						
O.C.G.A. §15-21-93(a)(2)	JAIL County Jail Fund	County law enforcement facilities	+	10% of criminal or traffic fine amount fine						

This list of court fees to be assessed to bonds is not all-inclusive. Some local jurisdictions have local fees that do not apply to courts outside of that jurisdiction. Ex: a local technology fee.

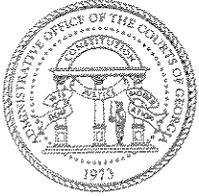
Fees are only an issue when the bond is collected. After forfeiture, some bonds may take time to be collected.

*** Identifies new fees and definitions pursuant to HB EX1**

Labels of Beneficiary Funds in dark red indicate funds to be remitted to the Superior Court Clerks Cooperative Authority.

Please review each law to determine if the court must assess that fee.

Please feel free to call Bob Bray at 404-651-6204 or e-mail at CourtFees@gaaoc.us



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

May 23, 2005

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Judicial Council of Georgia Committee on Records Retention
Greg Arnold, Staff 

RE: Progress Report

The Records Retention Task Force on Evidence met on April 22, 2005 to consider how evidence should be handled in the courts. Members discussed the basic elements of the issues confronting the handling of evidence and the classification of evidence. Judge Whittemore asked the members of the Task Force to carefully review the records of earlier work on evidence retention. Judge Whittemore will set the date for a follow-up meeting to be held by teleconference.



STATE BAR OF GEORGIA
and the
COMMISSION ON CONTINUING LAWYER
COMPETENCY

TRANSITION INTO LAW PRACTICE PROGRAM

EXECUTIVE SUMMARY

Program Overview Page 1

Frequently Asked Questions and Answers:

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 Outside Mentors Page 17

Model Mentoring Plan Page 20

March 15, 2005

COMMITTEE ON THE STANDARDS OF THE PROFESSION
MANDATORY TRANSITION INTO PRACTICE PROGRAM
PROGRAM OVERVIEW

On August 19, 2004, the Board of Governors of the State Bar of Georgia approved the Implementation Plan for A Mandatory Transition Into Law Practice Program (the “Plan”) developed by the Committee on the Standards of the Profession of the State Bar. The Plan calls for the establishment of the Transition Into Law Practice Program (the “Program”) and the commencement of operations during calendar year 2005.

The goal of the one-year Transition Into Law Practice Program is to afford every beginning lawyer newly admitted to the State Bar of Georgia with meaningful access to an experienced lawyer equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values necessary to practice law in a highly competent manner. A Pilot Project for the Program, conducted from 2000 through 2001, supported the conclusion that the Program can be effective in helping to make more competent, professional lawyers.

The core of the Program, commonly known as the “Mentoring Program,” is to assign every beginning lawyer to a mentor for the first year after admission to the Bar.¹ The Program is essentially an educational program that combines a Mentoring component with a Continuing Legal Education (CLE) component. The purpose of the guidance furnished by the mentors is to

¹Lawyers who enter the practice of law as federal, state, local, or other governmental employees may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the government office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

The following lawyers are not covered by the mandatory program:

1. Lawyers admitted to practice in this state who have principal practices in another state;
2. Lawyers who have been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to practice in this state; and
3. Lawyers serving as judicial law clerks. These lawyers will not be subject to the mandatory program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in this state.

continue the legal education of the beginning lawyers during the first year of practice by assisting them in acquiring practical skills and in deepening understanding of ethical and professional values expected of lawyers practicing in Georgia.

The first class of beginning lawyers who will be required to participate in the mandatory Program will be those who are admitted after June 30, 2005. The Program does not call for conditional licensure; beginning lawyers will be admitted to practice as now without restriction. However, they will be required to complete the Program in the year of admission or in the next calendar year. Failure to complete the Program by this time would expose the beginning lawyer to license suspension in the same manner as a lawyer who fails to meet the CLE requirements pursuant to the mandatory CLE Rules of the Commission on Continuing Lawyer Competency.

Based on historical averages of bar admissions and attendance at Bridge-the-Gap, the Program must be set up to accommodate about 1,200 beginning lawyers each year. Most beginning lawyers will be paired with an experienced lawyer in the same law firm, office, or practice setting who will serve as the beginning lawyer's mentor ("inside mentor"). However, roughly 150 to 200 newly admitted lawyers each year will enter practice on their own and not in association with a lawyer who has at least five years of experience and who is qualified to serve as a mentor. These beginning lawyers will be matched through the Program with an outside mentor or assigned to a Mentoring Group as part of a group of beginning lawyers and mentors arranged on a regional basis.

The CLE component of the Program that lays the groundwork for and supports the mentoring component is provided by the Institute of Continuing Legal Education in Georgia ("ICLE"). Most beginning lawyers will attend an Enhanced Bridge-the-Gap Program that combines a day of introduction to law practice with a second day of instruction focusing on the roles of attorneys in working with and counseling clients, dealing with others as representatives of clients, and negotiating for clients.

