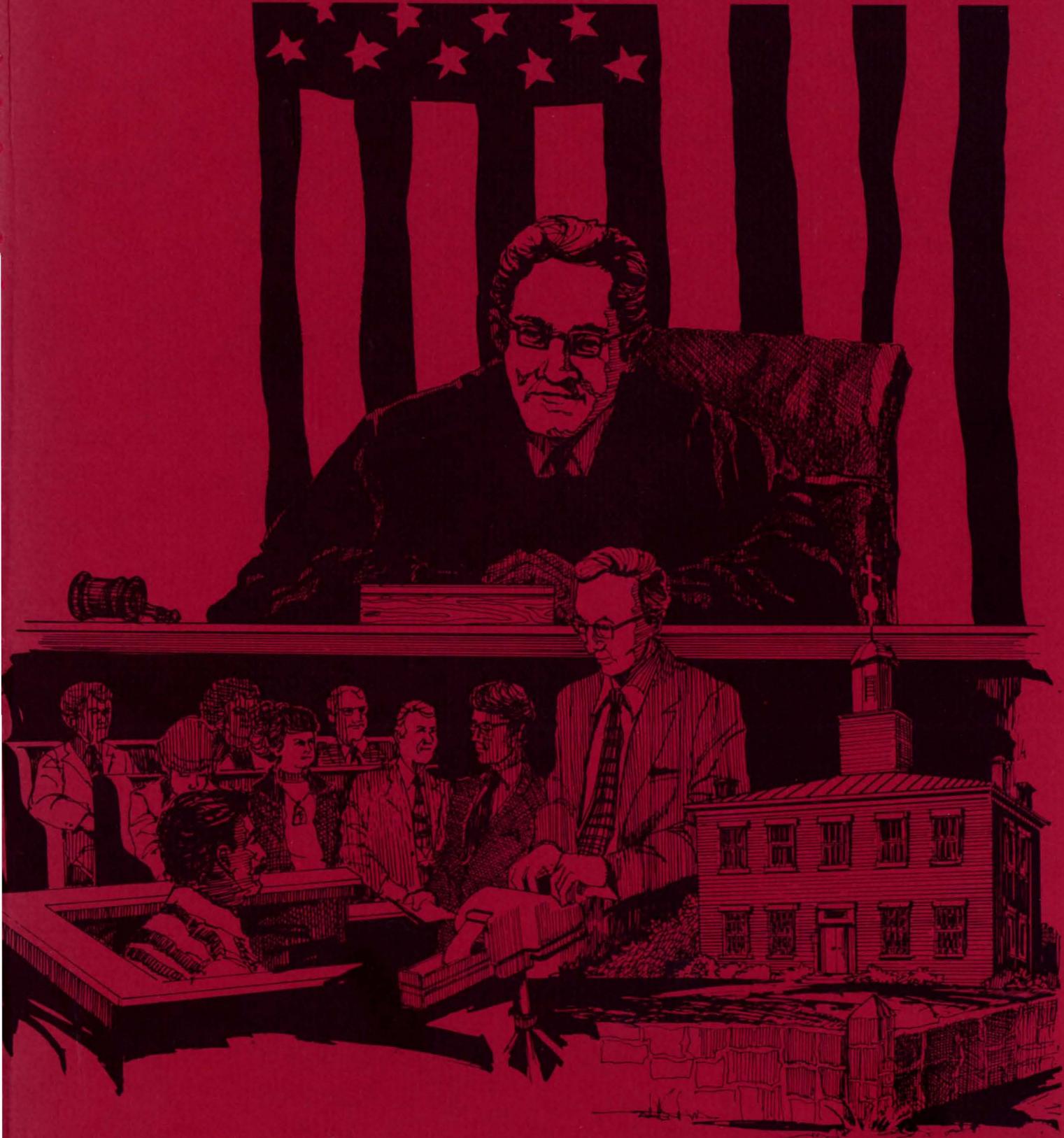


Sixth Annual Report

Administrative Office of the Courts



Sixth Annual Report

Administrative Office of the Courts

(July 1, 1978 to June 30, 1979)

Published pursuant to *Georgia Laws 1973*, p. 288, and order of Supreme Court of Georgia dated June 12, 1978, for the **Judicial Council of Georgia** by the **Administrative Office of the Courts**
February 1980

The Judicial Council of Georgia
Administrative Office of the Courts

Georgia Justice Center
Suite 500
84 Peachtree Street
Atlanta, Georgia 30303

The Sixth Annual Report of the Administrative Office of the Courts of Georgia is a publication of the Judicial Council of Georgia/Administrative Office of the Courts as required by *Georgia Laws 1973*, p. 288 and by order of the Supreme Court of Georgia dated June 12, 1978. Funding for this document was provided in part by Grant No. 79A-32-7905-0001, awarded by the State Crime Commission under a grant from the Law Enforcement Assistance Administration of the United States Department of Justice.

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J-0280-A-01

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Administrative Office of the Courts

GEORGIA JUSTICE CENTER
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ATLANTA, GEORGIA 30303
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Robert L. Doss, Jr.

Foreword

During its sixth year of operation, the Judicial Council of Georgia/Administrative Office of the Courts continued to provide services to the courts and to judicial branch agencies. The agency continued to carry out its basic research function — collecting data on the courts and their work — and to assist courts in making improvements in such areas as jury management, records keeping, facilities, caseload and the application of computer technology to court operations. Last year the agency served as fiscal and budget officer for eight other judicial agencies; worked with the Judicial Planning Committee in developing plans for improvements to the court system; assisted the Institute of Continuing Judicial Education and the Georgia Justice Courts Training Council in conducting educational programs for judges and other court personnel; and assisted the Georgia Council of Juvenile Court Judges in designing and implementing an automated statewide information system for the juvenile courts.

The Administrative Office of the Courts also prepared a number of new publications last year: a benchbook for probate court judges, a manual for superior court clerks, a handbook for jury commissioners, a salary survey of the state's trial court personnel and a directory of traffic court judges. The Administrative Office of the Courts published an updated supplement to the Probate Judges' Handbook and a report summarizing the caseload of Georgia's major trial courts over a six-year period. A written plan for improvements to the state's courts was published for the first time last year by the Judicial Planning Committee, an agency of the Judicial Council. Also last year, the AOC made available to the state's superior court judges information on the age of open cases in the superior courts.

During the past fiscal year, the Administrative Office of the Courts and the Institute of Continuing Judicial Education conducted a total of twenty-one educational programs, providing training to 1,159 judges and other court personnel. The Institute, which had initially been established by the Judicial Council to provide educational programs for judicial branch personnel, last year was created as an administrative arm of the Supreme Court under the supervision of the Judicial Council. The AOC also assisted the Georgia Justice Courts Training Council in conducting the first mandatory training required for any of the state's judges — justices of the peace. Six training programs were held during fiscal year 1979 and 430 persons were certified.

Also during the past year, the judicial administrative districts came into their own as an integral part of the state's judicial branch. Filling a void that had existed for many years, the districts provided detailed administrative services and support to local courts.

This annual report presents a review of how the Administrative Office of the Courts has discharged its responsibilities to the public by aiding local courts, conducting studies, making recommendations for changes and other activities. Summaries of the judicial work of the principal courts of record and the work of other judicial agencies are also included.

The Administrative Office of the Courts welcomes questions and comments on its activities and accomplishments as it works to fulfill its responsibility to the citizens of Georgia by developing and implementing programs and projects to improve the administration of justice.

Robert L. Doss, Jr.
Director
Administrative Office of the Courts

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Judicial Council of Georgia

The Judicial Council of Georgia, during its first full year as an administrative arm of the Supreme Court of Georgia, continued its efforts to improve the state's court system and the administration of justice in Georgia. The Council's efforts took primarily two forms — systemwide improvements and assistance to local court officials. The Council's service arm, the Administrative Office of the Courts, continued to collect basic data on the courts and their work, and this factual framework formed the basis for recommendations for improvements in the operations and structure of the court system.

During the sixth year of existence of the agency, the Judicial Council/AOC continued its coordination of court programs with other judicial branch agencies. The Council worked especially closely with the Judicial Planning Committee to develop annual and multi-year plans for court improvement programs and projects. During the past year, the Council adopted new rules and regulations to govern the practice of court reporting in the state, as recommended by the Board of Court Reporting, an agency of the Council. The Judicial Council continued its cooperation with and support of the state's ten judicial administrative districts, combining efforts in such projects as the annual case counting. Through combined efforts, the Council and the districts helped courts on the local and regional levels improve their operations and practices.

The Judicial Council placed special emphasis on judicial education during fiscal year 1979. The Council petitioned the Supreme Court to make the Institute of Continuing Judicial Education an administrative arm of the Court. The Supreme Court granted the Council's petition by a court order dated January 26, 1979, and adopted new bylaws for the Institute's Board of Trustees for implementation July 1, 1979. A highlight of the educational programs during the year was the first convocation of the state's judiciary, held in September 1978 in Athens. More than two hundred judges of the appellate and major trial courts attended this convocation where the primary topic for discussion was a proposed revision of the judicial article of the State Constitution. The responses and suggestions of the judges of the various courts helped the Committee to Revise the Judicial Article (a committee of the Governor' Select Committee on Constitutional

Revision) further refine its proposals and consider the extent of impact the proposed changes — and the timing of those changes — would have on the entire judicial system. The continued support for the Institute indicated the Judicial Council's concern for making educational programs available to judges and other court personnel and the resulting benefits that continuing education have on the improvement of the system of justice. Under the Council's direction, the Administrative Office of the Courts assisted the Institute, which is developing a comprehensive educational program for judicial system personnel, by conducting training programs for certain groups of court personnel. Another activity in the area of judicial education was the Judicial Council's work with the newly created Georgia Justice Courts Training Council in fulfilling its statutory requirements to certify justices of the peace through mandatory educational seminars.

The Council continued to place heavy emphasis on programs and projects to assist local courts with their needs and to collect statistical information on the courts' workloads. The analysis of this data provides a sound basis for evaluating the need for additional judicial manpower. Two new superior court judgeships were created by the 1979 General Assembly upon Council recommendations which cited critically heavy workloads in these circuits. The Judicial Council also recommended the creation of an additional judgeship in a third circuit, and a measure to create this judgeship was introduced in the 1979 session. However, this measure was left pending at the close of the session.

Nine judges of courts of record and two members of the State Bar of Georgia comprise the Judicial Council. Late in fiscal year 1979, the Council appointed a committee to study the membership of the Council and to make recommendations for restructuring the Council to make it more representative of the state's judiciary. This committee's recommendations for restructuring the Council — which would provide for election of members by the district or group they represent — were presented to the Judicial Council at its December 1979 meeting. The Council, with few modifications, adopted these recommendations and will file a petition with the Supreme Court requesting a recomposition of the Council's membership.



Judge Julian Webb
 Chairman, 7/1/78 — 4/1/79*
 Court of Appeals of Georgia
 Atlanta



Judge Paul W. Painter
 Chairman, 4/1/79 — 6/30/79*
 Superior Court
 Lookout Mountain Judicial Circuit
 Rossville



Judge James B. O'Connor
 Vice Chairman
 Superior Court
 Oconee Judicial Circuit
 Eastman



Judge Charles L. Weltner
 Secretary-Treasurer
 Superior Court
 Atlanta Judicial Circuit
 Atlanta

Members of the Judicial Council of Georgia

(July 1, 1978 - June 30, 1979)



Judge Francis W. Allen
 State Court of Bulloch County
 Statesboro



Judge Frank S. Cheatham, Jr.
 Superior Court
 Eastern Judicial Circuit
 Savannah



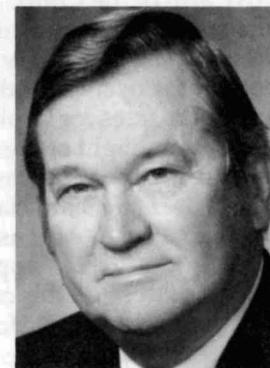
Judge W. Marion Guess, Jr.
 Probate Court
 of DeKalb County
 Decatur



Wilton D. Harrington, Esq.
 Immediate Past President
 State Bar of Georgia
 Eastman



Charles H. Hyatt, Esq.
 President
 State Bar of Georgia
 Decatur



Justice Robert H. Jordan
 Supreme Court of Georgia
 Atlanta



Judge Marion T. Pope, Jr.
 Superior Court
 Blue Ridge Judicial Circuit
 Canton

*Judge Webb retired effective April 1, 1979; Judge Painter was elected chairman of the Council for the remainder of Judge Webb's term.

Administrative Office of the Courts

The Administrative Office of the Courts was active in many areas during the past year, as it carried out its responsibilities primarily in two ways: as service arm of the Judicial Council and as service agency for the state's courts. Under the guidance of the Judicial Council, the AOC balanced its systemwide responsibilities with its assistance, on request, to local courts. During the past year, the Administrative Office of the Courts also began to rely more heavily on judicial administrative district personnel to identify needs on a local and regional basis.

The broad responsibility of the Administrative Office of the Courts is to study the courts, assist court personnel and make recommendations for improvements to the courts. This responsibility was initially stated in the creating legislation and was reconfirmed by the Supreme Court of Georgia on June 12, 1978, when the Court made the Judicial Council/Administrative Office of the Courts an administrative arm of the Court. The responsibility of the AOC is specifically defined in eight areas, and several of these responsibilities are closely related.

A broadly stated responsibility of the Administrative Office of the Courts is to consult with and assist judges and other court personnel in matters of court administration. To meet this responsibility, the AOC has developed its services along functional lines which help the agency address the needs of the courts. Areas of need were identified in early studies and surveys of the state's judicial system, and these needs have been addressed through technical assistance, specialized manuals and handbooks and other short-term projects. During the past fiscal year, the AOC continued to provide technical assistance to courts in areas such as facilities, jury management, records management, information systems and case processing. Recent publications of the AOC have addressed some of the day-to-day needs of judges and other court personnel. The *Probate Court Benchbook* and the *Jury Commissioners Handbook* are examples of the publications the AOC has produced in the past year.

A closely related duty of the Administrative Office of the Courts is to examine the administrative and business methods and systems used in the judicial system and to make recommendations for their improvement. During the past fiscal year, the AOC was involved in projects to help improve the records keeping in court offices, to

streamline the jury selection procedure by the application of computer technology and to develop and implement a statewide juvenile court information system.

The AOC has a responsibility to examine the state of the dockets and practices and procedures of the courts and to make recommendations in this area. During fiscal year 1979, efforts in this area included not only the continuing implementation of model docket books for the superior, state, juvenile and probate courts, but work on developing retention schedules for court records. Efforts in this area were given impetus by recent legislation which transferred to the Supreme Court the authority for approving retention schedules for court records. The Administrative Office of the Courts inventoried the records of the superior and state courts in three counties as an initial step in developing retention schedules. Other activities in the records area included the development of a consolidated estate docket for the probate courts and a uniform traffic docket, as well as technical assistance to courts experiencing records-keeping problems.

The AOC is charged with compiling statistical and financial data and other information on the judicial work of the courts and related offices. The Administrative Office of the Courts' annual collection and compilation of detailed data on the workloads of the major courts of record was the primary means of fulfilling this responsibility during the past fiscal year. Other studies completed during the year include a survey of compensation of judges and other trial court personnel, a report analyzing the caseloads of the courts for a five-year period and a survey of the state's small claims courts.

The Administrative Office of the Courts is also responsible for serving as fiscal and budget officer for the judicial system and for preparing budget estimates of state appropriations necessary for the maintenance and operation of the judicial system. The AOC performed this function for a number of judicial agencies, and, in addition, administered federal funds granted by the Law Enforcement Assistance Administration and the Office of Highway Safety. The AOC assisted courts on the local and district levels in preparing individual grant applications to secure funding for court improvement programs.

The formulation and submission of recommendations for improvement of the

judicial system is another of the broad duties assigned to the Administrative Office of the Courts. The AOC's recommendations include those made at the request of local court officials about particular problems and needs as well as assistance in developing comprehensive recommendations for the entire judicial system — such as the annual plans for improvements to the state's court system made by the Judicial Planning Committee.

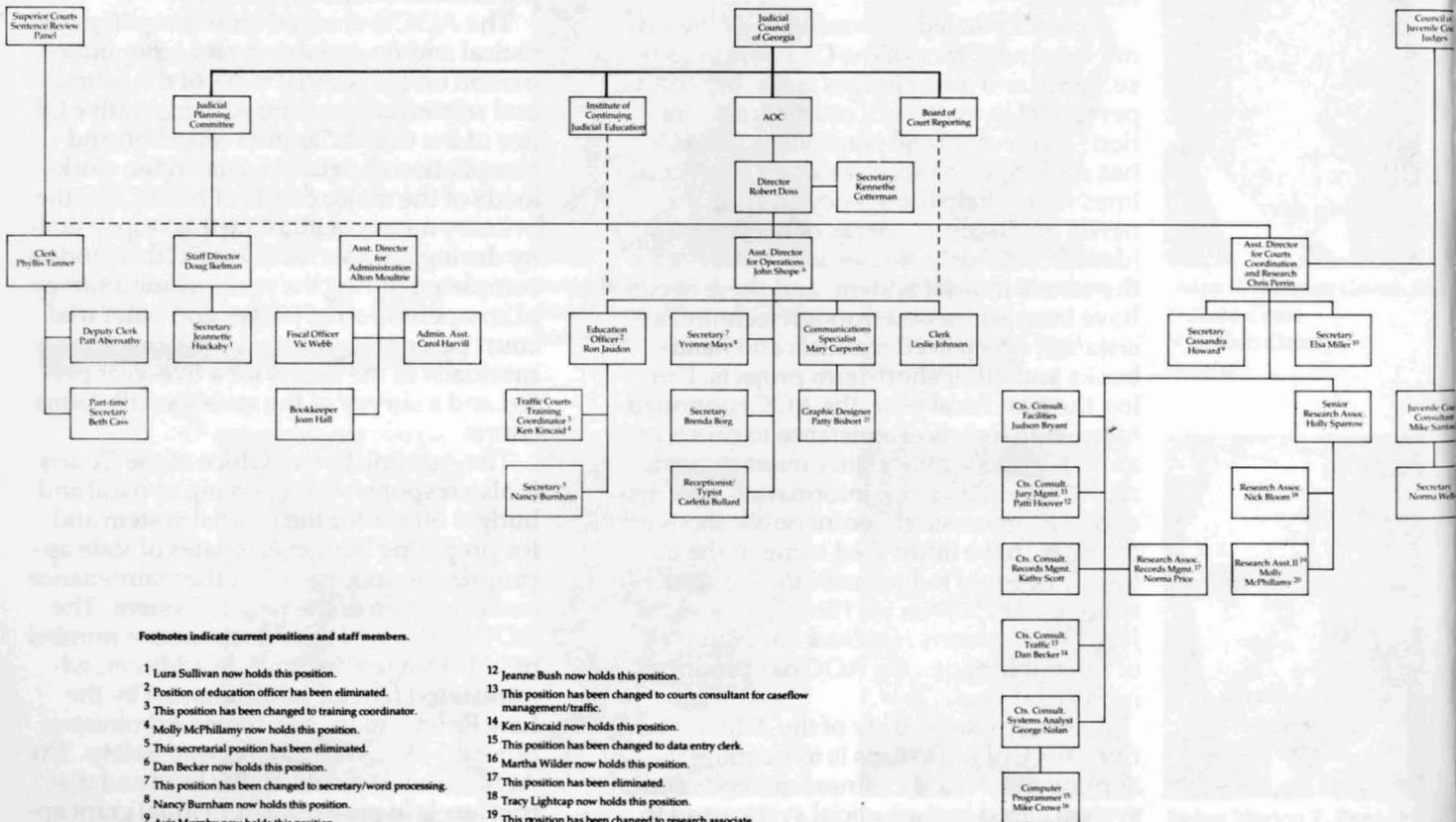
The Judicial Council is authorized to assign additional duties to the Administrative Office of the Courts. During the past year, the additional duties assigned to the AOC were primarily in the areas of education and communications.

The production of an annual report is specifically assigned to the Administrative Office of the Courts. Under the direction of the Judicial Council, the annual report was one of many efforts in the past year to pro-

vide information about the court system to judicial personnel and the general public. In the area of education, the AOC continued to provide support to the Institute of Continuing Judicial Education in developing a comprehensive training program for judges and other court system personnel. During the past year, the AOC was also responsible for planning and conducting seminars for four groups of non-judicial personnel. The AOC also provided assistance to the Georgia Justice Courts Training Council, in its first year of operation, in developing and conducting mandatory training programs for the state's justices of the peace.

The AOC internally coordinates its programs and activities along functional lines to discharge its closely integrated responsibilities. Following is a review of the activities of the Administrative Office of the Courts during fiscal year 1979.

AOC Organization in Fiscal Year 1979



Footnotes indicate current positions and staff members.

- 1 Lura Sullivan now holds this position.
- 2 Position of education officer has been eliminated.
- 3 This position has been changed to training coordinator.
- 4 Molly McPhillamy now holds this position.
- 5 This secretarial position has been eliminated.
- 6 Dan Becker now holds this position.
- 7 This position has been changed to secretary/word processing.
- 8 Nancy Burnham now holds this position.
- 9 Avis Murphy now holds this position.
- 10 Deborah Parker now holds this position.
- 11 This position has been changed to courts consultant for jury and records management.
- 12 Jeanne Bush now holds this position.
- 13 This position has been changed to courts consultant for caseload management/traffic.
- 14 Ken Kincaid now holds this position.
- 15 This position has been changed to data entry clerk.
- 16 Martha Wilder now holds this position.
- 17 This position has been eliminated.
- 18 Tracy Lightcap now holds this position.
- 19 This position has been changed to research associate.
- 20 Nancy MacDonald now holds this position.
- 21 Billy Tilton now holds this position.

Administration

The Administrative Office of the Courts has a broadly defined responsibility to assist judges and other court personnel and to provide the services they request. The agency has a more narrowly stated responsibility to act as fiscal officer for the judicial system. During the past fiscal year, the AOC worked to fulfill these responsibilities through the administration of grants for improvements to the court system, budget preparation and administration for several judicial agencies and reports to judges and other court personnel on the status of court-related legislation.

During fiscal year 1979, the AOC administered a dozen grants of federal funds in such areas as judicial education, computer services, traffic court improvement and operation of the judicial administrative districts. These funds, totaling over \$800,000, were grants from the Law Enforcement Assistance Administration and the National Highway Safety Administration of the U.S. Department of Transportation, awarded through the Georgia State Crime Commission and the Georgia Office of Highway Safety, respectively.

These grants supported projects such as the continuing implementation of model docket books, assistance to the courts in applying computer technology to court needs and assistance to traffic courts in improving their operations and procedures. Federal funds provided for training programs for judges and other court personnel con-

ducted by the AOC and the Institute of Continuing Judicial Education. Judicial branch personnel also were able to attend training programs outside the state because of grant funds.

During the past fiscal year, the Administrative Office of the Courts prepared budgets and served as fiscal officer for a number of judicial branch agencies: the Superior Courts Sentence Review Panel, the Judicial Qualifications Commission, the Council of Juvenile Court Judges, the Board of Court Reporting, the Georgia Justice Courts Training Council and the Judicial Planning Committee. The AOC also prepared budget estimates for the state's superior courts and administered those funds designated within the superior courts' appropriation for developing a superior court benchbook and for revising and printing pattern jury instructions. The AOC also handled the fees collected by the Board of Court Reporting and the Justice Courts Training Council. Included in the budget of the Judicial Council/AOC are those funds designated for the judicial administrative districts and the Institute of Continuing Judicial Education.

The AOC kept judges and other court personnel informed about court-related measures being considered by the 1979 General Assembly. The AOC's efforts in this area included the employment of two legislative assistants during the 1979 session to track the progress of measures which would affect the courts through the legisla-

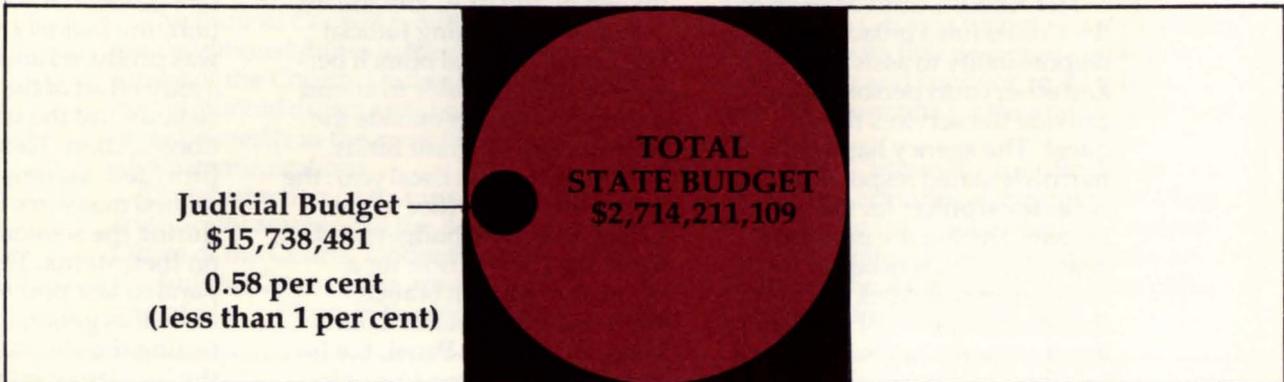
tive process. A weekly publication, the *Judicial Legislative Log*, was produced and distributed as a joint effort of the legislative assistants and the communications section. This publication provided summaries of court-related measures introduced during the session and a report on their status. The *Log* was expanded last year to include local as well as general measures affecting the courts. Also during the legislative session, the AOC responded to requests from legislators for information about its functions and activities and for other data about the judicial system on file at the AOC. The AOC also made available on request copies of individual bills. Following the close of the session, the AOC presented reviews of new statutes at seminars for court personnel.

The AOC, during the past year, continued to mail opinions of the state attorney general about court-related issues to superior court judges. The AOC continued to provide civil and criminal pattern jury instructions to new judges and assisted the Council of Superior Court Judges in its work on revising these charge books. The AOC also continued to maintain a computerized mailing system for judicial personnel.

For the second year, the AOC had a contract arrangement with the State Law Department to provide legal services to the Judicial Council/AOC.

State Appropriations for the Judiciary

(Fiscal Year 1979: July 1, 1978 to June 30, 1979)

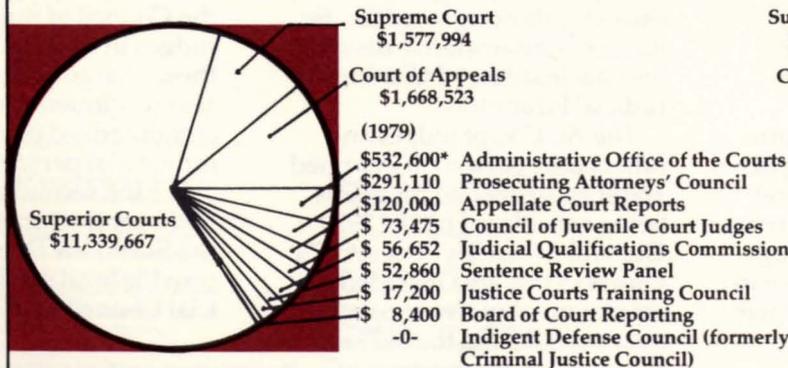


Five-Year Comparison for Judicial Budget (1976 — 1980)

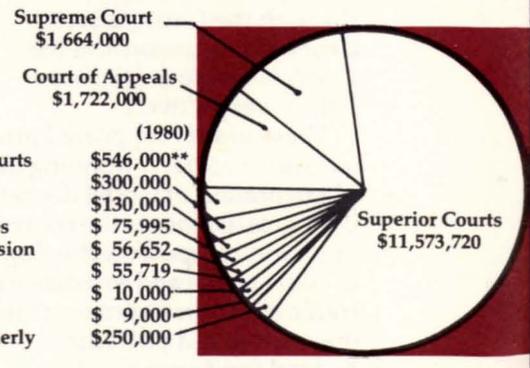
Fiscal Year	Total State Appropriation	Amt. Increase or Decrease	Judicial Appropriation	Increase	Per cent of State Budget
1976	\$1,841,125,219	\$138,153,297	\$ 9,828,414	\$ 806,137	.0053
1977	1,890,095,530	48,970,311	10,098,391	296,977	.0053
1978	2,262,816,271	372,720,741	12,604,451	2,506,060	.0056
1979	2,714,211,109	451,394,838	15,738,481	3,134,030	.0058
1980	2,626,384,327*	(87,826,782)*	16,393,086*	654,605	.0062

*Does not include cost-of-living salary increases.

FISCAL YEAR 1979 JUDICIAL APPROPRIATION \$15,738,481



FISCAL YEAR 1980 JUDICIAL APPROPRIATION \$16,393,086



*Includes \$30,000 for the Institute of Continuing Judicial Education of Georgia and \$256,000 for the judicial administrative districts.

**Includes \$30,000 for the Institute of Continuing Judicial Education of Georgia and \$262,825 for the judicial administrative districts.

Communications

The purpose of the communications efforts of the Administrative Office of the Courts is to inform judges and other court personnel about changes and innovations in court administration and operations and to provide the general public — through the news media, primarily — with news of the Georgia court system.

Both general-interest publications and specialized studies and manuals were produced during the past fiscal year to carry out this function. One responsibility given the AOC by the act and, later, the Supreme Court order creating the agency is to produce an annual report on the courts and on the work of the agency. The annual report

and news releases issued during the past year were the primary means of informing the public of changes and improvements within the judicial branch and of progress in improving the administration of justice. The *Fifth Annual Report of the Administrative Office of the Courts* provided a review of the work of the state's major courts of record and of the activities of the AOC and other judicial branch agencies during fiscal year 1978.

Five issues of the *Georgia Courts Journal* were prepared and distributed to the state's judges and other court personnel during the past year. The *Courts Journal* reports on the activities of the Judicial Council/AOC and features articles on

how courts are solving problems in areas such as facilities, records and jury management. It presents news about the court system and information about resources and assistance available to local courts.

An annual directory of Georgia's court personnel was also prepared and distributed during the past year. The directory provides the names, addresses and telephone numbers of judges, district attorneys, solicitors, clerks and court reporters as well as listings of the membership of various councils, boards and agencies. At the end of the fiscal year, work was beginning on another such directory.

