

1997 ANNUAL REPORT

on the Work of the Georgia Courts

Judicial Council of Georgia
Administrative Office of the Courts

July 1, 1996 - June 30, 1997

1997 Annual Report

July 1, 1996 - June 30, 1997

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Judicial Council of Georgia

June 1997

Chief Justice Robert Benham

Chair
Supreme Court
Atlanta

Presiding Justice Norman S. Fletcher

Vice Chair
Supreme Court
Atlanta

Chief Judge Gary B. Andrews

Court of Appeals
Atlanta

Judge A. Wallace Cato

Second District Administrative Judge
Bainbridge

Judge Rita L. Cavanaugh

President
Council of Magistrate Court Judges
Griffin

Judge Howard Cook

President-elect
Council of State Court Judges
Lawrenceville

Judge Daniel M. Coursey Jr.

Fourth District Administrative Judge
Decatur

Judge E. Purnell Davis II

Tenth District Administrative Judge
Warrenton

Judge Philip F. Etheridge

Fifth District Administrative Judge
Atlanta

Judge Stephen E. Franzen

President
Council of Juvenile Court Judges
Lawrenceville

Judge John E. Girardeau

President
Council of Superior Court Judges
Gainesville

Judge Edward H. Johnson

Court of Appeals
Atlanta

Judge Sanford J. Jones

President-elect
Council of Juvenile Court Judges
Atlanta

Judge William F. Lee Jr.

Sixth District Administrative Judge
Newnan

Judge Jeannette L. Little

President
Council of State Court Judges
LaGrange

Judge George F. Nunn Jr.

President-elect
Council of Superior Court Judges
Perry

Judge Johnny R. Parker

President-elect
Council of Probate Court Judges
Calhoun

Judge Floyd E. Propst

President
Council of Probate Court Judges
Atlanta

Judge Dorothy A. Robinson

Seventh District Administrative Judge
Marietta

Judge Richard W. Story

Ninth District Administrative Judge
Gainesville

Judge T.O. Sturdivant III

President-elect
Council of Magistrate Court Judges
Marietta

Judge William M. Towson Sr.

Eighth District Administrative Judge
Dublin

Senior Judge E. Mullins Whisnant

Third District Administrative Judge
Columbus

Judge Amanda F. Williams

First District Administrative Judge
Brunswick

Judicial Branch in Review



Message from the Chief Justice

Chief Justice Robert Benham made his third State of the Judiciary Address to the Georgia General Assembly on January 16, 1998. His remarks follow

Introduction

Lt. Governor Howard, Speaker Murphy, officers and members of the Senate and House, constitutional officers, my colleagues on the Supreme Court and the Court of Appeals, members of the judiciary, fellow citizens and visitors, I consider it a high honor and a distinct privilege to be invited to appear before a joint session of the Senate and House to deliver the State of the Judiciary Address.

I would like to begin today with a short poem by an unknown author which it seems to me places our shared responsibility as guardians of the law in proper perspective:

*You are your country's keeper, your government is but you,
You are the woof of the fabric, whether she be strong or weak or true.
Yes, you are your country's keeper, and yours forever the blame,
Whether she rises in her glory, or withers in her shame.*

Quality of justice

My colleagues and I are here to report that the state of the judiciary is fine; the spirit of cooperation is at an all-time high, and our enthusiasm in performing our duties is boundless and beyond measure. We are excited about what we do; we undertake our task with fervor and vitality, and we have no hesitation about manning the laboring oar when justice hangs in the balance.

This is my fourteenth appearance as a judge at the State of the Judiciary Address and my third appearance to deliver the State of the Judiciary Address as the Chief Justice of the Georgia Supreme Court. I am just as awed and humbled today by this occasion as I was 14 years ago when I served as a junior judge on the Court of Appeals. The awe and humility

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come not from fear or apprehension, but from my respect for the occasion, my abiding faith in the rule of law and the role of government in bringing about orderly change where necessary, and preserving tradition where appropriate through the democratic process.

Public service is a high calling. It requires integrity, fairness, honesty, truthfulness, respect for all citizens, and respect for the proper role of government in addressing societal concerns. We recognize that you are responsible for making the laws, and that we are responsible for interpreting them. We appreciate the sincerity with which you undertake your responsibility, and we solicit your prayers and support as we undertake ours. The better the laws you make, the fewer interpretations we will have to make.

Before I present the state of the judiciary, I would like to express our deep gratitude and thanks for the moral and financial support you have given the judicial branch during my term as Chief Justice. Your support has allowed us to address many significant issues in a forthright and realistic manner. We deeply appreciate what you have done for us in the past and we fervently solicit your support in the future.

It is customary on occasions such as this to give you not only general information about the courts, including statistics, but also to share our vision with you. While I will not deviate from custom and tradition, I will furnish you relevant statistical information in the written supplement to my address so that I can spend my limited time informing you about our vision and about some overriding concerns and considerations in the areas of resources, judicial independence, technology and modernization, access to the courts, fairness and diversity in the courts, and community involvement.

Initiatives

In my State of the Judiciary Addresses in 1996 and 1997, I discussed the need for adequate resources for the judicial branch, more judges for the Court of Appeals and trial courts, a comprehensive study of the judiciary, increased use of technology, and cooperation between the three branches of government. You responded by providing funding for some of these requests, and we appreciate the attention you gave to these important matters. I am also happy to report that we have been able to begin a comprehensive study of the judicial system without asking for financial support. We are well on the way to organizing a Blue Ribbon Commission to perform this comprehensive study.

In order to enhance the quality of justice and public service provided by our court system, this month we will name a Blue Ribbon Commission to perform a long-overdue examination of our system and make recommendations for improvement. In order for any long-range planning to be effective, the Georgia Supreme Court must be actively involved in the process and take a leadership role in identifying systemic problems and recommending comprehensive solutions to these problems.

Many of our trial court councils have a history of involvement in strategic and long-range planning through internal committees. These groups continue to develop and implement strategies to efficiently manage resources and respond to spiraling caseloads. I am confident that these planning efforts by the trial courts and other classes of courts, together with the work of the Blue Ribbon Commission under the leadership of the Supreme Court, and with the cooperation and participation of all classes of courts, will increase public

understanding of and trust in the judicial process. Such effort will ensure that Georgia has a court system that is both functioning well in the present and ready to assume potentially greater challenges in the future.

Our goal is simple: make Georgia's courts the best in the nation. We must work to improve our system so that victims of crimes are protected, individual rights are guaranteed, due process is assured, and meaningful access to the courts is a reality for all of our citizens. We must have a court system in which judicial independence is treasured and accountability is endemic. Additionally, we must have a court system in which judges are highly competent, administrators are dedicated public servants, lawyers are competent, civil, professional and civic-minded, and citizens respect and trust the rule of law because fairness and justice abound.

Over the years the role of the court has changed although our commitment to justice has not wavered one bit. Courts often carry out their functions in the quiet atmosphere of a courthouse where adversaries present their competing interests while the courts seek to provide certainty, predictability and stability in the law. In carrying out our constitutional and statutory functions, we must sometimes do so with limited resources and personnel while caseloads continue to grow and the issues increase in complexity and profundity. Ordinarily, judges must be referees; sometimes we must be managers; on a few occasions we must be players. But whatever our role, we stay in the game and see the matter in controversy to a satisfactory conclusion.

Requests

Please allow me to turn my attention to several items on the legislative agenda of the judicial branch. Time will not permit me to mention all of the items; however, my failure to mention some of them should not be viewed as a lack of support for these items.

The most important resource to the judicial branch is, of course, judges. And we need more. The Court of Appeals continues to be one of the most overburdened appellate courts in the nation. Support for a fourth panel of judges on the Court of Appeals, as recommended by the Commission on Appellate Courts of Georgia, is imperative. Additionally, there have been no new superior court judgeships created since 1995. This year the Judicial Council, after careful consideration, recommended the creation of six new superior court judgeships.

It is impossible for the judiciary to meet the demands of burgeoning caseloads without additional judgeships on our Court of Appeals and superior courts. Attracting quality judicial candidates without minimum compensation standards is also very difficult. I urge you to provide the needed relief and thereby avoid a negative impact on the quality of justice for all Georgians.

This will be an exciting year in the courts, as we hope to take on our first pilot project for a court with non-uniform jurisdiction, made possible by the passage of enabling legislation two years ago. The Judicial Council has recommended that you approve and fund a family court pilot project in Fulton County. This project will provide a holistic approach to address and adjudicate all issues affecting the same family in a single court system, with emphasis on the best interests of children.

Under the present system, family matters are often split among several courts, resulting

in fragmented services, delay and loss of efficiency. The expectation is that a family court will ensure that judicial resolution of family disputes will be comprehensive, quick and certain. Moreover, a family court may help to diminish the adversarial nature of the current system and more effectively address the interests of children and the family unit affected by the process. We seek your favorable consideration of our first pilot project request.

We appreciate the funding you have provided for the Georgia Appellate Practice and Educational Resource Center in the past, especially in light of the withdrawal of federal funding in the area of habeas corpus relief. We are committed to bringing capital appeals to a just conclusion, but we cannot do so without adequate representation for defendants at critical stages of the proceedings. We urge you to increase funding to the Resource Center consistent with the budgetary recommendation so that we can process capital appeals fairly and expeditiously.

Domestic violence is a serious problem in this state. Its effects can be seen throughout our society in the form of increasing court caseloads, skyrocketing hospital costs, growing numbers of dysfunctional families, and plummeting school performance. The State Justice Institute recently awarded a grant to pilot an Internet-Based Domestic Violence Court Preparation System in Georgia. This project will provide online computer-assisted preparation of the court papers domestic violence victims need to obtain protective orders. The superior and magistrate court judges, shelter programs, and Legal Services Corporation are testing this online project in Douglas, Cobb and Gwinnett Counties.

The Judicial Council, in partnership with the State Bar, is tackling the problem of legal assistance for victims of domestic violence. In 1996 alone, it is estimated that over 530,000 Georgians were victims of domestic violence. Programs set up to assist these families are stretched thin and do not have the expertise to respond to their legal needs. Our budget this year will include a request to fund this public service. Please help us address this problem.

Last year our request for a lower age threshold retirement bill for appellate courts, similar to that of the trial courts, was referred for an actuarial study. We hope you will look on it with favor when it comes to you for consideration.

Accomplishments

Now let me turn to several ongoing projects initiated by the courts. A key component of a modern judicial system is the appropriate use of technology. The Georgia Courts Automation Commission (GCAC), under contract with the Georgia Tech Research Institute, has embarked on an ambitious project to create a statewide courts database. This database will compile detailed criminal and civil case information that will be accessible to all superior and state court judges. At the request of legislators, we are developing a similar database for the juvenile courts. Ultimately, these databases will help provide for annual case counting, electronic inquiries on individual cases, and compliance with the mandatory reporting requirements of state and federal agencies. They will also be a useful tool for providing crime statistics and trends in litigation, and will allow for better allocation of resources based on more accurate information.

Judges on the bench must have the ability to retrieve the most current information if

they are to make reasonable and wise decisions. An automated criminal justice information system that integrates all court functions gives judges and court personnel the information they need to be effective. GCAC is available to all classes of courts to provide technical support and advice on automation. None of this would be possible without the budgetary and programmatic support that the legislative branch offers.

Our courts must be accessible to everyone. The Commission on Equality has developed a database of foreign language interpreters available to translate court proceedings. The list can be found on the World Wide Web, linked to the Supreme Court web site. The Supreme Court Commission on Equality has also been working on issues of access for the hearing impaired. The diverse nature of our population makes this kind of help crucial to the fair and impartial administration of justice. We must continue our efforts to assure that no person is treated in an unfair manner because of race, gender or ethnicity, and we must put in place mechanisms for addressing these issues in a timely and complete manner.

The Judicial Council has appointed a Committee on Pro Se Litigation. Because of the increased number of citizens acting as their own attorneys—a trend not unique to Georgia—we are developing court policies that will help court personnel deal with the influx of pro se cases. Ultimately, the work of this committee will promote more open access by pro se litigants to the court system and move these cases more effectively through the system.

Our Office of Alternative Dispute Resolution and Commission on Professionalism are considered the best in the nation, and serve as a model for many other state and federal courts in the creation of their programs. We appreciate your continued support of our efforts in this area.

The Supreme Court Committee on Substance Abuse is assisting courts throughout this state in addressing the staggering and perplexing problems generated by substance abuse. The Committee has contracted with the Metropolitan Atlanta Council on Alcohol and Drugs to operate a computerized referral database of treatment providers. The database is available on the World Wide Web and contains detailed and frequently updated information on over 600 agencies and programs throughout Georgia. Because of this innovative use of technology, and also thanks to the drug courts now operating in at least three of our counties, more of our citizens are getting the treatment they need. We hope to create at least five more drug courts in metropolitan areas in the next 18 months. We are beginning to address not only the social and criminal symptoms of substance abuse, but finally the problem of substance abuse itself.

In a cooperative state and federal effort, the Supreme Court Child Placement Project has recently launched several technology projects. The Fulton County Juvenile Court and the State Department of Family and Children Services are developing a plan for sharing part of the court's database with five satellite DFCS offices. DFCS caseworkers will be able to obtain client information without phoning or visiting the court. Additionally, Fulton, Rockdale, and Troup Counties are testing a computerized record-keeping system to help citizen review panels track the status of deprived children who come before them. We have developed a comprehensive study dealing with child placement and we will gladly make it available to you upon request.

We have only come to you for funding of various projects after we have exhausted all

Judicial Branch in Review

other available avenues. We realize that the state has limited financial resources; therefore, we first seek funding at the federal and private levels before we approach you for funds. We will continue to seek funding from outside sources whenever possible, but we hope you will continue to have a receptive attitude when we do come to you for assistance and guidance.

Conclusion

The judicial branch cannot address and cure all of society's ills. You must be willing to work with us in empowering our communities to address some of their problems and reserve only the most intractable problems for the court system. The founding fathers did not view the court system as a cure-all for society's problems, they viewed the courts as an avenue of last resort after all other avenues had failed. We ask you to help us encourage our communities to make an earnest attempt to address problems at the local level in a meaningful way with an eye toward resolution rather than aggravation. With your help communities can work toward establishing Human Relations Councils, Rites of Passage Programs, Domestic Violence Programs, Alternative Dispute Resolution Models and a host of other programs designed to address problems in a cooperative community setting rather than in an adversarial one.

We appreciate this opportunity to share our thoughts concerning resources, judicial independence, technology and modernization, access to the courts, fairness and diversity in the court system, and community involvement. We appreciate the spirit of cooperation you have shown in the past and we look forward to working with you in a cooperative and concerted effort to improve the quality of life for all our citizens.

We invite you to share in our vision to make the Georgia court system the best in the nation, where no one need leave the courts of Georgia in search of justice, for it abideth within, it shields us from wrongdoing, it defends us from evil, and it treats us equally without respect of person or position.

As we face the future we call to your attention the words of another unknown poet:

*We ask that you not walk the smooth path,
Nor bear an easy load,
Pray for strength and fortitude
To climb the rocky road.
Ask for courage
To scale the highest peaks alone,
So that we can turn stumbling blocks
Into stepping stones.*

Fiscal Year 1997 Highlights

July 1996

Fiscal year begins with judicial branch budget of \$85,346,430 in state funds.

The Georgia Indigent Defense Council launches its Juvenile Advocacy Division to provide support and consultation to attorneys and guardians ad litem representing clients in juvenile court proceedings. The division offers assistance with issues such as deprivation, delinquency, unruliness, termination of parental rights, mental health, education and government benefits.

August 1996

The Senate Study Committee on Civil Justice Reform (established by SR 446) holds its first meeting on August 26 in Atlanta. The study panel's mission is to examine whether reforms to the civil justice system are necessary and, if so, what specific reforms are recommended.

Justice Wilson Sandura, the judge president of the High Court of Zimbabwe, meets with Chief Justice Robert Benham on August 28. The judge's visit is part of a U.S. tour sponsored by the International Visitor Program of the U.S. Information Agency Bureau of Educational and Cultural Affairs.

September 1996

The Commission on Appellate Courts holds a public hearing in Atlanta on September 5. The 1996 General Assembly established the commission (HR 1091) to analyze the current structure, jurisdiction and operations of the Georgia appellate courts. Its goal is to determine what changes, if any, should be recommended.

Supreme Court Justice Carol W. Hunstein speaks at the third annual statewide conference of the Georgia Commission on Family Violence held on September 27-28. Representatives from nearly all of the 35 local family violence task forces, along with district attorneys, law enforcement personnel, judges and commission members are among the 200 participants.

The Georgia Supreme Court launches its home page on the World Wide Web at www.state.ga.us/Courts/Supreme.

October 1996

Judges, public defenders, district attorneys, court administrators, treatment providers and others gather on October 3 and 4 for the Metropolitan Atlanta Drug Court Training Conference. The conference, sponsored by the Metro Atlanta Project PACT (Pulling America's Communities Together) and Mission New Hope, focuses on drug court design and management.

The Advisory Committee to the Supreme Court Child Placement Proceedings Project presents its report to the high court on October 9. The comprehensive study assesses juvenile court processes involving abused and neglected children. The 52-page report contains a summary of data collected, findings, and recommendations for changes and improvements. (For more information on the report, see page 44.)

November 1996

Nearly 200 candidates for judicial office participate in the general election. There are 28 contested races for superior court seats: 19 of these races are against incumbents, 9 are for seats of retiring judges. (See page 73 for judicial personnel changes.)

Judicial Branch in Review

December 1996

The Judicial Council recommends creation of five additional superior court judgeships to Governor Miller and the General Assembly. The council also votes to carry forward a recommendation made in 1995 to split the Blue Ridge Judicial Circuit (Cherokee and Forsyth Counties) into two single-county circuits.

The Commission on Appellate Courts issues its reports and finds that "immediate action is necessary to relieve the caseload currently placed on the judges of the Court of Appeals." The report reveals that the number of matters filed at the Court of Appeals per judge increased from 287 in 1985 to 434 in 1994. The judges also write more opinions than those of any other intermediate appellate court in the country: 278 per judge in 1993, compared with 137 in second-place California. Among its recommendations, the commission advocates that "an additional panel of three judges be added to the Court of Appeals immediately" and "a plan to modernize and improve the appellate court system be developed through a continuing study."

January 1997

Court of Appeals Judge Gary B. Andrews becomes the court's 18th chief judge in ceremonies on January 6th.

Chief Justice Robert Benham delivers the State of the Judiciary Address to the General Assembly. After reviewing the events of the past year, he outlines ongoing judicial branch initiatives, such as the Georgia Courts Automation Commission, the Commission on Equality and the Committee on Substance Abuse and the Courts. He discusses upcoming legislative initiatives and the appellate courts' increasing caseloads, urging legislators to seriously consider the recommendations of the Commission on Appellate Courts. Justice Benham concludes with a description of several upcoming projects, including a blue-ribbon commission to look at the future of the court system.

February 1997

The executive summaries of the final reports of the Supreme Court Committee for Gender Equality and the Commission on Racial and Ethnic Bias, along with information about the Supreme Court Commission on Equality, becomes available on the World Wide Web at www.state.ga.us/Courts/Supreme.

The Fayette County Courthouse, built in 1825, gives up its title as the oldest working courthouse in Georgia when court ends on February 14. The Crawford County Courthouse in Knoxville, seven years younger than the Fayetteville courthouse, assumes the distinction of being the oldest courthouse in Georgia still used for its original purpose.

The report of the assessment phase of the Supreme Court Child Placement Project and the full text of opinions issued by the Judicial Qualifications Commission become available on the World Wide Web at www.state.ga.us/Courts/Supreme.

March 1997

The 1997 Session of the General Assembly ends without passage of bills to create additional superior court judgeships, to increase pay for senior superior and appellate judges, or to add a panel to the Court of Appeals. Local measures were successful in adding judgeships in DeKalb and Richmond Counties.

The budget adopted on March 28 by the Georgia legislature increases the Georgia Indigent Defense Council's budget by nearly 43 percent for fiscal year 1998. The council will receive \$4.28 million, an increase of \$1.28 million over the 1997 appropriation.