An alternative continuing legal education program, called the Fundamentals of Law Practice, will also be offered. While the length and content of the instruction in this program will be substantially the same as the Enhanced Bridge-the-Gap Program, the format and setting will differ. Attendance at the Fundamentals of Law Practice Program will be limited to about 100

beginning lawyers each session. Most instruction will be offered in small groups of 12-15 persons to permit close, hands-on guidance and interaction between the corps of experienced lawyer-instructors and the beginning lawyers. Priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer. This priority is based on the effort to replicate, as far as possible in this setting, the kind of interaction between a new attorney and an experienced attorney that occurs naturally in an office setting where new attorneys practice in association with experienced attorneys.

All beginning lawyers except those described in footnote one on page one will participate in the Transition Into Law Practice Program, although relevant differences in law practice settings and types of practice will differentiate precisely how that participation occurs. Each beginning lawyer and his or her mentor should devise and develop, formally commit to and sign, and submit a Mentoring Plan of Activities and Experiences for the one-year period of the mentorship. The Mentoring Plan can be adjusted to individual needs and interests yet must conform to certain minimum standards. At the conclusion of twelve months, the mentor will be expected to sign a certificate evidencing whether or not the beginning lawyer has satisfactorily completed the Mentoring Plan to which they committed.

Mentors will be appointed by the Supreme Court of Georgia for one-year terms and may serve for more than one term. They must meet minimum qualifications, including being a member in good standing with at least five (5) years practice experience with a reputation in the local legal community for competence and ethical and professional conduct. An orientation for new mentors will be offered by ICLE each year, live and over the internet. The first program will be held in the late fall of 2005. Mentors will receive three hours of CLE credit and will not be charged for the Mentor Orientations. The State Bar will give special recognition to mentors for each year of service.

The Program will be operated under the auspices of the Commission on Continuing Lawyer Competency (“CCLC”) pursuant to its general supervisory authority to administer the continuing legal education rules. The Standards of the Profession Committee is a committee of

the CCLC with responsibilities for devising and recommending policy to the CCLC as to the operation of the program, serving as a Mentor Advisory Board, serving as faculty in the CLE courses, overseeing and supporting Mentoring Groups, and introducing the Program to law students, law firms, and other employers. The Program will be staffed by a Program director and administrative assistant, who will work under the direct supervision of the office of the Chief Justice's Commission on Professionalism.

The Program will be funded by the State Bar of Georgia and the payment of the same CLE fees currently charged newly admitted lawyers for the existing Bridge-the-Gap Program. At the same time that the Board of Governors approved the Implementation Plan, it approved an increase in State Bar of Georgia membership dues equal to ten dollars (\$10.00) per member, effective for the Bar year beginning on July 1, 2005. This ten-dollar per member dues increase will provide funding for the Program's anticipated annual budget.

Pursuant to State Bar policy, all new programs are subject to a Sunset Provision under which the program is allowed to operate for three years. In the third year, the program must be evaluated for effectiveness. If the evaluation shows that the program is effective, it will be allowed to continue. The Program will run for four full cycles of mentorships: January 1, 2006 to December 31, 2006; July 1, 2006 to June 30, 2007; January 1, 2007 to December 31, 2007; July 1, 2007 to June 30, 2008. In January 2008, the Standards Committee will begin an evaluation of the Program's effectiveness. The evaluation will be presented to the Executive Committee and Board of Governors of the State Bar in June 2008.

A review of this Executive Summary may prompt a number of questions about how the Mentoring Program will work. Attached are four sets of Questions and Answers. One list contains Frequently Asked Questions about the Program in general. The other three sets pose and answer questions that are of particular interest to:

- Law Students and Beginning Lawyers;
- Inside Mentors, Law Firms, and Other Employers; and
- Outside Mentors.

Standards of the Profession Committee

Commission on Continuing Lawyer Competency

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William G. Scrantom Jr., Vice Chair
Lawrence F. Jones, Executive Director,
Institute of Continuing Legal Education
C. Ronald Ellington, Reporter

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Sarah E. Lockwood, Executive Director,
Chief Justice's Commission on Professionalism
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Transition Into Law Practice Program

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² The Committee acknowledges with gratitude the contributions of the late Honorable Ross J. Adams as liaison from the Young Lawyers Division of the State Bar.

FREQUENTLY ASKED QUESTIONS AND ANSWERS
about
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM
IN GENERAL

1. What is the goal of the Program?

The goal of the Program is to provide professional guidance and counsel to assist beginning lawyers who are newly admitted to the State Bar of Georgia in acquiring the practical skills, judgment and professional values necessary to practice law in a highly competent manner. To carry out this goal, the Program will afford every beginning lawyer with meaningful access to an experienced lawyer equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values that represent the best traditions and highest aspirations of the legal profession. The Program is essentially an educational program that combines a Mentoring component with a Continuing Legal Education (CLE) component.

2. How are mentors selected?

Mentors must meet the following minimum qualifications:

1. Be an active member of the State Bar of Georgia, in good standing;
2. Be admitted to practice for not less than five (5) years;
3. Have a reputation among judges and peers in the local legal community for competence and ethical and professional conduct.
4. Never have been sanctioned, suspended or disbarred in any state from the practice of law; and
5. Certify that he or she has professional liability insurance with minimum limits of \$250,000.00/\$500,000.00, or its equivalent.