Public Relations Digests — compendiums of clippings

AOC Publications

Fiscal Year 1979 Publications*

Caseload Summary Report (statistics for six-year period through fiscal year 1977)
Dictation and Transcription Handbook (for court reporters)
Directory of Georgia Psychoeducational Center Networks, Area Mental Health/Mental Retardation Directors and Mental Health and Mental Retardation Hospitals
Fifth Annual Report of the Administrative Office of the Courts
Georgia Courts Journal (five issues)
Georgia Juvenile Court Information System, The (instruction manual)
Georgia Probate Court Benchbook
Georgia Probate Judge's Handbook (revision)
Judicial Legislative Log (eleven issues)
Jury Commissioners Handbook
1978 Directory of Georgia Certified Court Reporters
1978 Georgia Courts Directory
1979 Georgia Courts Plan
1979 Georgia Traffic Courts Directory
Salary Survey of Georgia's Trial Court Personnel 1978
Sixth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia
Traffic Court Manual (update)

Previous Publications Still Available

Annual Reports of the Administrative Office of the Courts: First, Second, Third, Fourth
Annual Reports Regarding the Need for Additional Superior Court Judgeships in Georgia: Fourth, Fifth
Civil Pattern Jury Instructions Clerk's Handbook
Comparative Analysis of American Bar Association Standards for Criminal Justice with Georgia Laws, Rules and Legal Practice
Comparative Analysis of Standards and Goals of the National Advisory Commission on Criminal Justice Standards and Goals with Standards for Criminal Justice of the American Bar Association
Criminal Pattern Jury Instructions
Directory of Georgia Certified Court Reporters
Executive Summary — Statewide Caseload Statistics (five-year period through fiscal year 1976)
Form Book, Georgia Certified Court Reporters Association
Georgia Courts Journal (most issues from December 1973)
Georgia Statewide Facilities Study (four volumes, two out of print)
Handbook for Georgia Certified Court Reporters
Judicial Legislative Log (volumes one, two, three)
Justice of the Peace Handbook
Juvenile Court Docket Book and Instruction Manual
Juvenile Court Judges Benchbook
Juvenile Court Manual
Juvenile Justice Masterplan (four volumes)
Long Range Goals for the Court System of Georgia
Model Court Rules
Probate Court Misdemeanor Docket Book and Instruction Manual
Profile of Juvenile Court Judges in Georgia, A Report of Governor's Commission on Court Organization and Structure
Report of Governor's Commission on Judicial Processes
Report to the General Assembly, A (executive summary of AOC's Fourth Annual Report)
Rules and Regulations of the Georgia Board of Court Reporting
Salary & Personnel Survey of Georgia Juvenile Courts, A
Short Descriptive Study of the Office of Justice of the Peace in Georgia
State Court Civil Docket Book and Instruction Manual
State Court Misdemeanor Docket Book and Instruction Manual
Superior Court Civil Docket Book and Instruction Manual
Superior Court Criminal Docket Book and Instruction Manual
Survey of Records Keeping in Georgia Courts
Traffic Court Manual

*In some cases, publications were produced as joint efforts with other judicial agencies and organizations.

about the courts and the court system from newspapers around the state — were prepared on a regular basis for distribution to members of the Judicial Council and about fifty other persons, including some members of the General Assembly, district administrative judges and district court administrators.

Published studies, manuals and handbooks are discussed elsewhere in this report.

Communications Committee

Judge Charles L. Weltner, *chairman*

Superior Court
Atlanta Judicial Circuit
Atlanta

Judge Paul W. Painter

Superior Court
Lookout Mountain Judicial Circuit
Rossville

Education

During fiscal year 1979, the Administrative Office of the Courts continued to plan and coordinate educational programs for court personnel. The AOC and the Institute of Continuing Judicial Education shared the responsibility for conducting judicial training programs, with the AOC having specific responsibility for training of four groups of court personnel: clerks of superior courts, court reporters, secretaries to judges and court administrators. The AOC conducted seminars for these groups of court personnel, including the very first seminar offered for secretaries of superior court judges. The AOC also continued to provide assistance to the Institute in planning and conducting other seminars. A transfer of responsibility for all educational programs for both judges and other court personnel to the Institute is planned for the future.

Another primary activity of the AOC in the area of education last year was its work with the newly formed Georgia Justice Courts Training Council. The AOC provided staff assistance

to the council in developing, planning and implementing six certification seminars for the state's justices of the peace. The Justice Courts Training Council was created by the 1978 General Assembly to implement mandatory certification training and continuing education for justices of the peace. The Justice Courts Training Council Act, (*Ga. Laws 1978*, p. 894), the first statute to set mandatory training and continuing education requirements for any of the state's judicial officers, requires a minimum of twenty hours of training for justices of the peace in office prior to July 1, 1978, and forty hours of training for those taking office after that date, with completion of this initial training required before July 1, 1979. The act also requires twenty hours of continuing education each year after the initial requirements have been met. The act prohibits justices of the peace from receiving fees for performance of their duties if they have not met the minimum training requirements. Justices of the peace who successfully completed the mandatory training were certi-

fied by the Justice Courts Training Council, and certificates were issued for filing in the appropriate probate courts. Of the state's estimated 1,500 justices of the peace, 389 were certified through the council's programs in fiscal year 1979. Also, fifty-one judges of small claims courts were certified by training. The AOC established and maintained an information center for justices of the peace and for the records of certification. A separate annual report on the activities of this council during its first year of operation was published last September.

In addition to the seminars planned and coordinated by the AOC in fiscal year 1979 (see chart at right), the AOC and the Institute of Continuing Judicial Education administered grants which provided funds for judges and other court personnel to attend training programs other than those offered by the Institute and the AOC, particularly those available outside the state. Through these grants, the expenses were provided for 113 judges and other non-judicial personnel to attend educational

programs conducted outside Georgia. A training subcommittee of the Institute's Board of Trustees reviewed and approved applications of judges and others who requested funds to attend such educational programs.

A library of video tapes of selected seminars was maintained during the past year by the AOC. These tapes and the equipment for viewing them were available on request to individual judges for use at their convenience. Loans of these tapes were coordinated through the judicial administrative districts. Since many of the tapes were of portions of an orienta-

tion seminar for superior and state court judges, these were of particular interest to new judges.

A state law, enacted in 1978 and effective at the beginning of fiscal year 1979, gave superior court judges, for the first time, clear authority for accepting reimbursement from state funds for expenses incurred while attending educational programs. This law also limits the number of days of training each year to five. The 1979 General Assembly, in both the supplemental appropriation act for fiscal year 1979 and in the general appropriation act for fiscal year 1980, included funds to be used by

superior court judges with less than five years' experience to attend the National Judicial College. The 1979 General Assembly also considered a measure which was initially designed to remove some of the restrictions on reimbursement to judges for educational expenses. However, this bill was modified to a great extent during the session, and, although it was passed, it was vetoed by the governor, with the concurrence of the Council of Superior Court Judges.

A separate report on the Institute of Continuing Judicial Education begins on page 51.

Georgia Justice Courts Training Council

Judge Nick Lazaros, *chairman*
Justice of the Peace, Houston County
Warner Robins

Judge George W. Eisel, *vice chairman*
Small Claims Court of Hancock County
Sparta

Judge Leonard Danley
Justice of the Peace, Douglas County
Winston

Judge Eleanor Dotson
Justice of the Peace, Charlton County
Folkston

Judge Frost Ward
Justice of the Peace, Clayton County
Morrow

Robert L. Doss, Jr., *ex officio secretary*
Director, Administrative Office of the
Courts
Atlanta

Educational Programs for Court Personnel Sponsored by the Judicial Council/AOC

(July 1, 1978 — June 30, 1979)

Seminar	Location	Dates	No. Trained
Seminar for Court Administrators	Atlanta	July 14-15, 1978	16
Southern Regional Seminar for Traffic Court Judges	Savannah	September 27-29, 1978	55
Seminar for Certified Court Reporters	Atlanta	November 17-18, 1978	112
Statewide Conference on Traffic Adjudication	Atlanta	February 14-16, 1979	76
Seminar for Court Administrators	Atlanta	March 22-23, 1979	15
Seminar for Superior Court Clerks	Athens	April 2-4, 1979	102
Seminar for Secretaries of Superior Court Judges	Atlanta	June 8-9, 1979	70

Certification Seminars for Justices of the Peace

Sponsored by the Georgia Justice Courts Training Council with Staff Assistance
from the Administrative Office of the Courts
(July 1, 1978 — June 30, 1979)

Location	Dates	No. Trained	No. Hours
Macon	March 14-16, 1979	103	20
Morrow	April 9-11, 1979	103	20
Valdosta	May 9-11, 1979	78	20
Macon	June 11-15, 1979	35	40
Macon	June 15-17, 1979	61	20
Gainesville	June 28-30, 1979	50	20

Planning

During fiscal year 1979, the activities of the Administrative Office of the Courts in the area of planning were directed primarily towards assisting the Judicial Planning Committee in developing annual and multi-year plans for improvements to the state's judicial system. Towards this end, the AOC participated in the development of the JPC's *1980 Georgia Courts Plan* by serving on a task force in the area of court administration. One of six task forces appointed to develop further the JPC's standards and goals for court improvement, the court administration task

force helped define the objectives of the Judicial Planning Committee. The task force also assisted in setting priorities for specific programs and projects, so that the areas of most critical need could be targeted for assistance at a time when the availability of federal funding for court programs is decreasing. The Judicial Planning Committee's plan, in addition to setting goals for improvements to the court system, also allocates available federal funds to implement programs and projects to meet these goals.

The close cooperation and co-

ordination between the Administrative Office of the Courts and the Judicial Planning Committee has helped the AOC direct its activities to areas of need, guided by the plan's objectives. The Judicial Planning Committee's plan is of particular value to the AOC in setting its own priorities and goals since the overall goals of the courts plan reflect the contributions of representatives of most components of the state's court system.

A separate report on the activities of the Judicial Planning Committee begins on page 52.

Research and Published Studies

A major area of responsibility of the Administrative Office of the Courts is the compilation of statistical and financial data and other information on the judicial work of the courts and their re-

lated offices. The results of the AOC's information-gathering efforts help to identify the needs of courts and provide a factual, objective basis for recommendations for improvements in the

judicial system. The results of AOC research are often made available in the form of published studies, and, as such, they are useful to the Judicial Council/AOC and to the courts them-

selves in determining present and anticipated needs. In addition, the studies are particularly helpful for planning groups and other government agencies. Other results of the AOC's research efforts take the form of specialized handbooks and manuals designed for use by certain components of the judicial system.

Each year since the creation of the agency, the primary research effort of the Administrative Office of the Courts has been the collection and compilation of data on the judicial workloads of the major courts of record in Georgia. Evaluation of this data on the caseloads of the courts and the consideration of other related factors are the basis for recommendations by the Judicial Council to the General Assembly regarding the need for additional superior court judgeships. The results of the annual case-counting effort are included each year in a judgeship study which provides detailed caseload data on the judicial workloads for each circuit, including the judicial support provided to the superior courts by the state, juvenile and probate courts.

During fiscal year 1979, district court administrators, with temporary assistants provided by the AOC, performed the actual counting of cases. In one district which had not employed an administrator, the AOC counted the cases. The statistics on the workloads of the courts during fiscal year 1979 (which were not counted until the beginning of fiscal year 1980) are included in this report in summary form. These caseload statistics were also collected by district court administrators and part-time and student assistants provided by the AOC. The workloads for fiscal year 1979 in the fourth judicial administrative district, which still does not have a district court administrator, were physically counted by

the AOC.

The district court administrators also conducted interviews with local officials about whether they feel a need exists for additional judicial manpower in their circuits.

Under the guidance of the Judicial Council's Case Definitions Committee, the AOC makes some refinements to the case-counting methodology each year, and conducts a seminar for the district court administrators and their assistants to review procedures, techniques and case definitions. The seminar held last June, prior to the start of counting fiscal year 1979 cases, was designed to improve the accuracy of the case counting and to ensure that identical definitions of cases are used statewide.

Although the Administrative Office of the Courts, during fiscal year 1979, developed and pre-tested methodology for counting the civil caseload of the probate courts, available funds for case counting were not sufficient to expand the counting effort to include this major portion of the probate courts' fiscal year 1979 caseload.

During the past year, the AOC also began developing another method for assigning relative weights to the different categories of cases. By the end of the fiscal year, work was well underway on developing a weighted caseload system which would take into consideration the estimates of all superior court judges as to the amount of time required to process different types of cases. The results of this new system were available for use by the Judicial Council in analyzing the fiscal year 1979 caseload data.

In addition to the detailed use of caseload data included in the annual judgeship study, the AOC also uses this basic data on the workloads of the courts for more limited studies. During fiscal year 1979, the AOC prepared

and published a six-year caseload summary report which included data through fiscal year 1977. This report analyzes the filing and disposition trends in Georgia's major trial courts, during a period of steadily rising caseloads. A similar summary report, which will include data through fiscal year 1979, is planned for the current fiscal year.

The AOC, during the past fiscal year, developed a study on the ages of cases and case backlogs, using data collected during the annual case-counting efforts. Publication of the results of this study, which will analyze open caseload data on a state-wide level, is expected during the current fiscal year.

The Administrative Office of the Courts was involved, during the past year, with work on several other specialized, research-oriented publications. Work was completed on the primary section of the *Clerk's Manual*, with printing and distribution of this manual following during the past fall. This section of the manual for superior court clerks provides a comprehensive review of the duties and responsibilities of the clerk of superior court as required by Georgia statutory law. The manual has a loose-leaf format to permit easy revision. Additional sections of this manual are being planned for the future.

The AOC also updated and expanded the *Traffic Court Manual* — another loose-leaf publication — to reflect changes in this area. A directory of traffic courts in the state was published during the past fiscal year, upon the completion of a survey to identify all courts in the state exercising traffic jurisdiction.

A handbook outlining the duties and responsibilities of jury commissioners was prepared and distributed to all jury commissioners and superior court clerks. The *Jury Commissioners Handbook*, which explains the steps and requirements in

establishing a jury box and in selecting jurors, was developed in response to requests for assistance in this area.

Two publications addressed the needs of probate court judges — the *Georgia Probate Court Benchbook* and a revision of the 1965 *Handbook for Ordinaries of Georgia*. Work on the handbook was completed early in the fiscal year by V. Jack Yarbrough, retired clerk of the Probate Court of Fulton County, who was assisted in this massive revision effort by the AOC. The revised version, published by the Institute of Government, includes changes made by the 1978 General Assembly. Work on this revision was guided by a committee appointed by the Judicial Council and headed by Judge Francis W. Allen. The bench-

book was prepared by the AOC and printed and distributed to probate judges last spring. It was developed under the guidance of a committee of the Judicial Council chaired by Judge W. Marion Guess, Jr. The benchbook is designed to assist probate judges in processing legal matters requiring trials, by setting forth correct trial procedures and giving special emphasis to problems which arise most frequently during a trial. The benchbook, which is prepared in a loose-leaf format to allow for supplements, emphasizes the judicial duties of probate judges and is designed to be used in conjunction with the handbook.

Other research activities of the AOC during fiscal year 1979 included a salary survey of Geor-

gia's trial court personnel, including judges, trial court administrators and clerks of superior court. The AOC made a study of the state's small claims courts and began establishing preliminary criteria for a study of existing judicial circuit boundaries. The AOC developed a proposal for a study to provide an indication of the average amount of time elapsed between the major steps in the disposition of cases. The Administrative Office of the Courts also answered inquiries from court personnel and the public about statistical information available on the courts and their operations, and, on request, prepared limited impact studies for legislators.

Superior Court Clerk's Manual Review Committee

Chandler Bridges, *chairman*
Clerk of the Superior Court
DeKalb County
Decatur

Woodson Daniel
Clerk of the Superior Court
Pulaski County
Hawkinsville

Sandra Galloway
Clerk of the Superior Court
Polk County
Cedartown

Jack Graham
Clerk of the Superior Court
Cobb County
Marietta

Sara E. Taylor
Clerk of the Superior Court
Henry County
McDonough

William C. Watson
Clerk of the Superior Court
McDuffie County
Thomson

Probate Court Benchbook Committee

Judge W. Marion Guess, Jr., *chairman*
Probate Court of DeKalb County
Decatur

Judge Robert Cook
Probate Court of Chatham County
Savannah

Judge Vernon W. Duncan
Probate Court of Cobb County
Marietta

Judge Kathryn C. Gibbs
Probate Court of Clayton County
Jonesboro

Judge Floyd E. Propst
Probate Court of Fulton County
Atlanta

Judge Calvin M. Simpson
Probate Court of Baldwin County
Milledgeville

Judge J.B. Spears, Jr.
Probate Court of Monroe County
Forsyth

Judge William K. Stanley, Jr.
Probate Court of Bibb County
Macon

Probate Handbook Revision Committee

Judge Francis W. Allen, *chairman*
State Court of Bulloch County
Statesboro

Judge W. Marion Guess, Jr.
Probate Court of DeKalb County
Decatur

Ronald W. Hartley, Esq.
Atlanta attorney

John A. Nix, Esq.
Atlanta attorney

Judge Floyd E. Propst
Probate Court of Fulton County
Atlanta

Judge Calvin M. Simpson
Probate Court of Baldwin County
Milledgeville

Judge William K. Stanley, Jr.
Probate Court of Bibb County
Macon

Technical Assistance

The services the Administrative Office of the Courts provides, on request, directly in-

dividual courts often are in the form of technical assistance specifically tailored to each

court's needs. The courts of Georgia are able to draw on the knowledge and experience of

the AOC's specialists in such areas as records management, caseflow management, information systems, facilities, traffic courts and other areas. Because these services are available through the AOC, local courts are spared the expense of funding full-time positions to provide services that are usually needed only occasionally by an individual court. Projects involving technical assistance to courts in more than one particular area — such as the application of computer technology to the jury selection process — are coordinated among the AOC's specialists.

In the area of records management, the AOC last year continued its involvement with the introduction and implementation of model docket books for the state's superior, state, juvenile and probate courts. By the end of fiscal year 1979, the AOC had visited every county in Georgia to introduce the model dockets. Since the beginning of the model dockets project four years ago, 394 books have been ordered, with 204 currently in use. The first model docket book ordered by a county is provided at no charge to the county. Subsequent model docket books are provided to the courts at a cost of about \$70 — a savings to the courts of more than half the cost of the bound docket books traditionally used in many counties. When each model docket book is implemented, the AOC prepares a report outlining that court's records-keeping procedures and recommending improvements. The model docket project, which will be completed during the current fiscal year, has been funded by a series of grants from the Law Enforcement Assistance Administration.

Another major activity of the AOC in the records area during the past year has been its work on developing retention schedules for court records. An act of

the 1978 General Assembly removed the courts and their records from the retention requirements of the State Records Act and provided the Supreme Court of Georgia with a means to establish retention schedules for court records. This change had been requested to relieve clerks of the overcrowding of records which sometimes occurs in their offices and to comply with provisions of the Georgia Constitution which states that the administration of the judicial branch shall be provided by only the judicial branch itself. A Supreme Court order of November 22, 1978, provided the general procedure for developing court record retention schedules. The AOC prepared booklets abstracting the Court order and informing court personnel of the procedures which will be carried out before the Supreme Court rules on specific retention schedules. Retention schedules will establish, for the various types of court records, the time period each type of court records must be maintained by court personnel, taking into account the record's administrative, historical, fiscal and legal value. In preparation for developing specific retention schedules, the AOC made an inventory of the records of the superior and state courts in three counties. The procedure for establishing retention schedules for particular types of court records provides for notification of parties who might have an interest in these records. The AOC began developing proposed retention schedules for review by interested parties prior to their submission to the Supreme Court. Work in this area has been coordinated with the State Bar of Georgia, the Prosecuting Attorneys' Council and the Department of Archives and History.

The AOC during the past year surveyed a number of docketing systems in use around the state,

and this survey, along with the inventories of court records, provided a basis for assisting local courts, on request, in developing procedures to improve their case flow and docketing practices. Another type of technical assistance in the records area was the development of forms for use by clerks in handling certain records-keeping functions required by changes in the state's child custody laws. The AOC analyzed the impact of these statutory changes on the offices of clerks and suggested procedures for dealing with them. Sample forms were developed and distributed to superior court clerks to assist them with these requirements, and a uniform procedure for processing child custody matters was also suggested.

The AOC coordinated its efforts in the records and computer areas to provide assistance to the Georgia Council of Juvenile Court Judges in designing and implementing a statewide information system for the juvenile courts. The model docket book for the juvenile court includes a tear-out second sheet for each docket page which is forwarded to the Council of Juvenile Court Judges for computer entry of docket information. By the end of the fiscal year, the AOC had started data entry and had begun running some test reports. (See report of the Council of Juvenile Court Judges on page 66.)

Other technical assistance in applying computer technology to court operations was provided, particularly in conjunction with assistance in the area of jury management. At the beginning of fiscal year 1979, a 1978 statute became effective which expanded the geographical area within which a court can contract for computer services to automate its jury selection process. Particular assistance was provided to the ninth judicial administrative district in developing a multi-county, multi-

circuit automated jury selection system. Assistance in this area was also provided to a number of courts. Other systems assistance was provided to the Board of Court Reporting in developing and implementing computerized identification cards and permit renewal applications for certified court reporters.

In order to assist courts in increasing the efficient use of jurors and to help counties decrease the overall cost of jury trials, the AOC assisted courts in examining their current jury management practices and suggested improvements. Jury questionnaires were developed by the AOC and administered by the district court administrators to collect information on the views of judges about jury utilization and management as well as information from clerks of the superior courts on the current policies, procedures and mechanics of the jury system. From these questionnaires, the AOC was able to estimate, for the first time, the statewide costs for the use of jurors in the state, the number of jurors serving in the state and the length of time most jurors are required to serve. Other assistance in the jury area

included making available orientation films for grand and trial jurors to courts around the state on a loan basis. The AOC also developed a sample court order providing procedures required to automate the jury selection process. A number of model exit questionnaires for jurors designed to assist in identifying problems with local jury management problems were prepared for use by local courts.

Heavy demand for technical assistance in improving court facilities continued during fiscal year 1979. Technical assistance in various facilities improvements was provided to twenty-one counties for construction projects totaling \$7 million. Assistance in the facilities area included, in some cases, complete architectural services. Other types of assistance included the development of proposals for improvements to courtrooms and court offices, design of courtrooms, renovation plans for offices and assistance to local architects working on courthouse construction and renovation projects. Assistance was also provided to local officials in applying for funds for construction and renovation projects.

Technical assistance to traffic courts during the past year included assistance to several courts in improving their processing of cases and accountability for cases. The AOC continued to maintain and expand its lending library for traffic court judges. The AOC also continued to work with about fifty traffic courts in improving their reporting of convictions to the Department of Public Safety. Several surveys in the traffic court area were conducted during the past year, including a survey of bonds and fines to determine disparities among jurisdictions. A survey was made of other states to identify those states which have decriminalized minor traffic offenses. The AOC assisted the Judicial Council's Traffic Court Committee, which was first established in fiscal year 1979, to develop planning standards, minimum facility standards and a uniform docket for traffic courts.

The AOC also provided assistance in developing a proposal for instituting warrant and citation-tracking systems in a superior and a state court, as well as in other short-term projects.

Traffic Court Committee

Judge Francis W. Allen, *chairman*
State Court of Bulloch County
Statesboro

Judge Paul C. Armitage
State Court of Houston County
Warner Robins

Judge Pierre Boulogne
Athens-Clarke County Magistrate's
Court
Athens

Judge Isaac S. Jolles
Recorder's Court of Augusta
Augusta

Judge James B. O'Connor
Superior Court
Oconee Judicial Circuit
Eastman

Judge J.B. Spears, Jr.
Probate Court of Monroe County
Forsyth

Records Management Steering Committee

A.K. Johnson, *chairman*
Executive Director
Georgia Commission for the
National Bicentennial Celebration
Atlanta

Sara E. Taylor, *vice chairman*
Clerk of the Superior Court
Henry County
McDonough

Thomas S. Batchelor
Clerk of the Superior Court
Walton County
Monroe

Judge Herbert M. Crane, Jr.
Juvenile Court of Bartow County
Cartersville

Wanda T. Craven
Clerk of the Juvenile Court of
Cobb County
Marietta

Dr. Gerald Davis
Department of History
Georgia State University
Atlanta

John Dunn
Records Management Division
Georgia Department of Archives
and History
Atlanta

Chris Herndon
Crime Statistics Data Center
Atlanta

Judge P. Harris Hines
State Court of Cobb County
Marietta

Judge Asa D. Kelley, Jr.
Superior Court
Dougherty Judicial Circuit
Albany

Edgar W. Manseau
Deputy Director
Georgia Crime Information Center
Atlanta

Judge Marvin A. Miller
Superior Court
Clayton Judicial Circuit
Jonesboro

Joe B. Mundy
Clerk of the Superior and State Courts
Clayton County
Jonesboro

Francis Taillefer
National Center for State Courts
Southern Regional Office
Atlanta

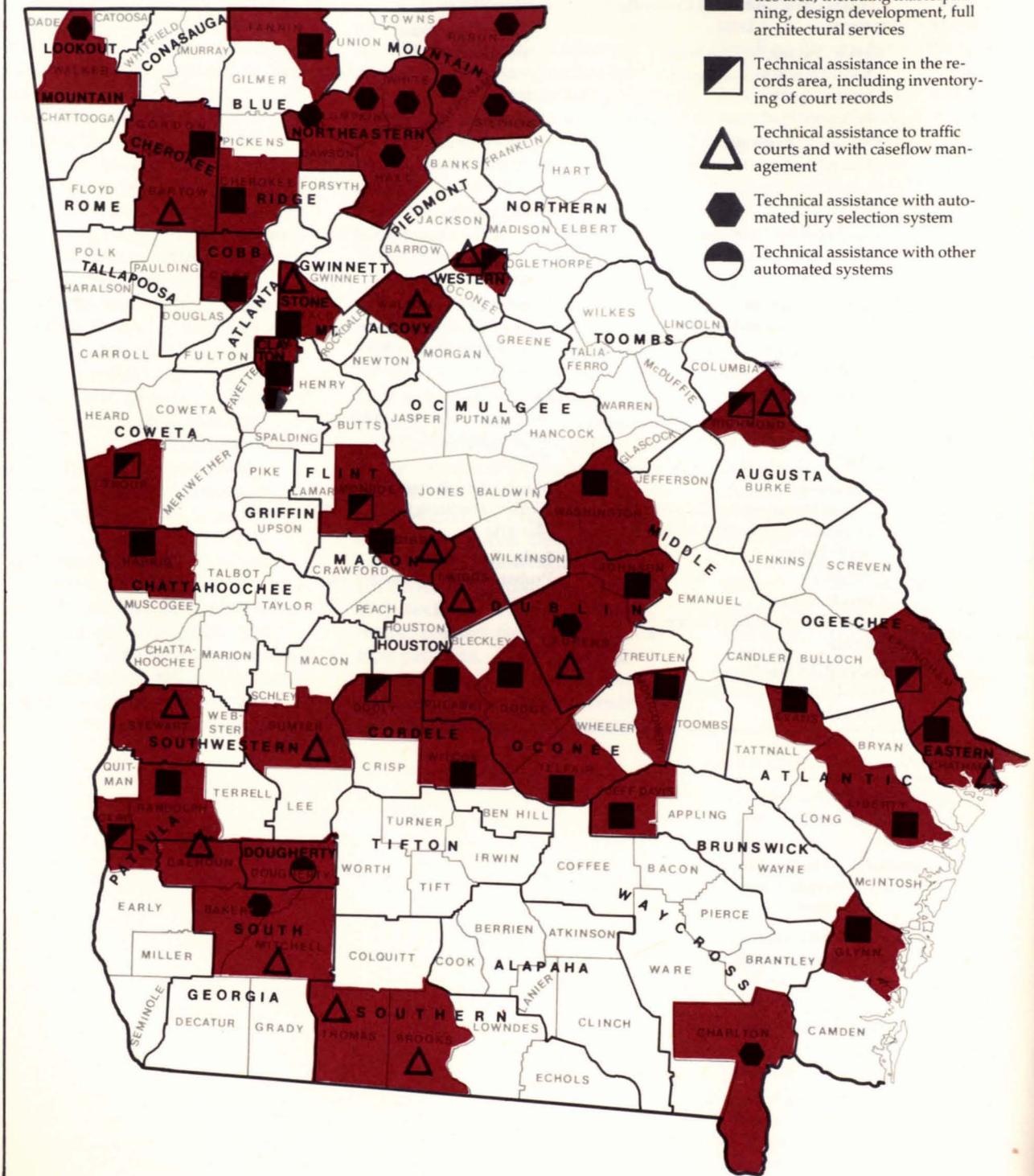
Jack E. Thompson
Superior Court Administrator
Atlanta Judicial Circuit
Atlanta

Martha Ann Watson
Clerk of the State Court of Cobb County
Marietta

Judge James F. White
Probate Court of Fayette County
Fayetteville

Technical Assistance

-  Technical assistance in the facilities area, including masterplanning, design development, full architectural services
-  Technical assistance in the records area, including inventorying of court records
-  Technical assistance to traffic courts and with caseflow management
-  Technical assistance with automated jury selection system
-  Technical assistance with other automated systems



AOC at a Glance

Administrative Districts

Accomplished during fiscal year 1979:

- Provided administrative support to the districts.
- Continued to assist the administrative judges in screening and employment of district court administrators.
- Continued to assist the district court administrators in determining and conducting projects.
- Coordinated efforts in collecting and compiling caseload data, including conducting a seminar on case-counting methodology.

In progress:

- Provide administrative support to administrative districts.
- Coordinate efforts in collecting and compiling caseload data.
- Work with districts in all areas of court administration and management.

To be accomplished:

- Continue to provide administrative support to districts.
- Coordinate complementary projects and activities.

Communications

Accomplished during fiscal year 1979:

- Issued five *Georgia Courts Journals*.
- Issued one *Annual Report*.
- Issued *Georgia Courts Directory*.
- Coordinated 140 printing projects for AOC and other judicial agencies.
- Issued 100 news releases.