The Fulton County Diversionary Drug Court begins hearing cases on March 13. The program is designed to reduce crime by providing expedited case processing and intensive drug treatment to nonviolent drug-dependent felony offenders. The drug court is funded by a grant from the county and from the U.S. Department of Justice.

The Supreme Court Commission on Equality adopts new guidelines to help non-English speakers in Georgia's courts. The Code of Professional Responsibility for interpreters is designed to ensure that court interpreters are qualified, accurate and impartial. The Guidelines for Court Interpreter Usage assist judges in assessing the qualifications and performance of interpreters.

April 1997

The Walton County Courthouse is recognized by the Georgia Trust for Historic Preservation on April 26. The Outstanding Restoration Award is given to the county commissioners for the complete restoration of the courthouse. Built in 1883 on the town square in Monroe, the courthouse has been described as one of the finest examples of Victorian architecture in the South.

May 1997

Governor Miller signs into law a bill creating the Council of Court Administrators (SB 306), comprised of full-time court administrators and court managers. The council's mission is to assist court administrators and managers in the execution of their duties, and to promote and assist in the training of court administrators, managers and support personnel. The council plans to hold two seminars yearly.

The Supreme Court Committee on Substance Abuse and the Courts holds its spring planning session on May 9. The goal is to foster communication and develop working relationships among the courts and the many agencies striving to cope with the impact of substance abuse. Chief Justice Robert Benham, committee chairperson, presides.

The Georgia Courts Automation Commission launches a project in Baldwin County, installing a prototype of the Automated Justice Information System (AJIS) to link the superior court, state court, juvenile court, magistrate court, offices of the clerk(s) of court (superior, state and juvenile), district attorney and solicitor-general. A major component in the installation is a connection to the county sheriff's case-management system. This will allow the sheriff's system to export data to AJIS for use by prosecutors and court personnel at the various stages of processing each case.

June 1997

The Judicial Council meets on June 11 and reviews the preliminary evaluations of four experimental court projects. The proposals will be voted on at the council's December meeting and submitted to the 1998 General Assembly.

The State-Federal Judicial Council, established to foster a cooperative relationship between the state and federal judiciaries in Georgia, also meets on June 11, in conjunction with the State Bar of Georgia Annual meeting. The meeting features a program entitled "The Public's Dissatisfaction with the Courts."

The Pro Se Litigation Committee holds its first meeting on June 30. The 14-member committee was appointed by Chief Justice Robert Benham, chair of the Judicial Council, to appraise the status of pro se litigation in the Georgia courts. The final report to the Judicial Council, expected in December 1998, will include information detailing the following: categories where pro se representation most frequently occurs, whether such actions are increasing in Georgia, difficulties faced by pro se litigants, types of assistance given by other states, and information for judges and appropriate guidance for court staff in assisting such litigants.

Judicial Branch in Review

State Appropriations for the Judicial Branch: Fiscal Years 1996, 1997 and 1998

Budget Unit/Agency	FY 1996 Amended Appropriation	FY 1997 Amended Appropriation	Percent Change FY 96-97	FY 1998 General Appropriation	Percent Change FY 97-98
Supreme Court	\$5,570,675	\$5,965,631	7.1%	\$6,229,503	4.4%
Court of Appeals	7,104,204	7,834,049	10.3%	7,995,875	2.1%
Superior Courts (Total)	57,553,333	60,725,063	5.5%	65,432,314	0.8%
Operations	53,852,565	-	-	-	-
Superior Court Judges	-	31,940,998	100.0%	33,461,129	4.8%
District Attorneys	-	24,582,316	100.0%	27,396,537	11.5%
Council of Superior Court Judges	394,438	530,075	34.4%	530,257	0.0%
Judicial Administrative Districts	1,290,967	1,346,564	4.3%	1,624,344	20.6%
Prosecuting Attorneys' Council	2,015,363	2,325,110	15.4%	2,420,047	4.1%
Council of Juvenile Court Judges	1,077,570	1,093,172	1.4%	1,209,812	10.7%
Institute of Continuing Judicial Education (Total)	711,007	758,378	6.7%	783,635	3.3%
Operations	548,459	590,306	7.6%	595,490	0.8%
Magistrate Courts Training Council	148,098	151,788	2.5%	163,000	7.4%
Municipal Courts Training Council	14,450	16,284	12.7%	25,145	54.4%
Judicial Council	1,741,322	2,026,094	16.4%	2,621,870	29.4%
Operations	1,204,166	1,440,558	19.6%	1,800,311	25.0%
Board of Court Reporting	71,281	78,211	9.7%	86,074	10.1%
Case Counting	76,500	76,500	0.0%	76,500	0.0%
Council of Magistrate Court Judges	25,835	21,385	-17.2%	23,185	8.4%
Council of Probate Court Judges	20,450	58,700	187.0%	20,450	-65.2%
Council of State Court Judges	12,050	24,500	103.3%	37,350	52.4%
Council of Superior Court Clerks	31,040	26,240	15.5%	38,000	44.8%
BASICS	-	-	-	150,000	0.0%
Commission on Family Violence	-	-	-	90,000	0.0%
Appellate Resource Center	300,000	300,000	0.0%	300,000	0.0%
Judicial Qualifications Commission	217,718	168,197	22.7%	166,364	-1.1%
Indigent Defense Council	3,000,000	3,000,000	0.0%	4,284,487	42.8%
Georgia Courts Automation Commission	1,344,703	1,998,906	48.7%	2,294,186	14.8%
Operations	660,903	1,315,106	99.0%	1,594,186	21.2%
State-wide County Computerized Information Net.	683,800	683,800	0.0%	700,000	2.4%
Georgia Office of Dispute Resolution	229,149	249,068	8.7%	258,864	3.9%
Judicial Branch Totals	\$78,549,681	\$88,020,307	12.1%	\$91,276,910	3.7%

Appropriations

The total state budget rose by 7.4 percent for fiscal year 1997; appropriations to the judicial branch increased by 6.7 percent.

State Judicial Branch Budget Units: Funds Available and Expenditures Fiscal Year 1997

	Supreme Court	Court of Appeals	Superior Courts	Council of Juvenile Court Judges	Institute of Continuing Judicial Education	Judicial Council	Judicial Qualifications Commission	Indigent Defense Council	Georgia Courts Automation Commission	Office of Dispute Resolution	Total
Funds Available											
General	\$6,015,631	\$7,895,611	\$62,413,023	\$1,053,172	\$758,378	\$2,026,094	\$168,197	\$3,000,000	\$1,767,256	\$249,068	\$85,346,430
Supplemental	-50,000	-61,562	-1,687,274	40,000	0	0	0	0	231,650	0	-1,527,186
Total State Funds	5,965,631	7,834,049	60,725,749	1,093,172	758,378	2,026,094	168,197	3,000,000	1,998,906	249,068	83,819,244
Federal Funds	56,308	0	1,830,282	156,657	0	96,830	0	0	576,874	0	2,716,951
Other Funds	825,480	104,761	1,294,509	29,080	88,370	125,554	0	3,952,154	0	51,663	6,471,571
Transfers to/from Functional Budgets	0	0	0	0	0	0	0	0	0	0	0
Total Funds Available	\$6,847,419	\$7,938,810	\$63,850,540	\$1,278,909	\$846,748	\$2,248,478	\$168,197	\$6,952,154	\$2,575,780	\$300,731	\$93,007,766
Expenditures											
Personal Services	\$5,172,424	\$6,851,599	\$55,576,432	\$701,274	\$0	\$1,262,817	\$83,694	\$1,137,761	\$323,111	\$200,401	\$71,309,513
Regular Operating Expenses	531,455	286,550	58,395,33	375,422	216,170	533,245	7,703	3,629,556	10,236	43,353	11,473,223
Travel	50,682	24,524	455,068	42,204	0	23,627	1,532	41,490	28,785	4,057	671,969
Equipment Purchases	115,740	29,611	428,690	15,392	10,282	20,126	483	19,740	7,993	638	648,695
Computer Charges	169,995	112,682	7,132	20,098	0	114,575	3,267	55,162	2,173,787	8,112	2,664,810
Real Estate Rentals	314,910	245,025	15,190	41,730	0	40,772	6,028	58,261	11,172	28,709	761,797
Telecommunications	34,785	62,912	295,766	11,519	1	17,307	835	20,240	12,230	649	456,244
Per Diem, Fees & Contracts	445,116	150,276	527,628	70,396	620,294	235,109	27,462	29,056	7,452	14,811	2,127,600
Total Expenditures	\$6,835,107	\$7,763,179	\$63,145,439	\$1,278,035	\$846,747	\$2,247,578	\$131,004	\$4,991,266	\$2,574,766	\$300,730	\$90,113,851

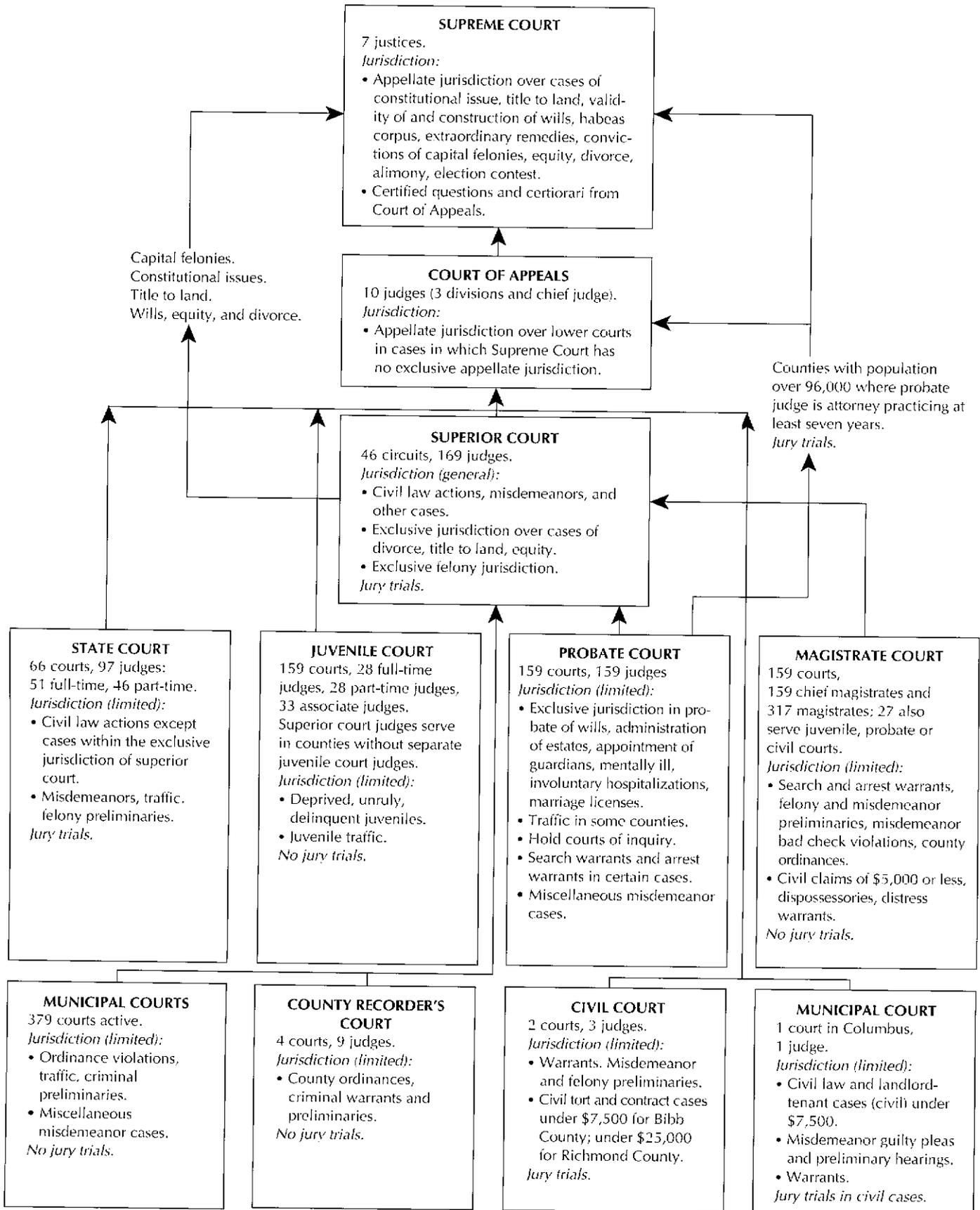
Five-Year Comparison of State Judicial Budget (1994-1998)

Fiscal Year	Total State Appropriation	Percent Change	Judicial Appropriation	Percent Change	Percent of State Budget
1994	\$9,201,886,925	11.5%	\$63,674,960	4.7%	0.69%
1995	\$10,236,138,444	11.2%	\$68,281,297	7.2%	0.67%
1996	\$10,980,393,127	7.3%	\$78,549,681	15.0%	0.72%
1997	\$11,793,346,344	7.4%	\$83,819,244	6.7%	0.71%
1998	\$12,361,326,273	4.8%	\$91,483,223	9.1%	0.74%

Note: Fiscal year 1998 appropriations represent governor's recommendation for the amended general appropriation bill.

Georgia Court System: June 30, 1997

(showing appellate routes)



The Courts

Supreme Court

The Supreme Court has exclusive appellate jurisdiction in the following matters: cases involving the construction of a treaty or of the Georgia or U.S. Constitution; the constitutionality of a law, ordinance or constitutional provision; and election contests. The state constitution gives the Supreme Court jurisdiction of all cases involving title to land, equity, wills, habeas corpus, extraordinary remedies (mandamus, prohibition, quo warranto, etc.), divorce and alimony, all cases certified to it by the Court of Appeals and all cases in which a sentence of death was imposed or could be imposed. Additionally, the Supreme Court may answer any question of law from any state or federal appellate court and may review by certiorari cases in the Court of Appeals which are of great public importance.

Terms of court begin in January, April and September. Oral arguments are heard each month, except August and December. The constitution provides that all cases shall be decided no later than the term following the term to which the case is docketed.

Cases are assigned in rotation to the justices for preparation of opinions and decisions of the whole court. When a justice prepares an opinion, it is circulated for study to the other justices and after discussion *en banc* the opinion is adopted or rejected by a majority of the justices. If a justice is unable to serve or disqualifies himself or herself in a particular case, a substitute judge may be designated by the remaining justices to serve.

The seven justices are elected to staggered, six-year terms in statewide, nonpartisan elections. A candidate for judgeship must have been admitted to practice law for at least seven years prior to assuming office. A vacancy on the court is filled by gubernatorial appointment to complete the unexpired term. The justices elect the chief justice and a presiding justice to handle administrative matters for the court. The chief justice also presides as chair of the Judicial Council of Georgia.

Each justice has three full-time staff members: two attorneys and one administrative assistant. The attorneys assist the justices in research and the preparation of opinions. They are not permitted to practice law while employed by the court.

The Supreme Court clerk, appointed by the members of the court for a six-year term, is the administrative officer of the court. The clerk has charge of the court's records and keeps its minutes. The opinions of the Supreme Court are published by the official reporter who is also appointed by the court.

The Supreme Court has authority to promulgate orders needed to carry out its functions and has rule-making authority for the superior, state, juvenile, probate and magistrate courts. The Administrative Office of the Courts, the Institute of Continuing Judicial Education, the Judicial Council of Georgia, the Office of Bar Admissions, the Office of Dispute Resolution, the State Bar of Georgia and the Chief Justice's Commission on Professionalism assist the Supreme Court in its function and duties.

Supreme Court Caseload: 1995 and 1996

Filed	1995	1996	Disposed	1995	1996
Direct appeals (includes cross appeals)	538	536 ¹	By opinion	421	404 ²
Petitions for certiorari	841	687	Affirmed without opinion (Rule 59)	35	26
Applications for appeal			Allowed withdrawn	37	33
Habeas corpus	277	283	Transferred to the Court of Appeals	91	108 ³
Discretionary	202	203	Appeals dismissed	94	99
Interlocutory	53	52	Petitions for certiorari		
Interim review (death penalty)	12	13	Denied	770	653
Attorney disciplinaries	113	158	Granted	73	45 ⁴
Original petitions/motions	10	3	Dismissed	13	26
Certified questions	3	7	Withdrawn	6	6
Bar admissions	14	13	Writ vacated	6	12
Judicial qualifications	1	1	Habeas corpus applications		
Emergency motion	16	19	Denied	248	254
Total	2,080	1,975	Granted	2	2
			Dismissed	7	2
			Remanded	5	3
			Discretionary applications		
			Denied	123	126
			Granted	35	32
			Dismissed	22	14
			Transferred to Court of Appeals	21	21
			Interim review (death penalty)		
			Denied	7	9
			Granted	3	1
			Remanded	0	1
			Stricken from Docket	1	1
			Interlocutory applications		
			Denied	31	22
			Granted	12	13
			Dismissed	5	4
			Transferred to Court of Appeals	4	4
			Withdrawn	1	1
			Emergency motions		
			Denied	11	13
			Granted	2	4
			Dismissed	1	-
			Stricken from docket	11	17
			Bar admissions	10	11
			Judicial qualifications	2	1
			Attorney discipline	86	164 ⁵
			Total	2,196	2,132

¹ Includes 12 cross-appeals and 1 granted application for interim review.

² In 1995, 418 appeals and 45 granted writs of certiorari were disposed of by 421 written opinions.

³ Includes 2 writs granted and remanded to the Court of Appeals, and 4 granted with the notice of appeal directed to this court.

⁴ Includes 2 applications granted and remanded to superior court.

⁵ In 1996, 399 appeals and 57 granted writs of certiorari were disposed of by 404 written opinions.

⁶ Includes 10 cases that were returned to the Court of Appeals

⁷ Includes 3 writs granted and remanded to the Court of Appeals, and 3 granted with the notice of appeal directed to this court.

⁸ Includes 6 replacement special master appointments.

Court of Appeals

The Georgia Court of Appeals, created in 1907 to alleviate the caseload burden of the Georgia Supreme Court, has constitutional jurisdiction over appeals from superior, state and juvenile courts in all cases where exclusive or general jurisdiction is not reserved to the Supreme Court. These cases include civil claims for damages, child custody cases, workers' compensation and other administrative law cases and all criminal cases other than capital felonies. The court may also certify legal questions to the Supreme Court.

In 1996, the General Assembly created a tenth judgeship for the Court of Appeals. The chief judge of the court, usually the most senior judge who has not served as chief judge, is elected by the court to a two-year term and is responsible for the administration of the court. Nine judges serve on panels of three judges each, with the chief judge serving alternately on each panel. The chief judge appoints a presiding judge, usually the most senior, to head each panel and assigns judges to the panels each year. The chief judge and the presiding judges form the executive council which decides and/or advises on certain administrative matters.

Panel decisions are final unless a judge dissents. If after a hearing by the full court the judges are equally divided, the case is transferred for decision to the Supreme Court.

Court of Appeals judges are elected to staggered, six-year terms in statewide, non-partisan elections. A candidate for judgeship must have been admitted to practice law for at least seven years prior to assuming office. In the event of vacancies, the governor appoints successors to complete unexpired terms.

The court has terms beginning in September, January and April. The Georgia Constitution provides that all cases shall be decided no later than the term following the term to which a case is docketed (the "two term" rule) or the case shall be affirmed by operation of law. It is believed that no case has ever been so affirmed.

The Court of Appeals has a clerk/court administrator to handle the administrative requirements of the court as well as the court records.

Court of Appeals Caseload: 1995 and 1996

Filed	1995	1996	Disposed	1995	1996
Appeals	2,883	2,546	Appeals		
Discretionary applications	419	483	By opinion	1,860	1,805
Interlocutory applications	333	421	By order	648	618
Total	3,635	3,450	Rule 36	239	91
			Total	2,747	2,514
			Discretionary applications		
			Granted	117	100
			Denied	382	278
			Dismissed	37	35
			Transferred to Supreme Court	10	13
			Withdrawn	1	7
			Changed to Interlocutory	0	0
			Total	547	483
			Interlocutory applications		
			Granted	159	109
			Denied	248	242
			Dismissed	68	57
			Transferred to Supreme Court	3	3
			Withdrawn	1	3
			Total	479	414
			Total	3,773	3,411

Superior Courts

The superior court is Georgia's general jurisdiction trial court. It has exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land. The exclusive jurisdiction of this court also covers such matters as declaratory judgments, habeas corpus, mandamus, quo warranto and prohibition. The superior court corrects errors made by lower courts by issuing writs of certiorari; for some lower courts, the right to direct review by the superior court applies.