The qualifications of prospective mentors will be screened by a subcommittee of the Standards of the Profession Committee known as the Mentor Subcommittee. This subcommittee will recommend mentors for appointment. Mentors are appointed by the Supreme Court of Georgia for one-year terms. The mentor must agree in writing to serve as mentor.

3. Is a beginning lawyer allowed to choose his or her mentor?

The assignment of mentors within a firm, office or practice group will be based on the recommendation of the firm or other employer itself, subject to the stated qualifications for appointment as a mentor and compliance with the other requirements of the Program.

A beginning lawyer who does not practice in association with a lawyer eligible to be appointed as a mentor will be asked to nominate his or her own mentor. The nomination must be approved by the Mentor Subcommittee.

4. How are a mentor and a beginning lawyer (mentee) in the same firm matched?

The assignment of a mentor to a beginning lawyer within a firm, office or practice group will be based on the recommendation of the firm or other employer itself, subject to the stated qualifications for appointment as a mentor and compliance with the other requirements of the Program.

5. What criteria are used in matching a mentor and a beginning lawyer who are not in the same firm?

The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations. Beyond geographic proximity, the Program will attempt, but cannot guarantee, to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

6. What are the responsibilities of a mentor in the Program?

The mentor has responsibilities to guide and to teach the beginning lawyer practical skills, seasoned judgment, and sensitivity to ethical and professionalism values and to devote the time required for this assignment. Using the Model Plan of Mentoring Activities and Experiences as a guide, the mentor and the beginning lawyer should jointly devise a Mentoring Plan for the coming twelve months and complete it. The Plan will include experiences and topics for discussion that follow up on the CLE component. At the end of the twelve months, the mentor will be expected to sign a certificate evidencing whether or not the beginning lawyer has satisfactorily completed the Mentoring Plan. (Please see Question 20.)

7. What are responsibilities of a beginning lawyer (mentee) in the Program?

A beginning lawyer has the responsibilities to make himself or herself available to the guidance and teaching of their mentors, to devise jointly with the mentor a Mentoring Plan, to complete the Plan, and to complete the CLE component of the Program. (Please see Question 20.)

8. Does the mentor initiate contacts with the beginning lawyer (mentee) or should the beginning lawyer initiate contacts?

This is a matter to be addressed and worked out between the mentor and the beginning lawyer.

9. How much time is the mentor expected to spend with the beginning lawyer (mentee)?

The mentor and beginning lawyer are expected to spend sufficient time to carry out the Mentoring Plan mutually agreed upon. While regular meetings are suggested, the Program does not specify the number or length of meetings. For an inside mentorship, the number and length of meetings between the mentor and beginning lawyer will depend upon the firm's or office's policies and workload. For an outside mentorship, one personal meeting a month, in addition to frequent telephone and email contact, is suggested to maintain the mentorship.

10. Are communications between the mentor and the beginning lawyer (mentee) confidential?

For an inside the firm or office mentorship, the confidentiality of communications between the mentor and beginning lawyer will depend on the firm's or office's policies. For an outside mentorship, the beginning lawyer shall not reveal to the mentor any confidential communications between the beginning lawyer and the beginning lawyer's client, according to the terms of the Transition Into Law Practice Program Continuing Legal Education Agreement (CLE Agreement) that outside mentors and beginning lawyers will be required to sign. (Please see Question 3 under Questions and Answers for Outside Mentors.)

11. How long does a beginning lawyer have to complete the Program?

A newly admitted active lawyer is required to complete the CLE component of the Program in the year of admission to the State Bar of Georgia or in the next calendar year.

A newly admitted active lawyer is required to complete the Mentoring component within twelve months of the filing of the Mentoring Plan. (Please see Question 20.)

12. Will the mentor supervise the beginning lawyer's (mentee's) work?

For an inside firm or office mentorship, supervision of the beginning lawyer's work is a matter to be determined by the firm's or office's policy. For an outside mentorship, the mentor cannot be expected to supervise the practice of law by the beginning lawyer. The role of an outside mentor is to offer the beginning lawyer extended education in learning the ways of law practice. An outside mentor is expected to provide instruction in practical skills, as well as ethical and professional issues frequently encountered by lawyers in practice. Neither the Program nor the outside mentor assumes any responsibility to the beginning lawyer's clients for legal services performed by the beginning lawyer, in accordance with the CLE Agreement.

13. What is the mentor's role in evaluation of the beginning lawyer (mentee) within the firm or office?

The role of the mentor in evaluating the work and professional development of the beginning lawyer within the firm or office is a matter to be determined by the firm's or office's policy. The mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship and assessing whether the beginning lawyer has satisfactorily completed the Program.

14. What is the mentor's role in evaluation of the beginning lawyer (mentee) who does not work in the same firm?

The outside mentor assumes no responsibility for evaluating the work of the beginning lawyer. The role of the outside mentor is to assist the beginning lawyer in developing practical skills, good legal decision-making and sensitivity to ethical and professionalism values. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship and assessing whether the beginning lawyer has satisfactorily completed the Program.