In progress:

- Publication of *Georgia Courts Journal*.
- Issuance of news releases on activities of Judicial Council/AOC and other judicial agencies.
- Provide information about Judicial Council/AOC.

To be accomplished:

- *Georgia Courts Directory* for 1980.
- Continue publication of *Georgia Courts Journal*.
- Continue public dissemination of judicial branch information through news releases.
- Continue coordination of printing projects for AOC and other judicial branch agencies.

Court Reporting

Accomplished during fiscal year 1979:

- Administered two certification tests to court reporters.
- Suspended certificates of twenty-nine court reporters for failure to renew them.
- Issued identification cards to certified court reporters and reporters holding temporary permits.
- Continued operation of a referral service to put certified court reporters in touch with agencies or judges needing help.
- Updated *Handbook for Georgia Certified Court Reporters*.
- Conducted surveys of delays in transcript production and use of temporary permits.
- Provided assistance to the Georgia Certified Court Reporters Association in the form of printing and mailing of its quarterly newsletter.
- Prepared a directory of certified court reporters for printing.
- Assisted the Board of Court Reporting in preparing proposals for revising Court Reporting Act.
- Certified a total of 95 court reporters.

In progress:

- Proposals for revision of the Court Reporting Act.
- Continue implementation of identification cards and renewal request applications.
- Maintain the referral service for certified court reporters.
- Revision of the fee schedule.

To be accomplished:

- Continue testing and certification of court reporters.
- Continue aiding judiciary with court reporting-related problems.

Education

Accomplished during fiscal year 1979:

- Planned and implemented thirteen educational programs:
 - Two seminars for traffic court judges;
 - Six certification seminars for justices of the peace;
 - Two seminars for court administrators;

One seminar for superior court clerks;

One seminar for certified court reporters; and

One seminar for secretaries of superior court judges.

- Worked with the Institute of Continuing Judicial Education in reviewing plans for training seminars.
- Worked with the Institute of Continuing Judicial Education in preparing an application to the State Crime Commission for Law Enforcement Assistance Administration funds for training in 1980.
- Maintained a video-tape library for training of judges and court support personnel.
- Established centralized information center for justices of the peace and records for certification.
- Administered funds for reimbursements to seminar participants.

In progress:

- Continue to maintain video-tape library for training.
- Planning, scheduling educational seminars for fiscal year 1980.
- Working with the Institute of Continuing Judicial Education in developing a comprehensive training program.
- Continue to work with the Justice Courts Training Council in planning and implementing seminars for justices of the peace.

To be accomplished:

- Work with the Institute of Continuing Judicial Education in developing a comprehensive training program.
- Continue to plan and implement training activities.

Facilities

Accomplished during fiscal year 1979:

- Provided technical assistance to twenty-one counties, representing \$7 million in construction costs.
- Responded to requests in the facilities area from the State Bar of Georgia, American University and the National Rural Center.

In progress:

- Continue technical assistance to local

courts.

- Continue to monitor availability of funds for courts for facilities improvements.

To be accomplished:

- Technical assistance.
- Update inventory of courthouse facilities.
- Implement masterplan.

Fiscal Operations/Grants Management

Accomplished during fiscal year 1979:

- Administered nine block grants from the Law Enforcement Assistance Administration.
- Administered three grants from the Office of Highway Safety.
- Applied for five new grants for fiscal year 1979 (all were approved for funding).
- Administered state funds for eight judicial branch agencies.

In progress:

- Prepare and submit budgets for certain judicial agencies.
- Administer LEAA grant and state funds for district court administrators.
- Continue as fiscal officer for Judicial Qualifications Commission, Council of Juvenile Court Judges, Sentence Review Panel, Board of Court Reporting, Judicial Planning Committee, judicial administrative districts, Institute of Continuing Judicial Education and Georgia Justice Courts Training Council.
- Work with the Judicial Planning Committee in developing funding sources.

To be accomplished:

- Further grant administration.
- Continue to serve as fiscal officer for judicial agencies.
- Work with the Council of Superior Court Judges towards the possibility of assuming responsibility for the payroll of superior court judges.

Information Systems

Accomplished during fiscal year 1979:

- Monitored general statutes enacted by

the General Assembly for impact on the Statewide Judicial Information System as designed and tested.

- Revised the caseload reporting system for major courts of record and produced caseload reports.
- Completed design and assisted with implementation of the Statewide Juvenile Information System of the Council of Juvenile Court Judges.
- Designed and implemented identification card system and renewal application forms for certified court reporters for the Board of Court Reporting.
- Provided technical assistance to the Georgia Crime Information Center with court-related systems planning and with the design of a uniform arrest/booking form to permit data collection by the courts as well as by GCIC.
- Maintained names and addresses of about 4,000 persons and generated over 100,000 address labels for mailing.
- Revised name-and-address master file completely to bring information up to date.
- Maintained automated system for the projects and activities of AOC consultants.
- Designed and assisted with the implementation of an automated jury selection system in the ninth judicial administrative district.

In progress:

- Maintain master file of name-and-address index for all judicial personnel.
- Provide assistance to local courts in development of computer applications.
- Computerizing caseload data reports.

To be accomplished:

- Continue technical assistance.
- Assist the Council of Juvenile Court Judges with final implementation of the Statewide Juvenile Information System and with maintaining system.
- Maintain name-and-address files for all judicial system personnel.
- Revise caseload programs for fiscal year 1980 data collection.
- Update documentation on all systems.
- Continue efforts to obtain computer for the Council of Juvenile Court Judges' statistical system.
- Revise systems for Board of Court Reporting, consultant activities and mailing.

Juries

Accomplished during fiscal year 1979:

- Provided technical assistance in the computerization of jury selection in Walker and Baker counties, the Dublin Judicial Circuit and the ninth judicial administrative district.
- Distributed an orientation film for grand jurors and petit jurors to local courts.
- Completed *Jury Commissioners' Manual* and distributed this to all jury commissioners and superior court clerks.
- Provided technical assistance to courts in eleven counties.
- Drafted model court rules for judges to provide for computerization of jury selection process.
- Outlined steps in computerizing jury selection.
- Completed tabulation of statewide jury management questionnaires.

In progress:

- Technical assistance to counties in the areas of jury utilization, selection, orientation and management.

To be accomplished:

- Design of jury management standards.
- Continue technical assistance.

Juvenile Justice

Accomplished during fiscal year 1979:

- Revised and updated the Juvenile Court Judges Benchbook.
- Revised and updated the Juvenile Court Manual.
- Provided technical assistance in the records area to the Juvenile Court of Troup County.
- Provided technical assistance in the reorganization of the Juvenile Court of Richmond County.
- Assisted in the implementation of the model docket system.

In progress:

- Final work on implementing the statewide information system for juvenile courts.
- Continue to implement the model docket system around the state.

To be accomplished:

- Statewide use of the model docket.

- Production of uniform statistics for all juvenile courts.

Legislation

Accomplished during fiscal year 1979:

- Tracked court-related measures during 1979 Session of the General Assembly.
- Produced eleven issues of the *Judicial Legislative Log* during the 1979 General Assembly session.
- Recommended the creation of three additional superior court judgeships, two of which were created.
- Prepared budgets for some of the judicial agencies in the state.

In progress:

- Make recommendations for improvements in the courts to the General Assembly.
- Continue to provide information to committees of the General Assembly.
- Developing procedures for tracking court-related measures during 1980 General Assembly and for disseminating this information to judges and other court personnel.

To be accomplished:

- Continue legislative tracking.
- Continue production of *Judicial Legislative Log* during legislative session.

Planning

Accomplished during fiscal year 1979:

- Worked with the Judicial Planning Committee on the 1980 Courts Plan.

In progress:

- Work with the Judicial Planning Committee.

To be accomplished:

- Continue to work with the Judicial Planning Committee.

Records

Accomplished during fiscal year 1979:

- Since the beginning of the model dockets project, a total of 394 docket books have been ordered or implemented.
- Inventoried records of the superior and

state courts in Clarke, Dooly and Effingham counties.

- Began development of retention schedules for court records in conjunction with the State Bar of Georgia, the Prosecuting Attorneys' Council and the Department of Archives and History.
- Developed procedures and related forms to assist clerks in implementing new requirements of child custody laws.
- Conducted a survey of twenty-two probate courts to review their estate docketing and indexing systems.
- Developed alternative estate docket formats and instruction manuals for probate courts.
- Completed first section of *Clerk's Manual*.
- Provided technical assistance with records problems to courts in three counties.

In progress:

- Continued implementation of the model dockets program.
- Provide technical assistance to courts with records-keeping problems.
- Development of model court rules for implementation of uniform dockets.
- Development and implementation of retention schedules for court records.
- Distribution of *Clerk's Manual*.
- Development of other sections of *Clerk's Manual*.
- Testing feasibility of uniform consolidated estate docket and index.

To be accomplished:

- Continue to implement model dockets program.
- Continue to provide assistance to courts in solving records problems.
- Publish and distribute additional sections of *Clerk's Manual*.
- Implement a program of uniform records retention schedules for Georgia courts.
- Investigate alternatives to current records-keeping systems in an attempt to reduce the cost, space and personnel requirements.

Research

Accomplished during fiscal year 1979:

- Conducted statewide study regarding the need for additional superior court

manpower.

- Revised case-counting procedures and manual for 1980 caseload judgeship study.
- Answered numerous technical assistance requests for caseload and salary data, judicial legislation information, budget information and other information currently on file in the AOC.
- Completed and distributed annual judgeship study.
- Coordinated caseload counting with the districts.
- Conducted salary survey of superior, state and probate judges; clerks; and court reporters.
- Completed and distributed *Probate Judge's Handbook*.
- Completed and distributed *Probate Court Benchbook*.
- Completed and distributed Caseload Summary Report for years 1971-1977.
- Completed proposal for a study of average disposition times and of the time intervals between major steps in case processing in the superior courts.
- Completed a study of Georgia's small claims courts.
- Established preliminary criteria for circuit boundary study.
- Prepared, on request, impact studies concerning certain state courts.
- Developed methodology for a revised system of caseload weights and conducted a related survey.

In progress:

- Study of open caseload in the superior courts.
- Comparison of acts establishing state courts.

To be accomplished:

- Study of circuit boundaries.
- Study of disposition times and time intervals between major steps in case processing in the superior courts.
- Prepare updated Caseload Summary Report which compares caseload data and other information from January 1, 1971, through fiscal year 1979.
- Answer requests for information for caseload, salary and other data on file in the AOC.
- Conduct judgeship study.
- Conduct salary survey.

Traffic/Caseflow

Accomplished during fiscal year 1979:

- Provided technical assistance in improving case processing and accountability to individual courts in these counties: Richmond, Calhoun and Thomas; and these cities: Augusta, Macon, Camilla, Avondale Estates, Loganville and Quitman.
- Prepared a proposal for implementing warrant- and citation-tracking systems in the superior and state courts in Laurens County.
- Worked with Judicial Council's Traffic Court Committee on traffic court planning standards, minimum facility standards and traffic docket.
- Worked with approximately fifty courts to improve reporting of traffic case convictions to the Department of Public Safety.
- Held one traffic court seminar with fifty-two judges attending.
- Conducted a statewide conference on traffic adjudication with seventy-three judges attending.
- Conducted a bond and fine survey to determine jurisdictional disparities.
- Updated, expanded and distributed traffic court manual.
- Completed survey of all the state's traffic courts, and, as one result, prepared and distributed a Georgia traffic courts directory.
- Conducted a survey of states which have decriminalized minor traffic offenses.
- Expanded and continued to maintain lending library for traffic court judges.

In progress:

- Implementation of caseflow management practices in courts of general and limited jurisdiction.
- Assistance in establishing alternative calendaring practices in courts of general and limited jurisdiction.
- Assistance to local court personnel in improving the operation of individual traffic courts.
- Continued planning for improving traffic courts.

To be accomplished:

- Continue assistance in caseflow management.
- Continue assistance in instituting warrant-tracking procedures and improv-

- ing calendaring practices.
- Continue technical assistance in traffic court administration.
 - Implement traffic docket in state and probate courts.



Fayette County Courthouse

The Courts

During the past fiscal year, judicial reform was an issue that provoked much discussion and comment by judges and other court officials in the state. To a certain extent, this issue provided the judiciary of the state an opportunity to begin to identify just what constitutes Georgia's judicial system and to advance ideas about how it can be improved — whether through a single, system-wide restructuring or by a number of individual efforts aimed at particular aspects of the court system. Although many different ideas and points of view about how the court system should — or should not — be structured were aired, the discussions about judicial reform sustained a continuing interest in improving the court system.

A number of changes did occur in the judicial branch during fiscal year 1979. Many of these changes required the enactment of legislation by the General Assembly, particularly to provide funding for certain functions and agencies within the judicial branch. Other changes came about through orders of the Supreme Court of Georgia, and changes on the local level to improve the administration of justice were generally conceived and carried out by local court officials, with assistance provided on request by the Administrative Office of the Courts and the district court administrators. The Judicial Planning Committee, through its annual plan and action programs, made funding available for several types of court improvement programs. The General Assembly made some changes to the court system, creating a number of new judgeships and courts during the 1979 session. It established two superior court judgeships, one state court judgeship and additional judgeships for two existing inferior courts. Fourteen small claims courts and three local courts of limited jurisdiction were also established by the 1979 General Assembly. Supreme Court orders made some changes on the state level, with an order issued just before fiscal year 1979 bringing the Judicial Council of Georgia/Administrative Office of the Courts under the administrative umbrella of the Court. Another order, effective at the end of the fiscal year, made the Institute of Continuing Judicial Education another administrative arm of the Court.

A convocation of the state's judiciary, sponsored by the Institute, drew over two hundred judges from many courts around

the state to discuss the issue of judicial revision. The convocation, which was held in Athens in September 1978, was the first such statewide meeting of judges from various jurisdictions. Special attention was given to a proposed judicial article for the State Constitution which had been drafted by the Committee to Revise the Judicial Article, a committee of the Governor's Select Committee on Constitutional Revision. The thoughtful and sometimes intense reaction from the judges of the state's four major trial courts to the proposed draft, which would have drastically streamlined and restructured the court system, demonstrated a need for a more gradual approach. The evidence of the past year shows progress toward improving the court system on many levels, including the growing acceptance of and use of services provided through the judicial administrative districts and the Administrative Office of the Courts. Plans for another judicial convocation — this one to consider judicial reform from a different perspective, one based on the existing court structure and functions — were being made at the close of the fiscal year.

Several developments last year in the area of judicial education resulted primarily from actions of the state legislature. For the first time, during fiscal year 1979, the Institute of Continuing Judicial Education — in its second full year of operation — was partially funded by state monies. The 1979 General Assembly continued the appropriation of state funds for the Institute, for its operations during the current year. The 1979 General Assembly also designated funds, both in the supplemental appropriation for fiscal year 1979 and in the general appropriation act for fiscal year 1980, for judges with less than five years' experience to attend the National Judicial College.

An important enactment of the 1978 General Assembly in the area of education gave superior court judges, for the first time, clear authority to accept reimbursement from state funds for expenses incurred while attending educational seminars and workshops. This act, which became effective July 1, 1978, limits the number of educational days for which judges can be reimbursed to five per year. A measure to remove some of the restrictions of this act was considered and passed in the next session, but with such modification that the bill's sponsors and the Council of Superior

Court Judges agreed with the governor's decision to veto the measure.

The first mandatory training requirements for any of the state's judges became effective in the past fiscal year. The 1978 General Assembly established the Georgia Justice Courts Training Council and set minimum educational requirements for justices of the peace. The act — No. 977 — requires that justices of the peace must successfully complete a certain number of hours of training in order to be certified and thereby be eligible to accept fees for the services they perform. However, the 1978 legislature did not provide funds for implementation of this act. The training council, with funds provided by the governor's office, a supplemental appropriation from the 1979 General Assembly and tuition fees paid by justices of the peace, conducted six training seminars before the end of the year to certify over four hundred justices of the peace.

In addition to enacting laws affecting the courts and the court system, recent sessions of the legislature have also provided funding for court functions and agencies besides those for continuing education. The state appropriation for the operation of the judicial branch during fiscal year 1979 marked the first time that the judiciary's share was more than one-half of one per cent of the entire state budget. For fiscal year 1979, the judicial branch received 0.58 per cent of the nearly \$2.5 billion state budget. This appropriation included first-time state funding for the operation of the judicial administrative districts, which had been funded by federal grants for their first two years. The initial state funding began on October 1, 1978, when the federal grant money was no longer available for this purpose, and continued through the remaining nine months of fiscal year 1979. The 1979 legislature continued the state funding of the districts, but, because it based its funding level on the previous year's appropriation for nine months' operation, the amount provided for fiscal year 1980 is only sufficient for another nine months' operation.

Also included in the state appropriations for fiscal years, 1979 and 1980 are funds for the Council of Superior Court Judges to revise and update the pattern jury instructions and to develop a benchbook for superior court judges. The appropriation to the Council of Juvenile Court Judges for

fiscal years 1979 and 1980 included funds for developing and implementing a computerized system to compile statistics on the operations of the juvenile courts.

The 1979 General Assembly passed the Indigent Defense Act of 1979, establishing the Georgia Indigent Defense Council and creating a statewide indigent defense system administered on the local level, effective later in the year. The legislature also provided some initial funding for implementing this act.

The most recent session of the legislature provided for 5.5 per cent cost-of-living salary increases for judges of the Supreme Court, Court of Appeals and the superior courts; for district attorneys; and for secretaries of superior court judges and district attorneys. The secretaries were also provided an additional 3 per cent increase, to be effective January 1, 1980. A new salary schedule for assistant district attorneys providing for initial and future increases was another product of the last legislative session.

Some changes affecting actual court proceedings were also provided by recent statutes. A number of jury-related measures were enacted by the 1978 General Assembly, and most of these became effective at the beginning of fiscal year 1979. Among these was a measure to permit counties to contract for services to provide electronic selection of jurors within the judicial administrative district, rather than just within the judicial circuit, as was previously the law. This act, in effect, gives counties greater access to those companies and agencies which can provide computerized systems for jury selection. Another act requires that the judge administer an oath to jurors to ensure truthful answers to questions asked during voir dire. The first act passed by the 1979 General Assembly modified a year-old statute to strike the requirement that 50 per cent of a county's upright and intelligent citizens be included in a county's jury box. The earlier statute had significantly increased the minimum proportion of a county's population to be qualified as prospective jurors, which would require the expenditure of additional county funds to qualify more jurors without providing appreciable additional benefits.

The actual day-to-day business of the four major trial courts in the state during the past year is shown in statistical form on

the following pages. The statistics on the judicial workloads of the principal courts of record presented in this report cover the period from July 1, 1978 to June 30, 1979. These statistics were compiled by the AOC from reports submitted by the district court administrators and temporary assistants provided by the AOC. The Administrative Office of the Courts also furnished forms, methodology and other assistance.

Appellate Courts

Georgia's primary appellate structure is formed by the Supreme Court and the Court of Appeals.

The state's highest appellate court — the Supreme Court of Georgia — has seven justices, with one member elected to serve as chief justice. The Court hears cases on appeals from the superior courts, the state courts, the juvenile courts and the city courts of Atlanta and Savannah and other similar courts, during its three terms of court each year. The Supreme Court also considers cases brought from the Court of Appeals by certiorari, as well as questions on which the Court of Appeals is equally divided.

By provision of the State Constitution, the Supreme Court has no original jurisdiction, but is a court solely for the trial and correction of errors of law from specified trial courts (1) in all cases that involve the construction of the Constitution of the State of Georgia or of the United States, or of treaties between the United States and foreign governments; (2) in all cases in which the constitutionality of any law of the State of Georgia or of the United States is drawn in question; (3) in all cases respecting title to land; (4) in all equity cases; (5) in all cases which involve the validity of or the construction of wills; (6) in

all cases of conviction of a capital felony; (7) in all habeas corpus cases; (8) in all cases involving extraordinary remedies; (9) in all divorce and alimony cases; and (10) in all cases certified to it by the Court of Appeals for its determination.

The Supreme Court has inherent power to make such orders as are necessary to preserve its jurisdiction, such as granting supersedeas and giving direction to trial courts.

The Court of Appeals has nine judges, who sit in three divisions of three judges each. The judges elect a chief judge who presides over the first of the three divisions of the court. Presiding judges for the other two divisions are designated by the chief judge. The Court of Appeals is vested with jurisdiction to correct errors on appeal from the same lower courts from which appeals lie to the Supreme Court, but only in those cases wherein jurisdiction is not conferred on the Supreme Court.

The Supreme Court announced, before the end of the fiscal year, the adoption of new rules to become effective August 1, 1979. The new rules make a number of changes, including allowing the Court to affirm without opinion many of the cases it is asked to review. The new rules also change proce-

dures for applying for a writ of certiorari, trim the size of briefs both in length and paper size and spell out a new formula for putting cases on the calendar for oral arguments. The rules also include new requirements designed to expedite the movement of trial court transcripts and records to the appellate courts.

The Supreme Court last year also continued its two-year-old project of permitting television and radio news and photographic coverage of judicial proceedings in its courtroom and in those trial courts in the state whose plans for such coverage have been approved by the Court. The consent of the presiding judges and the parties involved is also required before such coverage is permitted.

During the past fiscal year, the Supreme Court adopted new bar admission rules effective December 20, 1978. These rules govern the educational requirements for admission to the Georgia bar and set new standards and procedures for the approval of law schools. These new rules and standards are aimed at reducing the failure rate of candidates taking the state bar examination, and the changes in the rules were recommended by the State Board of Bar Examiners as a result of a court-ordered study of the edu-

cational standards for admission to the Georgia bar. The rules require that law schools that are not accredited by the American Bar Association or the American Association of Law Schools and which desire that their graduates be permitted to take the Georgia bar examination must meet certain standards for classroom hours and for law libraries.

A measure enacted by the 1979 General Assembly pro-

vides that, effective July 1, 1979, the Supreme Court may hear oral argument at places other than the seat of government, with reasonable notice of hearings outside Atlanta required.

The Supreme Court of Georgia, which continued during the past year to be one of the busiest courts of last resort in the nation, reviewed a total of 1,415 cases. This figure includes applications for certiorari, interlocutory appeals and applications for certifi-

cates of probable cause to appeal denial of writ of habeas corpus. The Supreme Court Justices issues 646 opinions for the 1979 court year (September 1978 to August 1979).

During fiscal year 1979, 1,969 cases were docketed in the Court of Appeals. Of this number, 237 cases were withdrawn or transferred to the Supreme Court. The judges of the Court of Appeals wrote 1,732 opinions during this period.

Superior Courts

The superior court is Georgia's general jurisdiction court, and the superior court operates out of each county in the state in judicial circuits of varying sizes and populations. As of June 30, 1979, there were 104 superior court judges in Georgia's forty-two judicial circuits.

The number of superior court judges in each circuit varies from a single judge in nine circuits to eleven judges in the state's most populous circuit — Atlanta. The geographical size of the circuits also varies greatly, with the circuits in several metropolitan areas comprised of a single county. The largest circuit is the Ocmulgee Judicial Circuit which is comprised of eight counties in middle Georgia. State law requires court to be held in each county in the state at least twice each year.

Superior court judges are elected for four-year terms, except in the Atlanta Judicial Circuit where the terms are for eight years. Vacancies created by death or resignation are filled by gubernatorial appointment.

The superior court has exclusive constitutional trial jurisdiction in cases of divorce, criminal cases in which the sentence may be death or imprisonment in the

penitentiary and in cases concerning title to land and equity.

The superior court is also empowered to correct errors of lower courts by writ of certiorari. Other exclusive jurisdiction of the superior court includes such matters as declaratory judgments, habeas corpus, mandamus, quo warranto and prohibition, and any other jurisdiction authorized by statute.

Two new superior court judgeships were created by the 1979 General Assembly upon the recommendation of the Judicial Council. New judgeships in the Eastern and Ocmulgee circuits were filled by appointment by the governor before the end of the fiscal year. The General Assembly also considered a bill to add a judgeship, upon Judicial Council recommendation, to the Toombs Judicial Circuit, but this measure was still pending at the close of the session.

Three judgeships created by the 1978 General Assembly, also upon the recommendation of the Judicial Council, were filled during fiscal year 1979. The 1978 act creating an additional judgeship for the Lookout Mountain Judicial Circuit provided an effective date of November 1, 1978. The judgeship created for

the Cobb Judicial Circuit was filled by election in November 1978, with the term of the new judge beginning January 1, 1979. The judgeship added to the Ogeechee Judicial Circuit became effective when the governor appointed a judge in November 1978.

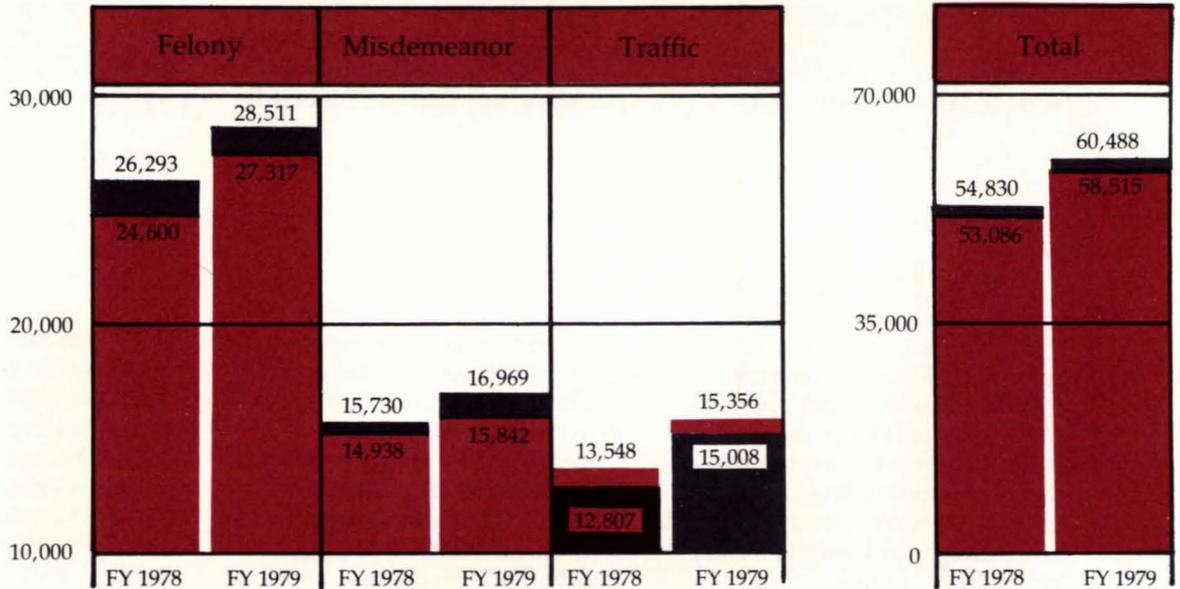
Superior Court Caseload — Statewide Totals

(Docket Entries)

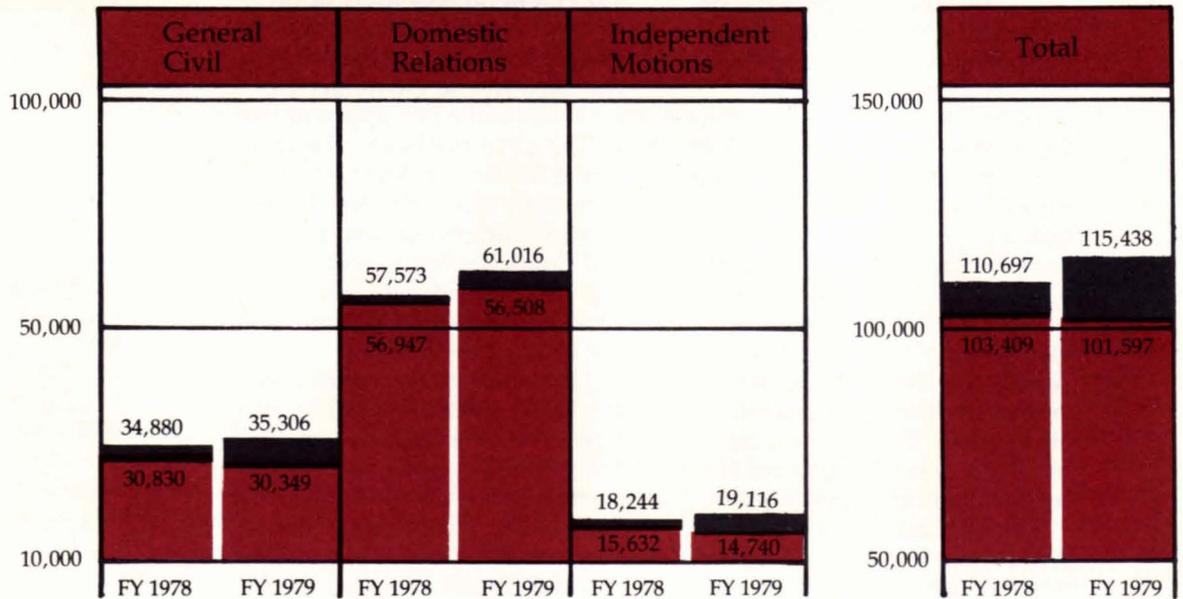
Key:

Cases Filed Cases Disposed

Criminal



Civil



Average Caseload Per Superior Court Judge*

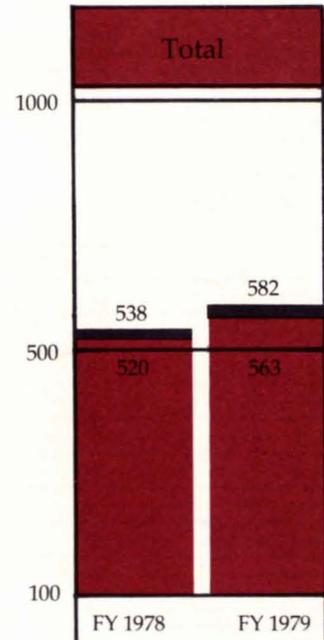
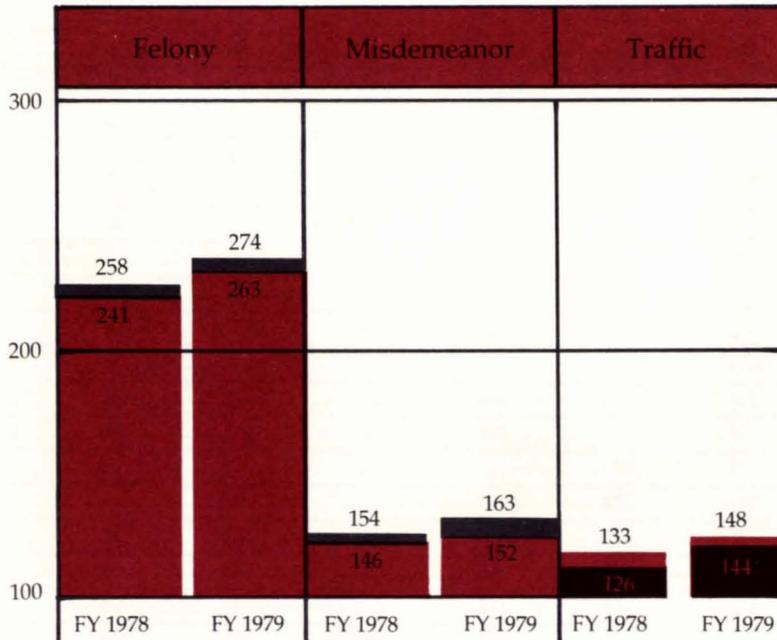
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Fiscal Year 1979**

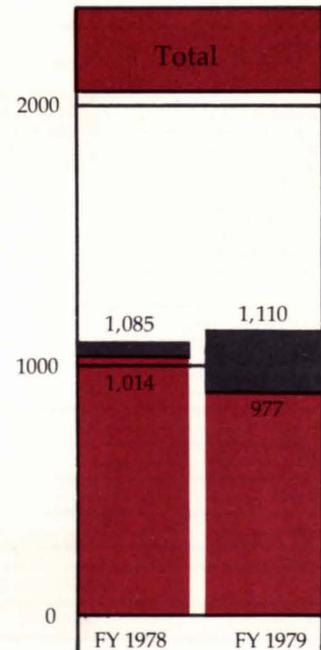
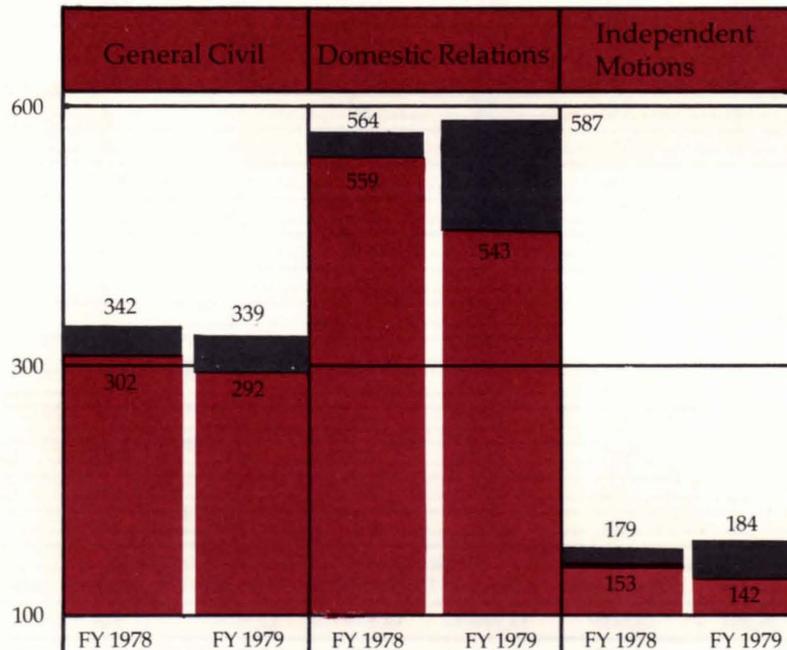
Key:

Cases Filed  Cases Disposed 

CRIMINAL



CIVIL



*Based on 104 superior court judges.