Superior courts are organized into 46 judicial circuits. Each county has its own superior court, though a judge may serve more than one county. Numbers of superior court judges per circuit range from two judges in each of 16 circuits to 15 judges authorized for the Atlanta Judicial Circuit. A chief judge handles the administrative tasks for each circuit.

The superior court circuits are grouped into 10 judicial administrative districts ranging in size from one to 27 counties. Administrative judges for each district have statutory authority to compile caseload data and other information and to assign superior court judges, with their approval, to serve temporarily in other counties and circuits as needed. (Please see page 67 for more information on judicial administrative districts.)

Superior court judges are elected to four-year terms in nonpartisan, circuit-wide races. To qualify as a superior court judge, a candidate must be at least 30 years old, be a citizen of Georgia for at least three years, and have practiced law for at least seven years. Superior court judges who have retired and taken senior status may hear cases in any circuit at the request of a local judge, an administrative judge or the governor.

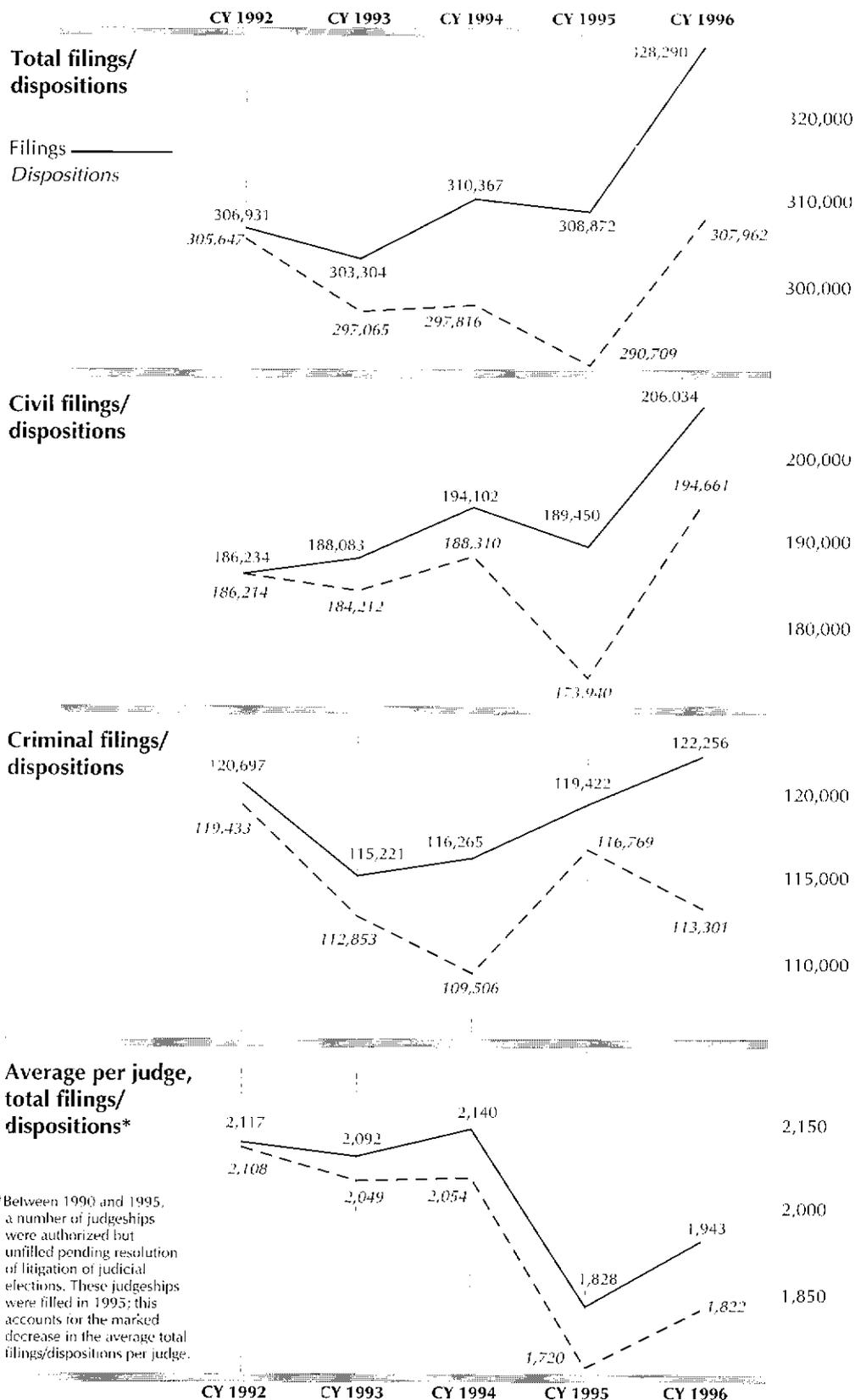
As of June 30, 1997, 169 judges serve in Georgia's 159 superior courts.

Graphs on page 21 show total, civil, criminal and average per judge filings and dispositions for calendar years 1992 through 1996. Caseload data for the superior courts for calendar year 1996 by circuit and case type are presented on pages 22 and 23.

About Filing and Disposition Figures

Filing and disposition figures included in this report cannot and should not be considered a complete measurement of judicial workload borne by any given judge in any given court. Statistics alone cannot describe the relative contributions by various members of the judiciary in the performance of their official duties, nor are they indicative of the effort a judge has put forth or the hours spent in performing the duties of office. Therefore, this report should not be used to evaluate or compare judicial performance.

Superior Court Filing and Disposition Trends, 1992-1996



The Courts

Superior Court Caseload, Calendar Year 1996 (docket entries)

Circuit	# of Judges	Total Criminal		Felony		Misdemeanor		Probation Revocation	
		Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Alapaha	2	4,454	3,814	1,644	1,182	2,668	2,490	142	142
Alcovy	3	4,577	4,333	1,353	1,218	2,190	2,099	1,034	1,016
Appalachian	2	1,853	1,543	545	446	886	681	422	416
Atlanta	15	11,869	8,378	8,451	4,960	0	0	3,418	3,418
Atlantic	4	1,101	1,136	856	874	44	61	201	201
Augusta	7	3,875	3,326	2,105	1,793	877	802	893	731
Blue Ridge	3	1,296	1,267	811	794	110	114	375	359
Brunswick	4	2,146	2,120	1,483	1,546	350	261	313	313
Chattahoochee	5	2,889	2,946	1,666	1,695	739	767	484	484
Cherokee	3	2,195	2,118	708	670	661	633	826	815
Clayton	4	3,234	3,093	2,224	2,090	64	57	946	946
Cobb	8	5,561	5,529	4,089	4,210	205	210	1,267	1,109
Conasauga	4	2,291	2,070	727	612	929	823	635	635
Cordele	2	1,585	1,572	624	608	430	433	531	531
Coweta	5	2,623	2,490	1,923	1,800	337	327	363	363
Dougherty	3	2,127	2,133	1,381	1,392	285	280	461	461
Douglas	2	2,586	2,545	902	983	1,157	1,045	527	517
Dublin	2	1,420	1,361	704	717	506	434	210	210
Eastern	6	3,325	3,042	2,399	2,194	45	50	881	798
Enotah	2	781	816	337	300	323	395	121	121
Flint	3	1,978	1,716	1,026	873	644	539	308	304
Griffin	4	2,889	2,666	1,345	1,378	933	677	611	611
Gwinnett	6	3,319	3,148	2,219	2,198	0	0	1,100	950
Houston	2	1,048	1,746	693	1,400	111	110	244	236
Lookout Mountain	4	2,630	2,314	935	909	1,124	1,083	571	322
Macon	5	3,728	3,656	1,894	1,925	335	342	1,499	1,389
Middle	2	1,336	1,246	995	923	86	69	255	254
Mountain	2	1,158	1,135	565	557	204	190	389	388
Northeastern	3	2,349	2,150	1,560	1,422	329	285	460	443
Northern	3	1,824	1,838	976	960	357	387	491	491
Ocmulgee	4	4,342	4,181	1,731	1,567	1,387	1,390	1,224	1,224
Oconee	2	1,599	1,670	651	677	630	673	318	320
Ogeechee	3	1,689	1,459	1,263	1,059	45	42	381	358
Pataula	2	1,274	1,211	537	545	507	457	230	209
Piedmont	3	1,748	1,651	720	634	521	510	507	507
Rockdale	2	919	880	531	506	49	41	339	333
Rome	3	3,052	3,228	864	853	1,588	1,775	600	600
South Georgia	2	1,365	1,154	599	531	208	201	558	422
Southern	4	2,840	2,848	1,728	1,735	486	487	626	626
Southwestern	2	2,463	2,248	765	661	789	678	909	909
Stone Mountain	9	8,080	7,708	5,542	5,170	0	0	2,538	2,538
Tallapoosa	3	2,427	2,307	724	747	1,297	1,132	406	428
Tifton	2	864	580	517	324	160	109	187	147
Toombs	2	1,633	1,426	462	382	946	819	225	225
Waycross	3	2,097	1,820	1,498	1,292	311	273	288	255
Western	3	1,817	1,683	1,139	1,088	175	185	503	410
Total	169	122,256	113,301	66,411	60,400	26,028	24,416	29,817	28,485
Average per Judge*		723	670	393	357	154	144	176	169

*Based on 169 superior court judges

Superior Court Caseload, Calendar Year 1996 (docket entries)

Total Civil		General Civil		Domestic Relations		Total Caseload		Total Open	Circuit
Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Caseload	
1,923	1,796	711	643	1,212	1,153	6,377	5,610	3,777	Alapaha
4,038	4,033	1,631	1,552	2,407	2,481	8,615	8,366	4,718	Alcovy
1,856	1,699	772	669	1,084	1,030	3,709	3,242	2,700	Appalachian
19,509	13,748	4,042	2,053	15,467	11,695	31,378	22,126	9,252	Atlanta
3,348	3,265	974	979	2,374	2,286	4,449	4,401	1,625	Atlantic
9,400	9,095	2,050	2,000	7,350	7,095	13,275	12,421	8,706	Augusta
3,911	3,624	733	642	3,178	2,982	5,207	4,891	2,520	Blue Ridge
4,263	4,173	1,188	1,176	3,075	2,997	6,409	6,293	1,992	Brunswick
5,877	5,485	1,923	1,676	3,954	3,809	8,766	8,431	5,376	Chattahoochee
3,820	3,754	1,569	1,523	2,251	2,231	6,015	5,872	3,069	Cherokee
5,093	5,323	739	769	4,354	4,554	8,327	8,416	1,450	Clayton
9,400	8,399	1,583	1,353	7,817	7,046	14,961	13,928	6,903	Cobb
4,220	3,927	1,422	1,189	2,798	2,738	6,511	5,997	3,376	Conasauga
2,451	2,341	908	820	1,543	1,521	4,036	3,913	726	Cordele
6,481	6,543	1,732	1,892	4,749	4,651	9,104	9,033	3,595	Coweta
3,801	3,647	875	826	2,926	2,821	5,928	5,780	1,581	Dougherty
3,167	3,316	1,560	1,609	1,607	1,707	5,753	5,861	2,965	Douglas
2,520	2,537	743	735	1,777	1,802	3,940	3,898	1,435	Dublin
6,387	6,170	1,812	1,609	4,575	4,561	9,712	9,212	4,241	Eastern
1,895	1,715	700	574	1,195	1,141	2,676	2,531	975	Enotah
5,062	4,427	2,251	1,853	2,811	2,574	7,040	6,143	4,440	Flint
5,255	5,219	1,826	1,877	3,429	3,342	8,144	7,885	4,784	Griffin
8,276	7,898	2,603	2,353	5,673	5,545	11,595	11,046	3,702	Gwinnett
2,166	3,280	457	554	1,709	2,726	3,214	5,026	1,741	Houston
4,665	4,392	1,040	912	3,625	3,480	7,295	6,706	2,993	Lookout Mountain
5,034	4,347	1,423	1,219	3,611	3,128	8,762	8,003	6,170	Macon
2,294	2,278	693	637	1,601	1,641	3,630	3,524	1,973	Middle
2,188	2,188	617	605	1,571	1,583	3,346	3,323	768	Mountain
3,809	3,806	943	913	2,866	2,893	6,158	5,956	2,018	Northeastern
3,046	2,910	911	793	2,135	2,117	4,870	4,748	3,163	Northern
4,756	5,089	1,501	1,685	3,255	3,404	9,098	9,270	1,733	Ocmulgee
2,639	2,698	693	691	1,946	2,007	4,238	4,368	680	Oconee
4,731	4,588	910	783	3,821	3,805	6,420	6,047	1,504	Ogeechee
2,060	2,045	531	502	1,529	1,543	3,334	3,256	669	Pataula
2,987	2,820	1,065	986	1,922	1,834	4,735	4,471	2,251	Piedmont
1,731	1,633	581	525	1,150	1,108	2,650	2,513	1,387	Rockdale
3,327	3,100	1,252	1,213	2,075	1,887	6,379	6,328	2,893	Rome
2,764	2,392	858	675	1,906	1,717	4,129	3,546	1,675	South Georgia
6,292	5,681	1,807	1,567	4,485	4,114	9,132	8,529	4,690	Southern
1,661	1,467	941	732	720	735	4,124	3,715	2,185	Southwestern
13,513	14,348	1,964	1,737	11,549	12,611	21,593	22,056	10,587	Stone Mountain
3,559	3,299	1,520	1,357	2,039	1,942	5,986	5,606	3,061	Tallapoosa
2,836	2,598	813	690	2,023	1,908	3,700	3,178	2,282	Tifton
1,891	1,729	607	552	1,284	1,177	3,524	3,155	1,629	Toombs
3,383	3,054	1,225	1,049	2,158	2,005	5,480	4,874	2,441	Waycross
2,749	2,785	1,089	1,058	1,660	1,727	4,566	4,468	2,487	Western
206,034	194,661	57,788	51,807	148,246	142,854	328,290	307,962	144,888	Total
1,219	1,152	342	307	877	845	1,943	1,822	857	Average per Judge*

State Courts

A 1970 legislative act established the state court system by designating certain existing county-wide courts of limited jurisdiction as state courts. In 66 counties, state courts may exercise jurisdiction over all misdemeanor violations, including traffic cases, and all civil actions, regardless of the amount claimed, unless the superior court has exclusive jurisdiction.

State courts are authorized to hold hearings on applications for and issuance of search and arrest warrants and to hold preliminary hearings. The Georgia Constitution grants state courts authority to review lower court decisions as provided by statute.

The General Assembly creates state courts by local legislation. Legislation also establishes the number of judges and whether the judges are to be full- or part-time. Part-time judges may practice law, except in their own courts.

During the first half of fiscal year 1997, 65 state courts operated in 66 of Georgia's 159 counties. One court served both Cherokee and Forsyth counties. A bill passed by the 1996 General Assembly abolished the joint court and created two separate courts, effective January 1, 1997, bringing the total number of courts to 66. Of the 97 authorized judgeships, 51 are full-time and 46 are part-time.

State court judges are elected to four-year terms in nonpartisan, countywide elections. Candidates must be at least 25 years old, have been admitted to practice law for at least five years, and have lived in the state for at least three years.

*Filings and dispositions are presented for those
state courts submitting caseload data
to the Administrative Office of the Courts.*

State Court Caseload, Calendar Year 1996 (number of dockets)

County	Misdemeanor			Traffic			Civil			Total		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Appling	*	*	*	*	*	*	*	*	*	*	*	*
Baldwin	1,284	1,080	204	5,003	4,842	161	60	21	39	6,347	5,943	404
Bibb	6,930	6,328	2,615	4,981	3,113	1,868	1,464	1,313	3,049	13,375	10,754	7,532
Brooks	*	*	*	*	*	*	*	*	*	*	*	*
Bryan	*	*	*	*	*	*	*	*	*	*	*	*
Bulloch	*	*	*	*	*	*	*	*	*	*	*	*
Burke	640	583	333	2,025	1,831	666	176	142	162	2,841	2,556	1,161
Candler	89	84	5	2,279	2,261	18	164	125	39	2,532	2,470	62
Carroll	546	527	19	6,187	5,350	1,127	671	1,228	544	7,404	7,105	1,690
Chatham	2,549	2,362	2,361	2,238	2,064	2,162	2,972	3,285	2,908	7,759	7,711	7,431
Chattooga	880	727	153	2,475	2,187	288	93	68	25	3,448	2,982	466
Chester	3,076	N/A	N/A	11,342	N/A	N/A	1,202	N/A	N/A	15,620	N/A	N/A
Clarke	1,596	943	653	*	*	*	804	464	340	2,400	1,407	993
Clayton	16,919	N/A	N/A	23,658	N/A	N/A	7,717	N/A	N/A	48,294	N/A	N/A
Clinch	300	284	16	1,385	1,322	63	34	30	4	1,719	1,636	83
Cobb ^a	6,582	10,470	N/A	81,776	73,385	N/A	23,769	21,499	N/A	112,127	105,354	N/A
Colfée	1,104	361	743	3,572	2,378	1,194	148	59	89	4,824	2,798	2,026
Colquitt	918	820	248	2,369	2,154	315	171	138	74	3,458	3,112	637
Coweta	1,343	766	396	10,225	7,995	3,337	708	1,136	3,216	12,276	9,897	6,949
Decatur	701	658	43	2,059	1,957	102	93	54	39	2,853	2,669	184
DeKalb ^b	9,228	10,092	-	4,856	3,103	3,005	55,050	38,249	7,760	69,134	51,444	10,765
Dougherty	2,861	2,690	171	5,333	5,226	107	981	882	99	9,175	8,798	377
Early ^c	373	309	64	1,318	1,260	58	41	19	22	1,732	1,588	144
Effingham ^b	-	-	-	4,679	4,141	2,361	331	249	82	5,010	4,390	2,443
Elbert	655	497	158	1,238	1,035	203	72	38	34	1,965	1,570	395
Emanuel	*	*	*	*	*	*	*	*	*	*	*	*
Evans ^d	126	110	16	673	572	101	59	45	24	868	727	141
Forsyth	2,880	2,840	40	3,500	3,375	125	670	319	351	7,050	6,534	516
Fulton	26,235	N/A	N/A	-	-	-	40,788	38,158	N/A	67,023	38,158	N/A
Glynn ^b	-	-	-	12,092	11,160	932	533	421	112	12,625	11,581	1,044
Grady ^c	253	232	45	1,685	1,625	171	69	157	42	2,007	2,014	258
Gwinnett ^b	-	-	-	5,468	5,457	1,733	7,003	6,311	4,336	12,471	11,768	6,069
Habersham	1,345	896	55	2,692	3,183	110	93	309	2	4,130	4,388	167
Hall ^e	7,193	6,678	901	7,622	7,586	124	1,258	1,192	341	16,073	15,456	1,366
Houston	1,914	1,816	454	9,822	10,034	523	756	611	688	12,492	12,461	1,665
Jackson ^b	-	-	-	4,608	3,339	1,269	201	N/A	28	4,809	3,339	1,297
Jeff Davis ^c	311	288	23	1,194	1,153	41	40	30	10	1,545	1,471	74
Jefferson	*	*	*	*	*	*	*	*	*	*	*	*
Jenkins	241	155	70	1,365	1,243	65	37	17	10	1,643	1,415	145
Liberty ^c	2,351	2,464	143	N/A	N/A	N/A	188	147	N/A	2,539	2,611	143
Long	*	*	*	*	*	*	*	*	*	*	*	*
Lowndes	*	*	*	*	*	*	*	*	*	*	*	*
McIntosh ^d	85	108	23	4,920	4,764	1,408	5	1	4	5,010	4,873	1,435
Miller	177	170	7	950	917	33	15	11	4	1,142	1,098	44
Mitchell ^b	270	227	43	2,256	2,075	181	56	30	26	2,582	2,332	250
Muscogee	3,875	3,588	287	3,597	3,390	207	N/A	N/A	N/A	7,472	6,978	494
Pierce	*	*	*	*	*	*	*	*	*	*	*	*
Putnam	*	*	*	*	*	*	*	*	*	*	*	*
Richmond	5,215	4,246	969	29,222	26,145	3,077	1,204	N/A	N/A	35,641	30,391	4,046
Rockdale	2,636	2,045	1,432	9,252	10,106	1,787	480	379	375	12,368	12,530	3,594
Screven	371	336	35	1,711	1,628	83	66	41	25	2,148	2,005	143
Spalding	*	*	*	*	*	*	*	*	*	*	*	*
Stephens ^c	610	445	165	832	672	160	120	77	43	1,562	1,194	368
Sumter	1,077	793	284	2,260	2,047	213	121	59	62	3,458	2,899	559
Tattall ^c	337	337	0	1,314	1,312	2	117	100	17	1,768	1,749	19
Thomas	2,100	1,900	200	2,975	2,200	1,000	142	150	140	5,217	4,250	1,340
Tift	*	*	*	*	*	*	*	*	*	*	*	*
Toombs	*	*	*	*	*	*	*	*	*	*	*	*
Treutlen	503	487	16	2,980	2,540	440	25	24	1	3,508	3,051	457
Troup	*	*	*	*	*	*	*	*	*	*	*	*

The Courts

State Court Caseload, Calendar Year 1996 (number of dockets)

County	Misdemeanor			Traffic			Civil			Total		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Walker	1,011	680	331	4,365	3,569	796	185	131	54	5,561	4,380	1,181
Ware	708	406	302	4,759	3,842	917	160	114	46	5,627	4,362	1,265
Washington	2,009	2,013	271	414	299	115	52	32	35	2,475	2,344	421
Wayne	635	546	198	2,037	1,786	332	112	40	104	2,784	2,372	634
Worth	382	265	117	6,520	5,701	818	50	21	29	6,952	5,987	964
Total	123,424	73,652	14,609	310,083	247,324	33,798	151,336	117,926	25,434	584,843	438,902	73,841

Note: 50 of 65 state courts submitted caseload data as of March 1, 1998.