15. What happens if the mentor resigns from the firm or office or otherwise becomes unavailable to serve as mentor?

As soon as possible after the mentor's resignation from the firm or office or the mentor's otherwise becoming unavailable to serve as mentor, the mentor shall notify the Program director of the situation. In the event the mentor is unable to do so, the beginning lawyer shall notify the Program director of the situation. In all situations of migration and turnover, completion of a full year of mentoring is strongly to be preferred. Decisions regarding how and whether to reconstitute a mentorship because of migration and turnover will be made by the Program Director, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and what has or has not been achieved during the original mentorship. The Mentor Subcommittee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

16. What happens if the beginning lawyer resigns from the firm or office or otherwise becomes unavailable to continue to be mentored by the originally assigned mentor?

As soon as possible after the beginning lawyer's resignation from the firm or office or the beginning lawyer's otherwise becoming unavailable to continue to be mentored by the originally assigned mentor, the beginning lawyer shall notify the Program director of the situation. In the event the beginning lawyer is unable to do so, the original mentor shall notify the Program director of the situation. As explained above, in all situations of migration and turnover, completion of a full year of mentoring is strongly to be preferred. Decisions regarding how and whether to reconstitute a mentorship because of migration and turnover will be made by the Program Director, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and what has or has not been achieved during

the original mentorship. The Mentor Subcommittee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

17. Who pays for the Program?

The costs of administration of the Mentoring component and subsidization of the CLE component of the Program are funded by the State Bar of Georgia. For the entire Transition Into Law Practice Program, each beginning lawyer will pay only the regular CLE fee for the twelve-hour CLE component.

18. How is the Program administered?

The Program will be operated under the auspices of the Commission on Continuing Lawyer Competency (“CCLC”) pursuant to its general supervisory authority to administer the continuing legal education rules. The Standards of the Profession Committee is a committee of the CCLC with responsibilities for devising and recommending policy to the CCLC as to the operation of the program, serving as a Mentor Advisory Board, serving as faculty in the CLE courses, overseeing and supporting Mentoring Groups, and introducing the Program to law students, law firms, and other employers. The Program will be staffed by a Program director and administrative assistant, who will work under the direct supervision of the office of the Chief Justice’s Commission on Professionalism.

19. How will the Program deal with problems that arise in the mentoring relationship?

A mentor or beginning lawyer with a concern about the Program should convey it to the Program Director who will seek the assistance of the Standards Committee if necessary to resolve the issue. Appeals from decisions of the Standards committee will be made to the Commission on Continuing Lawyer Competency.

20. What is the Model Plan of Mentoring Activities and Experiences?

The intent of the Program is to create a synergy between the CLE component and the mentoring component. To assist mentors and to help insure some structure and uniformity, a Model Plan of Mentoring Activities and Experiences will be provided to all mentors and beginning lawyers. This Model Plan features a list of suggested experiences and topical questions that the mentor and beginning lawyer can draw on to customize a Mentoring Plan that fits their particular needs and circumstances. With the exception of the Mandatory Advocacy Experiences for those beginning lawyers who appear as sole or lead counsel in the Superior or State Courts of Georgia in any contested civil case or in the trial of a criminal case, the other experiences listed in the Model Plan are not mandatory. They are illustrative of the types of experiences deemed useful in helping a beginning lawyer acclimate to practice and grow into a competent practitioner.

Using the Model Plan as a guide, the mentor and beginning lawyer should jointly devise a Mentoring Plan for the coming twelve months, sign it, and submit it to the Program Director. Although great flexibility in designing each particular plan is warranted, the plan should foster

discussion and implementation of professional skills and values. For inside mentorships, mere supervision of a new lawyer's substantive work for clients, without more, is not sufficient. At a minimum, the Mentoring Plan must include the following key elements:

1. Regular contact and meetings between the mentor and beginning lawyer.
2. Continuing discussions between the mentor and beginning lawyer on at least the following topics:
 - (a) Ethics and professionalism.
 - (b) Relationships with clients, other lawyers (both in and outside the firm), the judiciary and the public, including unrepresented parties.
 - (c) Professional work habits, organizational skills and practice management.
 - (d) Economics of practicing law in the relevant practice setting.
 - (e) Responsibility and opportunities for pro bono work, bar activities, and community service.
3. Introduction to the local legal community.
4. Specific planning for professional development and continuing legal education in and outside the firm.
5. Periodic evaluation of the mentor-beginning lawyer relationship.

21. What does “lead counsel” mean for purposes of the Mandatory Advocacy Experiences requirement?

“Lead counsel” is defined as “the attorney who has primary responsibility for making all professional decisions in the handling of the case. Regulation (1) under Rule 8-104(D), Bar Rules and Regulations.

22. How is the Mentoring Plan monitored?

Monitoring of the Mentoring Plan is a joint responsibility of the mentor and beginning lawyer that continues throughout the mentorship so that at the end of the twelve months, the mentor and beginning lawyer are able to sign the Certificate of Satisfactory Completion.

23. What is included in the curriculum for beginning lawyers (mentees)?

The CLE component of the Program that lays the groundwork for and supports the mentoring component is provided by the Institute of Continuing Legal Education in Georgia (“ICLE”). The Program inaugurates two new CLE programs for beginning lawyers: the

Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program. Both programs are two-day programs that cover the same topics. The first day is an introduction to law practice. The second day of instruction focuses on the roles of attorneys in working with and counseling clients, dealing with others as representatives of clients, and negotiating for clients.