**Figures do not include the juvenile caseload of the superior courts.

Total Superior Court Caseload by Filing Type: FY 1979

(Docket Entries)

Circuit	Criminal							
	Felony		Misdemeanor		Traffic		Total Criminal	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Alapaha	571	385	1,085	854	2,021	1,900	3,677	3,139
Alcovy	450	372	591	463	107	97	1,148	932
Atlanta	4,450	4,459	8	9	0	0	4,458	4,468
Atlantic	448	360	128	95	1,617	1,613	2,193	2,068
Augusta	587	597	281	267	36	28	904	892
Blue Ridge	482	481	806	780	511	495	1,799	1,756
Brunswick	361	308	219	146	11	10	591	464
Chattahoochee	1,689	1,961	573	501	238	224	2,500	2,686
Cherokee	693	587	1,471	1,380	5,723	6,420	7,887	8,387
Clayton	709	610	4	16	6	4	719	630
Cobb	1,910	2,083	144	146	14	13	2,068	2,242
Conasauga	459	381	399	403	147	151	1,005	935
Cordele	190	208	829	806	52	43	1,071	1,057
Coweta	651	641	160	158	190	202	1,001	1,001
Dougherty	625	597	5	11	0	0	630	608
Dublin	302	350	28	47	0	0	330	397
Eastern	1,613	1,585	0	0	0	31	1,613	1,616
Flint	214	266	284	277	40	53	538	596
Griffin	486	437	370	341	326	289	1,182	1,067
Gwinnett	443	375	4	5	1	1	448	381
Houston	281	274	2	2	0	0	283	276
Lookout Mountain	776	597	940	980	210	184	1,926	1,761
Macon	1,148	1,057	165	168	60	51	1,373	1,276
Middle	422	371	2	2	0	1	424	374
Mountain	181	152	174	185	80	85	435	422
Northeastern	474	433	344	369	622	537	1,440	1,339
Northern	269	245	654	609	106	148	1,029	1,002
Ocmulgee	750	687	1,037	948	242	219	2,029	1,854
Oconee	312	356	665	619	343	355	1,320	1,330
Ogeechee	336	327	28	34	17	27	381	388
Pataula	361	312	459	365	35	29	855	706
Piedmont	157	156	255	260	364	368	776	784
Rome	350	341	1,790	1,814	128	116	2,268	2,271
South Georgia	658	579	152	159	28	24	838	762
Southern	698	583	311	316	5	5	1,014	904
Southwestern	160	209	57	56	2	2	219	267
Stone Mountain	1,852	1,699	83	52	31	22	1,966	1,773
Tallapoosa	513	554	940	884	407	459	1,860	1,897
Tifton	308	168	172	170	39	17	519	355
Toombs	302	252	786	638	913	805	2,001	1,695
Waycross	432	354	377	339	286	286	1,095	979
Western	438	568	187	168	50	42	675	778
Statewide Totals	Felony		Misdemeanor		Traffic		Total Criminal	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
FY 1978	26,293	24,600	15,730	14,938	12,807	13,548	54,830	53,086
FY 1979	28,511	27,317	16,969	15,842	15,008	15,356	60,488	58,515
FY 1979 Average Per Judge*	274	263	163	152	144	148	582	563

*Based on 104 superior court judges.

Civil									
General Civil		Domestic Relations		Independent Motions		Total Civil		Total Caseload	
Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
445	340	461	344	199	78	1,105	762	4,782	3,901
572	442	654	548	411	319	1,637	1,309	2,785	2,241
4,230	3,649	6,649	6,398	1,191	939	12,070	10,986	16,528	15,454
648	732	1,080	1,073	274	354	2,002	2,159	4,195	4,227
924	772	3,185	2,572	719	586	4,828	3,930	5,732	4,822
513	426	1,076	1,140	245	235	1,834	1,801	3,633	3,557
827	529	1,628	1,450	629	450	3,084	2,429	3,675	2,893
1,030	569	3,050	1,871	604	321	4,684	2,761	7,184	5,447
852	810	969	976	560	488	2,381	2,274	10,268	10,661
810	680	2,549	2,429	560	893	3,919	4,002	4,638	4,632
1,079	786	4,099	3,694	536	537	5,714	5,017	7,782	7,259
1,013	912	1,393	1,432	673	597	3,079	2,941	4,084	3,876
429	422	477	460	205	155	1,111	1,037	2,182	2,094
1,080	853	1,574	1,421	715	408	3,369	2,682	4,370	3,683
423	466	1,239	1,266	337	210	1,999	1,942	2,629	2,550
565	371	450	385	239	115	1,254	871	1,584	1,268
535	428	2,204	1,935	1,033	657	3,772	3,020	5,385	4,636
876	749	651	563	366	286	1,893	1,598	2,431	2,194
731	594	1,245	1,150	373	309	2,349	2,053	3,531	3,120
524	481	1,764	1,672	535	523	2,823	2,676	3,271	3,057
285	299	927	827	220	137	1,432	1,263	1,715	1,539
877	879	1,539	1,582	480	84	2,896	2,545	4,822	4,437
920	751	2,060	1,841	498	369	3,478	2,961	4,851	4,237
539	477	1,005	800	291	154	1,835	1,431	2,259	1,805
527	539	703	763	339	331	1,569	1,633	2,004	2,055
755	819	964	1,058	528	529	2,247	2,406	3,687	3,745
585	506	606	536	347	297	1,538	1,339	2,567	2,341
844	690	787	687	498	322	2,129	1,699	4,158	3,553
683	623	562	556	237	133	1,482	1,312	2,802	2,642
714	676	676	614	204	138	1,594	1,428	1,975	1,816
420	483	401	404	138	93	959	980	1,814	1,686
512	551	481	581	245	186	1,238	1,318	2,014	2,102
1,106	1,052	871	880	728	477	2,705	2,409	4,973	4,680
508	593	637	678	203	166	1,348	1,437	2,186	2,199
865	655	1,924	1,693	482	346	3,271	2,694	4,285	3,598
544	533	450	492	200	143	1,194	1,168	1,413	1,435
2,463	2,276	5,573	6,017	1,430	1,227	9,466	9,520	11,432	11,293
2,078	1,308	1,340	970	481	251	3,899	2,529	5,759	4,426
559	459	743	725	348	203	1,650	1,387	2,169	1,742
304	229	405	325	222	161	931	715	2,932	2,410
512	387	1,159	920	262	217	1,933	1,524	3,028	2,503
600	553	806	780	331	316	1,737	1,649	2,412	2,427
General Civil		Domestic Relations		Independent Motions		Total Civil			
Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions		
34,880	30,830	57,573	56,947	18,244	15,632	110,697	103,409	FY 1978	
35,306	30,349	61,016	56,508	19,116	14,740	115,438	101,597	FY 1979	
339	292	587	543	184	142	1,110	977	FY 1979 Average Per Judge*	

State Courts

The business of Georgia's state courts was handled by seventy-seven state court judges operating in courts in sixty-one counties during fiscal year 1979. Of these positions, forty-nine are part-time judgeships. In addition, there are three county courts with partial state court jurisdiction.

The 1979 General Assembly created an additional judgeship for the State Court of Clayton County, bringing to two the number of judges of this court. This judgeship did not become

effective, however, until July 1, 1979.

The state courts exercise jurisdiction within the counties in which they are located concurrent with the superior courts of these counties, except for jurisdiction in those matters vested exclusively in the superior courts and other limitations. State court judges are empowered to hear and dispose of all civil cases or proceedings of whatever nature, whether these arise ex contractu or ex delicto, except in ex delicto action where

the original act creating the state court or any amendment to this act limits certain jurisdiction under the common law or by statute.

The state courts have criminal jurisdiction over all misdemeanor cases but not felony cases. The defendant in criminal proceedings in state court does not have the right to indictment by the grand jury of the county. State court judges in Appling, Carroll, Coweta, Houston, Jackson and Polk counties also exercise juvenile court jurisdiction.

State Court Caseload by Filing Type: FY 1979

(Docket Entries)

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Appling	201	419	826	957	21	5	3	2	1,051	1,383
Baldwin*	1,738	1,736	2,775	2,774	1	1	0	0	4,514	4,511
Bibb	3,489	3,307	2,373	2,238	551	554	107	86	6,520	6,185
Bryan	120	120	3,703	3,703	46	13	13	3	3,882	3,839
Bulloch	960	968	4,149	3,961	247	148	124	94	5,480	5,171
Burke	282	282	2,700	2,700	60	39	49	41	3,091	3,062
Candler	75	68	2,026	1,804	18	15	3	2	2,122	1,889
Carroll	1,016	779	3,685	3,291	613	511	176	40	5,490	4,621
Chatham	2,212	2,133	1,537	1,481	3,002	1,861	1,442	790	8,193	6,265
Cherokee**	1,211	1,146	4,281	4,177	528	417	100	47	6,120	5,787
Clarke	360	263	190	133	169	155	97	122	816	673
Clayton	3,171	2,920	11,389	10,697	4,077	2,841	1,134	584	19,771	17,042
Clinch	173	173	1,008	1,008	3	3	0	0	1,184	1,184
Cobb	5,973	4,645	21,697	20,996	6,795	5,198	3,522	2,819	37,987	33,658
Coffee	904	599	2,156	1,895	70	53	20	11	3,150	2,558
Colquitt	835	786	1,763	1,776	51	25	12	4	2,661	2,591
Coweta	1,462	1,558	5,372	4,597	422	389	125	41	7,381	6,585
Decatur	883	1,038	1,862	1,954	15	6	12	10	2,772	3,008
DeKalb***										
Dougherty	3,888	3,313	4,644	3,875	1,374	1,223	2,522	1,939	12,428	10,350
Early	335	407	573	781	25	27	8	4	941	1,219
Echols*	17	17	376	376	0	0	0	0	393	393
Effingham	0	0	1,718	1,653	66	44	7	4	1,791	1,701
Elbert	362	393	810	811	26	20	26	23	1,224	1,247
Emanuel	754	567	2,972	2,675	70	43	31	13	3,827	3,298
Evans	8	4	856	843	32	25	46	35	942	907
Forsyth**	889	796	1,640	1,525	271	240	64	56	2,864	2,617

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Fulton	7,859	8,016	16,704	16,552	43,441	48,671	35,839	38,726	103,843	111,965
Glynn	1,924	1,820	8,258	7,152	1,215	1,024	1,351	1,102	12,748	11,098
Grady	301	280	1,637	1,784	17	20	6	2	1,961	2,086
Gwinnett	2,567	2,245	725	809	2,554	1,904	1,001	788	6,847	5,746
Habersham	811	737	994	994	80	78	42	34	1,927	1,843
Hall	2,472	2,072	6,080	5,725	743	674	241	213	9,536	8,684
Houston	1,874	1,542	7,043	5,838	789	578	295	230	10,001	8,188
Jackson	363	369	3,890	3,520	133	90	65	41	4,451	4,020
Jefferson	474	477	2,001	2,005	43	39	24	15	2,542	2,536
Jenkins	102	156	467	471	26	20	9	6	604	653
Johnson	16	18	212	297	11	9	4	1	243	325
Laurens	301	205	7,599	7,194	248	187	85	12	8,233	7,598
Liberty	1,052	994	11,509	11,553	59	36	21	7	12,641	12,590
Long	63	69	1,436	1,442	7	7	1	1	1,507	1,519
Lowndes	2,013	1,752	11,939	11,753	130	94	30	17	14,112	13,616
Macon	175	135	915	1,042	61	54	26	28	1,177	1,259
Miller	98	104	689	688	4	3	5	2	796	797
Mitchell	382	320	1,187	1,175	5	2	6	1	1,580	1,498
Muscogee	4,490	4,893	4,798	5,240	721	351	34	10	10,043	10,494
Pierce	270	212	1,005	947	29	21	5	3	1,309	1,183
Polk	204	120	1,711	1,580	260	197	69	22	2,244	1,919
Putnam*	267	267	1,479	1,479	0	0	0	0	1,746	1,746
Richmond	6,688	4,592	13,124	11,145	158	98	17	17	19,987	15,852
Screven	188	163	1,766	1,752	29	41	4	2	1,987	1,958
Spalding	856	715	2,827	2,549	65	37	12	6	3,760	3,307
Stephens	327	176	772	724	51	53	21	13	1,171	966
Sumter	852	653	1,486	1,430	112	108	168	57	2,618	2,248
Tattnall	143	137	2,000	2,060	42	28	14	10	2,199	2,235
Thomas	354	354	2,248	2,248	50	13	11	8	2,663	2,623
Tift	1,180	966	8,153	8,799	144	134	18	8	9,495	9,907
Toombs	771	627	1,250	922	22	14	14	8	2,057	1,571
Treutlen	156	125	2,119	1,797	17	14	7	1	2,299	1,937
Troup	1,155	1,145	1,557	1,583	135	74	83	20	2,930	2,822
Walker	678	600	1,778	1,816	37	28	31	16	2,524	2,460
Ware	1,151	1,064	1,981	1,841	207	214	36	25	3,375	3,144
Washington	568	509	368	366	4	5	3	1	943	881
Wayne	341	312	1,018	1,072	61	36	4	3	1,424	1,423
Worth	410	127	1,769	1,616	11	12	0	0	2,190	1,755
Statewide Totals****	Misdemeanor		Traffic		General Civil		Independent Motions		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
FY 1978	65,653	61,165	166,834	158,565	73,608	70,870	47,682	44,206	353,777	334,806
FY 1979	75,214	67,505	223,575	213,641	70,274	68,824	49,245	48,226	418,308	398,196

* County courts.

** Although there is a single state court serving both Cherokee and Forsyth counties, the caseload has been presented separately for each county.

*** Caseload data for the State Court of DeKalb County was not available at press time.

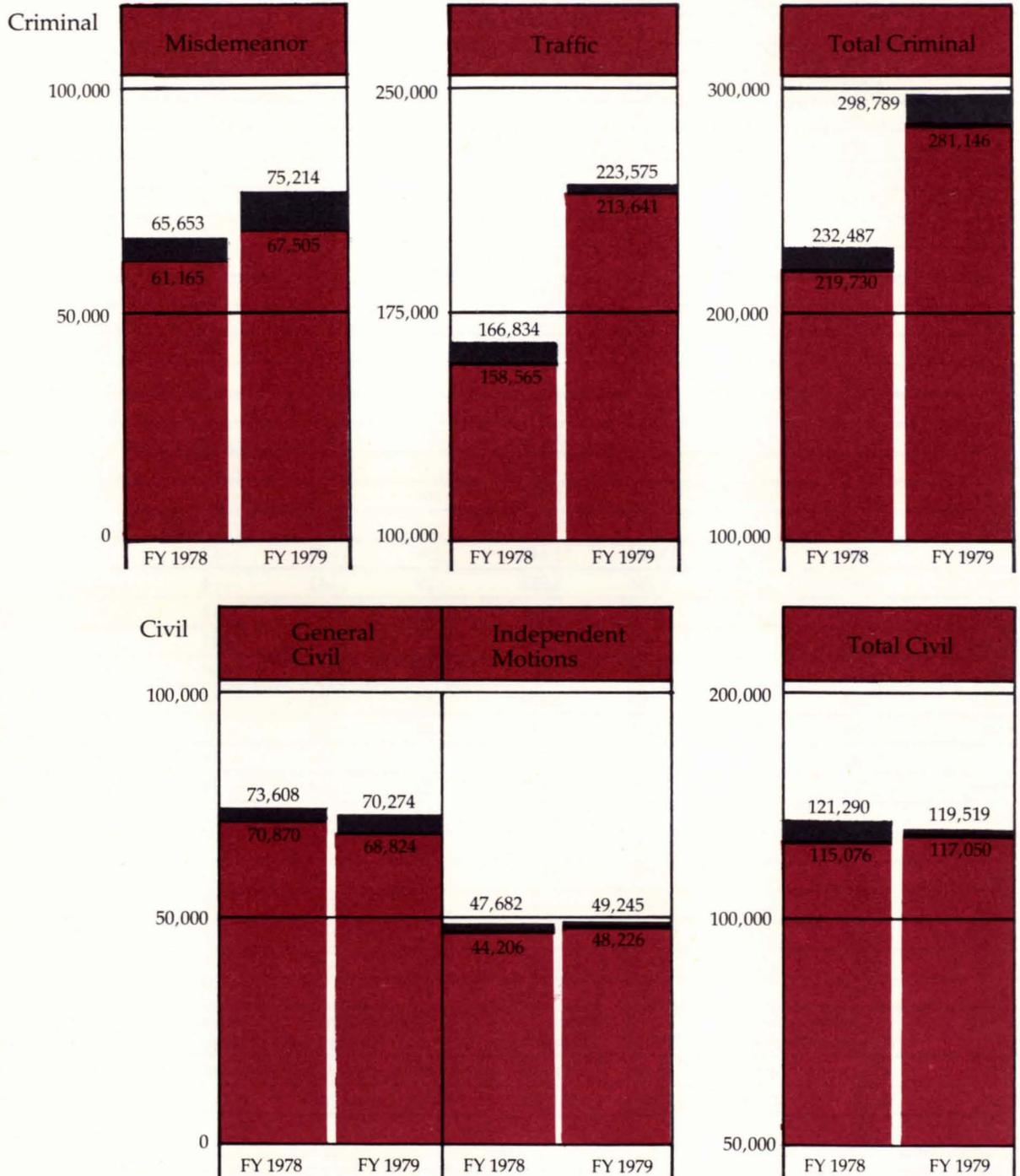
****Data on the caseload of the State Court of DeKalb County for fiscal year 1979 was not available at press time. Therefore, the total figures for both fiscal years 1978 and 1979 do not include the caseload of this court.

State Court Caseload — Statewide Totals*

(Docket Entries)

Key:

Cases Filed Cases Disposed



*Data on the caseload of the State Court of DeKalb County for fiscal year 1979 was not available at press time. Therefore, the total figures for both fiscal years 1978 and 1979 do not include the caseload of this court.

Juvenile Courts

During fiscal year 1979, there were eight full-time and thirty-four part-time juvenile court judges exercising jurisdiction in juvenile courts. Also, thirty-six superior court judges, six state court judges and nineteen referees heard juvenile cases.

Counties having a population of 50,000 or more may create separate juvenile courts to hear all juvenile matters. In counties with less than 50,000 population, superior court judges have jurisdiction over juvenile matters unless two successive grand juries recommend that a juvenile court be established. Juvenile court judges are appointed for six-year terms by the superior court judges of their respective circuits.

The juvenile court exercises

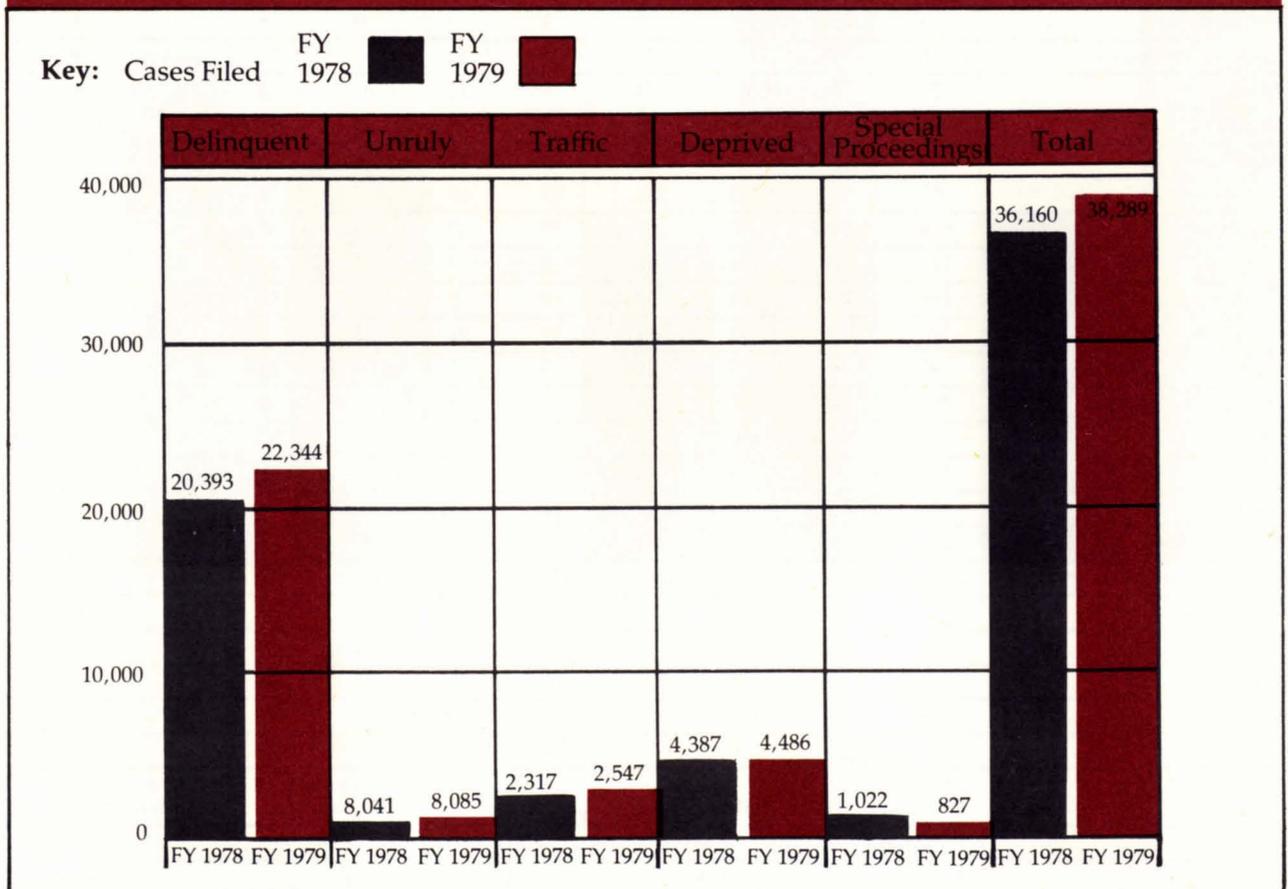
exclusive original jurisdiction over juvenile matters, according to Georgia law. The court may initiate proceedings concerning any child alleged to be delinquent, unruly, deprived or mentally ill or retarded. Jurisdiction in custody cases and to appoint guardians is also vested in the juvenile court. In the case of a capital offense committed by a child under the age of seventeen, the juvenile court has concurrent jurisdiction with the superior court. Appeals from the juvenile court in all cases of final judgment are to the Court of Appeals or the Supreme Court.

An act of the 1979 General Assembly modified the jurisdiction of the juvenile court by amending Code Section 24A-301, to add to the exclusive original

jurisdiction of the juvenile court the initiation of action concerning any child who "has been placed under the supervision of the court or on probation to the court, provided, however, that such jurisdiction shall be for the sole purpose of completing, effectuating and enforcing such supervision or a probation begun prior to the individual's 17th birthday and provided further that the juvenile court shall not have jurisdiction to initiate any new action against an individual for acts committed after reaching the age of 17 years."

A separate report on the activities of the Council of Juvenile Court Judges during fiscal year 1979 begins on page 66.

Juvenile Court Caseload — Statewide Totals



Juvenile Court Caseload by Filing Type: FY 1979

Circuit	Delinquent		Unruly		Traffic		Deprived		Special Proceeding		Total	
	Children Filed	Children Disposed	Children Filed	Children Disposed	Children Filed	Children Disposed	Children Filed	Children Disposed	Children Filed	Children Disposed	Children Filed	Children Disposed
Alapaha	219	220	16	16	2	2	8	8	0	0	245	246
Alcovy	440	418	145	139	126	99	200	173	11	9	922	838
Atlanta	3,863	3,657	848	838	225	223	683	621	21	23	5,640	5,362
Atlantic	157	152	10	12	0	0	30	26	6	6	203	196
Augusta	816	683	387	334	47	28	148	147	3	3	1,401	1,195
Blue Ridge	379	312	224	199	109	97	153	140	0	0	865	748
Brunswick	679	657	220	224	176	167	102	96	35	36	1,212	1,180
Chattahoochee	1,296	971	518	391	200	197	184	138	139	78	2,337	1,775
Cherokee	477	412	228	213	95	97	79	66	20	22	899	810
Clayton	988	861	644	545	119	102	278	258	159	138	2,188	1,904
Cobb	1,255	1,284	641	644	94	104	303	312	17	25	2,310	2,369
Conasauga	317	313	203	189	3	3	171	171	6	8	700	684
Cordele	362	332	78	78	6	6	13	17	3	3	462	436
Coweta	561	569	43	33	46	43	211	197	2	2	863	844
Dougherty	493	517	0	0	108	112	63	73	3	3	667	705
Dublin	167	158	77	77	21	21	39	36	4	4	308	296
Eastern	1,358	1,208	280	218	136	127	80	64	56	53	1,910	1,670
Flint	143	131	25	19	7	5	47	21	3	1	225	177
Griffin	293	271	74	70	13	9	94	105	0	0	474	455
Gwinnett	770	463	274	134	63	36	115	89	63	49	1,285	771
Houston	154	160	3	3	1	1	8	8	1	0	167	172
Lookout Mountain	276	260	93	75	33	32	31	27	14	16	447	410
Macon	723	724	65	74	8	12	87	70	87	70	970	950
Middle	295	287	79	78	1	1	62	56	1	1	438	423
Mountain	123	117	6	4	11	12	24	22	0	0	164	155
Northeastern	357	349	255	256	49	47	77	71	1	1	739	724
Northern	116	106	10	10	15	13	46	56	0	0	187	185
Ocmulgee	279	261	196	190	2	2	44	45	19	17	540	515
Oconee	156	153	67	62	7	7	23	17	5	4	258	243
Ogeechee	123	115	12	14	11	11	8	9	13	10	167	159
Pataula	97	96	5	5	5	5	25	24	0	0	132	130
Piedmont	108	93	47	45	4	4	38	50	0	0	197	192
Rome	380	380	170	171	23	26	192	193	13	14	778	784
South Georgia	103	87	3	2	1	0	22	16	1	0	130	105
Southern	341	301	24	22	11	11	122	96	0	0	498	430
Southwestern	234	180	113	104	0	0	22	2	0	0	369	286
Stone Mountain	2,450	2,386	1,237	1,237	432	411	474	437	66	78	4,659	4,549
Tallapoosa	195	150	56	37	10	12	43	29	13	14	317	242
Tifton	160	155	23	23	0	0	20	19	0	0	203	197
Toombs	74	68	576	575	0	0	23	23	0	0	673	666
Waycross	364	134	105	3	16	1	74	7	33	13	592	158
Western	203	201	5	5	311	311	20	21	9	9	548	547
Statewide Totals	Delinquent Children Filed		Unruly Children Filed		Traffic Children Filed		Deprived Children Filed		Spec. Proceeding Children Filed		Total Children Filed	
FY 1978	20,393		8,041		2,317		4,387		1,022		30,160	
FY 1979	22,344		8,085		2,547		4,486		827		38,289	

Probate Courts

Each of Georgia's 159 counties has a probate court. Until 1974, the probate court — one of the state's oldest courts — was known as the court of the ordinary.