[*] Caseload data not submitted as of March 1, 1998.

[N/A] Data elements not available.

^a Reported number of dockets for misdemeanor and civil categories and number of defendants for traffic category.

^b Traffic and misdemeanor filings are combined and shown under traffic category.

^c Reported number of defendants for all categories.

^d Reported number of charges for misdemeanor and traffic categories.

Juvenile Courts

The purpose of our juvenile courts is to protect the well-being of children, provide guidance and control conducive to child welfare and the best interests of the state, and secure care for children removed from their homes.

The exclusive, original jurisdiction of juvenile courts extends to delinquent and unruly children under the age of 17, and deprived children under the age of 18. Juvenile courts have concurrent jurisdiction with superior courts in cases involving capital felonies, custody and child support cases, and in proceedings to terminate parental rights. However, the superior court by statute has jurisdiction over juveniles who commit the following violent felonies: murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, and armed robbery if committed with a firearm. In addition, the juvenile court has jurisdiction over minors committing traffic violations or enlisting in the military services, consent to marriage for minors, and cases involving the Interstate Compact on Juveniles. Most cases appealed from the juvenile courts are heard by the Court of Appeals.

There are 56 full- and part-time juvenile court judges serving 104 counties who hear juvenile cases exclusively. In all other counties, superior court judges hear juvenile cases. In addition, 33 associate juvenile court judges serve in 46 counties. The qualifications for associate judges appointed after July 1, 1994, are the same as those for juvenile court judges.

Juvenile court judges are appointed by the superior court judges of the circuit to four-year terms. (The juvenile court judge of Floyd County is the only elected juvenile court judge.) Judges must be at least 30 years of age, have practiced law for five years and have lived in Georgia for three years. Full-time judges cannot practice law while holding office.

*Filings and dispositions are presented for those
juvenile courts submitting caseload data
to the Administrative Office of the Courts.*

Juvenile Court Caseload, Calendar Year 1996 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals			
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	
Appling	94	94	0	35	35	0	26	24	2	5	5	0	0	0	0	160	158	2	
Atkinson	34	34	0	3	3	0	12	12	0	14	14	0	0	0	0	63	63	0	
Bacon	53	54	4	15	14	2	15	18	0	13	13	0	0	0	0	96	99	6	
Baker	3	3	0	0	0	0	20	20	0	0	0	0	0	0	0	23	23	0	
Baldwin	366	392	24	78	86	2	129	182	0	128	143	1	4	7	0	705	810	27	
Banks	37	42	11	5	5	0	10	11	1	11	9	13	0	0	0	63	67	25	
Barrow	399	368	81	147	146	4	40	11	83	92	89	6	1	1	1	679	615	175	
Bartow	716	694	22	406	399	7	171	167	4	295	266	29	225	219	6	1,813	1,745	68	
Ben Hill	205	189	16	36	36	0	15	9	6	14	15	0	5	5	0	275	254	22	
Berrien	94	44	38	23	14	26	40	22	15	35	26	8	10	4	5	202	110	92	
Bibb	1,893	1,824	225	198	196	17	1,059	1,009	97	281	275	26	3	35	28	3,434	3,339	393	
Bleckley	60	67	3	2	2	0	5	8	3	1	1	0	11	11	0	79	89	6	
Brantley	68	70	8	26	21	5	15	16	1	14	14	0	0	0	0	123	121	14	
Brooks	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Bryan	141	149	32	69	71	14	32	43	10	59	60	9	0	0	0	301	323	65	
Bulloch	213	231	8	68	70	4	0	3	0	60	60	0	0	0	0	341	364	12	
Burke	185	194	141	7	10	2	57	47	20	7	1	11	0	0	0	256	252	174	
Butts	159	109	50	65	39	26	103	46	57	10	4	6	0	0	0	337	198	139	
Calhoun	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Camden	450	422	28	174	164	10	50	50	0	22	22	0	110	108	2	806	766	40	
Candler	29	31	1	4	4	0	27	29	3	1	1	0	0	0	0	61	65	4	
Carroll	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Catoosa	237	237	0	85	85	0	58	57	1	172	172	0	0	0	0	552	551	1	
Charlton	73	66	10	16	15	1	7	5	2	6	6	0	0	0	0	102	92	13	
Chatham	2,588	2,194	394	613	436	177	631	519	112	926	833	93	40	30	10	4,798	4,012	786	
Chattahoochee	16	7	28	10	4	8	3	0	8	2	2	0	6	10	1	37	23	45	
Chattooga	62	56	6	7	5	2	16	7	9	98	93	5	7	2	5	190	163	27	
Cherokee	501	471	30	268	263	5	279	245	34	464	448	16	197	188	9	1,709	1,615	94	
Clarke	1,017	854	163	381	303	78	254	176	78	129	109	20	15	7	8	1,796	1,449	347	
Clay	19	0	3	3	0	0	12	0	0	2	0	2	0	0	0	36	0	5	
Clayton	2,925	2,710	437	640	611	104	1,036	1,074	51	748	783	129	89	84	36	5,438	5,262	757	
Clinch	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Cobb	3,427	2,572	855	722	566	156	1,192	916	276	1,981	1,689	292	210	166	44	7,532	5,909	1,623	
Coffee	292	153	139	69	40	29	23	3	20	118	17	101	2	2	0	504	215	289	
Colquitt	333	318	15	217	209	8	111	88	23	71	71	0	3	2	1	735	688	47	
Columbia	460	427	94	150	147	10	18	17	4	268	239	46	0	0	0	896	830	154	
Cook	188	116	72	53	39	14	38	3	35	31	19	12	5	5	0	315	182	133	
Coweta	714	698	16	284	284	0	333	333	0	209	209	0	13	13	0	1,553	1,537	16	
Crawford	22	20	36	3	3	0	13	10	15	2	2	5	11	11	1	51	46	57	
Crisp	407	401	6	23	23	0	47	46	1	38	38	0	9	9	0	524	517	7	
Dade	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Dawson	93	35	58	39	15	24	40	1	39	35	17	18	0	0	0	207	68	139	
Decatur	188	179	9	7	5	2	44	44	0	36	36	0	3	3	0	278	267	11	
DeKalb	6,172	5,036	1,136	1,422	1,178	244	974	831	143	1,356	963	393	117	104	13	10,041	8,112	1,929	
Dodge	60	63	1	9	8	1	10	11	0	15	15	0	6	4	2	100	101	4	
Dooly	85	79	14	13	15	0	49	51	1	7	7	0	8	9	0	162	161	15	
Dougherty	1,481	1,420	61	107	95	12	223	204	19	269	257	12	5	5	0	2,085	1,981	104	
Douglas	646	544	793	148	197	123	113	150	102	222	171	152	0	8	10	1,129	1,070	1,180	
Early	170	154	16	9	9	0	13	2	13	13	10	3	0	0	0	205	175	32	
Echols	7	3	5	0	0	8	4	3	4	0	0	1	0	0	0	11	6	18	
Effingham	184	176	11	72	74	2	22	22	0	149	145	9	0	0	0	427	417	22	
Elbert	138	136	6	12	12	1	13	6	11	55	54	1	1	1	0	219	209	19	
Emanuel	52	19	53	5	3	4	25	27	0	1	0	1	0	0	0	83	49	58	
Evans	101	84	17	45	43	2	31	29	2	32	30	2	0	0	0	209	186	23	
Fannin	43	38	5	23	19	4	27	10	17	27	22	5	0	0	0	120	89	31	
Fayette	417	343	74	181	140	41	192	175	17	509	488	21	60	52	8	1,359	1,198	161	
Floyd	681	632	49	358	334	24	309	267	42	360	333	27	129	109	20	1,837	1,675	162	
Forsyth	212	209	3	177	175	2	59	57	2	128	128	0	36	36	0	612	605	7	
Franklin	110	101	26	4	4	3	41	45	12	29	26	17	0	0	0	184	176	58	
Fulton	8,340	8,007	3,975	1,881	1,761	1,236	2,477	2,265	1,107	1,186	1,181	977	1,202	1,061	706	15,086	14,275	8,001	

Juvenile Court Caseload, Calendar Year 1996 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Gilmer	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Glascock	20	16	5	4	3	1	6	0	7	5	6	2	0	0	0	35	25	15
Glynn	824	779	45	239	219	20	86	81	5	269	249	20	2	2	0	1,420	1,330	90
Gordon	363	328	35	234	225	9	229	216	13	133	116	17	0	0	0	959	885	74
Grady	107	101	6	8	7	1	31	24	7	23	21	2	1	1	0	170	154	16
Greene	104	107	22	7	6	1	41	44	0	18	19	4	8	8	0	178	184	27
Gwinnett	3,582	2,837	745	1,402	1,228	174	1,060	972	88	2,166	1,806	360	549	458	91	8,759	7,301	1,458
Habersham	112	105	22	28	25	4	61	46	21	69	66	8	8	8	1	278	250	56
Hall	1,139	1,083	56	298	295	3	191	189	2	546	535	11	17	17	0	2,191	2,119	72
Hancock	33	34	2	2	2	0	8	9	0	0	0	0	0	0	0	43	45	2
Haralson	61	165	1	29	111	1	17	56	3	12	45	0	9	37	0	128	414	5
Harris	49	35	80	21	4	37	22	0	35	38	19	41	11	10	9	141	68	202
Hart	77	61	51	12	9	5	29	20	16	10	9	8	0	0	0	128	99	80
Heard	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Henry	435	418	17	218	217	1	169	169	0	105	104	1	0	0	0	927	908	19
Houston	1,582	1,528	54	986	975	11	433	413	20	396	390	5	4	4	0	3,401	3,310	90
Irwin	34	30	4	25	23	2	17	10	7	19	17	2	8	7	1	103	87	16
Jackson	268	225	80	92	87	7	73	53	33	59	39	33	0	1	2	492	405	155
Jasper	54	44	12	12	10	3	15	16	1	26	20	8	13	5	16	120	95	40
Jeff Davis	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Jefferson	66	2	141	0	0	3	23	1	82	3	0	12	0	0	0	92	3	238
Jenkins	37	33	10	19	17	2	19	21	4	17	17	0	0	0	0	92	88	16
Johnson	61	50	11	16	16	0	13	9	4	8	8	0	0	0	0	98	83	15
Jones	73	77	26	9	6	5	37	33	8	54	47	11	0	0	0	173	163	50
Lamar	142	109	33	39	37	2	75	70	5	26	25	1	3	3	0	285	244	41
Lanier	81	70	11	35	32	3	22	15	7	17	10	7	0	0	0	155	127	28
Laurens	618	569	49	253	217	36	140	14	126	135	91	44	8	7	1	1,154	898	256
Lee	185	183	12	9	11	0	0	0	0	48	47	2	16	16	0	258	257	14
Liberty	444	628	117	196	280	62	118	186	48	81	134	19	0	0	0	839	1,228	246
Lincoln	30	26	5	4	4	0	5	5	1	15	13	2	0	0	0	54	48	8
Long	27	24	6	19	21	2	15	14	4	16	16	0	0	0	0	77	75	12
Lowndes	441	N/A	N/A	187	N/A	N/A	76	N/A	N/A	219	N/A	N/A	0	N/A	N/A	923	N/A	Na
Lumpkin	109	90	70	44	28	42	66	64	18	35	22	18	14	10	6	268	214	154
Macon	102	133	6	12	15	0	14	14	0	7	7	0	7	5	3	142	174	9
Madison	75	63	31	6	5	3	33	33	18	39	35	4	0	0	0	153	136	56
Marion	36	18	42	3	1	5	3	1	8	5	2	9	4	4	2	51	26	66
McDuffie	126	135	22	33	32	2	22	22	0	51	60	4	3	3	0	235	252	28
McIntosh	63	58	13	38	38	7	20	23	1	46	42	6	0	0	0	167	161	27
Meriwether	136	114	46	30	25	6	47	34	14	39	40	3	53	48	5	305	261	74
Miller	35	35	0	27	27	0	13	13	0	8	8	0	11	11	0	94	94	0
Mitchell	136	97	39	3	2	2	16	14	15	19	19	0	0	0	0	174	132	56
Monroe	117	113	4	46	46	0	77	66	11	98	91	7	2	2	0	340	318	22
Montgomery	4	4	0	2	2	0	3	3	0	2	2	0	0	0	0	11	11	0
Morgan	66	57	9	14	12	2	17	17	0	66	44	22	1	1	0	164	131	33
Murray	232	475	94	106	360	50	115	216	67	94	179	23	41	64	28	588	1,294	262
Muscogee	2,043	1,982	61	738	700	38	403	387	16	362	353	9	137	77	60	3,683	3,499	184
Newton	866	742	124	283	262	21	370	326	44	147	136	11	218	175	43	1,884	1,641	243
Oconee	177	123	117	43	30	31	19	21	13	54	47	16	0	0	0	293	221	177
Oglethorpe	25	22	9	3	2	1	6	8	3	8	7	1	0	0	0	42	39	14
Paulding	250	659	45	133	352	10	42	122	20	88	226	32	9	73	4	522	1,432	111
Peach	105	108	31	20	18	4	18	18	14	17	6	12	35	39	18	195	189	79
Pickens	35	35	0	94	94	0	37	31	6	14	14	0	0	0	0	180	174	6
Pierce	64	56	16	23	22	2	26	22	4	49	47	7	0	0	0	162	147	29
Pike	56	56	0	19	18	1	59	58	1	14	14	0	0	0	0	148	146	2
Polk	405	1,196	131	153	465	33	0	292	0	78	151	13	25	70	4	661	2,174	181
Pulaski	50	63	1	2	2	0	3	3	0	8	9	0	2	2	0	65	79	1
Putnam	62	52	14	9	9	0	44	53	3	7	7	0	0	0	0	122	121	17
Quitman	4	1	3	0	0	0	1	1	0	10	10	0	0	0	0	15	12	3
Rabun	50	49	6	11	11	0	12	9	8	17	16	2	0	0	0	90	85	16
Randolph	108	105	3	7	6	1	8	8	0	26	26	0	1	1	0	150	146	4

The Courts

Juvenile Court Caseload, Calendar Year 1996 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals			
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	
Richmond	2,154	2,101	53	295	294	1	497	223	274	150	148	2	62	62	0	3,158	2,828	330	
Rockdale	384	341	43	58	53	5	97	89	8	279	253	26	79	77	2	897	813	84	
Schley	42	44	1	2	2	0	9	11	0	6	6	0	6	7	0	65	70	1	
Screven	79	81	5	30	30	3	19	17	5	29	28	3	0	0	0	157	156	16	
Seminole	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Spalding	398	394	4	150	149	1	524	522	2	65	65	0	2	2	0	1,139	1,132	7	
Stephens	128	106	29	17	14	5	18	14	17	44	41	4	1	1	0	208	176	55	
Stewart	56	55	5	12	12	0	0	0	0	0	0	0	1	1	0	69	68	5	
Sumter	463	490	32	114	126	2	26	26	0	39	38	4	26	28	0	668	708	38	
Talbot	12	4	21	6	0	7	8	0	23	4	2	4	4	4	15	34	10	70	
Taliaferro	8	8	1	0	0	0	3	3	0	0	0	0	0	0	0	11	11	1	
Tattall	147	147	34	58	57	8	49	50	6	33	33	6	1	1	0	288	288	54	
Taylor	11	14	30	5	1	6	9	9	13	15	5	26	4	5	1	44	34	76	
Telfair	67	72	0	5	5	0	9	11	0	12	13	0	8	8	0	101	109	0	
Terrell	133	128	5	17	17	0	58	54	4	21	20	1	0	0	0	229	219	10	
Thomas	416	332	84	108	44	64	112	99	13	93	80	13	9	8	1	738	563	175	
Tift	517	413	104	89	80	9	32	10	22	128	103	25	0	0	0	766	606	160	
Toombs	133	135	2	7	7	0	102	99	8	9	9	0	4	4	0	255	254	10	
Towns	20	23	2	3	2	3	12	14	2	15	13	3	0	0	0	50	52	10	
Treutlen	52	49	4	28	28	0	5	6	0	12	11	3	3	3	0	100	97	7	
Troup	1,140	1,047	93	153	140	13	296	278	18	306	270	36	106	93	13	2,001	1,828	173	
Turner	103	103	0	7	7	0	0	0	0	33	33	0	2	0	2	145	143	2	
Twiggs	83	69	22	15	9	7	32	28	9	2	2	0	11	9	4	143	117	42	
Union	40	37	8	27	26	2	24	22	5	23	21	2	6	6	1	120	112	18	
Upson	341	310	31	39	33	6	101	87	14	73	73	0	0	0	0	554	503	51	
Walker	167	166	1	102	101	1	67	55	12	183	183	0	20	20	0	539	525	14	
Walton	563	557	6	392	383	9	91	90	1	127	125	2	263	255	8	1,436	1,410	26	
Ware	500	470	30	159	133	26	158	123	35	100	89	11	28	27	1	945	842	103	
Warren	13	10	4	2	0	2	7	9	0	8	9	4	0	0	0	30	28	10	
Washington	93	91	2	3	3	0	2	2	0	0	0	0	0	0	0	98	96	2	
Wayne	82	77	5	66	61	5	45	30	15	35	35	0	4	4	0	232	207	25	
Webster	14	14	0	2	2	0	6	6	0	1	1	0	0	0	0	23	23	0	
Wheeler	28	28	0	1	1	0	10	11	0	6	6	0	2	2	0	47	48	0	
White	106	84	45	41	35	16	22	18	33	16	16	3	12	7	12	197	160	109	
Whitfield	1,045	1,330	0	455	612	0	351	418	0	535	690	0	281	318	0	2,667	3,368	0	
Wilcox	28	23	6	1	1	0	14	15	4	4	5	0	1	0	2	48	44	12	
Wilkes	56	58	19	15	16	2	6	7	1	17	20	3	0	0	0	94	101	25	
Wilkinson	57	62	12	26	29	7	37	38	8	6	4	2	2	4	0	128	137	29	
Worth	182	93	89	13	2	11	40	36	4	71	52	19	0	0	0	306	183	123	
Total	64,107	59,443	12,735	18,245	17,621	3,321	17,986	16,521	3,889	19,197	17,622	3,490	4,711	4,436	1,272	124,246	115,643	24,707	

Note: 150 of 159 counties reported caseload data as of December 19, 1997.