24. What is the difference in the Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program?

While the length and content of the instruction in the Fundamentals of Law practice Program will be substantially the same as the Enhanced Bridge-the-Gap Program, the format and setting will differ. Attendance at the Fundamentals of Law Practice Program will be limited to about 100 beginning lawyers each session. Most instruction will be offered in small groups of 12-15 persons to permit close, hands-on guidance and interaction between the corps of experienced lawyer-instructors and the beginning lawyers. Priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer. This priority is based on the effort to replicate, as far as possible in this setting, the kind of interaction between a new attorney and an experienced attorney that occurs naturally in an office setting where new attorneys practice in association with experienced attorneys.

25. What happens if the beginning lawyer does not complete the CLE in the required time period?

The procedure for penalizing the failure to complete the Program will be the same as used currently for failure to complete mandatory CLE; i.e., through the procedures in place with the Commission on Continuing Lawyer Competency. The penalty for failure to complete the CLE component of the Program (Enhanced Bridge-the-Gap or Fundamentals of Law Practice) will be to make up the missed session or sessions at the next available session. If, following the required procedural safeguards, a beginning lawyer remains in non-compliance, the Supreme Court of Georgia will be notified so that it may enter any order it deems appropriate, including suspension from the practice of law.

26. What happens if the beginning lawyer does not complete the Mentoring Plan in the required time period?

The penalty for failure to complete the Mentoring Plan agreed upon by the mentor or mentor team and beginning lawyer will be to complete a Rehabilitation Plan approved by the Program Director and the Commission or to attend one session of the State Bar's Ethics School, offered twice yearly, once in Atlanta and once in Tifton at the Bar offices.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS
FOR LAW STUDENTS AND BEGINNING LAWYERS
about
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

1. How do I enter the Transition Into Law Practice Program?

With the notification of passage of the Bar Examination from the Office of Bar Admissions in October 2005, you will receive information about membership in the State Bar of Georgia and instructions for entering the Program following being sworn-in as a member of the State Bar.

2. If I am a judicial clerk, does the Program apply to me?

Judicial law clerks are not subject to the Program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in Georgia.

3. If I am not employed as a lawyer, does the Program apply to me?

The Program applies to “any newly admitted active member admitted [to the State Bar of Georgia] after June 30, 2005,” subject to specified exceptions. Rule 8-104(B)(1) of the Rules and Regulations for the Organization and Government of the State Bar of Georgia (“Bar Rules and Regulations”). A “newly admitted active member” is one who becomes an active member of the State Bar of Georgia for the first time, according to the Bar Rules and Regulations. If you choose to become an inactive member of the State Bar of Georgia upon passing the Bar Examination, the Program would not apply to you so long as you remain an inactive member. Once you become an active member of the State Bar of Georgia, the Program would apply to you.

4. If I am employed as a lawyer by a government agency, in a public interest law setting, or as in-house counsel, does the Program apply to me?

Yes. A lawyer who enters the practice of law as federal, state, local, or other governmental employee or in-house counsel may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

5. I plan to take the Georgia Bar Examination but intend to practice in another state. Does the Program apply to me if I pass the Georgia Bar Exam?

The Program does not apply to a lawyer admitted to practice in Georgia who has his or her principal practice in another state or to a lawyer who has been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to

practice in Georgia.. Rule 8-104(B)(a), Bar Rules and Regulations. If, after two or more years of practice in another state, you decide to practice in Georgia, you would not be subject to the Program. If however, you decide to leave the other state and establish your principal practice in Georgia within the first two years of admission to the State Bar of Georgia, you would be subject to the Program.

6. If I am not employed by the time I am notified that I have passed the Bar exam, how do I get a mentor?

A beginning lawyer, who, for whatever reason, is unable to identify a mentor shall so notify the Program Director who, in turn, will refer the matter to the Mentor Subcommittee. The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

7. If I work for an employer who provides a mentor, may I attend the Fundamentals of Law Practice Program?

You may apply for the Fundamentals of Law Practice Program, but priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer.

8. If I work for an employer that does not provide a mentor or work on my own, do I have to attend the Fundamentals of Law Practice Program?

Because of the limited attendance and small break-out groups, you are strongly encouraged to attend the Fundamentals Program; however, if your schedule does not permit this, you may attend the Enhanced Bridge-the-Gap Program to fulfill your CLE requirement.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS
FOR INSIDE MENTORS, LAW FIRMS, AND OTHER EMPLOYERS
about
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

1. Is the Mentor Orientation required?

The Mentor Orientation is not required, but mentors are strongly urged to attend the live course or take it on-line at their convenience. The Mentor Orientation is a three-hour program created by ICLE offered live once a year at the State Bar Building in Atlanta and available on-line through the ICLE website. Each mentor who takes the Mentor Orientation will receive three (3) hours of complimentary CLE credit, including one (1) hour of Ethics, and one (1) hour of Professionalism. Mentors who have attended the Mentor Orientation in one year are not required to repeat it if they serve as mentors in subsequent years.