The probate courts have jurisdiction which includes such

matters as probating wills; granting letters of administration in intestate estates; supervising the administrators and executors of estates; granting letters of guardianship relating to insane persons; and lunacy proceedings.

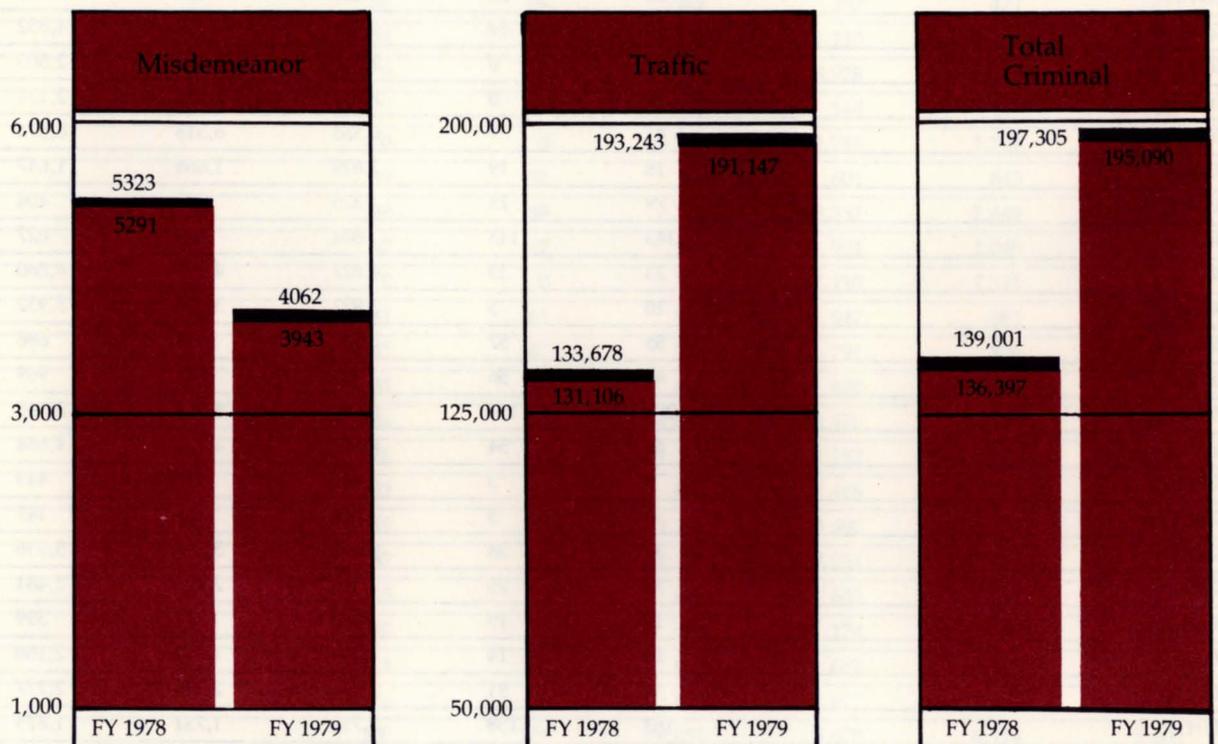
Probate judges are also given jurisdiction to try some traffic cases and game and fish violations. Probate judges also hear habeas corpus cases except capital felonies or where a person is being held for extradition under warrant of the governor.

Probate Court Caseload — Statewide Totals*

(Docket Entries)

Key:

Cases Filed Cases Disposed



*This data on traffic and misdemeanor cases represents the criminal caseload of the probate courts, which is only a portion of the total judicial workload of the probate courts.

Probate Court Criminal Caseload by Filing Type: FY 1979*

(Docket Entries)

County	Misdemeanor		Traffic		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Bacon	0	0	293	323	293	323
Baker	2	2	294	294	296	296
Banks	8	8	1,051	1,122	1,059	1,130
Barrow	0	0	657	678	657	678
Ben Hill	17	16	795	803	812	819
Berrien	0	0	945	945	945	945
Bleckley	55	81	1,286	1,286	1,341	1,367
Brantley	41	42	577	636	618	678
Brooks	31	31	1,879	1,879	1,910	1,910
Butts	128	128	3,267	3,263	3,395	3,391
Calhoun	17	17	467	452	484	469
Camden	0	0	4,743	4,815	4,743	4,815
Catoosa	0	0	4,863	4,863	4,863	4,863
Charlton	0	0	1,041	1,041	1,041	1,041
Chattahoochee	15	15	362	362	377	377
Chattooga	17	22	3,049	3,219	3,066	3,241
Clay	58	58	424	433	482	491
Columbia	69	69	4,783	4,783	4,852	4,852
Cook	0	0	2,503	2,503	2,503	2,503
Crawford	0	0	2,131	2,359	2,131	2,359
Crisp	41	39	6,533	6,318	6,574	6,357
Dade	18	19	1,629	1,668	1,647	1,687
Dawson	79	75	325	335	404	410
Dodge	143	143	684	684	827	827
Dooly	33	33	4,827	4,493	4,860	4,526
Douglas	10	5	3,922	3,636	3,932	3,641
Fannin	55	57	631	615	686	672
Fayette	47	56	922	972	969	1,028
Floyd	209	177	5,159	4,924	5,368	5,101
Franklin	42	54	4,642	4,729	4,684	4,783
Gilmer	3	3	446	446	449	449
Glascok	5	5	142	153	147	158
Gordon	37	38	5,499	5,274	5,536	5,312
Greene	33	25	2,448	2,423	2,481	2,448
Hancock	19	19	380	375	399	394
Haralson	10	14	2,156	1,703	2,166	1,717
Harris	31	31	2,246	2,246	2,277	2,277
Hart	163	158	1,712	1,731	1,875	1,889
Heard	59	51	423	364	482	415
Henry	78	78	8,989	8,834	9,067	8,912
Irwin	0	0	976	976	976	976
Jasper	3	8	896	900	899	908
Jeff Davis	150	150	663	663	813	813
Jones	58	58	3,849	3,848	3,907	3,906
Lamar	7	5	2,361	2,302	2,368	2,307
Lanier	0	0	616	571	616	571
Lee	45	45	1,121	1,121	1,166	1,166

County	Misdemeanor		Traffic		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Lincoln	113	116	319	329	432	445
Lumpkin	63	55	564	547	627	602
Madison	110	27	846	909	956	936
Marion	3	3	1,190	1,190	1,193	1,193
McDuffie	93	100	4,689	4,711	4,782	4,811
McIntosh	0	0	3,011	3,011	3,011	3,011
Meriwether	75	83	3,412	3,796	3,487	3,879
Monroe	87	90	19,458	19,213	19,545	19,303
Montgomery	0	0	748	747	748	747
Morgan	59	60	4,096	4,094	4,155	4,154
Murray	193	179	2,350	2,280	2,543	2,459
Newton	149	148	3,391	3,378	3,540	3,526
Oconee	0	0	776	741	776	741
Oglethorpe	16	12	794	721	810	733
Paulding	41	39	1,640	1,537	1,681	1,576
Peach	38	38	2,606	2,606	2,644	2,644
Pickens	13	13	1,302	1,263	1,315	1,276
Pike	24	24	1,698	1,617	1,722	1,641
Pulaski	0	10	938	1,058	938	1,068
Quitman	64	63	344	341	408	404
Rabun	89	89	382	382	471	471
Randolph	22	22	1,210	1,210	1,232	1,232
Rockdale	0	0	5,974	5,978	5,974	5,978
Schley	3	3	144	144	147	147
Seminole	0	0	1,749	1,746	1,749	1,746
Stewart	99	82	744	601	843	683
Talbot	88	88	2,361	2,357	2,449	2,445
Taliaferro	67	67	982	991	1,049	1,058
Taylor	0	0	1,315	1,110	1,315	1,110
Telfair	61	61	920	947	981	1,008
Terrell	47	47	791	791	838	838
Towns	31	31	400	400	431	431
Turner	44	25	4,095	4,170	4,139	4,195
Twiggs	76	78	1,153	1,152	1,229	1,230
Union	52	52	466	466	518	518
Upson	49	43	3,790	3,690	3,839	3,733
Walton	87	87	2,286	2,231	2,373	2,318
Warren	15	15	667	643	682	658
Webster	10	10	174	174	184	184
Wheeler	14	15	669	680	683	695
White	0	0	627	627	627	627
Whitfield	120	124	6,054	5,678	6,174	5,802
Wilcox	14	11	1,225	1,254	1,239	1,265
Wilkes	70	71	1,008	995	1,078	1,066
Wilkinson	27	27	278	278	305	305
Statewide Totals	Misdemeanor		Traffic		Total Cases	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
FY 1978	5,323	5,291	133,678	131,106	139,001	136,397
FY 1979	4,062	3,943	193,243	191,147	197,305	195,090

*This chart presents the criminal caseload of those probate courts exercising concurrent jurisdiction with the superior courts.

Other Courts

In addition to Georgia's major courts of record, there are a number of other courts with limited jurisdictions. At the end of the past fiscal year, there existed nearly four hundred courts of incorporated municipalities, such as mayor's, recorder's and traffic courts. About another dozen magistrate's, recorder's and other courts exercised limited county-wide jurisdiction. By the end of the fiscal year, 389 justices of the peace — of an estimated 1,500 justices of the peace — had been certified through mandatory educational programs so as to be eligible to accept fees for the services they performed. Additionally, fifty-one judges of small claims courts who exercise the powers and duties of justices of the peace were certified

through training programs.

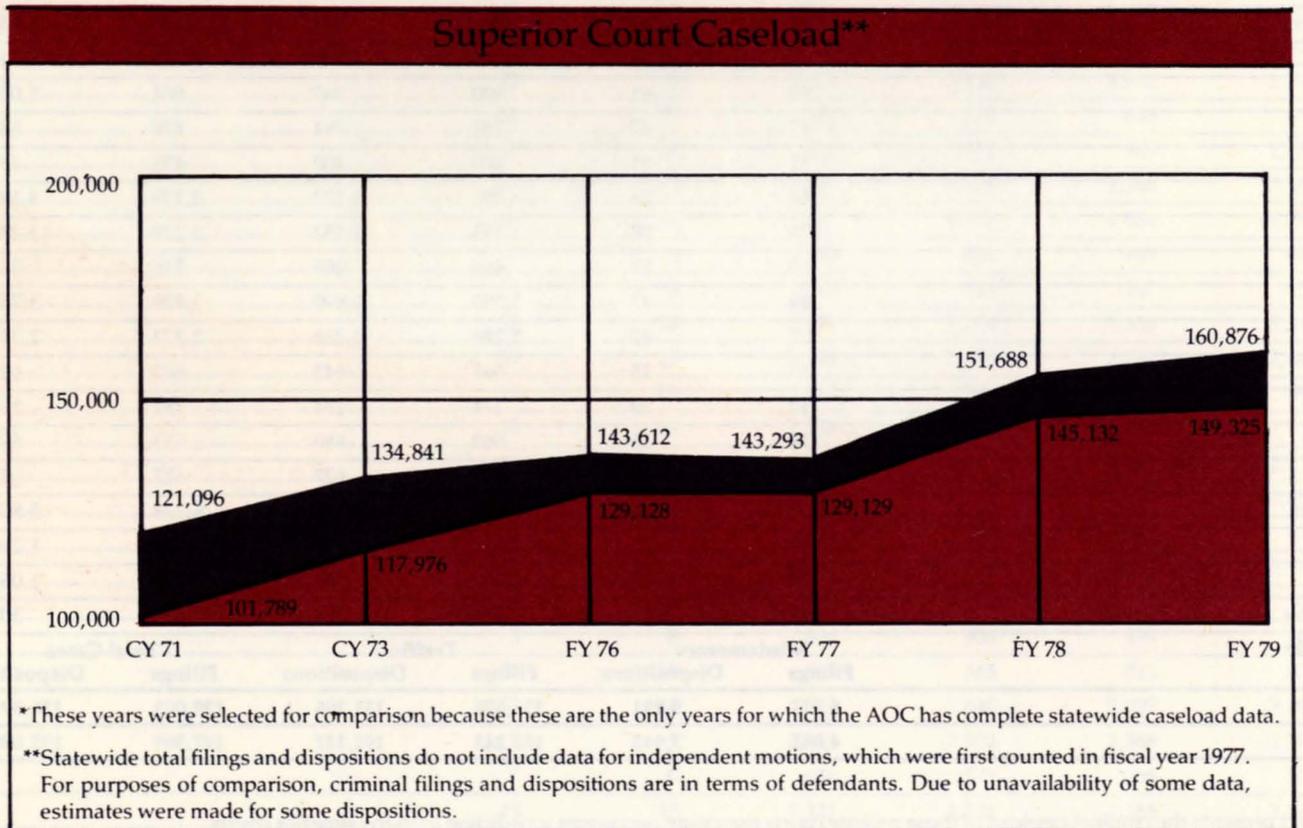
There also existed special civil courts with partial state court jurisdiction. These special courts are in localities in which the work of a city court has increased to the extent that the court was converted to a civil court. Courts with partial state court jurisdiction include the Civil Court of Richmond County, the Civil Court of Bibb County and the Baldwin, Echols and Putnam county courts. By constitutional amendment, effective January 1, 1979, the probate court judge of Echols County also is designated as judge of the County Court of Echols County.

The 1979 Session of the Georgia General Assembly created a number of additional courts of limited jurisdiction. Fourteen new small claims courts — in

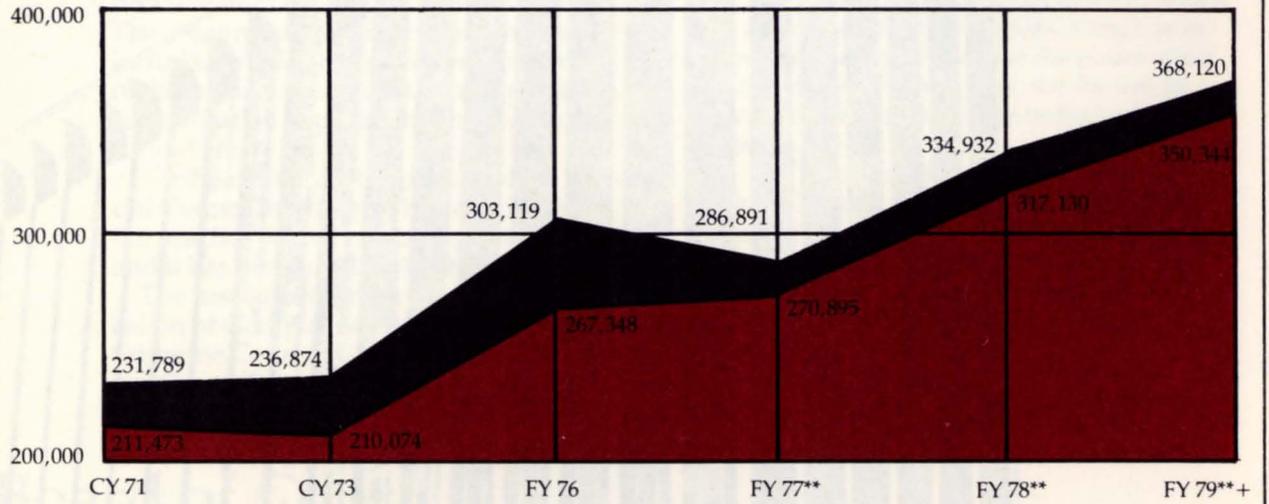
Calhoun, Chattooga, Echols, Effingham, Hart, Irwin, Jasper, Laurens, McIntosh, Meriwether, Oconee, Sumter, Telfair and Terrell counties — were created by the legislature to bring to ninety the total number of small claims courts in the state. An additional judgeship for the Recorder's Court of Chatham County was created, effective July 1, 1979, and the position of deputy magistrate for the Magistrate's Court of Glynn County was authorized, also effective July 1, 1979.

Three other courts of limited jurisdiction were created during the past fiscal year: the Recorder's Court of the City of Gum Branch, the City Court of the City of St. Marys and the Recorder's Court of the City of Gillsville.

Statewide Caseload Comparisons*/ Key: Total Cases Filed Total Cases Disposed



State Court Caseload*

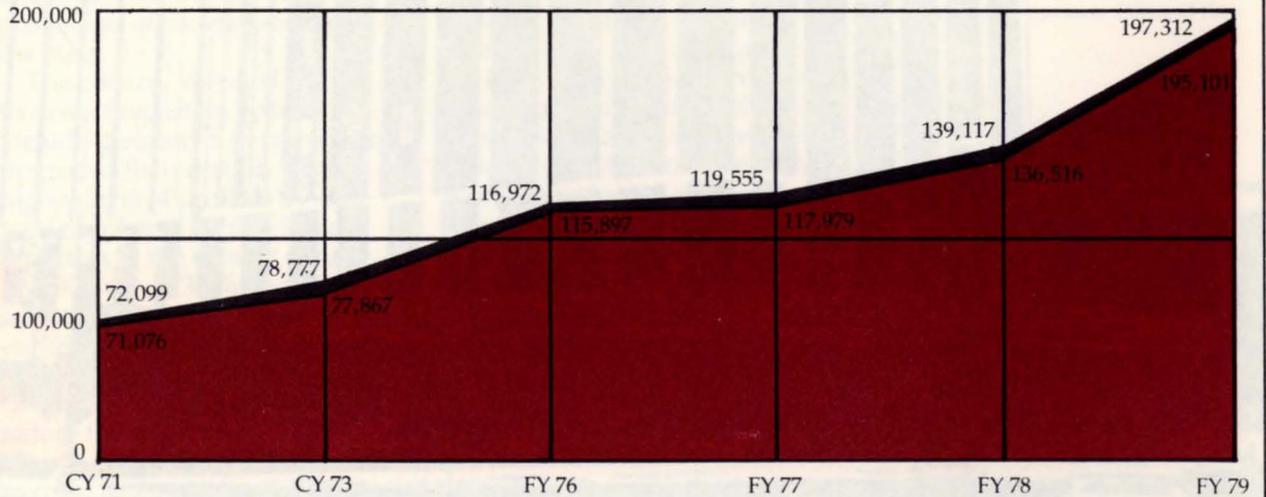


* Criminal defendants.

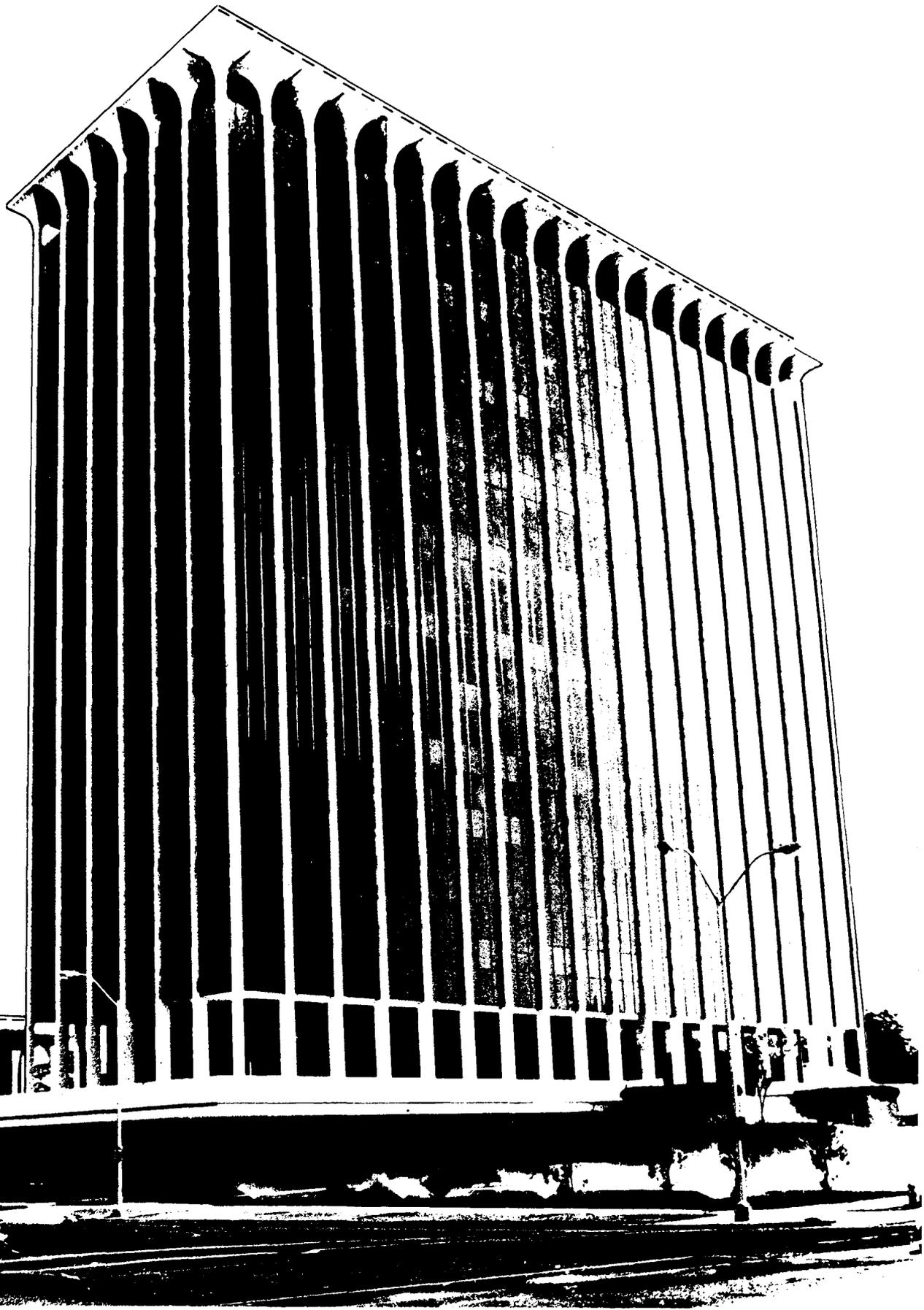
**Excludes independent motions category.

+ Caseload for the State Court of DeKalb County is not included, as data was not available at press time.

Probate Court Caseload*



*Criminal defendants.



Muscogee County Courtho

Agencies of the Judicial Council

There are several agencies of the Judicial Council of Georgia/Administrative Office of the Courts which have specialized responsibilities and functions. The Judicial Council/AOC works with the agencies and provides various support services to them. These agencies have functions which are included within the general responsibility of the Judicial Council/AOC and provide a concentration of programs and services in certain areas.

The Board of Court Reporting of the Judicial Council is responsible for regulating the practice of court reporting in the state, and it has several related duties.

The Institute of Continuing Judicial Education of Georgia, now an arm of the Supreme Court of Georgia under the Judicial Council, was initially created by the

Council as the Judicial College of Georgia. The Council charged this agency with the responsibility for training programs for judges and other court personnel, and the Supreme Court reaffirmed this charge.

The Judicial Planning Committee, which is appointed by the Judicial Council, is responsible for planning for the entire court system and, in particular, for the use of available federal funds to improve the courts.

The activities of these agencies of the Judicial Council during fiscal year 1979 are reviewed below. The activities of other judicial agencies, to which the Judicial Council/AOC provides various support services, are reviewed in the next section.

Board of Court Reporting

The Board of Court Reporting of the Judicial Council, during the past fiscal year, continued to discharge its statutory responsibilities of certifying court reporters by examination, setting license fees and making rules and regulations to improve the profession of court reporting in the state.

The Board certified ninety-five court reporters by testing, including eighteen persons who upgraded their certificates to a higher level of proficiency. The total number of certified court reporters in the state as of June 30, 1979 was 473, almost fifty more than the total a year earlier. The Board also suspended the certificates of twenty-nine court reporters for failure to renew them. These suspensions were primarily due to court reporters leaving the state or changing professions.

New rules of the Board of Court Reporting became effective at the beginning of fiscal year 1979. These rules require that all applicants for certifica-

tion first pass a minimum proficiency examination, thus eliminating the higher word-per-minute dictated exam from the initial certification process. The rules also reflect a renewal fee for judicial temporary permits at a yearly rate identical to that of certified reporters. The new rules provide for a delinquent fee for late payments of renewal fees. A new schedule of those fees which may be charged by official court reporters for their work was adopted and became effective July 1, 1978. This schedule raised transcript and copy rates ten per cent to cover the rising cost of supplies.

During fiscal year 1979, the Board implemented, for the first time, a system of identification cards for certified court reporters. Identification cards, good for one year, were issued last spring when reporters renewed their certificates. The information on each card includes the name of the reporter, the certificate number and the method of note-taking used by

Board of Court Reporting

Stuart S. Huseby, *chairman*
Atlanta court reporter

Harold G. Clarke, Esq., *vice chairman*
Forsyth attorney

Robert L. Doss, Jr., *secretary*
Director, Administrative Office of the Courts
Atlanta

Judge Hal Bell*
Senior Superior Court Judge
Macon

Don Brady
Canton court reporter

Thomas E. Darity
Perry court reporter

Judge W.G. Elliott*
Superior Court
Southern Judicial Circuit
Valdosta

Frances B. Roquemore
Forsyth court reporter

Frank W. Seiler, Esq.
Savannah attorney

Leslie Johnson, *clerk*
Atlanta

*Judge Bell resigned from the Board effective April 1, 1979, and Judge Elliott was appointed to succeed him.

the reporter. In cases where the court reporter was certified when the Court Reporting Act became effective in 1974 through a "grandfather" clause, this information is also stated on the card. Identification cards will be renewed each year by April 1. Identification cards for reporters holding temporary court reporting permits were also issued. These temporary cards are issued for a six-month period to persons practicing to meet the requirements of the Court Reporting Act.

The *Handbook for Georgia Certified Court Reporters*, a year-old, loose-leaf publication providing the rules and regulations of the Board as well as case law and Georgia Code citations that affect court reporting in the state, was updated during the past fiscal year. Copies of this handbook were made available to judges upon request. A new directory of certified court reporters was printed last year by the Board and the Georgia Certified Court Reporters Association. These directories were provided as a service to superior court judges and district court administrators, supplying them with the names, addresses and telephone numbers of certified reporters in their areas.

The Board made two surveys last year. One was a survey of the temporary permits issued over a one-year period to determine to whom permits are being issued, how long they are in effect and the average number of times the holder of a temporary permit takes the certification test. This study provided a basis for assessing the need for temporary permits both for free-lance and official court reporters. The Board conducted another survey in an attempt to determine which steps in the transcript production process are most likely to cause delay and which areas of the state are experiencing problems in this

area. However, the number of responses to this survey was limited and therefore the survey was not as useful as it was expected to be.

During the past year, the Board continued to maintain its referral service for court reporters and employers. Over eighty certified court reporters were listed with the referral service during the year, and fourteen requests were received for assistance in finding reporters for both official and free-lance positions.

The Board of Court Reporting has also been involved in preparing recommendations for revision of the Court Reporting Act. Although the Board's recommendations for changing the act were approved by the Judicial Council for submission to the 1979 General Assembly, the Board delayed action on this matter until further research could be completed.

A subcommittee of the Board was named to make suggestions for revisions of the fee schedule to be presented to the Judicial Council. The Board expects to revise the fee schedule so it can be more easily interpreted and enforced by judges, court reporters and county commissioners.

The Board issued an opinion during the past year on a fee matter. The Board's opinion stated that the fee for misdemeanor takedown in state courts is included in the per diem (or salary in lieu of per diem) rate for official court reporters, if it is required by law to be recorded or is ordered by the judge, with misdemeanor takedown in all other instances being a matter of private contract between the reporter and the parties to a case.

During the past year, the Board also held a hearing of a formal complaint against a court reporter for failure to furnish a transcript in a reasonable length of time. The Board required the

reporter to furnish the delinquent transcript within thirty days or face revocation of certification. In response to complaints about two Florida court reporters taking depositions in Georgia, the Board sought and received injunctions prohibiting them from further reporting in the state until they became certified.

Georgia Certified Court Reporters Association

Paul C. Blanchard, *chairman*
Augusta

Pat Hardison, *vice chairman*
Atlanta

Anita Brady, *secretary*
Canton

Marilyn F. Wilson, *treasurer*
Monroe

Stan Brown, *member at large*
Gainesville

Brad Brownlow, *member at large*
Decatur

Pat Jones, *member at large*
Stone Mountain

Institute of Continuing Judicial Education

The Institute of Continuing Judicial Education of Georgia, originally established by the Judicial Council of Georgia as the Judicial College of Georgia, was on the verge of change at the end of fiscal year 1979. A Supreme Court order dated January 26, 1979, created the Institute as an administrative arm of the Court and provided new bylaws for its Board of Trustees effective July 1, 1979. The order reduced the size of the board from sixteen to thirteen members, with representation on the board to be as follows: one member of the Court of Appeals; two members of the Council of Superior Court Judges; one member each named by the state court judges' association, the Council of Juvenile Court Judges, the probate judges' association, the State Bar of Georgia and the Judicial Council of Georgia; and six ex

officio members: the immediate past chairman of the Institute's Board of Trustees, the immediate past chairman of the Board of Trustees of the Institute of Continuing Legal Education and the deans of the law schools of Emory University, Mercer University and the University of Georgia.