[*] Caseload data not submitted.
[N/A] Data elements not available.

Probate Courts

County probate courts exercise exclusive, original jurisdiction in the probate of wills, administration of estates, appointment of guardians and involuntary hospitalization of incapacitated adults and other dependent individuals.

All probate court judges administer oaths of office and issue marriage licenses. They may hold habeas corpus hearings or preside over criminal preliminary hearings. In counties where there is no state court, unless a jury trial is requested, probate court judges may also hear certain misdemeanors, traffic cases and violations of state game and fish laws. When provided by local statute, probate judges serve as election supervisors and make appointments to certain local public offices.

In counties with population greater than 96,000, where the probate judge has practiced law for at least seven years, a party to a civil case may request a jury trial in the probate court by a written demand with the first pleading. Appeals from such civil cases may be to the Supreme Court or Court of Appeals depending on the particular matter.

Most probate court judges are elected to four-year terms in countywide, partisan elections. In 25 counties, probate judges run as nonpartisan candidates. A candidate for judge of the probate court must be at least 25 years of age, a high school graduate, a U.S. citizen and a county resident for at least two years preceding the election. In counties with population over 96,000, a candidate for probate judge must have practiced law for seven years and be at least 30 years of age.

*Filings and dispositions are presented for those
probate courts submitting caseload data
to the Administrative Office of the Courts.*

The Courts

Probate Court Criminal Caseload, Fiscal Year 1997 (docket entries)

County	Misdemeanor		Traffic		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Atkinson	*	*	*	*	*	*
Bacon	*	*	*	*	*	*
Baker	*	*	*	*	*	*
Banks	61	67	951	798	1,012	865
Barrow	0	0	3,024	3,024	3,024	3,024
Bartow	451	0	7,594	8,013	8,045	8,013
Ben Hill	*	*	*	*	*	*
Berrien	*	*	*	*	*	*
Bleckley ^a	0	0	0	381	0	381
Brantley	44	44	1,116	1,116	1,160	1,160
Butts ^a	54	70	1,798	1,136	1,852	1,206
Calhoun	*	*	*	*	*	*
Camden ^b	87	115	3,300	4,294	3,387	4,409
Catoosa	*	*	*	*	*	*
Charlton	*	*	*	*	*	*
Chattahoochee	*	*	*	*	*	*
Clay	*	*	*	*	*	*
Columbia	*	*	*	*	*	*
Cook	*	*	*	*	*	*
Crawford	*	*	*	*	*	*
Crisp	*	*	*	*	*	*
Dade	0	0	2,908	2,908	2,908	2,908
Dawson	*	*	*	*	*	*
Dodge	*	*	*	*	*	*
Dooly	*	*	*	*	*	*
Douglas	*	*	*	*	*	*
Echols	*	*	*	*	*	*
Fannin	113	111	909	860	1,022	971
Fayette	30	11	1,130	1,025	1,160	1,036
Floyd ^b	0	0	2,960	2,362	2,960	2,362
Franklin	*	*	*	*	*	*
Gilmer	*	*	*	*	*	*
Glascock ^c	0	0	64	64	64	64
Gordon	66	55	4,143	3,894	4,209	3,949
Grady ^b	71	134	0	0	71	134
Greene	115	102	1,901	1,682	2,016	1,784
Hancock	*	*	*	*	*	*
Haralson	36	36	2,129	2,129	2,165	2,165
Harris	0	0	4,565	4,561	4,565	4,561
Hart	93	95	866	973	959	1,068
Heard ^b	8	8	565	565	573	573
Henry	48	48	10,985	10,836	11,033	10,884
Irwin	*	*	*	*	*	*
Jasper	263	261	907	907	1,170	1,168
Johnson	*	*	*	*	*	*
Jones	111	53	3,270	2,037	3,381	2,090
Lamar	*	*	*	*	*	*
Lanier	*	*	*	*	*	*
Laurens	70	78	7,446	6,660	7,516	6,738
Lee ^a	0	0	0	419	0	419
Lincoln	*	*	*	*	*	*
Lumpkin	*	*	*	*	*	*
Macon	0	0	1,752	1,349	1,752	1,349
Madison	*	*	*	*	*	*
Marion ^b	0	0	544	538	544	538
McDuffie	0	0	4,191	4,121	4,191	4,121
Meriwether	677	470	1,770	1,330	2,447	1,800
Monroe	115	143	12,412	12,291	12,527	12,434
Montgomery	*	*	*	*	*	*
Morgan	32	41	1,908	2,385	1,940	2,426

Probate Court Criminal Caseload, Fiscal Year 1997 (docket entries)

County	Misdemeanor		Traffic		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Murray ^d	0	0	3,517	3,517	3,517	3,517
Newton	*	*	*	*	*	*
Oconee	0	0	5,095	5,095	5,095	5,095
Oglethorpe	33	33	676	670	709	703
Paulding	100	14	2,879	1,663	2,979	1,677
Peach	0	0	4,936	4,936	4,936	4,936
Pickens	*	*	*	*	*	*
Pike	*	*	*	*	*	*
Polk	67	48	3,229	2,938	3,296	2,986
Pulaski ^b	0	0	866	864	866	864
Quitman	*	*	*	*	*	*
Rabun	*	*	*	*	*	*
Randolph	0	0	2,014	4,506	2,014	4,506
Schley	*	*	*	*	*	*
Seminole	56	52	1,446	1,371	1,502	1,423
Stewart	*	*	*	*	*	*
Talbot	0	0	2,450	2,446	2,450	2,446
Taliaferro	*	*	*	*	*	*
Taylor	0	0	0	2,006	0	2,006
Telfair	0	0	1,822	1,822	1,822	1,822
Terrell	39	34	2,169	2,770	2,208	2,804
Thomas	27	24	0	0	27	24
Towns ^h	22	18	208	138	230	156
Turner	0	0	3,359	2,228	3,359	2,228
Twiggs	70	70	1,228	1,228	1,298	1,298
Union ^c	150	225	307	443	457	668
Upton	*	*	*	*	*	*
Walton	129	117	5,334	4,812	5,463	4,929
Warren	*	*	*	*	*	*
Webster	*	*	*	*	*	*
Wheeler ^d	0	0	164	164	164	164
White	*	*	*	*	*	*
Whitfield	28	28	10,858	10,858	10,886	10,886
Wilcox	*	*	*	*	*	*
Wilkes	62	58	820	739	882	797
Wilkinson	28	27	506	461	534	488
Total	3,356	2,690	138,991	138,333	142,347	141,023

Note: 53 of the 96 probate courts with criminal jurisdiction submitted caseload data for fiscal year 1997.

[*] Caseload data not submitted.

^a Reported one quarter.

^b Reported three quarters.

^c Reported two quarters.

^d Data from calendar year 1996.

The Courts

Probate Court Civil Caseload, Fiscal Year 1997 (docket entries)

County	No		Probate		Guardianship	Year's Support	Hospitalization	Habeas Corpus	Total Civil	Licenses	
	Administration	Necessary	Common	Solemn						Marriage	Pistol
Appling	*	*	*	*	*	*	*	*	*	*	*
Atkinson	*	*	*	*	*	*	*	*	*	*	*
Bacon	*	*	*	*	*	*	*	*	*	*	*
Baker	*	*	*	*	*	*	*	*	*	*	*
Baldwin	25	3	5	88	34	5	84	0	244	345	345
Banks	13	5	0	33	14	8	12	0	85	55	86
Barrow	32	1	1	90	62	4	20	0	210	266	257
Bartow	74	9	1	253	44	6	53	0	440	524	615
Ben Hill	*	*	*	*	*	*	*	*	*	*	*
Berrien	*	*	*	*	*	*	*	*	*	*	*
Bibb ^a	87	11	9	326	91	35	12	0	571	1,087	627
Bleckley ^b	1	0	0	11	1	0	0	0	13	25	34
Brantley	9	1	1	19	11	3	0	0	44	130	78
Brooks	*	*	*	*	*	*	*	*	*	*	*
Bryan	15	1	1	33	25	4	15	0	94	101	188
Bulloch	49	3	6	197	57	3	44	0	359	565	314
Burke	*	*	*	*	*	*	*	*	*	*	*
Butts ¹	2	2	2	20	20	4	8	0	58	78	80
Calhoun	*	*	*	*	*	*	*	*	*	*	*
Camden ^a	21	5	0	51	24	3	0	1	105	619	185
Candler	3	5	0	22	18	1	0	0	49	73	44
Carroll ^a	49	7	1	139	42	8	19	0	265	757	528
Catoosa	*	*	*	*	*	*	*	*	*	*	*
Charlton	*	*	*	*	*	*	*	*	*	*	*
Chatham	194	33	28	563	295	73	107	0	1,293	1,932	1,366
Chattahoochee	*	*	*	*	*	*	*	*	*	*	*
Chattooga	*	*	*	*	*	*	*	*	*	*	*
Cherokee	54	14	15	199	66	22	26	0	396	624	764
Clarke	52	5	5	196	89	11	14	0	372	833	422
Clay	*	*	*	*	*	*	*	*	*	*	*
Clayton	105	28	15	265	334	48	51	2	848	1,776	1,063
Clinch	7	3	0	16	4	1	0	0	31	66	25
Cobb	202	27	54	1,045	615	63	76	61	2,143	4,520	2,166
Coffee	26	8	1	66	26	2	0	0	129	446	183
Colquitt	17	11	4	105	22	3	28	0	190	378	139
Columbia	*	*	*	*	*	*	*	*	*	*	*
Cook	*	*	*	*	*	*	*	*	*	*	*
Coweta	47	7	2	191	98	14	30	0	389	616	559
Crawford	*	*	*	*	*	*	*	*	*	*	*
Crisp	*	*	*	*	*	*	*	*	*	*	*
Dade	10	0	0	25	15	1	7	0	58	108	70
Dawson	*	*	*	*	*	*	*	*	*	*	*
Decatur	26	3	4	71	9	6	27	0	146	235	99
DeKalb	1,164	116	216	1,584	2,594	324	579	7	6,584	4,522	2,843
Dodge	*	*	*	*	*	*	*	*	*	*	*
Dooly	*	*	*	*	*	*	*	*	*	*	*
Dougherty ^a	63	10	5	153	106	1	89	0	427	649	437
Douglas	51	4	5	147	73	36	0	0	316	865	519
Early	8	2	0	41	7	3	1	0	62	67	85
Echols	*	*	*	*	*	*	*	*	*	*	*
Effingham	16	2	9	56	66	23	15	1	188	196	274
Elbert	14	4	1	51	5	8	5	0	88	98	114
Emanuel	27	7	4	66	16	3	35	0	158	181	149
Evans	13	2	0	19	16	3	7	0	60	73	117
Fannin	15	1	0	57	25	6	18	0	122	112	195
Fayette	23	2	2	151	66	50	0	3	297	548	566
Floyd ^a	18	0	10	101	28	3	32	0	192	284	272
Forsyth	38	4	6	145	44	12	14	0	263	532	502
Franklin	*	*	*	*	*	*	*	*	*	*	*
Fulton	545	120	115	1,664	1,871	142	35	2	4,494	6,489	2,222

Probate Court Civil Caseload, Fiscal Year 1997 (docket entries)

County	No Administration		Probate			Year's Support	Hospitalization	Habeas Corpus	Total Civil	Licenses	
	Administration	Necessary	Common	Solemn	Guardianship					Marriage	Pistol
Gilmer	*	*	*	*	*	*	*	*	*	*	*
Glascocok ^e	0	1	0	2	4	1	0	0	8	10	9
Glynn	79	2	18	182	58	63	42	0	444	776	486
Gordon	39	4	2	92	35	1	0	0	173	290	275
Grady ^d	19	4	0	31	26	4	16	0	100	143	112
Greene	5	20	4	35	16	3	17	0	100	78	81
Gwinnett	222	26	29	751	516	99	52	0	1,695	3,996	2,646
Habersham	49	1	1	100	46	12	19	0	228	175	148
Hall	89	9	62	255	90	18	27	0	550	899	631
Hancock	*	*	*	*	*	*	*	*	*	*	*
Haralson	82	2	2	78	99	48	15	0	326	191	242
Harris	16	0	1	71	21	7	0	0	116	163	185
Hart	14	2	0	57	35	3	5	0	116	113	167
Heard ^d	5	0	0	13	6	7	6	0	37	47	67
Henry	38	10	14	161	151	31	25	0	430	674	707
Houston	42	3	3	221	120	11	47	0	447	800	890
Irwin	*	*	*	*	*	*	*	*	*	*	*
Jackson	30	10	1	109	37	27	20	0	234	305	307
Jasper	6	2	0	36	13	6	5	0	68	74	91
Jeff Davis	8	1	0	21	5	1	0	0	36	154	74
Jefferson	*	*	*	*	*	*	*	*	*	*	*
Jenkins	14	4	2	69	18	5	0	0	112	137	239
Johnson	*	*	*	*	*	*	*	*	*	*	*
Jones	19	3	6	39	23	6	23	0	119	123	257
Lamar	*	*	*	*	*	*	*	*	*	*	*
Lanier	*	*	*	*	*	*	*	*	*	*	*
Laurens	25	9	6	101	39	7	51	0	238	389	262
Lee ^b	2	1	0	14	12	0	6	0	35	39	68
Liberty ^d	49	1	1	87	230	10	22	0	400	379	100
Lincoln	*	*	*	*	*	*	*	*	*	*	*
Long ^d	10	0	0	10	11	1	2	0	34	50	51
Lowndes	62	6	5	143	49	16	41	0	322	1,069	375
Lumpkin	*	*	*	*	*	*	*	*	*	*	*
Macon	14	2	2	26	16	0	2	69	131	88	72
Madison	*	*	*	*	*	*	*	*	*	*	*
Marion ^e	1	2	0	14	4	0	0	0	21	38	40
McDuffie	32	5	2	57	23	7	17	0	143	157	144
McIntosh	*	*	*	*	*	*	*	*	*	*	*
Meriwether	16	0	5	45	16	3	10	0	95	133	119
Miller	*	*	*	*	*	*	*	*	*	*	*
Mitchell	*	*	*	*	*	*	*	*	*	*	*
Monroe	17	0	6	37	21	6	19	0	106	141	205
Montgomery	*	*	*	*	*	*	*	*	*	*	*
Morgan	1	3	1	52	18	3	6	0	84	115	73
Murray ^d	17	8	1	37	19	10	16	0	108	185	241
Muscogee	153	2	16	488	272	75	62	0	1,068	1,387	582
Newton	*	*	*	*	*	*	*	*	*	*	*
Oconee	10	3	1	53	24	3	3	0	97	151	151
Oglethorpe	11	0	0	32	15	5	4	0	67	41	124
Paulding	34	8	0	108	52	9	0	0	211	409	393
Peach	18	1	0	51	13	4	0	0	87	122	144
Pickens	*	*	*	*	*	*	*	*	*	*	*
Pierce	*	*	*	*	*	*	*	*	*	*	*
Pike	*	*	*	*	*	*	*	*	*	*	*
Polk	26	7	1	130	10	3	43	0	220	319	225
Pulaski ^d	1	4	0	27	10	1	0	0	43	77	39
Putnam ^e	8	0	2	18	13	1	9	0	51	79	77
Quitman	*	*	*	*	*	*	*	*	*	*	*
Rabun	*	*	*	*	*	*	*	*	*	*	*
Randolph	4	0	1	25	4	3	1	0	38	47	121

The Courts

Probate Court Civil Caseload, Fiscal Year 1997 (docket entries)

County	Administration	No		Probate		Year's Support	Hospitalization	Habeas Corpus	Total Civil	Licenses	
		Administration Necessary	Common	Solemn	Guardianship					Marriage	Pistol
Richmond ^a	103	23	17	286	125	115	121	0	790	999	800
Rockdale	42	2	1	123	108	24	0	0	300	589	451
Schley	*	*	*	*	*	*	*	*	*	*	*
Screven	24	6	4	45	15	6	9	0	109	79	97
Seminole	5	4	2	33	0	0	10	0	54	305	68
Spalding ^b	9	0	0	29	32	5	15	0	90	138	109
Stephens	*	*	*	*	*	*	*	*	*	*	*
Stewart	*	*	*	*	*	*	*	*	*	*	*
Sumter	18	2	3	81	21	6	16	0	147	281	167
Talbot	6	0	0	13	3	1	0	0	23	40	44
Taliaferro	*	*	*	*	*	*	*	*	*	*	*
Tattnall	18	2	3	49	24	8	6	0	110	148	97
Taylor	11	1	2	17	7	0	12	0	50	47	40
Telfair	18	4	0	60	10	3	4	0	99	146	99
Terrell	7	8	0	36	13	1	1	2	68	71	87
Thomas	34	6	3	125	27	4	352	0	551	410	142
Tift	25	1	1	89	18	4	29	0	167	427	267
Toombs	26	8	1	60	33	6	12	0	146	281	222
Towns ^d	2	2	1	24	1	0	0	0	30	27	75
Treutlen	*	*	*	*	*	*	*	*	*	*	*
Troup	40	6	8	191	62	18	54	0	379	411	366
Turner	5	3	1	35	15	2	2	0	63	73	38
Twiggs	11	4	7	16	9	3	36	0	86	57	60
Union ^c	5	0	2	18	2	1	0	0	28	49	64
Upson	*	*	*	*	*	*	*	*	*	*	*
Walker	*	*	*	*	*	*	*	*	*	*	*
Walton	40	9	10	125	79	15	16	4	298	237	285
Ware ^c	18	2	0	39	7	0	17	0	83	186	111
Warren	*	*	*	*	*	*	*	*	*	*	*
Washington	11	3	2	47	28	5	0	0	96	152	106
Wayne	*	*	*	*	*	*	*	*	*	*	*
Webster	*	*	*	*	*	*	*	*	*	*	*
Wheeler ^b	3	1	1	3	3	1	0	0	12	13	9
White	*	*	*	*	*	*	*	*	*	*	*
Whitfield	66	17	2	240	34	12	21	0	392	468	436
Wilcox	*	*	*	*	*	*	*	*	*	*	*
Wilkes	11	2	1	49	18	2	11	0	94	50	52
Wilkinson	11	0	1	28	3	1	15	0	59	63	114
Worth	12	3	2	58	29	4	6	0	114	199	190
Total	4,983	751	798	14,056	9,849	1,709	2,861	152	35,159	51,284	34,348

Note: 104 of 159 probate courts submitted caseload data for fiscal year 1997.

[*] Caseload data not submitted.

^a Reported three quarters.

^b Reported one quarter.

^c Reported two quarters.

^d Data from calendar year 1996.

Magistrate Courts

Magistrate court jurisdiction includes: civil claims of \$5,000 or less; distress warrants and dispossessory writs; county ordinance violations; misdemeanor deposit account fraud (bad checks); preliminary hearings; and summonses, arrest warrants and search warrants. A chief magistrate, who may be assisted by one or more magistrates, presides over each of the 159 magistrate courts in the state.

Magistrates may grant bail in cases where the setting of bail is not exclusively reserved to a judge of another court. No jury trials are held in magistrate court. If a defendant submits a written request for a jury trial, cases are removed to superior or state court.

The chief magistrate of each county assigns cases, schedules court sessions, appoints other magistrates (with the consent of the superior court judges) and sets policy for the magistrate court. The number of magistrates in addition to the chief is usually set by majority vote of the county's superior court judges.

Most chief magistrates are elected in partisan, countywide elections to four-year terms. In 26 counties, chief magistrates run as nonpartisan candidates. In 19 counties, the chief magistrate is appointed, as provided by local legislation. Terms for other magistrate judges run concurrently with that of the chief magistrate who appointed them.

To qualify as a magistrate, an individual must reside in the county for at least one year preceding his or her term of office, be 25 years of age, and have a high school diploma or its equivalent. Other qualifications may be imposed by local legislation.

At the end of fiscal year 1997, 159 chief magistrates, 317 magistrates and 14 senior magistrates served in Georgia. A magistrate court judge may also serve as judge of another limited jurisdiction court in the same county. Of the judges serving in magistrate court, 22 were also probate judges, three were also civil court judges, and three were also juvenile court judges or associate judges.