2. What is included in the Mentor Orientation?

The Mentor Orientation presents information that mentors need to know about the operation of the Program, including an overview of the CLE for beginning lawyers and topical questions to assist the mentor in taking the lessons presented in the classroom back into the practice setting. The lessons from the CLE for beginning lawyers form the basis of the discussions for the mentors and beginning lawyers. Mentoring skills are also covered in the Mentor Orientation.

3. Is a law firm or other employer allowed to conduct its own Mentor Orientation?

Firms or other employers are free to conduct their own Mentor Orientations, provided that the content includes the materials and topics covered in the ICLE Mentor Orientation to insure uniformity of coverage.

4. I am the Professional Development Director of a law firm. We already have a New Associate Training Program that includes mentors. We want to collaborate, not duplicate, the Bar's Program. How do we weave our in-firm training program in with the Bar's Program?

The State Bar's Program is composed of both the Mentoring component and the CLE component that lays the groundwork for and supports the Mentoring component. Each beginning lawyer will be required to attend one of the two new CLE programs created by ICLE: the Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program. (See Questions for descriptions of these programs.) The Mentoring component, based on the model Mentoring Plan (see Question [re: Model Mentoring Plan]) takes place within the firm or office and is to be tailored to the particular practice setting. The Program does not intend to dictate to law firms and other practice settings what kind of training and mentoring programs they should have; rather, it asks them to reevaluate their programs and measure them by the model Mentoring

Plan. Firms and other practice settings may keep the parts of the Mentoring Plan that work for them and tailor the model to their situations.

5. May a beginning lawyer who has a mentor within the law firm or office attend the Fundamentals of Law Practice Program?

The beginning lawyer may apply for the Fundamentals of Law Practice Program, but priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer.

6. How does the Program work for beginning lawyers working in prosecutors' offices, governmental agencies, public interest law settings, in-house positions, and other special practice settings?

A lawyer who enters the practice of law as federal, state, local or other governmental employee or in-house counsel may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

7. How does the Program work for judicial law clerks?

Judicial law clerks are not subject to the Program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in Georgia.

8. Does the Program apply to out-of-state members of the State Bar of Georgia?

The Program does not apply to lawyers admitted to practice in Georgia who have their principal practices in another state.

9. Does the Program apply to new members (admitted by examination or by motion) of the State Bar of Georgia who have practiced for several years in another jurisdiction?

The Program does not apply to lawyers who have been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to practice in this state.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS
FOR OUTSIDE MENTORS
about
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

1. How is an outside mentor selected?

A beginning lawyer who does not practice in association with a lawyer eligible to be appointed as a mentor will be asked to nominate his or her own mentor. The nomination must be approved by the Mentor Subcommittee.

A beginning lawyer who, for whatever reason, is unable to identify a mentor shall so notify the Program Director who, in turn, will refer the matter to the Mentor Subcommittee. The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

2. What criteria are used in matching a mentor and a beginning lawyer who are not in the same firm?

The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations. Beyond geographic proximity, the Program will attempt, but cannot guarantee, to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

3. If I agree to serve as mentor to a beginning lawyer not in an employment relationship with me, what kind of advice am I allowed to offer?

All outside mentors and beginning lawyers are required to sign the Transition Into Law Practice Program Continuing Legal Education Agreement (CLE Agreement). According to the terms of the CLE Agreement, the mentor is an educational resource for the beginning lawyer, and the purpose of the Mentoring component of the Program is to provide opportunities for the discussion of general issues confronted by the beginning lawyer in the practice of law. Moreover, the beginning lawyer agrees not to ask the mentor for case specific advice nor to give to the mentor actual names of clients. The mentor and beginning lawyer further agree to deal with any problems the beginning lawyer has in only a general, hypothetical manner.

4. How much time is a mentor expected to spend with the beginning lawyer (mentee)?

The mentor and beginning lawyer are expected to spend sufficient time to carry out the Mentoring Plan mutually agreed upon. While regular meetings are suggested, the Program does not specify the number or length of meetings. For an outside mentorship, one personal meeting a month, in addition to frequent telephone and email contact, is suggested to maintain the mentorship.

5. Is the Mentor Orientation required?

The Mentor Orientation is not required, but mentors are strongly urged to attend the live course or take it on-line at their convenience. The Mentor Orientation is a three-hour program created by ICLE offered live once a year at the State Bar Building in Atlanta and available on-line through the ICLE website. Each mentor who takes the Mentor Orientation will receive three (3) hours of complimentary CLE credit, including one (1) hour of Ethics, and one (1) hour of Professionalism. Mentors who have attended the Mentor Orientation in one year are not required to repeat it if they serve as mentors in subsequent years.

6. What is included in the Mentor Orientation?

The Mentor Orientation presents information that mentors need to know about the operation of the Program, including an overview of the CLE for beginning lawyers and topical questions to assist the mentor in taking the lessons presented in the classroom back into the practice setting. The lessons from the CLE for beginning lawyers form the basis of the discussions for the mentors and beginning lawyers. Mentoring skills are also covered in the Mentor Orientation.

7. Are communications between the outside mentor and the beginning lawyer (mentee) confidential?

No. The beginning lawyer shall not reveal to the outside mentor any confidential communications between the beginning lawyer and the beginning lawyers's client, according to the terms of the CLE Agreement that outside mentors and beginning lawyers are required to sign.