The Institute is responsible for providing continuing education and training for members of the state's judicial branch of government. It plans and conducts seminars and workshops for judges of Georgia's courts of record and some support personnel. During fiscal year 1979, the Institute shared its educational responsibility with the Administrative Office of the Courts. By direction of the Judicial Council, the AOC coordinated and administered training programs during the past year for four

groups of court personnel: clerks of court, court reporters, court administrators and judges' secretaries. The Administrative Office of the Courts also provided staff assistance to the Georgia Justice Courts Training Council in conducting mandatory training seminars for justices of the peace. In the future, the Institute will have responsibility for coordinating and administering the educational programs for all judges and other court personnel. The Institute also evaluates, where appropriate, the need for attendance by judges and court personnel at educational programs conducted by reputable training agencies at locations outside the state. Last year, for the first time, the Institute experimented with small regional seminars focusing on particular topics. Also during the past year, the Institute provided limited financial assistance to the Georgia Justice Courts Training Council.

Funding for the Institute's educational programs is provided by a grant from the Law Enforcement Assistance Administration awarded through the State Crime Commission to the Judicial Council/AOC. During the past year, the Institute used these funds to conduct fourteen programs which were attended by more than eight hundred persons. Also in fiscal year 1979, funds were provided for 113 judicial and non-judicial court personnel to attend out-of-state seminars.

The Institute operated last year with a staff of two — a director and a secretary — and with assistance provided by the AOC. Another secretary is expected to be added to the Institute's staff during the current year.

The Institute is located at the University of Georgia School of Law in Athens. In addition to providing facilities for the Institute, the law school provides the

Board of Trustees, Institute of Continuing Judicial Education

Judge John S. Langford, *chairman*
Superior Court
Atlanta Judicial Circuit
Atlanta

Dean J. Ralph Beard, *vice chairman*
University of Georgia School of Law
Athens

Judge Rex R. Ruff, *secretary-treasurer*
Juvenile Court of Cobb County
Marietta

Judge A.W. Birdsong, Jr.
Court of Appeals of Georgia
Atlanta

Harold G. Clarke, Esq.
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A.G. Cleveland, Jr., Esq.
Atlanta attorney

Robert L. Doss, Jr.
Director, Administrative Office of
the Courts
Atlanta

Judge Willis B. Hunt, Jr.
Superior Court
Houston Judicial Circuit
Perry

Dean Bruce R. Jacob
Mercer University School of Law
Macon

Chief Justice H.E. Nichols
Supreme Court of Georgia
Atlanta

Dean L. Ray Patterson
Emory University School of Law
Atlanta

Judge Marion T. Pope, Jr.
Superior Court
Blue Ridge Judicial Circuit
Canton

Judge Floyd E. Propst
Probate Court of Fulton County
Atlanta

Judge Jack Short
State Court of Colquitt County
Moultrie

Judge G. Ernest Tidwell
Superior Court
Atlanta Judicial Circuit
Atlanta

Judge Julian Webb
Court of Appeals of Georgia
Atlanta

Jerome Braun, *executive director*
Athens

salary for the director of the Institute. Additional funds for administration of the Institute and its programs are provided by state funds designated within the appropriation to the Judicial Council of Georgia.

Education Programs for Judges and Other Court Personnel Sponsored by the Institute of Continuing Judicial Education*

July 1, 1978 — June 30, 1979

Seminar	Location	Dates	No. Trained
Orientation Seminar for Superior and State Court Judges	Atlanta	July 24-25, 1978	8
Annual Summer Seminar, Superior Court Judges	Jekyll Island	July 29-August 1, 1978	55
Judicial Convocation	Athens	September 7-8, 1978	225
Seminar for Juvenile Probation Officers of Independent Systems	Athens	October 18-20, 1978	60
Fall Seminar for Probate Judges	Cordele	October 23-25, 1978	64
Annual Fall Seminar, Council of Juvenile Court Judges	Athens	October 30- November 1, 1978	42
Annual Fall Seminar, Council of Superior Court Judges	Athens	October 31- November 2, 1978	62
Commercial Litigation Seminar	Athens/ Macon	January 11-12, 1979	10
Constitutional Law Update Seminar	Athens	February 15-16, 1979	3
Discovery and Issue Resolution Seminar	Atlanta	March 22-23, 1979	1
Orientation Seminar for Superior and State Court Judges	Atlanta	March 29-30, 1979	14
Seminar for Probate Judges	Athens	April 18-20, 1979	82
Seminar for State Court Judges and Solicitors	Macon	April 26-28, 1979	51
Seminar for Juvenile Probation Officers of Independent Systems	Atlanta	May 16-18, 1979	36

* A number of seminars were jointly sponsored by the Institute and judicial organizations, such as the Council of Superior Court Judges.

Judicial Planning Committee

During fiscal year 1979, the Judicial Planning Committee (JPC), in its second full year of operation, took major strides in developing a comprehensive and orderly program for court improvement. One of the Judicial Planning Committee's most

significant accomplishments during the past fiscal year was the completion of the *1980 Georgia Courts Plan*. This is the second such plan to be prepared entirely by the Judicial Planning Committee.

The Judicial Planning Com-

mittee was created in January 1977 by the Judicial Council of Georgia under the authority of the U.S. Crime Control Act of 1976 which amended the Omnibus Crime Control and Safe Streets Act of 1968. The main purpose of the JPC is to establish

priorities for improvements to the courts of the state and to prepare multi-year, comprehensive plans for court system improvements. The committee also defines, develops and coordinates programs for court improvements and submits a yearly plan to the State Crime Commission for incorporation into the commission's criminal justice plan. This plan contains programs for the use of federal funds which are administered by the Law Enforcement Assistance Administration (LEAA) and awarded through the crime commission. Applications made by the courts for these funds are reviewed by the Judicial Planning Committee for conformity with its courts plan.

To achieve a broader base of involvement in the planning process than in previous years, the Judicial Planning Committee, for the second time, named task forces to make recommendations to its Plan Development Subcommittee for the 1980 plan. Task forces were appointed to consider problems relating to the areas of trial management, court administration, indigent defense, education, prosecution and juvenile justice. These task forces were comprised of appropriate judicial groups and individuals and ensured greater participation of court personnel.

Groups which assisted in formulating the plan by serving on task forces included the district administrative judges' council, the Administrative Office of the Courts, district court administrators, circuit court administrators, clerks of court, the Board of Trustees of the Institute of Continuing Judicial Education, the Council of Juvenile Court Judges and the Prosecuting Attorneys' Council.

In developing the 1980 plan, the Judicial Planning Committee modified thirty-four objectives and standards set forth in the 1979 plan. The JPC added forty-

three new objectives and standards not previously covered; the needs of traffic courts, clerks of court and the juvenile justice system have now been addressed by objectives. Five of the objectives and standards stated in the 1979 plan were also accomplished during the past fiscal year. Legislation providing for the development of records retention schedules by the Supreme Court of Georgia has accomplished the Judicial Records Administration Act standard. The passage of a bill providing for a mandatory oath to compel truthful answers from jurors during voir dire accomplished a standard under its objective on the jury system. The passage of the Indigent Defense Act of 1979 accomplished three of the JPC's standards. Passage of this act represented the successful combined efforts of the Judicial Planning Committee's Special Subcommittee on Indigent Defense, the Governor's Criminal Justice Council and the Council of Superior Court Judges. The act provides for an improved, statewide — but locally administered — system of indigent defense, supported in part by state appropriations and under the administration of a judicial agency, the Georgia Indigent Defense Council, which was also established by this act. The plan for 1980 is considered a significant improvement to the State Crime Commission's 1978 courts plan upon which both the 1979 and 1980 courts plans have built.

The *1980 Georgia Courts Plan* includes LEAA funds for programs for judicial services, education and defense and prosecution services. Recommended funds for projects in these areas total \$1,021,050. This amount reflects a reduction to the recommendations made in the 1979 plan. The lower figure is a result of further reductions in the congressional appropriation for the

LEAA program. The plan for using these funds for improvements throughout the state's court system was approved by the State Crime Commission. Although the JPC's plan was included as part of the crime commission's statewide criminal justice plan, the crime commission took exception to one objective and two standards stated in the plan. These set as goals the transfer of probation services for both adults and juveniles to the judicial branch and the shift of responsibility for planning for the juvenile justice system to the Council of Juvenile Court Judges and the Judicial Planning Committee, both judicial branch agencies.

Another major activity of the Judicial Planning Committee during fiscal year 1979 was the review of grant applications submitted under the 1979 courts plan for awards to be implemented during fiscal year 1980. The Judicial Planning Committee reviewed applications totaling \$1,410,366 under the 1979 plan and recommended funding totaling \$1,315,218. The amounts recommended do not match the amounts requested because some requests for funds were for projects or items not allowed under action program criteria.

The twenty-five members who served on the Judicial Planning Committee during fiscal year 1979 were appointed by the Judicial Council. Judges of the various major courts of record and court administrators served on the JPC as well as representatives of the prosecution and defense systems and the State Bar of Georgia.

Judicial Planning Committee

Judge Frank S. Cheatham, Jr., *chairman*
Superior Court
Eastern Judicial Circuit
Savannah

Judge Robert L. Vining, Jr.,
vice chairman
Superior Court
Conasauga Judicial Circuit
Dalton

Judge Romae T. Powell,
secretary-treasurer
Juvenile Court of Fulton County
Atlanta

Judge Francis W. Allen
State Court of Bulloch County
Statesboro

Harold G. Clarke, Esq.
Past President
State Bar of Georgia
Forsyth

Judge W. Marion Guess, Jr.
Probate Court of DeKalb County
Decatur

Wilton D. Harrington, Esq.
Immediate Past President
State Bar of Georgia
Eastman

Judge P. Harris Hines
State Court of Cobb County
Marietta

Judge Willis B. Hunt, Jr.
Superior Court
Houston Judicial Circuit
Perry

Charles H. Hyatt, Esq.
President, State Bar of Georgia
Decatur

Judge Harry Johnson, Jr.
Probate Court of Floyd County
Rome

Justice Robert H. Jordan
Supreme Court of Georgia
Atlanta

Judge Asa D. Kelley, Jr.
Superior Court
Dougherty Judicial Circuit
Albany

Judge Reid Merritt
Superior Court
Gwinnett Judicial Circuit
Lawrenceville

Judge C. Cloud Morgan
Superior Court
Macon Judicial Circuit
Macon

Chief Justice H.E. Nichols
Supreme Court of Georgia
Atlanta

Judge James B. O'Connor
Superior Court
Oconee Judicial Circuit
Eastman

Judge Paul W. Painter
Superior Court
Lookout Mountain Judicial Circuit
Rossville

A. Sidney Parker, Esq.
Marietta attorney

Judge Marion T. Pope, Jr.
Superior Court
Blue Ridge Judicial Circuit
Canton

F. Larry Salmon
District Attorney
Rome Judicial Circuit
Rome

Jack E. Thompson
Superior Court Administrator
Atlanta Judicial Circuit
Atlanta

Judge Julian Webb
Court of Appeals of Georgia
Atlanta

Judge Charles L. Weltner
Superior Court
Atlanta Judicial Circuit
Atlanta

Judge Edward D. Wheeler
Juvenile Court of DeKalb County
Decatur

Douglas C. Ikelman, *staff director*
Atlanta



Newton County Courthouse

Other Judicial Agencies

While the Judicial Council of Georgia/Administrative Office of the Courts has broadly defined responsibilities to provide services to and make recommendations about the state's court system, there are certain other agencies which have more specific responsibilities. The Judicial Council/AOC provides some support services to these agencies, particularly by serving as fiscal and budget officer for several of these other judicial agencies.

The judicial administrative districts, which were created by the 1976 Georgia General Assembly, provide an intermediate, regional level of court administration. The AOC and the district court administrators work together to assist the courts, with the AOC making available broad programs and statewide studies and the expertise of consultants in several areas. The district court administrators, under the direction of their administrative judges, concentrate on the particular needs of the courts in their districts and provide liaison between the local courts and the programs, services and resources available at the state or national levels.

The Judicial Nominating Commission is charged, by executive order, with the re-

sponsibility for evaluating nominees for vacancies on the appellate, superior and state courts.

The Judicial Qualifications Commission has the constitutional responsibility and authority to investigate complaints about the conduct of judges. The Commission can make recommendations to the Supreme Court of Georgia for disciplinary action. This Commission also issues advisory opinions, on request, about the propriety of certain situations and actions.

The Superior Courts Sentence Review Panel is empowered to reduce or affirm sentences totaling five years or more which were imposed by superior court judges.

Following are reviews of the activities of these other judicial agencies during fiscal year 1979. The annual report of the Georgia Justice Courts Training Council, a body created by the 1978 General Assembly to plan and implement mandatory educational programs for justices of the peace, has already been published as a separate volume. The annual report on the fiscal year 1979 activities of the Council of Juvenile Court Judges, another judicial agency, begins on page 66.

Judicial Administrative Districts

During fiscal year 1979, the judicial administrative districts received first-time state funding for their operation. State appropriations replaced federal money on October 1, 1978, upon the termination of the two-year grants which had initially funded the districts. This appropriation of state funds was crucial to the continued existence of the districts' operations, since no additional federal funds were available for this purpose.

The third year of operation of the districts was a year of continued service to courts on the individual, circuit and district levels. The district system con-

tinued to provide an important link between the local courts and the services and resources available on the state level. The programs and projects undertaken in each district during fiscal year 1979 shared many similarities, although the particular needs of the courts in each district required special emphasis on certain areas.

The ten judicial administrative districts, which provide a localized approach for responding to the needs of Georgia's courts, were created by the 1976 General Assembly. The districts are approximately equivalent to the state's congressional

districts, although judicial circuit boundaries are kept intact. The districts range in size from one to twenty-seven counties and initially had approximately equal populations.

The Judicial Administration Act of 1976 provided for district councils composed of all the superior court judges of the district, the election and duties of an administrative judge for each district and for full-time assistants for the administrative judges. Because there were no state funds initially appropriated for the districts, the Judicial Council/Administrative Office of the Courts, at the request of

the governor, applied for and received a grant from the Law Enforcement Assistance Administration, awarded through the State Crime Commission, for the first two years' operation of the district system.

The assistants to the administrative judges, the district court administrators, work under the direction of their district administrative judges to address the particular needs of the courts in their districts.

The district system was designed to equalize workloads from circuit to circuit and to bring more uniformity to the court system. The district court administrators also assist the AOC in several important ways. One of the most important projects of the district court administrators is the annual collection of statistics on the caseloads of the state's major courts of record. This data collection formerly was handled exclusively by the AOC. Now, it is largely done by district court administrators and their temporary assistants provided by the AOC.

The district court administrators assist with other activities such as assessing local needs for facilities improvements, determining needs for assistance with records and docketing systems and coordinating technical assistance in developing and implementing automated systems for such purposes as jury selection. The district court administrators again last year assisted the Judicial Planning Committee by serving on a task force in the area of court administration which identified needs and planned programs and projects to meet these needs of the courts. They have also assisted in the collection of data relating to the costs of indigent defense and other information for use in developing eligibility guidelines for indigent defense.

The activities of the districts in the past year have been primar-

ily in the areas of writing and administering grants, coordinating facilities improvements, improving jury systems, counting cases and assisting new judges in setting up their offices, with temporary assignments of judges within the district and with court reporting matters.

District court administrators were successful last year in obtaining grants for many types of positions and programs. Primarily, these funds were obtained from the Law Enforcement Assistance Administration. Some additional funds, mostly for court-support personnel, were obtained through the Comprehensive Employment and Training Act (CETA).

A number of grants were written for law clerk positions, with most districts receiving funds for four or five such positions. In some districts, the district court administrators conducted interviews for filling these positions. In the first district, funding was also secured for assistant district attorneys, criminal investigators and clerks in the district attorneys' offices in three circuits. In the third district, the district court administrator assisted law enforcement and prosecution agencies in obtaining LEAA and CETA funding for court-related personnel. CETA funding for court-support personnel was also secured for two circuits in this district.

Other grants were received for panel attorney programs in the first and tenth districts and for law clerks and indigent defense programs in the third district. Four public defender programs in the eighth district were funded by grants, and, in the first district, four circuits were assisted in obtaining full county funding for public defender offices when the LEAA grants which had previously supported these programs expired. Also in the eighth district, grants provided for investiga-

tors for district attorneys' offices and for a public defender's office, an assistant public defender, three deputy superior court clerks and an assistant for a probate judge's office. An indigent defense coordinator and administrators for a district attorney's office and for a juvenile group home in the ninth district were funded by grants. Grant funds also provided for a public defender, an in-house suspension program and prosecution services in the tenth district.

Other grants provided for modern court reporting equipment in two circuits in the first district; telephone-answering devices for jurors in all clerks' offices in a circuit in the first district; an automated jury selection system in the ninth district; and a warrant-tracking system in the ninth district.

In many districts, the district court administrators were involved during fiscal year 1979 with several areas of jury management. In the second district, the district court administrator assisted with jury revisions in seven counties. In this district, telephone-answering devices to inform jurors whether they would be needed by the court each day were installed. In the third district, the district court administrator worked on developing a juror pooling program. Work was begun in the sixth district on the development of an automated system for jury selection for a county in that district, and assistance was provided in reconstructing jury boxes in five counties. Telephone-answering devices for jurors were also installed in several counties in the eighth district.

In the ninth district, the district court administrator coordinated and supervised the implementation of a multi-county, multi-circuit automated jury selection system. This included the development of specifica-

tions and requirements for the various components of the automated system and securing bids for these components. The district court administrator handled the grant paperwork for the seven counties participating in the system, and designed the multi-part continuous juror summons forms. He provided liaison between computer personnel and the judges, clerks and voter registrars in developing software specifications for the system. Also in this district, telephone-answering devices for jurors were installed in five counties. The district court administrator also analyzed the jury pool system in one county to determine more accurately the minimum size required for that county's superior court.

In the facilities area, the district court administrator in the third district worked with the AOC on courthouse renovation programs in three counties. He also studied the possibility of relocating the law library of one circuit and planned for that circuit's facility and equipment purchases. The court administrator coordinated purchases for the new judicial facilities in Bibb County. In the eighth district, the court administrator assisted with renovation projects in eight counties. A feasibility study of a courthouse was made in this district to determine the extent of renovation which would be required if photographic and electronic media coverage of courtroom proceedings were to be permitted.

There was involvement in court reporting matters in several districts during the last fiscal year. A pooling system for court reporters was continued in the eighth district. The district court administrator in the third district assisted with the purchase of new court reporting systems and worked with freelance reporters to reduce the transcript backlog. He also de-

signed a system for monitoring transcript production in one circuit and later modified it for use in another circuit in the district. County funding was obtained to provide for additional court reporters and transcript typists for Bibb County.

A computer-aided transcription project (CAT) was installed in the fifth district during the past fiscal year. Several court reporters have been trained to use this system, and a transcription center has been established. Paper-flow and statistical compilation systems have been designed and implemented for this project. The CAT project has resulted in the elimination of two and one-half full-time positions for typists who formerly typed court transcripts. This represents a monthly savings of over \$2,000 to Fulton County.

In the area of budgeting and fiscal administration, the district court administrator in the eighth district prepared annual budgets for four of the five circuits in this district for the second year. The court administrator in the third district assisted with the preparation of budgets and with the development of a court fiscal office for Bibb County which includes child support recovery, child support, alimony, fines and restitution. In the ninth district, the court administrator assisted with the development of procedures for implementing a child support/alimony collection division in one county. He also secured reimbursement of the court's costs for a county for trials involving inmates at a local corrections facility. In the tenth district, a cost/benefit analysis of a public defender program was prepared and total local funding was acquired for this program. In the first district, court personnel were assisted in obtaining funds for attending educational programs.

Several district court administrators assisted with the assign-

ment of senior and regular superior court judges within their districts. In one instance in the second district, the court administrator was able to locate, with help from the governor's office, a judge to hear a murder case which had been pending for almost three years. A judges' pool — a cooperative effort to coordinate the judicial manpower within the district — continued in operation last year in the eighth district. The court administrators also assisted new judges in establishing their offices in several districts. In the ninth district, the district court administrator assisted the judge of a new small claims court in setting up a simple, streamlined system for filing, indexing and docketing.

District court administrators were called upon several times during the past year to address local school and civic groups about court administration and other particular aspects of the judicial system in Georgia. They also attended and, in some cases, participated in educational programs for court personnel. They also coordinated and staffed meetings of their respective district councils.

Last year, the district court administrators were involved in a number of other projects. In the third district, the district court administrator began preliminary work on developing a pre-trial release program. In the first district, the district court administrator assisted with the design of court-related forms and disseminated information about court-related legislation. Also in the third district, the district court administrator worked with the AOC's records management consultant and the staff of the Council of Juvenile Court Judges to install centralized juvenile docketing offices in three circuits of this district. He also conducted preliminary studies of the feasibility of converting all

court offices in the Macon Judicial Circuit to the state's GIST telephone system.

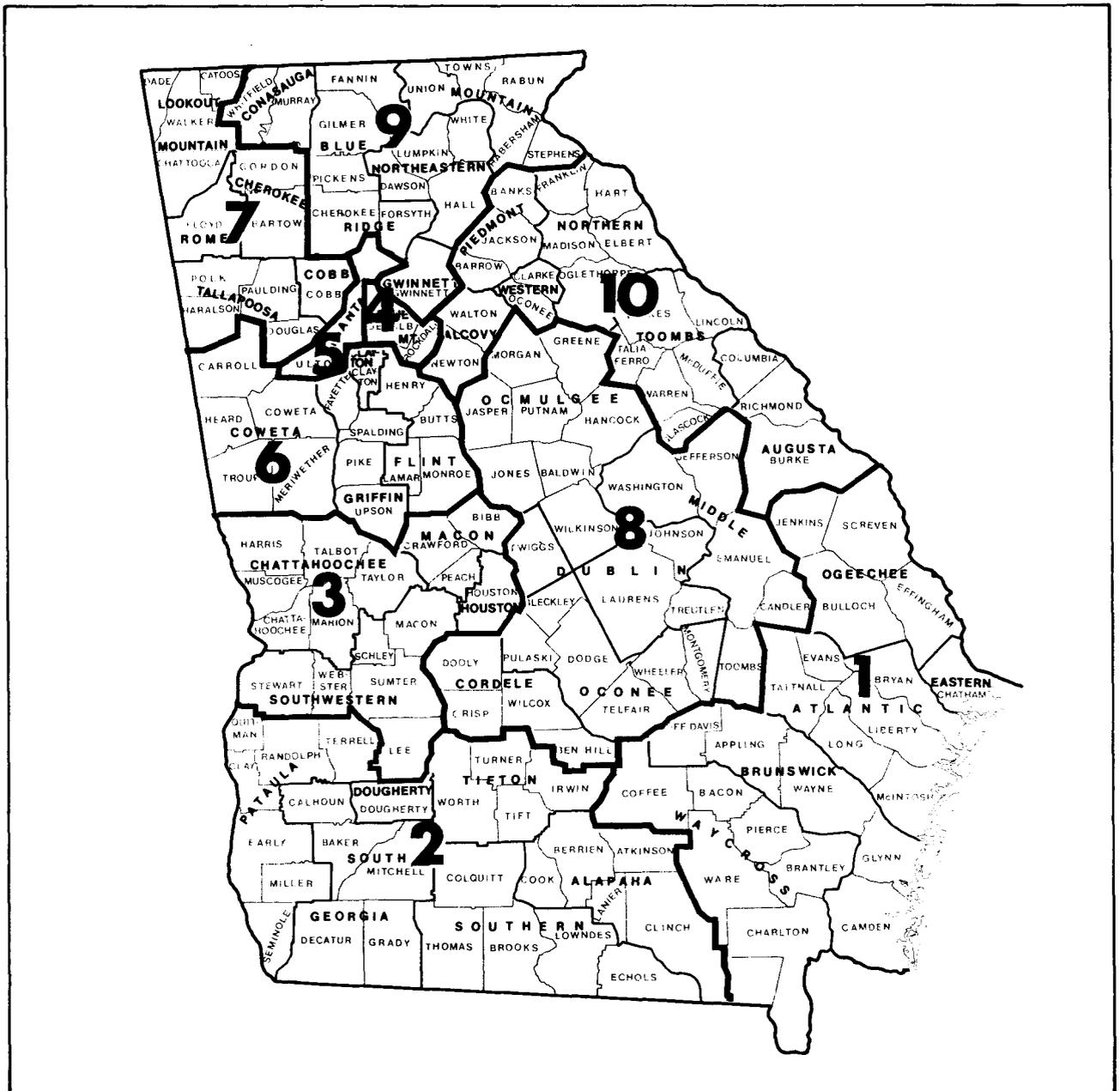
In the fifth district, the local rules of superior court were extensively indexed, updated and reprinted in booklet form. Work in the area of caseflow management in the ninth district included inventorying all criminal and civil cases over one year old pending in the superior courts in

fifteen of the seventeen counties in the district. The district court administrator provided lists of these pending cases to the appropriate superior court judges. In the tenth district, the district court administrator assisted with implementation of a warrant-tracking system. He also met with representatives of the Georgia Crime Information Center about improving proce-

dures for an offender-based tracking system and explored the feasibility of computer application for this system.

The above review of district activities is not meant to be exhaustive, but is representative of the types of projects and programs undertaken to meet the particular needs of the courts in each judicial administrative district.

Judicial Administrative Districts



District Personnel

District One: Atlantic, Brunswick, Eastern, Ogeechee and Waycross judicial circuits (twenty-two counties)

Headquarters: Savannah

Administrative Judge: Judge Dunbar Harrison

District Court Administrator: Michael S. deVegter

District Two: Alapaha, Dougherty, Pataula, South Georgia, Southern and Tifton judicial circuits (twenty-seven counties)

Headquarters: Valdosta

Administrative Judge: Judge Asa D. Kelley, Jr.

District Court Administrator: Roger E. Douglas

District Three: Chattahoochee, Houston, Macon and Southwestern judicial circuits (sixteen counties)

Headquarters: Macon

Administrative Judge: Judge Hal Bell

District Court Administrator: David L. Ratley

District Four: Stone Mountain Judicial Circuit (two counties)

Headquarters: Decatur

Administrative Judge: Judge Clarence L. Peeler, Jr. ¹

District Court Administrator: (position vacant)

District Five: Atlanta Judicial Circuit (one county)

Headquarters: Atlanta

Administrative Judge: Judge Sam P. McKenzie

District Court Administrator: Ronald E. Owens ²

District Six: Clayton, Coweta, Flint and Griffin judicial circuits (fourteen counties)

Headquarters: Griffin

Administrative Judge: Judge Andrew J. Whalen, Jr.

District Court Administrator: Fred Roney

District Seven: Cherokee, Cobb, Lookout Mountain, Rome and Tallapoosa judicial circuits (twelve counties)

Headquarters: Cartersville

Administrative Judge: Judge Jefferson L. Davis

District Court Administrator: Gerard P. Verzaal

District Eight: Cordele, Dublin, Middle, Ocmulgee and Oconee judicial circuits (twenty-seven counties)

Headquarters: Dublin

Administrative Judge: Judge Walter C. McMillan, Jr.

District Court Administrator: Jack L. Bean

District Nine: Blue Ridge, Conasauga, Gwinnett, Mountain and Northeastern judicial circuits (seventeen counties)

Headquarters: Dalton ³

Administrative Judge: Judge Robert L. Vining, Jr. ⁴

District Court Administrator: Burton W. Butler ⁵

District Ten: Alcovy, Augusta, Northern, Piedmont, Toombs and Western judicial circuits (twenty-one counties)

Headquarters: Augusta

Administrative Judge: Judge John F. Hardin

District Court Administrator: L. Tom Gunnels ⁶

¹ Judge Curtis V. Tillman is now the administrative judge for the fourth district.

² Owens is an assistant to Jack E. Thompson, court administrator of Fulton County Superior Court, whose position existed prior to the Judicial Administrative Act.

³ Canton is now headquarters for the ninth district.

⁴ Judge Marion T. Pope, Jr., is currently the administrative judge for the ninth district.

⁵ John T. Shope is now district court administrator.

⁶ Gunnels replaced W. Leon Barfield, who resigned in March 1979.

Judicial Nominating Commission

During fiscal year 1979, the Judicial Nominating Commission screened nominees for sixteen vacant judgeships in Georgia's major courts of record. The Commission furnished the governor evaluations of nominees for two vacancies on the Court of Appeals; eight vacancies in the superior courts — including four new judgeships; five vacancies in the state courts; and one vacancy in a municipal court.

The Commission was initially created in 1973 by executive order of then-Governor Jimmy Carter, and it was continued by order of Governor George Busbee in 1975. The Commission assists the governor in appointing qualified persons to judicial offices.

For each judicial vacancy, the Commission solicits nomina-

tions and then evaluates the nominees. Each nominee, as part of the evaluation process, completes a questionnaire relating to his qualifications and furnishes the Commission with a legal article or brief which he authored.

The Commission subsequently conducts its own investigation of each nominee, and is aided by information from lawyers who are familiar with the nominee or by relevant information from members of the bar in the jurisdiction where the vacancy exists. Each nominee who completes and submits a questionnaire to the Commission is personally interviewed by the Commission. After considering all pertinent information, the Commission submits to the governor a list of up to five

names found by the Commission to be qualified for the judicial vacancy.

The Commission is composed of ten members — five citizens appointed by the governor and five ex officio members of the State Bar of Georgia. The ex officio members are the president, the president-elect, the immediate past president and the second immediate past president of the State Bar and the immediate past president of the Younger Lawyers Section of the State Bar.

Since its creation in 1973, the Commission has acted on six vacancies in the Supreme Court, seven in the Court of Appeals, forty-six in the superior courts, ten in the state courts and one in a municipal court — a total of seventy judgeships.

Judicial Nominating Commission

H. Holcombe Perry, Jr., Esq., *chairman*
Albany attorney

A.G. (Gus) Cleveland, Jr., Esq.,
secretary
Atlanta attorney

Mrs. Odone B. Hill
Hawkinsville

Edgar C. Morgan, Jr.
Conyers

Felker W. Ward, Jr., Esq.
Atlanta attorney

Ex officio members
(until June 1979 meeting of State Bar)

Charles H. Hyatt, Esq.
President, State Bar of Georgia
Decatur

Kirk M. McAlpin, Esq.
President-elect
State Bar of Georgia
Atlanta

Wilton D. Harrington, Esq.
Immediate Past President
State Bar of Georgia
Eastman

Harold G. Clarke, Esq.*
Next Immediate Past President
State Bar of Georgia
Forsyth

E. Roy Lambert, Esq.*
Madison attorney

Charles T. Lester, Jr., Esq.
Immediate Past President
Younger Lawyers Section
State Bar of Georgia
Atlanta

*(from June 1979 meeting of
State Bar to present)*

Kirk M. McAlpin, Esq.
President, State Bar of Georgia
Atlanta

Bob Reinhardt, Esq.
President-elect
State Bar of Georgia
Tifton

Charles H. Hyatt, Esq.
Immediate Past President
State Bar of Georgia
Decatur

Wilton D. Harrington, Esq.
Next Immediate Past President
State Bar of Georgia
Eastman

Theodore M. Hester, Esq.
Immediate Past President
Younger Lawyers Section
State Bar of Georgia
Atlanta

*Mr. Lambert was appointed to the Commission in October 1978 to succeed Mr. Clarke, who resigned.