*Filings and dispositions are presented for those
magistrate courts submitting caseload data
to the Administrative Office of the Courts.*

The Courts

Magistrate Court Caseload, Fiscal Year 1997 (cases filed)

County	Warrants Issued	Bond & Commitment		Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
		Hearings	Filed	Disposed	Filed	Disposed	Filed	Disposed			
Appling ^a	884	587	297	101	493	368	150	150	1,824	1,206	
Atkinson	*	*	*	*	*	*	*	*	*	*	
Bacon	802	589	229	253	530	530	261	225	1,822	1,597	
Baker	*	*	*	*	*	*	*	*	*	*	
Baldwin	2,296	99	2,187	298	2,419	212	2,285	21	9,187	630	
Banks	756	292	48	42	289	282	138	135	1,231	751	
Barrow	2,800	1,136	104	104	750	750	785	785	4,439	2,775	
Bartow ^a	2,910	915	1,865	1,865	764	770	1,139	1,139	6,678	4,689	
Ben Hill	1,470	950	793	586	886	800	936	936	4,085	3,272	
Berrien	1,135	N/A	N/A	N/A	446	387	209	128	1,790	515	
Bibb	8,648	4,120	4,090	3,166	4,548	6,824	2,811	2,466	20,097	16,576	
Bleckley	488	461	542	542	291	390	202	224	1,523	1,617	
Brantley	487	426	286	286	309	309	81	81	1,163	1,102	
Brooks	697	372	44	2	819	816	386	372	1,946	1,562	
Bryan ⁱ	410	79	52	52	177	168	133	112	772	411	
Bulloch	6,041	296	136	141	1,242	1,645	1,327	1,400	8,746	3,482	
Burke	1,255	298	7	5	881	663	516	143	2,659	1,109	
Butts	*	*	*	*	*	*	*	*	*	*	
Calhoun	*	*	*	*	*	*	*	*	*	*	
Camden	1,551	1,081	837	649	766	477	664	375	3,818	2,582	
Candler	*	*	*	*	*	*	*	*	*	*	
Carroll	2,884	1,947	2,193	2,168	1,715	1,663	1,560	1,457	8,352	7,235	
Catoosa	N/A	N/A	400	588	475	409	526	371	1,401	1,368	
Charlton	463	364	233	229	223	216	104	97	1,023	906	
Chatham	8,343	8,663	5,774	6,928	7,543	5,235	10,438	2,096	32,098	22,922	
Chattahoochee	147	164	20	23	64	61	26	24	257	272	
Chattooga ^a	1,497	533	254	N/A	377	377	284	284	2,412	1,194	
Cherokee ^b	2,232	1,077	174	151	543	354	926	516	3,875	2,098	
Clarke	7,494	3,285	4,479	2,489	1,391	883	2,193	366	15,557	7,023	
Clay ^b	126	44	N/A	N/A	54	54	42	40	222	138	
Clayton	9,064	12,006	3,611	3,421	2,395	1,442	11,682	6,794	26,752	23,663	
Clinch	373	5	19	N/A	185	185	132	106	709	296	
Cobb	17,163	17,183	6,792	4,825	4,326	2,950	2,560	1,219	30,841	26,177	
Coffee	4,138	944	1,090	495	1,565	424	1,315	475	8,108	2,338	
Colquitt	2,385	575	N/A	N/A	1,929	0	868	0	5,182	575	
Columbia	2,331	105	1,873	1,199	1,137	784	718	372	6,059	2,460	
Cook ^b	654	17	212	N/A	278	255	160	99	1,304	371	
Coweta	3,151	246	1,708	892	1,249	856	1,408	976	7,516	2,970	
Crawford	213	131	84	53	293	158	86	15	676	357	
Crisp	1,301	997	1,038	958	919	978	962	793	4,220	3,726	
Dade	607	298	116	113	153	130	29	28	905	569	
Dawson	748	644	20	0	283	483	135	16	1,186	1,143	
Decatur ^d	1,167	198	N/A	N/A	595	N/A	433	N/A	2,195	198	
DeKalb	22,600	46,426	2,045	2,935	5,432	2,714	188	N/A	30,265	52,075	
Dodge	892	0	366	308	522	251	193	73	1,973	632	
Dooly	454	48	72	N/A	401	396	236	214	1,163	658	
Dougherty	5,682	7,062	1,702	1,815	3,835	3,518	6,192	5,015	17,411	17,410	
Douglas	5,967	562	301	292	850	767	2,466	166	9,584	1,787	
Early	656	149	41	41	534	534	234	228	1,465	952	
Echols	*	*	*	*	*	*	*	*	*	*	
Effingham ^f	437	77	22	22	71	71	68	68	598	238	
Elbert	2,122	908	26	25	500	442	350	148	2,998	1,523	
Emanuel	764	619	467	414	1,081	986	646	368	2,958	2,387	
Evans	*	*	*	*	*	*	*	*	*	*	
Fannin	655	208	376	160	371	274	115	109	1,517	751	
Fayette	1,161	848	957	670	643	1,006	598	546	3,359	3,070	
Floyd	3,232	2,253	3,203	2,663	3,004	2,161	3,362	1,401	12,801	8,478	
Forsyth	*	*	*	*	*	*	*	*	*	*	
Franklin	769	562	523	461	612	553	314	165	2,218	1,741	
Fulton	11,576	27,601	31,077	16,511	7,831	9,549	42,572	19,865	77,625	64,237	

Magistrate Court Caseload, Fiscal Year 1997 (cases filed)

County	Warrants Issued	Bond & Commitment		Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
		Hearings		Filed	Disposed	Filed	Disposed	Filed	Disposed		
Gilmer	*	*	*	*	*	*	*	*	*	*	*
Glascocock ^c	2	0	1	1	12	2	5	1	20	4	
Glynn ^b	2,284	1,091	760	760	1,216	1,216	1,152	1,152	5,412	4,219	
Gordon	3,582	730	1,466	413	1,548	959	927	240	7,523	2,342	
Grady	1,354	480	289	435	1,507	1,253	708	659	3,858	2,827	
Greene	708	917	346	339	575	519	417	98	2,046	1,873	
Gwinnett	12,833	5,338	2,986	1,922	4,245	4,210	9,795	9,578	29,859	21,048	
Habersham	*	*	*	*	*	*	*	*	*	*	
Hall	4,539	7,735	3,335	2,426	2,125	2,443	2,392	2,021	12,391	14,625	
Hancock	333	348	68	68	1,008	985	349	222	1,758	1,623	
Haralson	808	87	268	58	422	235	276	219	1,774	599	
Harris	1,206	783	225	177	434	360	269	246	2,134	1,566	
Hart	728	407	306	181	542	420	269	206	1,845	1,214	
Heard	464	99	63	78	249	142	125	123	901	442	
Henry	2,424	4,049	1,145	1,147	1,092	870	1,328	346	5,989	6,412	
Houston	6,772	4,709	927	1,836	2,297	2,109	2,334	1,562	12,330	11,216	
Irwin	376	122	1	1	353	354	268	268	998	745	
Jackson	2,672	1,202	N/A	N/A	873	1,101	904	982	4,449	3,285	
Jasper	*	*	*	*	*	*	*	*	*	*	
Jeff Davis	750	446	316	316	580	580	405	405	2,051	1,747	
Jefferson	559	305	298	298	615	615	306	306	1,778	1,524	
Jenkins ^b	296	49	72	0	523	36	281	38	1,172	123	
Johnson	*	*	*	*	*	*	*	*	*	*	
Jones	707	84	N/A	N/A	647	355	247	209	1,601	648	
Lamar ^b	359	280	N/A	N/A	165	139	153	134	677	553	
Lanier	449	N/A	311	303	159	159	61	61	980	523	
Laurens	4,003	3,917	1,174	1,174	1,287	1,260	1,191	1,191	7,655	7,542	
Lee ^b	334	334	360	360	392	385	257	253	1,343	1,332	
Liberty	3,246	1,401	19	21	1,450	1,052	1,186	699	5,901	3,173	
Lincoln	331	149	54	54	234	236	168	169	787	608	
Long ^a	302	112	132	N/A	176	5	48	N/A	658	117	
Lowndes	8,194	6,086	2,222	389	2,133	279	2,598	99	15,147	6,853	
Lumpkin	468	524	149	67	145	151	126	134	888	876	
Macon ^c	219	20	N/A	N/A	89	154	102	143	410	317	
Madison	1,197	825	603	426	533	286	184	128	2,517	1,665	
Marion ^a	87	82	N/A	4	197	140	142	122	426	348	
McDuffie	720	52	554	554	1,061	1,061	786	786	3,121	2,453	
McIntosh	729	529	75	75	262	234	97	59	1,163	897	
Meriwether	921	26	337	335	636	636	400	400	2,294	1,397	
Miller	*	*	*	*	*	*	*	*	*	*	
Mitchell	*	*	*	*	*	*	*	*	*	*	
Monroe	785	174	206	167	856	595	429	429	2,276	1,365	
Montgomery ^d	364	47	80	30	232	83	68	19	744	179	
Morgan	539	732	366	239	471	395	351	251	1,727	1,617	
Murray ^b	764	185	299	204	569	183	402	45	2,034	617	
Muscoogie	*	*	*	*	1,685	461	N/A	N/A	1,685	461	
Newton	3,544	848	2,058	1,575	1,067	912	1,291	974	7,960	4,309	
Oconee	*	*	*	*	*	*	*	*	*	*	
Oglethorpe	504	523	231	163	232	256	93	93	1,060	1,035	
Paulding ^c	1,153	118	331	243	457	380	523	425	2,464	1,166	
Peach	121	505	795	334	589	137	390	38	1,895	1,014	
Pickens ^b	370	5	151	127	141	125	102	36	764	293	
Pierce	1,117	224	39	39	388	366	207	173	1,751	802	
Pike	427	334	46	29	190	181	92	87	755	631	
Polk	*	*	*	*	*	*	*	*	*	*	
Pulaski	470	211	N/A	N/A	354	247	184	135	1,008	593	
Putnam	*	*	*	*	*	*	*	*	*	*	
Quitman	*	*	*	*	*	*	*	*	*	*	
Rabun ^b	243	N/A	136	138	122	118	49	35	550	291	
Randolph ^d	142	60	59	24	309	263	144	141	654	488	

The Courts

Magistrate Court Caseload, Fiscal Year 1997 (cases filed)

County	Warrants Issued	Bond & Commitment		Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
		Hearings	Filed	Disposed	Filed	Disposed	Filed	Disposed			
Richmond	8,496	2,114	3,186	2,804	5,439	3,950	5,706	3,350	22,827	12,218	
Rockdale	3,487	2,276	1,631	1,129	875	704	1,393	1,398	7,386	5,507	
Schley	83	156	43	38	184	122	66	23	376	339	
Screven	*	*	*	†	*	*	*	*	*	†	
Seminole	257	117	166	153	274	273	79	79	776	622	
Spalding	6,326	4,352	2,420	1,932	1,447	1,191	3,526	2,614	13,719	10,089	
Stephens ^c	673	51	N/A	180	168	120	101	10	942	361	
Stewart	*	*	*	*	*	*	*	*	*	*	
Sumter	2,578	2,226	16	16	2,113	2,078	1,658	1,658	6,365	5,978	
Talbot	134	63	4	N/A	133	133	26	26	297	222	
Taliaferro	*	*	*	*	*	*	*	*	*	*	
Tattnall	684	422	668	581	875	731	399	399	2,626	2,133	
Taylor	400	77	33	33	260	260	119	119	812	489	
Telfair	416	12	71	124	357	446	245	237	1,089	819	
Terrell ^b	373	255	109	61	255	204	113	91	850	611	
Thomas	2,896	2,193	2,016	1,159	3,713	2,880	2,487	175	11,112	6,407	
Tift	3,091	1,035	1,064	331	1,902	1,902	1,642	1,642	7,699	4,910	
Toombs	*	*	*	*	*	*	*	*	*	*	
Towns ^d	273	30	4	4	75	76	41	35	393	145	
Treutlen	*	*	*	*	*	*	*	*	*	*	
Troup	3,981	1,730	768	166	3,613	3,069	3,937	3,213	12,299	8,178	
Turner	*	*	*	*	*	*	*	*	*	*	
Twiggs	522	245	81	36	619	226	123	93	1,345	600	
Union ^d	140	5	54	35	58	46	15	13	267	99	
Upson	1,081	764	979	472	1,080	782	829	436	3,969	2,454	
Walker	1,191	949	312	58	791	616	653	417	2,947	2,040	
Walton ^d	1,841	735	1,148	975	733	607	1,443	1,185	5,165	3,502	
Ware	2,467	1,411	2,083	1,681	960	858	1,265	1,099	6,775	5,049	
Warren	163	N/A	51	18	390	300	348	148	952	466	
Washington	1,999	355	419	403	1,779	1,756	863	716	5,060	3,230	
Wayne	*	*	*	*	*	*	*	*	*	*	
Webster ^c	47	1	6	6	68	68	14	14	135	89	
Wheeler ^c	41	42	5	5	44	46	18	19	108	112	
White ^c	172	151	83	68	89	85	41	28	385	332	
Whitfield	2,669	1,706	2,098	2,098	2,937	2,937	2,405	2,405	10,109	9,146	
Wilcox	*	*	*	†	*	*	*	*	*	*	
Wilkes	331	151	82	N/A	505	505	278	278	1,196	934	
Wilkinson	471	77	6	6	789	789	260	260	1,526	1,132	
Worth ^c	239	26	N/A	N/A	166	166	77	56	482	248	
Total	279,099	219,461	126,050	91,043	139,124	114,079	170,895	102,578	699,737	517,872	

Note: 132 of 159 magistrate courts submitted caseload data for fiscal year 1997.

[*] Caseload data not submitted.

[N/A] Data elements not provided by court.

^d Reported three quarters.

^b Reported two quarters.

^c Reported one quarter.

Special Courts and Municipal Courts

Three hundred and eighty-six local courts are part of the Georgia court system. These special courts and the courts serving incorporated municipalities operate under various names with varying jurisdictions.

Originally created by statute or constitutional provision, certain special courts have limited civil and criminal jurisdiction throughout a county. These include the civil courts in Bibb and Richmond counties and the Municipal Court of Columbus. The county recorder's courts of Chatham, Columbus-Muscogee, DeKalb and Gwinnett Counties exercise criminal jurisdiction only.

Courts of incorporated municipalities try municipal ordinance violations, issue criminal warrants, conduct preliminary hearings, and may have concurrent jurisdiction over shoplifting cases and cases involving possession of one ounce or less of marijuana. Local courts originally known as city court, mayor's court, municipal court, police court or recorder's court were redesignated as municipal courts by the 1983 state constitution.

The City Court of Atlanta, which retains its original name, has city-wide jurisdiction over traffic cases and on July 1, 1996, was designated by legislation as a state court of limited jurisdiction.

Qualifications of judges and terms of office in municipal courts are set by local legislation.

Judicial Agencies

Judicial Council

The Judicial Council (OCGA §15-5-20) is the state-level judicial agency charged with developing policies for administering and improving the courts. The state legislature created the Judicial Council in 1973; in 1978 the council officially became an administrative arm of the Georgia Supreme Court. The council considers requests for new superior court judgeships and oversees the activities of the Administrative Office of the Courts (AOC) and the Board of Court Reporting.

Twenty-four representatives of the appellate and trial courts make up the Judicial Council. The chief justice and presiding justice of the Supreme Court act as the chairperson and vice chairperson, respectively. The chief judge and another judge of the Court of Appeals; the presidents and presidents-elect of the superior, state, juvenile, probate and magistrate court councils; and the 10 superior court district administrative judges complete council membership.

The full council meets at least twice each year, as it did in December 1996 and June 1997. A primary responsibility of the council is to advise the legislature and governor on the need for new superior court judgeships. In considering judgeship requests, the Judicial Council seeks to maintain a balance in caseload distribution in the superior courts. Each year a careful evaluation of circuit caseloads, demographics and

special circumstances is prepared for each of the 46 judicial circuits. The AOC analyzes caseload data collected by the judicial administrative districts and presents the results to the council for their consideration. Further information is collected from those circuits requesting a new judgeship. The comprehensive data collection effort allows statistical comparisons to be made among circuits based on established criteria: weighted caseload, average filings, number of jury trials, open cases, circuit population and days of senior judge assistance.

In fiscal year 1997, the Judicial Council recommended to the legislature and governor the creation of five new superior court judgeships. Ranked by the council in priority order, the recommendations were for: a 10th judgeship in the Stone Mountain Judicial Circuit, a 7th judgeship in the Gwinnett Judicial Circuit, a 16th judgeship in the Atlanta Judicial Circuit, a 3rd judgeship in the Douglas Judicial Circuit, and a 5th judgeship in the Ocmulgee Judicial Circuit. The council also voted to carry forward a recommendation made in fiscal year 1996 to split the Blue Ridge Judicial Circuit (Cherokee and Forsyth Counties) into two single-county circuits. The 1997 General Assembly did not create any new superior court judgeships. Legislation authorizing division of the Blue Ridge Circuit was unsuccessful.

In other matters before the council, a resolution in support of the Court of Appeals' effort to add judges and create a

fourth panel on the court was approved. Two decisions made by the Board of Court Reporting and appealed to the council were reviewed. The board's decisions were affirmed. The council also approved curricula for the Georgia Magistrate Courts Training Council and the Georgia Municipal Courts Training Council.

The council meetings continue to provide a forum for judicial branch agencies to report on their projects and share ideas.

Administrative Office of the Courts

The Administrative Office of the Courts (OCGA §15-5-22 and Supreme Court Order, August 5, 1983) provides fiscal, communications, research and support services to all classes of courts. It is liaison to other state and national judicial agencies and staffs the Judicial Council, working closely with its chairperson, the chief justice of the Georgia Supreme Court.

Research and court services

The research and court services division generates court statistical information and analyses to identify system needs and propose recommendations for improvement. The research staff provides information to national organizations, other states and the public on topics such as judicial compensation and benefits, court organization and jurisdiction, jury and records management and others. Studies are also conducted upon request of members of the judiciary and the General Assembly.

The research staff supervises yearly

collection of caseload and other data from the trial courts. Calendar year 1996 superior court caseload data submitted by district personnel was audited and analyzed in terms of circuit workloads. Information on caseloads in each of the 46 judicial circuits was presented to the Judicial Council for use in making recommendations on the need for additional superior court judgeships.

Projections of caseload were made for several local jurisdictions where adding personnel or remodeling courthouse facilities is being considered. Caseload information was also provided to determine revenues that might be generated from court fees for alternative dispute resolution programs authorized by OCGA §15-23-1 et seq. An analysis was made of appellate court cases to investigate a possible link between domestic violence and homicide.

The research division assisted the Georgia Courts Automation Commission staff and contractors in defining data elements for a statewide database of criminal and civil case information. Staff also assisted in conducting research on fees, penalties and court costs as part of an effort to establish accounting standards for the Council of Superior Court Clerks. Working with a committee of judges, court administrators and clerks of the superior courts, staff helped draft a new Court Information Rule (which became Uniform Rule 39.9 on Feb. 13, 1997) to improve the data available to judges. The rule has been submitted to the Supreme Court for approval.

A policy statement for the Judicial Council to use in evaluating proposals for experimental courts of nonuniform jurisdiction was prepared. Staff completed

Judicial Agencies

preliminary evaluations of proposals from the Atlanta Judicial Circuit, Cobb County, the Tallapoosa Judicial Circuit and the Tifton Judicial Circuit.

After providing staff support to the Commission on Appellate Courts, the research division worked in conjunction with legislative counsel to prepare a final report for presentation to the 1997 General Assembly.

The calendar year 1996 salary survey was compiled for personnel from all trial courts. Detailed information on salary, staffing and funding is collected in this annual survey. Data was provided to the Council of State Court Judges and the Council of Magistrate Court Judges to use in preparing proposals for presentation to the 1997 General Assembly.

On records management issues, staff met with representatives of the Council of Juvenile Court Judges to revise retention schedules for juvenile courts. A presentation on records retention scheduling was made during the juvenile court clerks seminar. At the annual Law-Related Education Conference, a presentation on court technology was made. An inventory of the records in the superior court clerk's office in Paulding County was conducted with the assistance of the district court administrator and the Department of Archives and History.