8. What is the outside mentor's role in supervision of the beginning lawyer (mentee)?

For an outside mentorship, the mentor cannot be expected to supervise the practice of law by the beginning lawyer. The role of the outside mentor is to offer the beginning lawyer extended education in learning the ways of law practice. An outside mentor is expected to provide instruction in practical skills, as well as ethical and professional issues frequently encountered by lawyers in practice. Neither the Program nor the outside mentor assumes any responsibility to the beginning lawyer's clients for legal services performed by the beginning lawyer, according to the CLE Agreement.

9. What is the outside mentor's role in evaluation of the beginning lawyer (mentee)?

The outside mentor assumes no responsibility for evaluating the work of the beginning lawyer. The role of the outside mentor is to assist the beginning lawyer in developing practical skills, good legal decision-making and sensitivity to ethical and professionalism values. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship. The mentor is responsible for assessing whether the beginning lawyer has satisfactorily completed the Program.

10. Does a beginning lawyer who has an outside mentor have to attend the Fundamentals of Law Practice Program?

Because of the limited attendance and small break-out groups, the beginning lawyer who has an outside mentor is strongly encouraged to attend the Fundamentals Program; however, if the beginning lawyer's schedule does not permit this, the beginning lawyer may attend the Enhanced Bridge-the Gap Program to fulfill his or her CLE requirement.

**State Bar of Georgia
Standards of the Profession Committee**

Transition Into Law Practice Program

MODEL MENTORING PLAN OF ACTIVITIES AND EXPERIENCES

Name of Beginning Lawyer: _____

Name of Mentor: _____

MODEL MENTORING PLAN OF ACTIVITIES AND EXPERIENCES

The following activities and experiences are intended to serve as a guide to assist the Mentor and Beginning Lawyer in jointly developing a specific plan of activities to be completed over the course of the twelve months of mentoring. The particular Mentoring Plan should incorporate as many of these activities and experiences as feasible while being adjusted to the particular practice setting and individual needs.

Using this Model Mentoring Plan as a checklist, the Mentor and Beginning Lawyer should jointly develop a Mentoring Plan for the coming year and sign and submit this plan to the Program Administrator within thirty (30) days after the start of the mentoring year.

At the end of the mentoring year, the Mentoring Plan will serve as the Mentor's evaluative tool to determine if the Beginning Lawyer has satisfactorily completed the mentoring program. A Mentor whose area of practice is other than litigation and trial work may choose to call on another experienced lawyer who practices in this area to assist in mentoring the Beginning Lawyer in the area of the Advocacy Experiences Requirement. (Section E below)

ACTIVITY OR EXPERIENCE	DATE COMPLETED
A. Introduction to the Legal Community	
1. The Mentor should contact the Beginning Lawyer as soon as practicable after receipt of the notice of assignment and arrange to meet at the Mentor's office to get acquainted. At that time or another, the Mentor should introduce the Beginning Lawyer to other lawyers and staff members at the Mentor's office or, in the case of in-firm mentoring, ascertain that such introductions have already occurred.	
2. Invite the Beginning Lawyer to attend a meeting of the local bar association and discuss local, state and national bar association opportunities.	
3. Introduce as feasible the Beginning Lawyer to other lawyers in the community through attendance at local bar association meetings or otherwise.	
4. Escort the Beginning Lawyer on a tour of the local courthouse(s) and, to the extent practicable, introduce him or her to members of the judiciary, court personnel and clerks of court.	
5. Discuss any "unwritten" customary rules of civility or etiquette among lawyers and judges in the community.	
6. Acquaint the Beginning Lawyer with Legal Aid, Georgia Legal Services, and opportunities for lawyers in private practice to engage in pro bono activities.	
B. Introduction to the Community at Large	
1. Invite the Beginning Lawyer to attend a civic club of which the Mentor is a member or some other community service activity in which the Mentor participates.	
2. Discuss civic, charitable, and service opportunities in the community.	

C. Introduction to Law Office Management	
1. The Mentor should take the Beginning Lawyer on a tour of the Mentor's office and demonstrate and explain how the following items of law practice management are used and handled in the Mentor's office, if applicable.	
(a) Time Records	
(b) Records of client-related expenses	
(c) Billing system	
(d) Escrow or Trust Account and handling of funds belong to client	
(e) Filing System	
(f) Document Retention Plan	
(g) Calendar and "Tickler" or Reminder System	
(h) Information Technology Systems	
(i) Library and Research Systems	
(j) Other resources (publications, seminars, equipment, etc.) that a Beginning Lawyer might find particularly helpful in his or her work	
(k) Discuss good time management skills and techniques	
(l) Discuss practices to maintain client confidentiality	
(m) Discuss role and responsibilities of paralegals, secretaries and other office personnel and how to establish good working relationships with others in same office who are support staff, colleagues or senior	

D. Working With Your Client	
1. Discuss Topical Questions and cover items of Practical Guidance set out in Appendix D, Working With Your Client , including responsibilities of the attorney and the client in decision making.	
2. Discuss how to gather information about a legal matter and appraise credibility and trust.	
3. Discuss how to screen for, recognize and avoid conflicts of interest.	
4. Discuss how to decide whether to accept a proffered representation.	
5. Discuss the use of retainer or engagement letters and defining the scope of the representation.	
6. Discuss how to talk about and set the fee for legal services.	
7. Discuss how to deal with a “difficult” client.	
8. Discuss “DO’s and DON’TS” of maintaining good ongoing client relations such as returning telephone calls and keeping client informed about matters.	
9. Discuss terminating the lawyer-client relationship and necessary documentation.	
* 10. Participate in or observe at least one client interview or client counseling session.	
* For same firm Mentors and Beginning Lawyers <u>only</u>.	