Judicial Qualifications Commission

The Judicial Qualifications Commission, established in 1973, is responsible for conducting investigations and hearings concerning complaints of misconduct by judges of any court in Georgia and for issuing formal opinions in answer to inquiries about appropriate judicial conduct.

During the past fiscal year, the Commission held six meetings and disposed of sixty-seven complaints. Six cases were closed by calling the attention of the judge to specific canons of the Code of Judicial Conduct. In one case, the Commission made a recommendation to the Supreme Court that a judge of a city court be publicly reprimanded. Following the close of the fiscal year, the Supreme Court approved the Commission's recommendation and administered a public reprimand. After investigation and consideration, the Commission re-

jected the remaining complaints as not justifying disciplinary proceedings.

The Commission, during fiscal year 1979, rendered three opinions involving such matters as whether part-time judges were disqualified from practicing criminal law in the superior courts; whether a judge of the superior court could establish a business corporation for the restoration and resale of antique automobiles; whether a judge of the superior court could properly own and operate a private law school; and whether a judge of the superior court whose son serves as district attorney may sign a rule nisi or similar order setting the time and place for hearing of various criminal matters such as juvenile adjudicatory or dispositional hearings, probation revocations, and the like, to be disposed of by another judge in the circuit.

Judicial Qualifications Commission

H. Holcombe Perry, Jr., Esq., *chairman*
Albany attorney

Howard Ector, *vice chairman*
Trust Company Bank
Atlanta

Harry S. Baxter, Esq.*
Atlanta attorney

Mrs. Amilee Graves
The Tri-County Advertiser
Clarksville

Judge George A. Horkan, Jr.
Superior Court
Southern Judicial Circuit
Moultrie

Frank C. Jones, Esq.*
Atlanta attorney

Judge Byron H. Mathews
State Court of Coweta County
Newnan

Will Ed Smith, Esq.
Eastman attorney

*Mr. Jones resigned in January 1979, and Mr. Baxter was appointed to succeed him on the Commission.

Superior Courts Sentence Review Panel

The fiscal year 1979 caseload of the Superior Courts Sentence Review Panel was four per cent more than its caseload for the previous year. The four quarterly panels of superior court judges considered a total of 1,235 cases from July 1, 1978 to June 30, 1979.

Sentences subject to review by the panel are those totaling five years or more which have been fixed and imposed by a judge, except in death penalty cases, as provided by the Judge Sentencing Act of 1974 (*Ga. Laws 1974*, p. 352).

The Sentence Review Panel does not automatically review sentences. An application for re-

view must be filed with the clerk of the sentencing court within thirty days of the date the sentence is imposed or within thirty days of the date the appellate court remittitur is made on the judgment of the sentencing court, whichever occurs last.

The panel reviews all the available information on each case before determining whether the imposed sentence is excessively harsh. If a majority of the panel agree that a sentence is unduly harsh, the Sentence Review Panel may reduce the length of the sentence. The panel is not empowered to increase any sentences.

Three superior court judges

form each panel. A supernumerary member — another superior court judge — is named for each panel. He serves when one of the other members cannot attend a meeting or is disqualified. The president of the Council of Superior Court Judges appoints the panel members for three-month terms.

Of the 1,235 cases reviewed by the panel last year, 101 sentences were reduced for a reduction rate of 8.18 per cent for fiscal year 1979. Since its creation, the panel has reviewed a total of 4,377 cases. The panel has affirmed the sentences imposed by the judge in 4,074 cases and reduced 303 sentences for a cu-

mulative reduction rate of 6.92 per cent from July 1, 1974 to June 30, 1979.

Shortly before the end of fiscal year 1979, there was a change in the membership of the panel's administrative board. Judge James B. O'Connor resigned from the board, and Judge Thomas W. Ridgway was appointed to succeed him.

The administrative board sets panel policy, assists in the administration of the panel and maintains continuity between the three-month rotating panels.

Administrative Board, Sentence Review Panel

Judge Luther Alverson, *chairman*

Atlanta Judicial Circuit
Atlanta

Judge George A. Horkan, Jr.

Southern Judicial Circuit
Moultrie

Judge James B. O'Connor*

Oconee Judicial Circuit
Eastman

Judge Thomas W. Ridgway*

Alcovy Judicial Circuit
Monroe

*Judge Ridgway was appointed to succeed Judge O'Connor who resigned effective June 1, 1979.

Superior Courts Sentence Review Panel of Georgia

Panel XVII

(July 1 through September 30, 1978)

Judge G. Ernest Tidwell, *chairman*

Atlanta Judicial Circuit
Atlanta

Judge Leonard Farkas

Dougherty Judicial Circuit
Albany

Judge Jere F. White

Cherokee Judicial Circuit
Cartersville

Judge William T. Dean, *supernumerary*

Stone Mountain Judicial Circuit
Decatur

Panel XVIII

(October 1 through December 31, 1978)

Judge Marion T. Pope, Jr., *chairman*

Blue Ridge Judicial Circuit
Canton

Judge Joseph J. Gaines

Western Judicial Circuit
Athens

Judge Charles L. Weltner

Atlanta Judicial Circuit
Atlanta

Judge Paul W. Painter, *supernumerary*

Lookout Mountain Judicial Circuit
Rossville

Panel XIX

(January 1 through March 31, 1979)

Judge William M. Towson, *chairman*

Dublin Judicial Circuit
Dublin

Judge Walker P. Johnson, Jr.

Macon Judicial Circuit
Macon

Judge Preston N. Rawlins, Jr.

Oconee Judicial Circuit
McRae

Judge William F. Grant, *supernumerary*

Northern Judicial Circuit
Elberton

Panel XX

(April 1 through June 30, 1979)

Judge William R. Killian, *chairman*

Brunswick Judicial Circuit
Brunswick

Judge Greeley Ellis

Alcovy Judicial Circuit
Covington

Judge W.D. Knight

Alapaha Judicial Circuit
Nashville

Judge Ben J. Miller, *supernumerary*

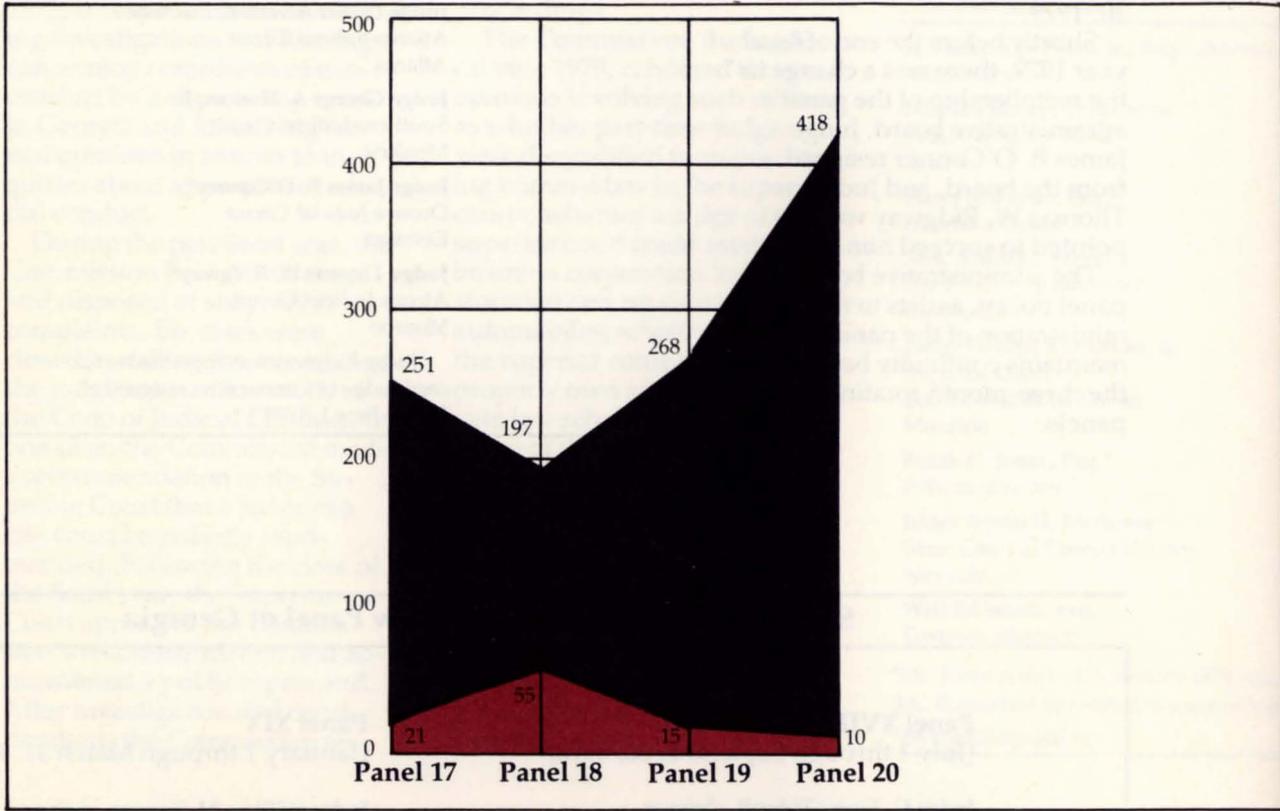
Griffin Judicial Circuit
Thomaston

Superior Courts Sentence Review Panel

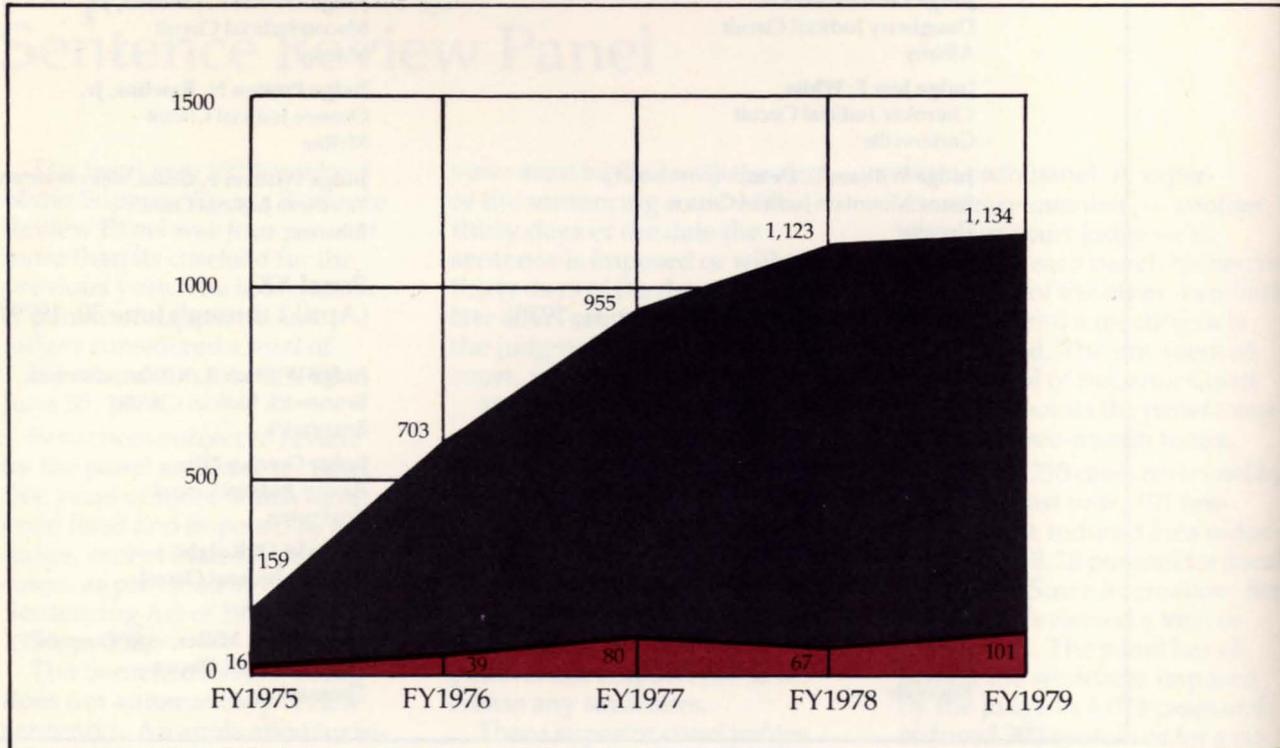
Fiscal Year 1979
Caseload Summary

Key: Cases Affirmed (black square) Cases Reduced (red square)

Cumulative reduction rate as of June 30, 1979: 6.92 per cent



Five-Year Comparison of Caseload of Sentence Review Panel





Talbot County Courthouse

Annual Report Council of Juvenile Court Judges

Executive Committee, 1979

Judge Herbert M. Crane, Jr., Juvenile Court of Bartow County, *President*

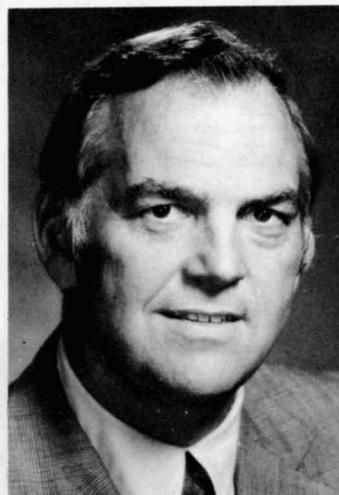
Judge Grady L. Dickey, Juvenile Court of Chatham County, *President-elect*

Judge George W. Brown, Juvenile Court of Hall County, *Vice President*

Judge Edward D. Wheeler, Juvenile Court of DeKalb County, *Treasurer*

Judge Martha K. Glaze, Juvenile Court of Clayton County, *Secretary*

Judge Romae T. Powell, Juvenile Court of Fulton County, *Immediate Past President*



Judge Herbert M. Crane, Jr.

The state's juvenile justice system is a complex network of state, local and private agencies. The courts which exercise jurisdiction in juvenile matters have a special responsibility to ensure that existing resources are efficiently used and to advocate for the establishment of resources necessary to carry out the purposes of the juvenile courts.

During fiscal year 1979, the Georgia Council of Juvenile Court Judges placed a special emphasis on continuing education for judicial and non-judicial personnel in the court system and on the development of management tools such as a juvenile court information system and the model juvenile court docket in an effort to improve administration within the juvenile courts.

The Council also revised and updated its previously published *Juvenile Court Judges Benchbook* and *A Salary and Personnel Survey of Juvenile Courts*. The latter publication provides a detailed examination of the operation of the juvenile courts as well as data on the judges of those courts. The former provides a

ready reference of statutes and cases indexed by subject for the use of judges on the bench.

The Council of Juvenile Court Judges has continued its liaison with numerous juvenile justice-related agencies and worked especially closely during 1979 with the Judicial Council of Georgia/Administrative Office of the Courts; the Division of Youth Services of the Department of Human Resources; the Judicial Planning Committee; the State Crime Commission; the Institute of Continuing Judicial Education of Georgia; the Committee to Revise the Judicial Article; the Senate Committee on Juvenile Institutions; and the Senate Interim Study Committee on Juvenile Justice.

The Council was created in 1971 by the General Assembly (*Ga. Code Ann. Sec. 24A-501 (a) (b)*) and is empowered with the authority to establish general policies for the conduct of courts exercising jurisdiction over juveniles and may promulgate uniform rules and forms governing procedures and practices of the courts. Its membership consists of all judges exercising jurisdic-

tion in juvenile matters. During the past year, membership consisted of eight full-time juvenile court judges; forty part-time juvenile court judges (six of these also serve as state court judges); and thirty-six superior court judges who also serve as judge of the juvenile court in those counties which have not established a separate juvenile court. Membership of the Council continues to reflect an accelerating trend to create separate juvenile courts.

Continuing Education

The Council and its staff cooperated during the past fiscal year with the Institute of Continuing Judicial Education in developing and conducting in-service training workshops for judicial and court staff. A seminar for juvenile court probation officers of independent juvenile court systems was presented during fiscal year 1979. This seminar, the third of its type, served over seventy persons, both line staff and supervisors. In addition to this seminar, the annual fall workshop for juve-

nile court judges in 1978 was planned by the Council's education committee and presented to forty judges.

During the past fiscal year, the Council and the Division of Youth Services of the Department of Human Resources continued implementation of a joint grant which provides for training programs for direct-service personnel of the juvenile courts. The grant is jointly administered by a board of directors com-

posed of judges, personnel of the Division of Youth Services and probation staff from the independent juvenile court systems. This nine-member board supervised the establishment of program curricula during the past year. The first actual training programs began in August 1978. During fiscal year 1979, thirty-seven training sessions reached 790 persons and resulted in a total of 10,099 training hours. The Council is repre-

sented by a member of its staff on the committee which makes detailed arrangements for the training sessions.

The Council will continue to work with Institute of Continuing Judicial Education in planning future judicial educational programs and is represented on the Institute's Board of Trustees. The Institute is responsible for developing a comprehensive program for continuing judicial education.

Board of Directors for Division of Youth Services/Georgia Council of Juvenile Court Judges' Joint Education Program

Judge Edward D. Wheeler, chairman
Juvenile Court of DeKalb County
Decatur

Jim Burton
Division of Youth Services
Department of Human Resources

George Collins
Juvenile Court of Fulton County
Atlanta

Judge Virgil Costley, Jr.
Juvenile Court of Newton County
Covington

Wanda Holstein
Juvenile Court of Bartow County
Cartersville

Nancy Jones
Juvenile Court of Cobb County
Marietta

Peggy Rooney
Division of Youth Services
Department of Human Resources

Pat Rudolph
Juvenile Court of Floyd County
Rome

Judge David J. Turner, Jr.
Juvenile Court of Meriwether County
Manchester

Publications

The Council's *Juvenile Court Judges Benchbook* was updated during the last fiscal year and is to be distributed to all judges and referees hearing juvenile court cases. The benchbook is designed as a reference book for juvenile court judges to use during hearings. It is topically indexed to all case law and Georgia statutes. It received the National Council of Juvenile and Family Court Judges' award for the best education program in 1978.

Also, a revision of the Council's *Manual for Juvenile Court Judges* was completed during the past year. This manual describes almost all processes in the juvenile court and serves as a re-

Education and Planning Committee

Judge George W. Brown, Jr., chairman
Juvenile Court of Hall County
Gainesville

Judge Martha K. Glaze
Juvenile Court of Clayton County
Jonesboro

Judge Dennis F. Jones
Juvenile Court of DeKalb County
Decatur

Judge Lawton Lesueur, Jr.
Juvenile Court of Sumter County
Americus

Judge William C. Peters
Juvenile Court of Colquitt County
Moultrie

Judge Romae T. Powell
Juvenile Court of Fulton County
Atlanta

Judge Rex R. Ruff
Juvenile Court of Cobb County
Marietta

Judge Eugene S. Taylor
Juvenile Court of Whitfield County
Dalton

Judge David J. Turner, Jr.
Juvenile Court of Meriwether County
Manchester

Judge A.J. Welch, Jr.
Juvenile Court of Henry County
McDonough

source and training tool for juvenile court judges. It contains model legal forms which may be used by local courts.

Management Tools

The Council placed particular emphasis during fiscal year 1979 on the completion of an automated statistical information system for juvenile courts. Progress on the system, which depends on the use of the model juvenile court dockets, has accelerated in recent months. The information system generates a set of twelve reports reflecting a variety of data groupings for those counties which use the model juvenile court docket. The programming for this system was completed this year, and the Administrative Office of the Courts, which has provided technical assistance on this project, is currently working out final technical problems with the system.

The model juvenile court docket project received an encouraging boost this year when the governor made available the necessary funds to the Council to purchase docket sheets for all the juvenile courts in the state. This has alleviated any cost to the counties for using the docket book and has encouraged more counties to participate in the system. At the end of fiscal year 1979, there were seventy counties actively using the model dockets and the information system. Sixteen more counties have ordered the dockets and have requested assistance in using the system. The Council has worked closely with the AOC's records management consultant during the past year to increase the number of juvenile courts using the model dockets and to ensure that docketing instructions are clear so that the data recorded on the docket sheets can be used in the information system. During the past year, an

Juvenile Court Statewide Judicial Data System Committee

Judge Othniel W. McGehee, *chairman*
Juvenile Court of Bibb County
Macon

Wanda T. Craven
Juvenile Court of Cobb County
Marietta

Judge Claude L. Goza
Juvenile Court of Fayette County
Fayetteville

Wanda Holstein
Juvenile Court of Bartow County
Cartersville

Judge Romae T. Powell
Juvenile Court of Fulton County
Atlanta

Jane Taylor
Juvenile Court of Fulton County
Atlanta

Larry Webb
Division of Youth Services
Department of Human Resources

instruction manual was completed for the use of the model juvenile court docket and distributed to all counties currently using the system.

Until the juvenile court information system is in full operation, limited data on the caseloads of the juvenile courts must still be collected manually to provide planning data to forecast the needs of the courts. Data on the caseloads of the juvenile courts during fiscal year 1979 was collected by the Administrative Office of the Courts and by the district court administrators. Original papers and docket entries in each juvenile court in the state were used to determine the number and type of cases filed and disposed of in each juvenile court, according to standard definitions and terminology. This manual system of counting cases will become obsolete in the juvenile court system once the statistical information system is in operation on a statewide basis.

In another area, the Council submitted and received approval for a grant application for the purchase of services for status offenders. The grant — of approximately \$400,000 — provides for allocations of funds to every county in the state for purchase of services for status offenders on a contract basis. A county may contract with local providers of services, such as non-secure detention, tutoring,

Judicial Liaison Committee

Judge Grady L. Dickey, Jr., *chairman*
Juvenile Court of Chatham County
Savannah

Judge Eugene C. Black
Juvenile Court of Dougherty County
Albany

Judge George W. Brown, Jr.
Juvenile Court of Hall County
Gainesville

Judge Virgil Costley, Jr.
Juvenile Court of Newton County
Covington

Norman Fisher, *referee*
Juvenile Court of Fulton County
Atlanta

Judge Martha K. Glaze
Juvenile Court of Clayton County
Jonesboro

Judge Othniel W. McGehee
Juvenile Court of Bibb County
Macon

Judge William D. Harris
Juvenile Courts of the Blue Ridge Judicial
Circuit
Jasper

counseling and transportation, for status offenders. The costs of such services incurred by the court's contact with status offenders are eligible for reimbursement through the grant. This one-year grant, which ends June 30, 1980, was provided from funds reverted to the State Crime Commission by other agencies.

The Council of Juvenile Court Judges has also, through its staff, provided technical assistance in several areas to juvenile

courts around the state, at no cost to these courts. The juvenile courts in Richmond and Troup counties and in the Blue Ridge Judicial Circuit were among those which requested and received technical assistance in making their courts more efficient and effective.

Liaison with Other Agencies

An important and continuing function of the Council of Juvenile Court Judges is its liaison and advisory role with other agencies concerning major policy matters affecting all juvenile courts. In this regard, three special committees of the Council were appointed during the past fiscal year to increase the Council's effectiveness.

The Judicial Liaison Committee of the Council of Juvenile Court Judges meets regularly with the Division of Youth Services of the Department of Human Resources to improve the working relationship between the executive and judicial branches in providing services to the children of the state. Additionally, other Council committees met during the past fiscal year to assist in planning processes affecting the juvenile court system. The Judicial Planning Committee and its Juvenile Justice Task Force assisted in the development of statewide plans for the use of federal funding for juvenile courts awarded through the State Crime Commission. The Council's Committee on Constitutional Revision of the Judicial Article served in an advisory capacity on matters related to juvenile court jurisdiction to the Committee to Revise the Judicial Article.

Judge Herbert M. Crane, Jr., president of the Council, and two members of the Council's staff have been named to the Advisory Committee of the Senate Juvenile Justice Study Committee. This committee is

examining the entire juvenile justice system and is scheduled to report its findings in January 1980 to the full Senate. The Council has had the opportunity to have a direct impact on both the findings and the direction of this Senate committee.

Statutes

There were several statutes enacted by the 1979 Session of the General Assembly which were relevant to juvenile justice. House Bill 207 (Act. No. 618) relates to the jurisdiction of matters pertaining to the termination of parental rights. The act provides that a petition for termination in cases in which the child has been placed for adoption be filed in the superior court and gives the superior court the option to transfer it to the ju-

venile court if it sees fit. Senate Bill 83 (Act No. 666) amended Code Section 24A-301 relating to the juvenile court's jurisdiction over 17-year-olds who are on probation to the juvenile court and who commit a new offense. Senate Bill 141 (Act No. 460) relates to suspension from school, setting out rules and regulations for schools to follow in the process of suspending or expelling students.

The most substantial and crucial bill relating to the juvenile justice system considered during the 1979 session was Senate Bill 144. This bill, which passed the Senate and is currently in the House Special Judiciary Committee, provides for a statewide network of state-paid juvenile court judges to serve an entire judicial circuit.

Committee to Revise the Judicial Article of the Constitution

Judge Herbert M. Crane, Jr., *chairman*
Juvenile Court of Bartow County
Cartersville

Judge Billy Shaw Abney
Juvenile Court of Walker County
LaFayette

Judge Martha K. Glaze
Juvenile Court of Clayton County
Jonesboro

Separate Juvenile Courts

County	Date Established	County	Date Established	County	Date Established
Chatham	1915	Clayton	1955	Upson	1976
Fulton	1915	Lowndes	1955	Meriwether	1976
Muscogee	1916	Gordon	1955	Terrell	1977
Bibb	1917	Sumter	1957	Banks	1977
Floyd	1917	Carroll	1960	Barrow	1977
Richmond	1917	Ware	1960	Crisp	1977
Troup	1919	Appling	1963	Jackson	1977
Glynn	1923	Wayne	1964	Clay	1978
Dougherty	1925	Newton	1967	Cherokee	1978
DeKalb	1927	Houston	1968	Early	1978
Colquitt	1937	Walker	1971	Fannin	1978
Hall	1938	Bartow	1971	Forsyth	1978
Gwinnett	1939	Henry	1971	Gilmer	1978
Whitfield	1940	Walton	1973	Pickens	1978
Thomas	1947	Dade	1974	Randolph	1978
Laurens	1951	Catoosa	1974	Douglas	1979
Cobb	1951	Fayette	1976	Jeff Davis	1979
Clarke	1953	Pike	1976	Coweta	Unknown
Camden	1953	Spalding	1976	Polk	Unknown



Hancock County Courthouse

Supreme Court Order and Act Creating the Judicial Council

Supreme Court of Georgia
Atlanta, June 12, 1978

The Honorable Supreme Court met pursuant to adjournment. The following order was passed:

The petition of the Judicial Council of Georgia filed on May 30, 1978, is hereby granted.

It is ordered:

(a) that the Judicial Council of Georgia be and it hereby is established as an administrative arm of this Court; and

(b) that the officers and members of the Judicial Council of Georgia shall be the officers and members of the Council as presently constituted; and

(c) that the powers and duties of the Judicial Council of Georgia shall be the same as the powers and duties of the Council as presently constituted; and

(d) that the membership, powers and duties of the Council may be changed from time to time by further order of this Court.

It is further ordered that any member of the State Bar of Georgia or any other interested person may file with this Court before September 1, 1978, written objections to this order. Written objections may be accompanied by argument and citations of authority. A hearing on objections will be set by this Court after September 1, 1978, if demanded by any objector.

It is further ordered that the State Bar of Georgia publish a copy of the petition of the Judicial Council of Georgia and of this order in the next issue of the *Georgia State Bar News*.

Act No. 178, Ga. Laws 1973,
p. 288

An Act to create a Judicial Council of the State of Georgia; to provide for the membership of the council, their qualifications, appointment, election, compensation, expenses, terms of office, succession, duties, powers, authority and responsibilities; to provide for a method of filling vacancies; to provide for meetings of the council; to provide for officers of the council and their terms; to provide for rules for the transaction of business; to create the Administrative Office of the Courts; to provide that such office shall serve as the staff for the Judicial Council; to provide for the appointment of a Director of the Administrative Office of the Courts and his compensation, duties, powers, authority and term of office; to provide for assistants, clerical and secre-

tarial employees and their duties and compensation; to provide for the duties and authority of the Administrative Office of the Courts; to provide for annual reports; to provide that the provisions of this Act shall not be construed as limiting or affecting the authority of any court to appoint administrative or clerical personnel; to provide for other matters relative to the foregoing; to provide an effective date; to repeal an Act creating a Judicial Council of the State of Georgia, approved February 28, 1945 (Ga. L. 1945, p. 155); to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. (a) There is hereby created the Judicial Council of the State of Georgia. The council shall be composed of eleven members, nine of whom shall be judges of courts of record of the State. The two remaining members shall be the president of the State Bar of Georgia and the immediate past president of the State Bar of Georgia. The initial nine judicial members of the council shall be appointed by the Governor, with three such initial members being appointed for a term of four years, three such initial members being appointed for a term of three years, and three such initial members being appointed for a term of two years. Immediately prior to the expiration of a member's term of office as a member, the council shall elect a new member to succeed the member whose term is expiring. Following the terms of the initial members appointed by the Governor, the term of office of each judicial member of the council shall be for a period of four years. The initial members of the council shall take office on May 1, 1973, and succeeding members of the council shall take office on the first day of May following their election by the council. No judicial member of the council shall be eligible to succeed himself for a consecutive term as a member. The president and immediate past president of the State Bar of Georgia shall serve as members of the council only during their tenure as president or immediate past president of the State Bar of Georgia.