The research division provided staff support to committees and projects of the Equality Commission. The Foreign Language Interpreters Database was expanded and revised. This database was made accessible in 1997 to judges and others on the Supreme Court's World Wide Web page. Oversight and assistance was also provided to the Supreme Court Child Placement Proceedings Project.

Staff support to judicial commissions and committees

Georgia Courts Automation Commission. The Administrative Office of the Courts (AOC) provided staff and project management for the activities of the Georgia Courts Automation Commission. Establishing commission objectives, obtaining funding and providing administrative, clerical and fiscal support are among the functions performed. (For more information on the commission, see page 58.)

Supreme Court Child Placement Proceedings Project. The AOC provided project coordination and staff support to the Child Placement Proceedings Project. The project, under the direction of an advisory committee appointed by the Georgia Supreme Court, is part of a nationwide effort to assess and improve child placement proceedings in the courts. During fiscal year 1997, the project completed its assessment phase, presenting a report to the Supreme Court on October 9. This initial phase of the project found that although most children who enter the Georgia court system because of abuse and neglect move to a permanent home in a relatively smooth manner, there are many ways in which refinements in the system could improve the handling of these cases. While a survey of Georgia laws, rules and procedures relating to deprived children shows that the state's juvenile code follows federal guidelines, consistent policies and uniform practice are lacking. The report focuses on these issues and makes recommendations to improve practice in Georgia. The project has now entered its implementation phase, launching pilot record-keeping projects, cross-training programs, a newsletter and web page.

Supreme Court Commission on Equality. The AOC provided administrative

and technical support to the commission during fiscal year 1997. Staff coordinated production of a 40-minute training video featuring scenarios in which actors display gender, racial or ethnic bias. The "Guide to Bias-Free Communication," a brochure on bias-free language, was developed and published. Staff also worked with the National Judicial Education Program to Promote Equality for Women and Men in the Courts to develop a curriculum to be piloted in Georgia and California. Other activities included attending the American Judicature Society Workshop on Improving Access to the Courts for the Deaf and Hearing Impaired and the National Consortium of Racial and Ethnic Bias Task Forces and Commissions. (For more information on the commission, see page 71.)

Supreme Court Committee on Substance Abuse and the Courts. A program manager was provided to the Committee on Substance Abuse and the Courts, established by the Supreme Court to follow up on the recommendations made at the Georgia Conference on Substance Abuse and the Courts. Financial support for the committee comes from the Criminal Justice Coordinating Council and state funds appropriated to the Supreme Court. The membership is comprised of representatives from the executive, judicial and legislative branches of government; the legal profession; court administrators; and civic leaders.

During fiscal year 1997, the committee continued to hold regular meetings and produced a series of videotapes dealing with the impact of substance abuse on society and the judicial system. The tapes feature round-robin discussions and question-and-answer sessions with superior court judges. On May 9, the committee held its spring planning meeting. The goal was to foster

**Duties of the
Administrative Office of the Courts
(OCGA §15-5-24 and Orders of the Supreme Court)**

- 1) 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.
- 2) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.
- 3) 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.
- 4) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.
- 5) Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system.
- 6) Perform such additional duties as may be assigned by the Judicial Council.
- 7) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.
- 8) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant.
- 9) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges.
- 10) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties.
- 11) Enter into contracts as necessary to perform its other duties.

communication and develop working relationships among the courts and the many agencies striving to cope with substance abuse issues.

Secretariat services and support to the judiciary

As required by statute, the AOC provides secretariat services to several judicial branch agencies and organizations. These include:

Board of Court Reporting. The AOC serves as secretariat to the Board of Court Reporting and assists the board in making long-range plans for continuing education,

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administering certification tests, producing rules revisions and implementing a Code of Professional Ethics. During fiscal year 1997, staff also assisted in conducting a planning retreat to discuss revisions to the board's testing procedures.

County and Municipal Probation Advisory Council. In fiscal year 1997, the AOC provided a program manager to the council. OCGA §42-8-103 and §42-8-107 require that all private companies contracting with courts to provide probation services submit an initial registration report and quarterly activity reports to the council. (For more information on the council, see page 56.)

Judges training councils. The AOC serves as secretariat to the Municipal Courts Training Council and the Georgia Magistrate Courts Training Council in planning their continuing education programs and maintaining educational certification records. The AOC also maintains certification records for the Probate Judges Training Council.

AOC resources and expertise contribute to the success of many projects and activities that assist judges in their work. This includes staff liaison with the Supreme Court, Council of State Court Judges, Council of Probate Court Judges, Council of Magistrate Court Judges and others.

Administrative support involves planning and coordinating meetings, maintaining training and certification records, publishing newsletters, assisting with annual updates for benchbooks and their distribution, tracking legislation, scheduling special legislative events, and publishing and coordinating sales of judges handbooks. AOC staff also provide technical support, including computer training. Additional automation services to local courts were provided through the Georgia

Courts Automation Commission and a contract with the Department of Administrative Services.

In fiscal year 1997, the Supreme Court hosted the annual judicial conclave and luncheon, providing members of the judiciary with an opportunity to discuss court-related bills and resolutions to be considered by the General Assembly. AOC staff planned and coordinated the event.

Liaison services

AOC staff serve as judicial branch liaison with policy-making groups as described below.

Criminal Justice Coordinating Council. The chair of the Judicial Council was represented on the Criminal Justice Coordinating Council and its committees by the director of the AOC.

Georgia Commission on Family Violence. The AOC's assistant director for judicial liaison, Ms. Marla S. Moore, was appointed to the Georgia Commission on Family Violence by the governor and, in 1994, was elected to a two-year term as chair. The commission, created in 1992 by the General Assembly, is charged with developing a comprehensive plan to end domestic violence. During fiscal year 1997, the commission hosted its third annual conference, with over 200 attendees. The commission chair assisted with commission meetings, headed a committee to develop standards for shelters, and supervised the commission staff. The chair also served on and appointed members to the medical protocol committee. This committee developed a protocol that provides an overview of the procedures for universal screening, treatment and referral of victims of domestic violence. (The final version of the protocol will be available in August 1997.) The

commission's training committee worked with the Institute of Continuing Judicial Education to develop a training video and curricula for judges. The training committee also worked with the Department of Corrections to develop appropriate training for inmates as required by statute. Ongoing projects included a quarterly newsletter and specialized training opportunities for the task forces.

Georgia Sexual Assault Task Force.

A staff member, Ms. Marla Moore, served as chair of the protocol committee that developed the Georgia Protocol for Responding to Victims of Sexual Assault. The 115-page protocol was presented at the Criminal Justice Coordinating Council's Fourth Annual Georgia Crime Victims Conference. Developing such a protocol was one recommendation of the Georgia Commission on Gender Bias in the Judicial System.

Information Technology Policy Council. Staff members served on the Information Infrastructure Working Group and on the Crime and Public Safety Subcommittee to improve sharing of data and development of common applications among state agencies.

Institute of Continuing Judicial Education (ICJE). The director of the AOC served on the ICJE Board of Trustees as the representative of the Judicial Council. (For more information on ICJE, see page 65.)

Law-Related Education Consortium. The AOC participates in the Law-Related Education Consortium, which is composed of justice professionals and educators who promote law-related curriculum in public schools.

Georgia State-Federal Judicial Council. The Georgia State-Federal Judicial Council (comprised of federal district

court and appellate judges, Supreme Court justices and judges of the Court of Appeals, and superior court judges) received assistance in coordinating its annual meeting. Staff worked with the Institute of Continuing Legal Education and the Chief Justice's Commission on Professionalism to provide hand-out materials and assure continuing legal education and professionalism credits for attendees. (For more information on the council, see page 64)

State Records Committee. The AOC reviews court records retention schedules and, as required by OCGA §50-18-92 (b), must concur on any retention schedules adopted.

Superior Court Clerks Training Council. The AOC assisted the Superior Court Clerks Training Council in planning their continuing education programs.

Communications and publications

AOC publications are a source of court-related information for judges, court personnel and judicial organizations. The *Georgia Courts Journal*, distributed to more than 3,000 local, state and national officials, informs readers of changes in court procedure, judicial personnel appointments and elections, recent legislation, court management activities and other events. Five issues were published during fiscal year 1997.

The *Judicial Legislative Log* is a weekly digest of court-related legislation published during the legislative session and distributed to approximately 1,000 judges, county officers and court administrative personnel. A feature issue on 1996 measures that passed was also published in the *Georgia Courts Journal*.

The *Georgia Courts Directory* is published annually. The directory provides

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up-to-date names, addresses and telephone numbers for Georgia judges and judicial branch officials. The directory was distributed to 2,800 judicial branch personnel. It is available at minimal cost to attorneys and others.

The *1996 Annual Report on the Work of the Georgia Courts* presents yearly caseload data for the appellate and trial courts. Narratives of the activities of 20 judicial branch agencies are also published in the *Annual Report*.

Nine issues of the *Public Relations Digest* were produced. The *PR Digest* is a compilation of news and feature items about the courts published in state and local newspapers. Judicial Council members use the digest to assist them in gauging public opinion about court activities and to identify matters of public concern.

Communications staff also designed and produced printed materials for the Supreme Court Child Placement Project, the Supreme Court Commission on Substance Abuse, the Judicial Qualifications Commission and the Georgia Commission on Family Violence. An informational brochure, the "Guide to the Georgia Courts," was revised and reprinted. Other communications activities included coordinating media relations and information releases on Judicial Council activities. Staff answered inquiries from the press and public on matters including the structure of the court system, case-loads and judicial branch activities. Work was begun on designing a World Wide Web page for the *Georgia Courts Journal*.

Fiscal support services

The AOC provides fiscal services and coordinates annual judicial branch appropriations requests. The fiscal office performs payroll, accounts payable, cash manage-

ment, purchasing, inventory control and financial reporting functions for 17 judicial branch agencies. During the year, a users group was formed for these agencies. The first meeting was held on January 14, 1997. The group, which meets quarterly, provides a forum for receiving feedback and disseminating information.

In fiscal year 1997, the AOC managed 67 separate funding sources, including 30 state fund allocations, 8 federal grants and 29 fee or other revenue sources.

Board of Court Reporting

The Board of Court Reporting (OCGA §15-14-24) certifies and licenses all court reporters who serve the judicial branch. Court reporters are prohibited from practicing in Georgia without board certification. The board is authorized by the 1974 Georgia Court Reporting Act to assist the judiciary by encouraging high standards of professionalism among reporting practitioners. The Judicial Council of Georgia appoints board members, reviews the rules of the Board of Court Reporting, and governs official court reporting fees through regulation and adjustment of an established fee schedule.

Certification and permits

The court reporters certification exam is a skills test in one of three methods of takedown: machine shorthand, manual shorthand or closed microphone voice dictation silencer. The board held exams twice during the fiscal year, testing 259 applicants. Of these, 49 passed the requisite

portions of the exam and became eligible for certification. One other applicant, who passed an optional test that provides an opportunity to improve professional status, upgraded an existing certificate. The board also issued 20 new certificates to court reporters who met the accreditation requirements of the National Court Reporters Association or the National Stenomask Verbatim Reporters Association. Certificates for court reporters are renewed yearly. At the end of the fiscal year, 1,071 certified court reporters were officially registered.

A court reporter who is not certified may obtain a temporary permit from the board based on certain skills. A court reporter holding a *board temporary permit* may work in a freelance or official capacity with the sponsorship of a certified court reporter, who agrees to supervise on a daily basis. Board temporary permits are issued for a single testing period and are not renewable. An uncertified reporter may work until the permit expires or the reporter becomes certified. Fourteen board temporary permits were issued during the year.

A temporary permit also may be issued at the request of a sponsoring judge. A reporter working under a *judicial temporary permit* is restricted to the sponsor's court and may not freelance. Judicial temporary permits can be revoked by the board only with approval of the issuing judge. Board rules require reporters on judicial temporary permits who report more than 100 hours per year to take the board exam each time it is offered until they are certified. Fourteen judicial temporary permits were issued in fiscal year 1997. Eight were renewals from previous years, and six were new issues at the request of a sponsoring judge.

Formal complaints

The board investigates complaints against court reporters and administers disciplinary action when warranted. Of the 12 complaints received in fiscal year 1997, the board, after investigation, dismissed eight or took no action. Four formal complaint hearings were held. They resulted in one public reprimand for violation of the board's Code of Professional Ethics; one license suspension, with the suspension to be lifted after successful retesting by the reporter; and two license revocations. Other complaints dealt with alleged violations of the official reporters fee schedule, transcripts tampered with by reporters, failure to meet reasonable production schedules, and freelance-fee disputes (over which the board has no jurisdiction).

Based upon evidence presented to the board, three out-of-state reporters were warned by the state Attorney General that

Court Reporters			
	1995	1996	1997
Officially registered	1,097	1,067	1,071
Certificates and permits issued:			
New certificates	54	55	49
Upgraded certificates	1	4	1
Board temporary permits	10	14	14
Judicial temporary permits	12	10	14
National accreditation certificates	26	10	20
Takedown Methods			
	1995	1996	1997
Grandfathered	93	89	78
Machine shorthand	584	581	595
Stenomask	398	376	379
Shorthand notes	22	21	19

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reporting without a license is a misdemeanor in Georgia. Any further infractions would result in legal action against the offender by the state.

Related activities

Continuing education for court reporters is mandatory. Numerous training opportunities are available in subjects pertinent to court reporters. Each reporter is required to earn 10 hours of course credit per calendar year. Board rules specify penalties for delinquency in meeting training requirements, including suspension of the reporter's license. Any reporter who has been delinquent in meeting training requirements for three years must re-test to be certified in Georgia.

In keeping with its charge to promote professionalism, the board enforces the *Code of Professional Ethics* and *Guidelines for Professional Practice*. The board issues advisory opinions on matters of ethical concern upon request.

Council of Juvenile Court Judges

(Annual report for fiscal year 1997,
as required by OCGA §15-11-4.)

The Council of Juvenile Court Judges (OCGA §15-11-4) is composed of all judges of the courts exercising jurisdiction over juveniles. Council membership for fiscal year 1997 included 56 part- and full-time juvenile court judges, 45 superior court judges exercising juvenile court jurisdiction, 33 associate juvenile court judges, 8 pro tempore judges, 1 senior judge, 1 judge pro hac vice and 1 retired judge.

Council staff support the work of juvenile court judges through legal research services, legislative tracking and specialized programs to assist in protecting the interests of children and the state.

Council policies are set by the executive committee comprised of the president, president-elect, secretary, treasurer and immediate past president. Eleven standing committees—benchbook, education/certification, uniform rules, legislative, guardian ad litem, court organization, grants/unruly and delinquent services, indigent defense, information systems, permanency planning and past presidents—make recommendations to the executive committee. Designated judges are liaisons to the following agencies: Council of Superior Court Judges; Department of Human Resources (Division of Mental Health, Mental Retardation and Substance Abuse and Division of Family and Children Services); Department of Children and Youth Services; Department of Education; Criminal Justice Coordinating Council; Governor's DUI Task Force; and Georgia Courts Automation Commission.

Purchase of Services Program

The Purchase of Services Program provides federal and state funds to reimburse county governments for community-based services to certain juveniles as alternatives to institutional treatment. Status offenders and delinquents who are within the court's jurisdiction, but have not been committed to the Department of Children and Youth Services, are the target group for these services. Services may be purchased for delinquent or status offender juveniles only.

Funds made available through the Purchase of Services Program enhance court services through court-sponsored

counseling and tutoring programs, substance abuse programs, drug testing, psychological evaluation, community works and restitution projects, and short-term therapeutic programs.

Court officials engage qualified local citizens or agencies to provide services. The juvenile court judge determines which children will be referred for services and which services are appropriate for the individual child. The Purchase of Services Program is funded by a grant from the Children and Youth Coordinating Council and state appropriations.

During the grant period of October 1, 1996, through September 30, 1997, 82 counties expended funds under the program. Approximately 4,300 juveniles were active in the program.

Permanent Homes for Children

Permanent Homes for Children (PHC) staff provide support and technical assistance to juvenile court judges and judicial citizen review panels.

During fiscal year 1997, PHC staff assisted with 157 foster-care review panels in 57 counties. In those 57 counties, an estimated 16,000 children were in paid foster care or institutional placements. Case reviews are carried out by citizen review panels once every six months. The goal of panel reviews is to ensure reunification of the child and parents if at all possible, and if the child can be safely returned. If reunification is not an option, the panels work with the Division of Family and Children Services and other agencies to identify feasible permanency options such as adoption. Approximately 800 trained citizen volunteers served on panels statewide during the past year. Panel members are appointed by their local juvenile court judge and trained by PHC staff.

Nine PHC field representatives assist

the local citizen review panels. In 1996, new foster care review panels were established in Forsyth County. The computerized Consolidated Foster Care Child Tracking System provides the ability to track the foster care status of deprivation cases reviewed by Citizen Foster Care Review Panels throughout the state.

Council of Magistrate Court Judges

The Council of Magistrate Court judges (OCGA §15-10-7), created to further improvement of the magistrate courts and the administration of justice, assists magistrates throughout the state in execution of their duties and assists in their training.

All chief magistrates and magistrates in Georgia are members of the council. The 28-member executive committee is comprised of six officers, two representatives from each of the ten judicial administrative districts and two members-at-large. The committee carries out the administrative duties of the council.

The council held four meetings during the year to conduct business and training. Topics included: a legislative update, the unauthorized practice of law in Georgia's magistrate courts, ordinance violations, victims' rights, good behavior bonds, and a personal development seminar. Meetings also feature a luncheon speaker and provide a forum for judges to discuss common problems and experiences. At the January meeting, the council sponsored a breakfast for legislators.

The *Georgia Magistrate Courts Newsletter* was published quarterly, and the council continued with plans to publish a pictorial directory.

Council of Probate Court Judges

The Council of Probate Court Judges (OCGA §15-9-15), created to further improvement of the probate courts and the administration of justice, is composed of judges and retired judges of the probate courts. The council has developed uniform rules and forms, a probate benchbook, a probate handbook and a publication entitled *Duties of Administrators and Executors of Decedents' Estates in Georgia*.

Council policy is set by an executive committee comprised of the president, president-elect, first vice president, secretary-treasurer and chairs of the standing committees.

The council met four times during fiscal year 1997. Three meetings were held jointly with the County Officers Association of Georgia (COAG). Judicial training at each meeting was planned by the Probate Judges Training Council. The Institute of Continuing Judicial Education assisted with the spring and fall seminars. Topics included: computer training, revision of the probate code, outpatient commitment procedures, elder abuse/elder care, case law update, traffic law update, changes in Department of Public Safety rules and regulations, pharmacology of intoxication, lawful use of speed-detection devices, criminal defense motions in conducting a non-jury DUI bench trial, evidence in probate matters, judging and humanities, judicial speech and other current issues in judicial ethics, and a legislative update.

During the 1997 session of the General Assembly, the council worked

successfully for passage of a bill authorizing the State Merit board to contract with COAG to provide health insurance to certain county officers and their employees, spouses and dependents. The officers include: probate court judges, superior court clerks, chief magistrates, full- and part-time state court judges, solicitors and solicitors-general. The council also supported a bill to simplify and shorten the procedure for sanctioning judges who willfully do not attend training. This bill is still under consideration by the General Assembly. In addition, the council monitored legislation on marriage licenses and vital records, revision of Title 53, incapacitated adults and guardianship, dying intestate, and other matters.

A mentoring program for new probate judges continued. The Institute of Continuing Judicial Education assigned mentor judges to new judges and conducted training for mentor judges.

The council published four issues of "The Gavel," a newsletter on probate law and other areas of interest, and an update to its pictorial directory. The council also worked to copyright a seal to be used for official council documents.

Council of State Court Judges

The Council of State Court Judges (OCGA §15-7-26) was created to further improvement of the state courts, the quality and expertise of judges, and the administration of justice. Its membership for fiscal year 1997 totaled 95 judges serving in 66 courts.