E.** Mandatory Advocacy Experiences	
<p>For Beginning Lawyers subject to the mandatory Advocacy Experiences requirement, the Mentor should monitor and facilitate the progress of the Beginning Lawyer in observing the following Advocacy Experiences and by discussing, or arranging for another experienced lawyer to discuss, the context and assess the event observed:</p>	
<p>1. An actual or simulated*** deposition of a witness or adverse party in a civil action.</p>	
<p>2. An actual or simulated*** jury trial in a civil or criminal case in either a state or federal court.</p>	
<p>3. An actual or simulated*** non-jury trial or evidentiary hearing, in state or federal court.</p>	
<p>4. An actual or webcast of an appellate argument in the Supreme Court of Georgia, the Court of Appeals of Georgia, or a United States Circuit Court of Appeals.</p>	
<p>5. An actual or simulated*** mediation.</p>	
F. Optional Advocacy Experiences	
<p>1. Arrange for the Beginning Lawyer to observe an actual or simulated*** arbitration and discuss or arrange for an experienced lawyer to discuss the arbitration observed and provide relevant background context and evaluate what is observed.</p>	
<p>2. Arrange for the Beginning Lawyer to observe a judicial-type hearing conducted by a state or local administrative body (e.g., local zoning board; tax equalization board hearing; state licensing or regulatory board) and provide relevant background context and evaluate what is observed.</p>	
<p>** Mandatory Advocacy Experiences are required for certain Beginning Lawyers under Rule 8-104(D) of the Rules and Regulations for the Organization and Government of the State Bar of Georgia. Rule 8-104(D) provides that “Prior to appearing as sole or lead counsel in the Superior or State Courts of Georgia in any contested civil case or in the trial of a criminal case, any newly admitted active member admitted to practice after June 30, 2005, shall complete the mandatory Advocacy Experiences of the Transition into Law Practice Program”</p> <p>Up to three (3) of the five (5) Mandatory Advocacy Experience may be obtained prior to admission to practice, under certain conditions. See Rule 8-104(D).</p> <p>*** Simulated advocacy experiences are available on videotape from ICLE.</p>	

G. Closings and Transactional Work	
Arrange for Beginning Lawyer to observe a real estate or other business transaction or financial closing and explain relevant background.	
H. The Obligations of Attorneys to Others	
1. Discuss Topical Questions and cover items of Practical Guidance set out in Appendix D, Acting For Your Client.	
2. Discuss "A Lawyer's Creed" (attached) and how one as a lawyer can use the law and legal process as "instruments for the common good."	
I. Negotiation	
1. Discuss pertinent questions raised by the Topical Questions and Practical Guidance in Appendix D, Negotiating for Your Client , such as:	
(a) How to prepare for the negotiation of a legal matter (e.g., release of a personal injury claim, lease agreement, etc.)	
(b) When and how negotiation should be initiated	
(c) How to involve the client in negotiation	
(d) How to negotiate with an attorney with years of experience, a friend, etc.	
(e) Ethical and professionalism obligations of negotiators.	
(f) Skills needed to be an effective negotiator and how to acquire them	
2. Arrange for Beginning Lawyer to observe an actual or simulated*** negotiation and explain relevant background context and then evaluate what is observed.	
*** Simulated advocacy experiences are available on videotape from ICLE.	

Mentoring Plan Pledge

The undersigned Mentor and Beginning Lawyer hereby agree upon the Mentoring Plan (“Plan”) of activities and experiences set out above. They pledge that they will use their best efforts to carry out the Plan in a manner that fulfills the purpose of the Transition Into Law Practice Program in assisting the Beginning Lawyer to acquire the practical skills, judgment and professional values to practice law in a highly competent manner.

By signing this Pledge, the undersigned Mentor and Beginning Lawyer pledge that they will devote the time and effort necessary to achieve these goals.

Print Name of Mentor

Date

Sign

Print Name of Beginning Lawyer

Date

Sign

The Mentoring Plan Pledge should be signed by both the Mentor and the Beginning Lawyer and returned to the Program Administrator within thirty (30) days after the start of the mentoring year.



TRANSITION INTO LAW PRACTICE PROGRAM

CERTIFICATE

The undersigned hereby certifies that _____
(Beginning Lawyer)

_____ satisfactorily completed the Mentoring Plan of Activities and
(has or has not)

Experiences filed with the Transition Into Law Practice Program of the Commission on
Continuing Lawyer Competency.

This _____ day of _____, _____.

Mentor's Name (Please print.)

Mentor's Signature

At the end of twelve months from the start of the mentoring year, the mentor is expected to sign this certification evidencing whether or not the beginning lawyer satisfactorily completed the Mentoring Plan to which they committed.