(b) In the event a vacancy occurs in the judicial membership of the council as a result of the death, resignation, retirement, removal or failure of re-election as a judge of a court of record, the remaining members of the council shall elect a qualified person to serve for the remainder of the unexpired term of the member whose seat is vacant. The person elected to fill such vacancy shall take office im-

mediately upon his election.

Section 2. The council shall meet at such times and places as it shall determine necessary or convenient to perform its duties. The council shall annually elect a chairman and such other officers as it shall deem necessary and shall adopt such rules for the transaction of its business as it shall desire. The members of the council shall receive no compensation for their services, but shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the council.

Section 3. There is hereby created the Administrative Office of the Courts, which shall serve as the staff for the Judicial Council.

Section 4. The Judicial Council shall appoint a Director of the Administrative Office of the Courts, who shall serve at the pleasure of the Judicial Council. The director shall be the executive head of the Administrative Office of the Courts and shall perform such duties as provided in this Act or as may be delegated to him by the Judicial Council. The director shall devote his full time to his official duties. The director shall receive such compensation and expenses as may be authorized by the Judicial Council. With the approval of the Judicial Council, the director shall appoint such assistants, clerical and secretarial employees as are necessary to enable him to perform his duties and fix their compensation.

Section 5. Under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

(a) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested.

(b) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.

(c) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts.

(d) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.

(e) Act as fiscal officer and prepare and submit budget estimates of State appro-

priations necessary for the maintenance and operation of the judicial system.

(f) Formulate and submit recommendations for the improvement of the judicial system.

(g) Perform such additional duties as may be assigned by the Judicial Council.

(h) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.

Section 6. The provisions of this Act shall not be construed as limiting or affecting the authority of any court.

Section 7. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 8. An Act creating a Judicial Council for the State of Georgia, approved February 18, 1945 (Ga. L. 1945, p. 155), is hereby repealed in its entirety.

Section 9. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 3, 1973.

Appendix Two

Funding and Expenditure Summary for Funds Administered by the Judicial Council of Georgia/Administrative Office of Courts

Fiscal Year 1979

Project	Funding Source	FY 1979: Funds Available	FY 1979: Total Expenditures
Administrative Office of the Courts			
General	State Funds	\$246,600	\$246,600
Court Administration	LEAA Grants		
	77A-08-001	31,256	31,256
	78A-08-002	249,000	211,659
Computer Services	LEAA Grant		
	78A-08-001	84,859	42,195
Model Court Records	LEAA Grants		
	77A-18-002	12,067	12,067
	78A-20-002	73,334	49,664
Traffic Court Improvement	Office of Highway Safety Grants		
	307-78-001-001	34,615	33,796
	79-07-01-A-307-01	15,696	8,766
	79-07-01-A-307-02	20,316	10,226
Judicial Education	LEAA Grants		
	77A-20-002	23,187	14,693
	78A-12-002	185,555	109,255
Institute of Continuing Judicial Education	State Funds	30,000	30,000
Judicial Administrative Districts	LEAA Grant		
	74-08-002	106,189	84,053
	State Funds	256,000	245,876
Board of Court Reporting	State Funds	8,400	8,400
	Fees	30,853	15,594
Judicial Qualifications Commission	State Funds	56,652	29,255
Sentence Review Panel	State Funds	52,860	49,633
Council of Juvenile Court Judges	State Funds	73,475	73,430
S.B. 100 Conference	LEAA Grant		
	76J-02-011	6,701	359
Justice Courts Training Council	State Funds	17,200	17,200
	Fees	17,720	17,720
Judicial Planning Committee	1978 LEAA/State Crime		
	Commission Contract	16,641	14,057
	1979 LEAA/State Crime		
	Commission Contract	50,000	29,345

Members of the Judicial Council of Georgia

May 1, 1973 to June 30, 1979

Judge F. Jack Adams, President, State Bar of Georgia (6/8/73 to 6/7/74). 6/8/73 to 6/7/75

Judge Francis W. Allen, State Court of Bulloch County. 7/1/76 to 6/30/80

Judge Hal Bell, Superior Court, Macon Judicial Circuit. 5/1/73 to 6/30/76; *chairman*, 7/1/74 to 6/30/75

Judge Marcus B. Calhoun, Superior Court, Southern Judicial Circuit. 6/7/73 to 6/30/75

Judge Frank S. Cheatham, Jr., Superior Court, Eastern Judicial Circuit. 7/1/75 to 6/30/79

Judge H. Sol Clark, Court of Appeals of Georgia. 7/26/74 to 6/30/75

Harold G. Clarke, President, State Bar of Georgia (6/4/76 to 6/3/77). 7/1/76 to 6/30/78

A.G. Cleveland, Jr., President, State Bar of Georgia (6/4/71 to 6/2/72). 5/1/73 to 6/8/73

Judge Kenneth B. Followill, State Court of Muscogee County. 5/1/73 to 6/30/76; *secretary-treasurer*, 7/1/73 to 6/30/74; *vice chairman*, 7/1/74 to 6/30/75; *chairman*, 7/1/75 to 6/30/76

Judge J. Bowie Gray, Superior Court, Tifton Judicial Circuit. 5/1/73 to 6/3/75; *vice chairman*, 7/1/73 to 6/30/74

Judge W. Marion Guess, Jr., Probate Court of DeKalb County. 7/1/77 to 6/30/81

Justice William B. Gunter, Supreme Court of Georgia. 5/1/73 to 7/26/74

Justice Robert H. Hall, Supreme Court of Georgia. 5/1/73 to 6/30/77; *chairman*, 6/7/73 to 6/30/74

Wilton D. Harrington, President, State Bar of Georgia (6/3/77 to 6/2/78). 7/1/77 to 6/30/79

W. Stell Huie, President, State Bar of Georgia (6/6/75 to 6/4/76). 7/1/75 to 6/30/77

Charles H. Hyatt, President, State Bar of Georgia (6/2/78 to 6/8/79). 7/1/78 to 6/30/80

Justice Robert H. Jordan, Supreme Court of Georgia. 7/1/77 to 6/30/81

Judge Walter C. McMillan, Jr., Superior Court, Middle Judicial Circuit. 5/1/73 to 6/30/76; *temporary secretary*, 5/4/73 to 6/7/73

Judge James B. O'Connor, Superior Court, Oconee Judicial Circuit. 5/1/73 to 6/1/73; 7/1/76 to 6/30/80; *secretary-treasurer*, 7/1/77 to 6/30/78; *vice-chairman*, 7/1/78 to 6/30/79

Judge Paul W. Painter, Superior Court, Lookout Mountain Judicial Circuit. 7/1/76 to 6/30/80; *chairman*, 4/1/79 to 6/30/79

Judge Marion T. Pope, Jr., Superior Court, Blue Ridge Judicial Circuit. 7/1/75 to 6/30/79; *secretary-treasurer*, 7/1/76 to 3/1/77; *vice-chairman*, 3/1/77 to 6/30/77; *chairman*, 7/1/77 to 6/30/78

Frank W. Seiler, President, State Bar of Georgia (6/2/72 to 6/8/73). 5/1/73 to 6/30/74; *temporary chairman*, 5/4/73 to 6/7/73

Cubbedge Snow, Jr., President, State Bar of Georgia (6/7/74 to 6/6/75). 7/1/74 to 6/30/76

Judge William K. Stanley, Jr., Probate Court of Bibb County. 5/1/73 to 6/30/77

Judge Irwin W. Stolz, Jr., Court of Appeals of Georgia. 7/1/75 to 3/1/77; *secretary-treasurer*, 7/1/75 to 6/30/76; *vice-chairman*, 7/1/76 to 3/1/77

Judge G. Ernest Tidwell, Superior Court, Atlanta Judicial Circuit. 5/1/73 to 6/30/77; *secretary-treasurer*, 7/1/74 to 6/30/75; *vice-chairman*, 7/1/75 to 6/30/76; *chairman*, 7/1/76 to 6/30/77

Judge Julian Webb, Court of Appeals of Georgia. 3/1/77 to 4/1/79; *secretary-treasurer*, 3/1/77 to 6/30/77; *vice-chairman*, 7/1/77 to 6/30/78; *chairman*, 7/1/78 to 4/1/79

Judge Charles L. Weltner, Superior Court, Atlanta Judicial Circuit. 7/1/77 to 6/30/81; *secretary-treasurer*, 7/1/78 to 6/30/79

Appendix Four

Judicial Administration Act of 1976

Act No. 1130, Ga. Laws 1976, p. 782

An Act to create Judicial Administration Districts and the boundaries thereof; to provide for a short title; to provide for Judicial Administration District Councils, their composition, presiding officers, meetings and establishing of rules; to provide for the election of Administrative Judges, their term, removal, duties, authority, and compensation; to provide for Administrative Assistants, their qualifications, duties, compensation, and classification; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Short Title. This Act shall be known and may be cited as "The Judicial Administration Act of 1976."

Section 2. Judicial Administration Districts; Creation. Ten (10) Judicial Administration Districts of more or less equal population in each District are hereby created within the State. The boundaries of the ten Judicial Administration Districts, to the extent possible, shall follow the present boundaries of the ten (10) U.S. Congressional Districts, except that each existing judicial circuit shall remain intact and shall not be placed in more than one Judicial Ad-

ministration District. The Governor, after conferring with the Superior Court Judges, shall establish by July 1, 1976, the original boundaries of each Judicial Administration District pursuant to the provisions of this section. The ten (10) Administrative Judges provided for in this Act may provide for any necessary changes in the boundaries in such Districts not inconsistent with the provisions of this Section.

Section 3. Judicial Administration District Councils. A District Council for each Judicial Administration District is hereby created, composed of all judges of the superior court within the District. The superior court judge in each District

having seniority in number of years as a superior court judge shall serve as presiding officer of the District Council. Each District Council shall meet at least once a year and as often as required to discuss administrative problems peculiar to the District and otherwise to perform its duties. Each District Council shall establish rules, by majority vote, which shall cover the right to call additional meetings and procedures for handling the administrative work of the Council.

Section 4. District Administrative Judge. The judges of each District Council shall elect a superior court judge or a judge emeritus of the superior court to serve for a two-year term as an "Administrative Judge" within the district. The District Administrative Judge shall serve until his successor is elected and qualified; provided, however, that the District Administrative Judge may be removed at any time by a two-thirds vote of all judges comprising the District Council. The duties of Administrative Judge shall be additional duties which shall not be construed to diminish his other responsibilities.

Section 5. Administrative Assistant. Each District Administrative Judge is hereby authorized to hire a full-time assistant adequately trained in the duties of court administration. The assistant

shall assist in the duties of the District Administrative Judge, provide general court administrative services to the District Council, and otherwise perform such duties as may be assigned to him by the District Administrative Judge. Each assistant shall be an employee of the Judicial Branch of State Government and shall be in the unclassified service of the State Merit System of Personnel Administration. The assistant shall be compensated in an amount and manner to be determined by uniform rules adopted by the ten (10) Administrative Judges. Each assistant shall be compensated out of funds made available for such purposes within the Judicial Branch of Government.

Additional funds shall be made available for needed clerical and other office operation costs of the assistant.

Section 6. Duties and Authority of District Administrative Judge.

The duties and authority of each District Administrative Judge shall be as follows:

(a) To request, collect and receive information from the courts of record within his District pursuant to uniform rules promulgated by the ten (10) Administrative Judges;

(b) To authorize and assign any superior court judge within the District to sit on any type of case or handle other ad-

ministrative or judicial matters within the District, provided, however, that the assignment shall be made with the consent of the assigned judge and with the consent of the majority of the judges of the circuit to which the assignment is made; that the assignment shall be made subject to rules promulgated by the District Council by a majority vote of the superior court judges within the District.

Section 7. Severability. In the event any section, subsection, sentence, clause or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

Section 8. Effective Date. This Act shall become effective July 1, 1976.

Section 9. Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 25, 1976.

Appendix Five

The Georgia Court Reporting Act

Act No. 851, Ga. Laws 1974, p. 345

An Act to be known as "The Georgia Court Reporting Act"; to provide a short title; to provide for a declaration of purpose; to provide that the Judicial Council of Georgia is an agency of the judicial branch of State government for certain purposes; to provide for authority, powers and duties of the Judicial Council and of the Board of Court Reporting of the Judicial Council relative to the regulation of court reporting; to require certification of court reporters; to provide for injunctions; to provide for penalties; to provide that it shall be unlawful for a person to engage in the practice of court reporting without being certified; to provide for rules and regulations; to provide

for practice and procedures; to provide for other matters relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Short Title. This Act shall be known and may be cited as "The Georgia Court Reporting Act."

Section 2. Declaration of Purpose. It is hereby declared by the General Assembly of Georgia that the practice of court reporting carries important responsibilities in connection with the administration of justice, both in and out of the courts; that the court reporters are officers of the courts, and that the right to

define and regulate the practice of court reporting belongs naturally and logically to the judicial branch of the State government. Therefore, in recognition of these principles, the purpose of this Act is to act in aid of the judiciary so as to insure minimum proficiency in the practice of court reporting by recognizing and conferring jurisdiction upon the Judicial Council of the State of Georgia to define and regulate the practice of court reporting.

Section 3. Judicial Council of Georgia; Agency of Judicial Branch. The Judicial Council of Georgia, as created by an Act approved April 3, 1973 (Ga. L. 1973, p. 288), is hereby declared to be an agency of the judicial branch of State

government for the purpose of defining and regulating the practice of court reporting in this State.

Section 4. Definitions. The following words and phrases when used in this Act shall have the following meanings:

(1) "Court Reporting" shall mean the making of a verbatim record by means of manual shorthand, machine shorthand or Stenomask or other means of personal verbatim transcription of any testimony given under oath before or for submission to, any court, referee, court examiner or board, commission or other body created by statute of this State, or any other proceedings where a verbatim record is required.

(2) "Court Reporter" shall mean any person who is engaged in the practice of court reporting as a profession as defined in this Act. The term "court reporter" shall include not only those who actually report judicial proceedings in courts, but those who make verbatim records as defined in subsection (1) of this Section.

(3) "Certified Court Reporter" shall mean any person certified under provisions of this Act to practice verbatim reporting.

(4) "Board" shall mean the Board of Court Reporting of the Judicial Council as hereinafter provided.

Section 5. Board of Court Reporting of the Judicial Council, creation, name, membership, appointment, qualifications, terms, vacancies, removal. There is hereby established a board which shall be known and designated as the "Board of Court Reporting of the Judicial Council" and shall be composed of seven members, four members to be Certified Court Reporters and two members to be representatives from the State Bar of Georgia, and one member from the judiciary, each of whom shall have not less than five years' experience in his or her profession. The initial board shall be appointed by the Judicial Council. The term of office shall be two years, and the Judicial Council shall fill vacancies on the board.

Any member of this board may be removed by the Judicial Council after a hearing at which the Judicial Council shall have determined cause for removal.

Section 6. Oath of office taken by board, certificate of appointment. Immediately before entering upon the duties of said office, the members of the State Board of Court Reporting shall take the oath of office, and shall file the same in the office of the Judicial Council,

which upon receiving said oath of office, shall issue to each member a certificate of appointment.

Section 7. Organization of board, rules and regulations. The board shall each year elect from its members a chairman whose term shall be for one year and who shall serve during the period for which elected and until his or her successor shall be elected. The board shall make all necessary rules and regulations to carry out the provisions of this Act, but said rules and regulations shall be subject to review by the Judicial Council.

Section 8. Certified Court Reporter, corporation and firm name; regulations. Any person who has received from the board a certificate as herein provided for shall be known and styled as a "Certified Court Reporter," and shall be authorized to practice as such in the State of Georgia and to use such title or the abbreviation "C.C.R." in so doing. No other person, firm or corporation, all of the members of which have not received such certificate, shall assume the title "Certified Court Reporter" or the abbreviation "C.C.R.," or any other words or abbreviations tending to indicate that the person, firm or corporation so using the same is a certified court reporter.

Section 9. Issuance of certificate, qualifications for certification. The board shall grant a certificate as a Certified Court Reporter to any citizen of the United States residing or having a place for the regular transaction of business in this State (a) who has attained the age of eighteen years, is of good moral character, and is a graduate of a high school or has had an equivalent education; and (b) who has, except as provided in Section 11 of this Act, successfully passed an examination in verbatim court reporting as prescribed in Section 10 of this Act.

Section 10. Examination of applicants, fee, scope of examination. Every person desiring to commence the practice of court reporting in this State shall file an application for a certificate with the State Board of Court Reporting upon such form as shall be adopted and prescribed by the board. At the time of making such application the applicant shall deposit with the board an examination fee, to be determined by the board. Examinations shall be conducted as often as may be necessary as determined by the board, provided, that examinations are conducted at least once annually. Applicants shall be notified by mail of the holding of such examinations no later than ten (10) days before the date

upon which such examinations are to be given. Examinations shall be conducted and graded according to rules and regulations prescribed by the board.

Section 11. Exemption from taking the examination. Any person, a citizen of the United States, who has attained the age of eighteen years, of good moral character, who shall submit to said board an affidavit under oath that he or she has been actively and continuously for one year preceding the passage of this Act principally engaged as a court reporter shall be exempt from taking such examination and shall be granted a certificate as a "Certified Court Reporter."

Section 12. Limitations after one year following effective date. After expiration of one year after the date this Act becomes law, no person shall engage in the practice of verbatim court reporting in this State unless such person is the holder of a certificate as a "Certified Court Reporter" issued under the provisions of this Act.

Section 13. Revocation, notice to certificate holder, hearing, witnesses. On a verified complaint, the board may revoke or suspend any certificate issued under this Act for unprofessional conduct or other sufficient cause after notice of and opportunity for hearing. Said notice shall state the cause for such contemplated revocation, the time and place of such hearing, and shall be mailed to the registered address of the holder of such certificate at least thirty (30) days before such hearing. Each board member shall be empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any records, concerning any matter within the jurisdiction of the board. The board shall reduce to writing a summary of the evidence given before it, and shall make a written finding of facts thereon. Certificates may be revoked or suspended for one or more of the following reasons:

(1) Conviction of a felony subsequent to the passage of this Act;

(2) Conviction of a misdemeanor involving moral turpitude subsequent to the passage of this Act;

(3) Fraud, dishonesty, corruption, willful violation of duty, or has become incompetent to continue to perform his or her duties as a court reporter;

(4) Fraud or misrepresentation resorted to in obtaining a certificate under this Act.

Provided, however, that any disciplinary action of the board may be appealed

by the aggrieved person to the Judicial Council, which shall have the power to review said determination by the board.

Section 14. Penalties for violation. If, after this Act becomes law, any person shall represent himself or herself as having received a certificate as provided for in this Act, or shall practice as a Certified Court Reporter without having received such certificate, or having his or her certificate revoked, shall continue to practice as a Certified Court Reporter in the State of Georgia, or shall use any title or abbreviation indicating that the person using same is a Certified Court Reporter, or shall violate any of the provisions of this Act, said person shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as for a misdemeanor.

Section 15. Injunction against violations. On the verified complaint of any person that any person, firm or corporation has violated any of the provisions of this Act, the board may, with the consent of the Judicial Council, file an equitable petition in its own name in the superior court of any county in this State having jurisdiction of the parties, alleging the facts and praying for a temporary restraining order and temporary injunc-

tion or permanent injunction against such person, firm or corporation restraining them from violating the provisions of this Act and upon proof thereof the Court shall issue such restraining order, temporary injunction or permanent injunction without requiring allegation or proof that the petitioner has no adequate remedy at law. The right of injunction provided for in this Section shall be in addition to any other legal remedy which the board has, and shall be in addition to any right of criminal prosecution provided by law.

Section 16. Temporary employment permit. Nothing in this Act shall be construed to prohibit the temporary employment of any person not certified under this Act who has first obtained a temporary permit from the board or from a judge in the circuit in which the cause is pending. The board may limit the extent of such temporary permit based upon the need for such temporary employment.

Section 17. Renewal of certificate. Every Certified Court Reporter who continues in the active practice of verbatim court reporting shall annually, on or before April 1, following the date of issuance of the certificate under which he is

then entitled to practice, renew such certificate upon the payment of a fee established by the board. Every certificate which has not been renewed on the first day of April shall expire on that date of that year and shall result in the suspension of that reporter's right to practice under this Act, which suspension shall not be terminated until all delinquent fees have been paid.

Section 18. The administrative and staff work of the Board of Court Reporters of the Judicial Council shall be among the duties of the Administrative Office of the Courts, created by Ga. L. 1973, p. 288. The director of the Administrative Office of the Courts shall serve as secretary of the Board of Court Reporters of the Judicial Council, and shall perform all duties as may be assigned to him either by the board or the Judicial Council to implement the provisions of the Act.

Section 19. Effective date. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 20. Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 20, 1974.

Appendix Six

Judicial Council of Georgia To Set Court Reporter Fees

**Code Sec. 24-3103, 24-1304 Repealed
Act No. 588 Ga. Laws 1975, p. 852**

An Act to amend an Act creating a Judicial Council of the State of Georgia, approved April 3, 1973 (Ga. L. 1973, p. 288), so as to provide that the Judicial Council of the State of Georgia shall promulgate rules and regulations which shall provide for and set the fees to be charged by all official court reporters in this State in all criminal and civil cases; to provide for per diem fees; to provide for the form and style of transcripts; to provide that this Act shall not apply to such court reporters under certain circumstances; to repeal Section 24-3103 of the Code of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388) setting the compensation to be paid court reporters in all civil

cases; to repeal Section 24-3104 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646), and by an Act approved February 21, 1951 (Ga. L. 1951, p. 630), and by an Act approved February 18, 1959 (Ga. L. 1959, p. 61), and by an Act approved April 10, 1968 (Ga. L. 1968, p. 1230), setting the compensation to be paid court reporters in all criminal cases; to provide an effective date; to repeal conflicting laws, and for other purposes.

Section 1. An Act creating a Judicial Council of the State of Georgia, approved April 3, 1973 (Ga. L. 1973, p. 288) is hereby amended by adding a new section to be known as Section 2A, which shall read as follows:

"Section 2A (a) The Judicial Council of the State of Georgia shall promulgate rules and regulations which shall:

(i) provide for and set the fees to be charged by all official court reporters in this State for attending court, taking stenographic notes and recording the evidence;

(ii) for furnishing transcripts of the evidence, and for other proceedings furnished by the official court reporter in all civil and criminal cases in this State;

(iii) provide for a minimum per diem fee, which fees may be supplemented by the various counties within the circuits to which such court reporters are assigned;

(iv) provide for the form and style of the transcripts which shall be uniform throughout the State.

(b) The Judicial Council of the State of Georgia shall amend its rules and regulations providing for and setting the fees to be charged by all official court re-

porters whenever the Judicial Council of the State of Georgia shall deem it necessary and proper."

Section 2. This Act shall not apply to those court reporters taking and furnishing transcripts of depositions, nor for taking and furnishing transcripts of non-judicial functions nor to any independent contracts of any reporters.

Section 3. Section 24-3103 of the Code

of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388), is hereby repealed in its entirety.

Section 4. Section 24-1304 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646), and by an Act approved February 21, 1951 (Ga. L. 1951 p. 630), and by an Act approved February 18, 1959 (Ga. L. 1959, p. 61), and by an Act

approved April 10, 1968 (Ga. L. 1968, p. 1230), is hereby repealed in its entirety.

Section 5. This Act shall become effective January 1, 1976.

Section 6. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 18, 1975.

Appendix Seven

Judicial Personnel Changes

Appointments

Appellate Courts

Court of Appeals of Georgia

Judge George H. Carley by Governor Busbee for term 4/5/79 until next regular election.

Judge Norman L. Underwood by Governor Busbee for term 2/16/79 to 1/1/80.

Superior Courts

Atlanta Judicial Circuit

Judge Frank M. Eldridge by Governor Busbee for term 5/5/79 through 1/1/81.

Judge Ralph H. Hicks by Governor Busbee for term 11/1/78 to 1/1/81.

Cherokee Judicial Circuit

Judge Robert Thomas Pope by Governor Busbee for term 10/10/78 to 1/1/79.

Eastern Judicial Circuit

Judge Perry Brannen, Jr., by Governor Busbee for term 6/11/79 to 1/1/81.

Judge Eugene H. Gadsen by Governor Busbee for term 6/6/79 to 1/1/81.

Lookout Mountain Judicial Circuit

Judge Joseph E. Loggins by Governor Busbee for term 11/1/78 to 1/1/81.

Ocmulgee Judicial Circuit

Judge Hugh P. Thompson by Governor Busbee for term 6/6/79 to 1/1/81.

Ogeechee Judicial Circuit

Judge Faye Sanders Martin by Governor Busbee for term 11/1/78 to 1/1/81.

Pataula Judicial Circuit

Judge A'Delbert Bowen by Governor Busbee for term 11/1/78 to 1/1/79.

Southern Judicial Circuit

Judge Roy M. Lilly by Governor Busbee for term 5/15/79 to 1/1/81.

State Courts

Cobb County

Judge George H. Kreeger by Governor Busbee for term 1/17/79 to 1/1/81.

Gwinnett County

Judge K. Dawson Jackson by Governor Busbee for term 4/15/79 to 1/1/81.

Richmond County

Judge James E. Slaton by Governor Busbee for term 1/16/79 to 11/4/80.

Spalding County

Judge Tom E. Lewis by Governor Busbee for term 5/18/79 to 1/1/81.

Stephens County

Judge Alton M. Adams by Governor Busbee for term 6/11/79 to 1/1/81.

Juvenile Courts

Douglas County

Judge Robert J. James by the superior court judges of the Tallapoosa Judicial Circuit for a six-year term beginning 6/1/79.

Quitman County

Judge George A. Bell by Pataula Judicial Circuit Superior Court Judge A'Delbert Bowen for term 12/8/78 to 12/8/84.

Thomas County

Judge Thomas Jefferson Loftiss, II, by Chief Judge George A. Horkan, Jr., for term 5/1/79 to 12/31/83.

Special Courts

Municipal Court of Columbus

Judge Ernest C. Britton by Governor Busbee for term 7/19/78 until 1/1/81.

Recorder's Court of Lawrenceville

Judge T. Michael Tennant by mayor and city council for term beginning 1/1/79.

Recorder's Court of Peachtree City

Judge Wesley T. Asinof by city council for term beginning 1/7/79.

Small Claims Court of Bulloch County

Judge Carroll Blankenship by Ogeechee Judicial Circuit Superior Court Judge W. Colbert Hawkins for term 5/8/79 to 12/31/79.

Small Claims Court of Dodge County

Judge Carlus Gay by Superior Court Judge James B. O'Connor for term 12/18/79 to 6/30/81.

Small Claims Court of Franklin County

Judge Jerry Neal by grand jury for term 7/1/78 to 7/1/82.

Small Claims Court of Henry County

Judge Larry D. Tew by Governor Busbee for term 2/23/79 through 4/30/80.

Small Claims Court of Lee County

Judge Marlin R. Poole by the judge of the superior court for term 4/26/79 to 4/26/81.

Small Claims Court of Meriwether County

Judge James M. Neill by Governor Busbee for term 5/1/79 until 1/1/83.

Small Claims Court of Morgan County

Judge J.W. Beckham, Jr., by county commissioners for term 4/4/78 to 4/4/82.

Small Claims Court of Newton County

Judge George Griffith by Governor Busbee for term 1/1/79 to 1/1/81.

Small Claims Court of Screven County

Judge Ralph C. Culberson by Ogeechee Judicial Circuit Superior Court Judge W. Colbert Hawkins for term 5/9/78 to 5/9/82.

Small Claims Court of Taylor County
Judge Eugene W. Hodges, Jr., by Governor Busbee for term 1/17/79 to 4/18/79.

Small Claims Court of Terrell County
Judge Thomas R. Stanbury by county commissioners for term 2/19/79 to 2/19/83.

Elections

Superior Courts

Augusta Judicial Circuit
Judge Eugene M. Kerr for term 1/1/79 to 1/1/83.

Cobb Judicial Circuit
Judge Watson White for term 1/1/79 to 1/1/83.

State Courts

Cobb County
Judge Tom Cauthorn for term 1/1/79 to 1/1/83.

Fulton County
Judge Philip F. Etheridge for term 1/1/79 to 1/1/85.

Grady County
Judge J. Patrick Ward for term 4/1/79 to 4/1/83.

Jenkins County
Judge Julian P. Cheney for term 1/1/79 to 1/1/83.

Tift County
Judge R.R. Buckley for term 1/1/79 to 1/1/83.

Wayne County
Judge Ray S. Gordon for term 1/1/79 to 1/1/83.

Probate Courts

Calhoun County
Judge Charles B. Porter for term 11/29/78 to 1/1/81.

Hall County
Judge Lloyd F. Smith for term 8/30/78 to 1/1/81.

Randolph County
Judge Clara A. Taylor for term 12/18/78 to 1/1/81.

Special Courts

Small Claims Court of Fayette County
Judge James A. White for term 1/1/79 to 1/1/81.

Small Claims Court of Habersham County
Judge Alton Carr Brock for term 1/1/79 to 1/1/83.

Small Claims Court of Whitfield County
Judge Jim Campbell for term 1/1/79 to 1/1/83.

Analysis of Statewide Judicial Manpower Changes During Fiscal Year 1979

(July 1, 1978 to June 30, 1979)

Court	Judges Beginning First Terms				Judges Leaving the Bench					
	Total No. Judge-ships ¹	Method of Selection			Total No. New Judges	Reason for Leaving				Total No. Judges Leaving the Bench ²
		Elected	Appointed	New Judgeship		Retired	Resigned	Died	Failed to Be Reelected	
Supreme Court	7	—	—		0	—	—	—	—	0
Court of Appeals	9	—	2		2	2	—	—	—	2
Superior Courts	104	2 ³	6	5 ³	12	5	1	—	—	6
State Courts	77 ⁴	6 ³	5	1 ³	11	2	3	2	3	10
Juvenile Courts (full & part-time)	42		1	2	3	—	—	—		0
Probate Courts	159	3			3	—	1	1	—	2

¹ As of June 30, 1979.

² Total number of judges leaving the bench does not match total number of new judges in some cases because of vacancies which existed at the beginning or end of the fiscal year.

³ Each figure includes one new judgeship filled by election rather than appointment.

⁴ A new judgeship for the State Court of Clayton County created by the 1979 General Assembly did not become effective until July 1, 1979.