Council policies are set by its executive committee made up of the president, president-elect, secretary, treasurer, immediate past president and two members-at-large. The council has standing committees for strategic planning, educational programming, computers, uniform rules, resolutions and awards, county probation, race and gender equality, legislation, and new judge training and mentoring. Central staff assist in the organization of meetings and development of issues for committee discussions while also providing information and research assistance for all committees.

Designated state court judges serve on judicial branch agencies, such as the Georgia Commission on Dispute Resolution, the Georgia Courts Automation Commission, the GMA Municipal Courts Task Force, the Institute of Continuing Judicial Education, the State Bar Bench and Bar Committee, the State Bar Commission on Family Courts, the Supreme Court Commission on Equality, and the Supreme Court Committee on Substance Abuse and the Courts.

Educational seminars were held in conjunction with council business meetings in October 1996 and May 1997. Over 70 judges attended both meetings and educational programs. Council business included passage of Uniform State Court Rule 39.9, which allows the chief judge of any county to require the clerk to furnish information regarding caseload management in state courts.

The council continued to sponsor the "Judge of the Day" program during the legislative session. The designated judge attended committee meetings and was available to legislators to express comments or concerns regarding legislation.

The council continued to improve its

communication network by providing full-time state court judges with access to the Georgia Online Network and a one-year subscription to an Internet service provider. The council also published four issues of a newsletter for all state court judges and their staffs.

Council of Superior Court Clerks

The Council of Superior Court Clerks (OCGA §15-6-50.2), composed of 159 superior court clerks, was created by an act of the General Assembly in 1990. Working with the Superior Court Clerks Training Council and the Institute of Continuing Judicial Education, the council furthers the improvement of superior court clerks in the performance of their statutory duties. The council also promotes and assists in training for superior court clerks.

Council officers are elected by the members to serve one-year terms.

During the year, the council continued purchasing bound copies of the Official Code of Georgia for clerks who are unable to secure local funds for the purchase. Since beginning the project, the council has distributed a total of 44 sets.

The council also began work on several new projects. The Superior Court Clerks Manual Committee was appointed and began a three-year project of preparing an operating manual for superior court clerks. The committee will also implement training for clerks-elect.

The Committee for the Calculation, Collection and Distribution of Fines, Forfeitures and Court Costs continued its

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work. The committee plans to distribute a booklet to be endorsed by the council, as the proper procedure for calculation, collection and distribution of these funds. This committee is assisted in its efforts to develop accounting standards by the Administrative Office of the Courts/Georgia Courts Automation Commission.

The 1997 edition of the pictorial directory of superior court clerks was completed and prepared for distribution to council members and state and county agencies.

The council also began work on the design and implementation of a World Wide Web site. The site will feature updates on council projects, links to related web sites, and articles informative to superior court clerks.

Council of Superior Court Judges

The Council of Superior Court Judges (OCGA §15-6-34) was created in 1985 to further improvement of the superior courts and the administration of justice in Georgia. All superior court judges and retired superior court judges are eligible for council membership. At the end of fiscal year 1997, 169 active judges and 58 senior (retired) judges were members of the council.

Under the council's constitution and bylaws, the executive committee manages the projects and policies of the council. The committee consists of three officers elected by the membership, the immediate past president and the 10 district administrative judges. Central staff assist the officers

and executive committee in identifying policy issues, promoting long-range planning efforts, coordinating committee activities, tracking legislation, assisting in budget administration, providing assistance on death penalty habeas corpus cases and providing administrative support to the sentence review panels.

The council holds two business meetings each year in conjunction with its summer and winter continuing education programs. Reports from standing committees recommend actions in the areas of continuing education, courts automation, compensation and retirement and indigent defense. Other committees serve as liaison to agencies and organizations. Council representatives also fill appointed seats on panels studying topics such as child placement proceedings, substance abuse, courts automation and structured sentencing.

The council's activities and projects are governed by four strategic goals: 1) enhanced public support for the superior court; 2) consistent, adequate resources and funding from the state level; 3) a unified trial court system; and 4) more efficient, effective use and selection of juries. During fiscal year 1997, the council's Long-Range Planning Committee identified ways to more effectively communicate the role of the superior court, completed a survey of local budgets for superior courts, formed a unified trial court working group including representatives of other courts, continued discussions of jury system improvements, and completed an administrative organizational assessment. The committee held an orientation program for new judges at the winter seminar.

The council approved amendments to Uniform Superior Court Rule 6.4(B), Failure to Make Discovery and Motions to

Compel Discovery; Rule 21.4, Limitation of Access to Court Files; Rule 22, News Coverage; and Rule 24, Domestic Relations. Discussions were initiated on revising the notice requirements of Rule 31.4, Notice of Intention of Defense to Raise Issue of Insanity, Mental Illness or Mental Competency, and for gender neutral language.

The council distributed revisions to its benchbook in July 1996 and revisions to the *Suggested Pattern Jury Instructions* in January 1997. During the 1997 legislative session, the council continued its "Judge of the Day" program in which superior court judges attend legislative committee meetings and participate in the development of legislation when requested. The council initiated and secured passage of amendments to OCGA §§15-6-25-28.1 authorizing the adoption of personnel policies and rules for state-paid employees of the superior court. Legislation was introduced to amend the Superior Court Judges Retirement System as to benefits to certain retired judges for extended years of service. The council's proposal for a constitutional amendment to change the number of jurors in superior court cases from 12 to six was not considered.

Continuing education seminars for superior court judges were held in August 1996 and January 1997. One hundred and seventy-two judges attended the summer program and 164 participated in the winter program. Superior court judges served as faculty for these and other seminars conducted by the Institute of Continuing Judicial Education.

Sentence Review

Sentence review panels evaluate the sentences of convicted offenders to assure that a given sentence is not excessive in

relation to other sentences for similar crimes. In making comparisons, the panel considers the nature of the crime and the defendant's prior criminal record. Each sentence review panel is composed of three superior court judges and a substitute panel member, who are appointed by the council president for three-month terms. The president also designates a chairperson for each panel. The panel may reduce or suspend sentences, but is prohibited from increasing punishments.

Review is available to a defendant whose sentence(s) total 12 or more years and were set by a superior court judge without a jury. Exceptions include sentences set in misdemeanor cases, murder cases where a life sentence has been applied and cases involving certain serious violent felonies. The process is set in motion upon application of a defendant. A defendant must act within 30 days of the date sentenced by

**Sentence Review Panel
Caseload Summary**

10-Year Comparison of Cases Reviewed

	Cases Affirmed	Cases Reduced	Percent Reduced
1988	2,273	87	3.7%
1989	1,889	74	3.8%
1990	2,804	72	2.5%
1991	2,790	113	3.9%
1992	2,557	57	2.2%
1993	2,362	46	1.9%
1994	1,627	45	2.7%
1995	859	57	6.2%
1996	854	8	.9%
1997	849	42	4.7%

Note: Effective July 1, 1993, the panel's jurisdiction was changed from covering sentences totaling five or more years to covering sentences totaling twelve or more years (OCGA §17-10-6). This may partially account for the decline in the number of cases reviewed.

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the superior court judge, or after remittitur from the Court of Appeals or Supreme Court affirming that conviction, whichever occurs last. Panel actions are not reviewable. Orders are binding on the defendant and the superior court that imposed the sentence.

County and Municipal Probation Advisory Council

(Annual report for fiscal year 1997 as required by OCGA §42-8-101.)

The County and Municipal Probation Advisory Council (OCGA §42-8-100-108) was created in 1991 and reconstituted in 1996. Its mission is to insure that uniform professional and contract standards are practiced and maintained by private companies that render general misdemeanor

probation supervision, counseling and collection services to the courts. The statutes require that all private companies contracting with courts to provide probation services submit an initial registration report and quarterly activity reports to the council.

During fiscal year 1997, the council adopted rules and regulations concerning its responsibilities, organization and membership, officers and their duties, and uniform standards for probation providers

According to these rules, the council's responsibilities include:

- providing administrative direction management and oversight of private probation services;
- reviewing uniform professional standards and uniform contract standards and reporting to the General Assembly;
- establishing a 40-hour program of orientation for new private probation officers and a 20-hour program of annual continuing education;
- promulgating rules and regulations regarding noncompliance;

Private Probation Services: Fiscal Years 1996 and 1997

Probationers supervised	1996	1997	Courts served	1996	1997
Superior	450	1,154	Superior	16	26
State	20,841	26,692	State	30	30
Probate	6,224	8,839	Probate	46	52
Magistrate	897	2,069	Magistrate	22	32
Municipal	29,977	42,263	Municipal	200	223
Total	58,389	81,017	Total	314	363

Total court-collections

1996	\$12,716,195 ¹
1997	\$30,589,855

¹ Because data collection began 1-1-96, only two quarters are reflected.

- promulgating rules and regulations for the registration of all private entities;
- producing an annual summary report;
- promulgating rules and regulations requiring criminal records checks of all private probation officers.

The council's uniform standards include regulations governing professionalism of private probation officers, contract terms for probation services, conflicts of interest, confidentiality, registration and training.

Eleven voting members comprise the council. They include: a superior court judge, a state court judge, a probate court judge, a magistrate court judge and a municipal court judge, each designated by the respective judges' councils and representing a judicial circuit, county or municipality contracting with a private probation company; a sheriff; a mayor or member of a municipal governing authority; a county commissioner; a public probation officer; a private probation officer or individual with expertise in the field; and the commissioner of corrections or a designee. The council holds quarterly meetings.

Georgia Commission on Dispute Resolution

The Georgia Commission on Dispute Resolution (established by Georgia Court and Bar Rules-Alternative Dispute Resolution Rules II) succeeded the Joint Commission on Alternative Dispute Resolution in

February 1993. This policy-making body is appointed by the Georgia Supreme Court to oversee the development of court-annexed and court-referred alternative dispute resolution (ADR) programs in Georgia. The members of the commission are judges, lawyers and nonlawyers who meet regularly to consider issues important to the development of court-connected ADR in Georgia. Meetings of the commission are open to the public.

The Georgia Office of Dispute Resolution serves as staff for the Georgia Commission on Dispute Resolution. Its responsibilities include: 1) to serve as a resource for ADR education and research; 2) to provide technical assistance to new and existing court-connected programs at no charge; 3) to provide training to neutrals in courts throughout the state at no charge; 4) to implement the commission's policies on qualification of neutrals and quality of programs; 5) to maintain the registry of neutrals; and 6) to collect statistics and monitor program effectiveness. In fiscal year 1997, the Georgia Office of Dispute Resolution continued its on-going project to implement uniform, statewide collection of ADR statistics. Of the 29 existing ADR programs, 20 are currently collecting data using a customized computer database. Five more programs will begin using the database before December 1997. The next phase of the project will be the creation and implementation of a uniform exit survey for neutrals, parties to dispute resolution, and attorneys.

The commission and the Georgia Office of Dispute Resolution work closely with the existing 29 court programs. In many instances, training and other technical assistance has been provided. Grants to local ADR programs have been made

using funds from the Georgia Bar Foundation. In addition, staff are available to assist new court programs in the design and implementation of their programs.

ADR court-connected services are now available in 79 counties. Permanent funding for ADR programs was established in April 1993 through authorization of a filing fee surcharge of up to \$5.00 in participating counties (OCGA §§15-23-1-13). This statute was amended in March 1997, to allow for a fee increase effective January 1, 1998.

During the year, the commission developed procedures for use by the commission's ethics committee when a complaint is made against a neutral or a neutral violates the law or is disciplined by a professional organization. The procedures were adopted in April.

In addition, in the spring of 1997 the chair of the commission appointed a long-range planning committee to consider the work of the commission as it enters the next century. The committee is considering four topics: 1) the central structure of the commission and office; 2) quality control of programs and neutrals; 3) innovative concepts and processes; and 4) outreach. Four subcommittees, each dealing with one of the topics under consideration, met during the summer of 1997 and have prepared preliminary findings. Their report to the commission will be completed in the fall. The office has turned its attention to the ongoing issues of quality control for court programs, continuing education for neutrals, mentoring, training and statistics

Georgia Courts Automation Commission

(Annual Report for calendar year 1997
as required by OCGA §15-5-82.)

GCAC, the Georgia Courts Automation Commission (OCGA §15-5-80), provides automation products and services to all levels of courts. The Administrative Office of the Courts (AOC) provides project direction, staff, fiscal services, and budget coordination for the commission. Additional staff support is provided by the Computer Services Division of the Department of Administrative Services (DOAS).

A primary duty of the commission is to define, implement and administer a statewide courts automation system, including data collection and entry into the system, data storage and processing, and information retrieval and distribution. The commission's strategic planning focuses on adding local courts to the statewide automation network and coordinating court automation technology to eliminate duplication of effort and reduce costs. Advisory services are offered to local officials for automating their court procedures and operations.

Automated case management in the superior courts

The SUSTAIN court case management software system has now been installed in 30 of Georgia's superior courts. The Douglas Judicial Circuit was the first single-court site, and the Middle Judicial Circuit (Candler, Emanuel, Jefferson,

Toombs and Washington Counties) was the first multi-county judicial circuit to install the system under GCAC's statewide license. Twenty-four other superior courts are now using this software, including the Rome Circuit and all five counties in the Northern Circuit. Thirteen more courts are in line for installation of the new Windows version of the software. The accounting module of the software has been installed in Elbert and White Counties. Further installation of the accounting module is pending, as GCAC, the Council of Superior Court Clerks and the Clerks' Association work to develop standard accounting policies.

The Washington County Superior Court was the first SUSTAIN site to report automated criminal case dispositions electronically to the Georgia Crime Information Center (GCIC). Data from the SUSTAIN system is transferred electronically on the Statewide Computerized Information Network to the GCIC database. Electronic data transmission reduces or eliminates the need for local counties to submit data in paper form, and improves the timeliness, accuracy and completeness of information. During 1997, this disposition capability was installed in 23 more courts. Any court using the SUSTAIN software can transmit dispositions electronically to GCIC.

During 1997, SUSTAIN software was installed in three probate, five magistrate and three juvenile courts. Prosecutors can use the SUSTAIN database as a persons-based case-management system. The system has been installed in the Ogeechee and Houston Judicial Circuit district attorneys' offices, and additional installations are pending in the Cordele and Flint Judicial Circuits.

The new Windows-based Georgia Justice Information System, which incorporates the persons-based manager, case manager

and associated supporting modules of the SUSTAIN suite of products, can process data from law enforcement offices, the prosecutor's office and the court. This new version of the software is to be tested in Baldwin County. The sheriff, magistrate court, district attorney, solicitor general, and superior court clerk are project participants.

The GCAC Help Desk is accessible to SUSTAIN users and superior court judges via a toll-free number. Users may contact state staff with questions about the hardware, software and use of the Georgia Online (GO) Network. The Help Desk includes general support for superior court judges in personal computer operating systems, word-processing applications, electronic mail and Internet access.

Georgia Online Network

GCAC maintains and supports the GO Network connections for courts and court personnel through a cooperative agreement with DOAS. In fiscal year 1996, the GO Network was expanded to include superior court judges through the Judges Online project of the Council of Superior Court Judges. In fiscal year 1997, full-time state court judges were added to the network.

Clerks of superior courts have been the backbone of the courts' portion of the GO Network since 1989. In 1997, the replacement of outdated equipment in the clerks' offices was completed. In addition, probate judges who also serve as the elections officials in their counties were added to the network through a voter project sponsored by the Secretary of State.

Additional activities

Georgia Jury is a jury-management software system that includes jury-selection, check-writing and summons-producing

capabilities. This service is currently used by 42 superior courts. The program allows automated transfer of registered voter lists into jury boxes for use by jury commissions and the courts.

The Michie Company of Charlottesville, Virginia brings Georgia Law On Disc to approximately 500 judicial branch subscribers at no cost in most cases. Georgia Law On Disc contains the Official Code of Georgia Annotated (OCGA), the rules of court, and decisions of the Supreme Court and Court of Appeals. Requests for this product are processed through GCAC. Additionally, Law Office Information Systems (LOIS) of Van Buren, Arkansas, has provided the Georgia code on CD-ROM to over 200 full-time judges at no cost in most cases.

The Georgia Uniform Traffic Citation System (GAUTC) is available to municipal, probate and state courts for processing traffic citations. This product was tested in the Municipal Court of Lake City and has been adopted by over 40 courts handling traffic cases. A fee-and-fine system was incorporated into the UTC to create the Georgia Traffic Management System. The system provides for a docket, fee and fine collection and disbursement, and for electronic reporting of citations to the Department of Public Safety. This software system can reduce the time required to post new information on driver records from several months to a matter of days.

In fiscal year 1997, the Georgia Tech Research Corporation remained under contract to provide statewide databases for superior, state and juvenile courts. This project involves the determination of data to be collected for state statistics, case counting, reporting to various state agencies, and inquiry data for judges and other authorized court staff. The design phase of this multi-year project has been completed

Georgia Indigent Defense Council

The Georgia Indigent Defense Act (OCGA §17-12-32) provides a program of legal representation for indigent defendants and created the Georgia Indigent Defense Council (GIDC). The council's 15 members are appointed by the state Supreme Court. Membership includes one lawyer from each of the 10 judicial administrative districts, three nonlawyers from the state at large and two county commissioners.

The purposes and duties of the council are:

- 1) to administer funds provided by the state and federal government to support local indigent defense programs;
- 2) to recommend uniform guidelines for local programs;
- 3) to provide local programs and attorneys who represent indigent defendants with technical and research assistance, clinical and training programs and other administrative services; and
- 4) to prepare budgets, reports and management information required for implementation of the Georgia Indigent Defense Act.

The council monitors implementation of Supreme Court guidelines for operation of local indigent defense programs. These guidelines cover appointment of counsel on a timely basis; eligibility determinations and criteria to qualify indigents; standards for operation of public defender offices, panel attorney programs and hiring of contract defenders; appointed attorney fees; procedures to insure the independence of court-appointed counsel;

roles and responsibilities of local indigent defense governing committees; and the mechanism for distribution of state-appropriated funds.

During fiscal year 1997, monetary assistance was provided to 136 counties for operation of their indigent defense programs. These grants, totaling nearly \$3.5 million, were funded from state appropriations, the Georgia Bar Foundation and the Sheriffs and Clerks Trust Account Program. During fiscal year 1998, 141 counties will receive state funds for indigent defense programs.

The council provides significant in-kind assistance to local programs:

The **Compliance Division** distributes state funding to the counties for their individual indigent defense programs. The division monitors and evaluates county indigent defense programs statewide and assists with improving representation. The division also responds to requests for assistance from jail inmates and directs defendants to appropriate legal resources.

The **Appellate Division** was established recently to: 1) afford appointed counsel a source for consultation, research and advice on appellate issues and procedures; 2) assist the other divisions (particularly the Multicounty Public Defenders Office) in preparing appeals; and 3) prepare and submit on behalf of GIDC *amicus* briefs on issues significant to indigent defense.

The **Mental Health Advocacy Division (MHAD)** is a statewide resource center for attorneys and service providers who work with mentally ill criminal defendants. Attorneys who represent indigent criminal defendants having mental health problems can consult MHAD on pretrial motions, strategies, and interpretation of mental health information. Recent legislation allows MHAD attorneys to directly represent

defendants who have already been found not guilty by reason of insanity. Where there is a local attorney, MHAD will provide ongoing support and consultation. During fiscal year 1997, MHAD initiated 180 cases, closed 144 and, at the end of the fiscal year, had 194 open cases. MHAD conducts seminars for attorneys, hospital staff and community mental health service providers.

The **Multicounty Public Defenders Office (MPD)** is a trial resource center for attorneys handling death penalty cases. The office provides assistance in three areas by: 1) providing training and assistance to any attorney who has been appointed to defend a person charged with a capital offense; 2) serving as co-counsel to assist locally appointed lead counsel in the trial and direct appeal of cases where the defendant faces the death penalty; and 3) accepting appointments to provide direct representation as lead counsel in death penalty cases.

The **Professional Education Division** sponsors seminars specifically designed for indigent defense attorneys. These seminars are conducted throughout the state with local experts and prominent criminal defense attorneys serving as faculty. As a service to counties, these seminars are offered "at cost" to attorneys accepting appointed cases. The goal is to enhance the abilities of defense attorneys to provide effective representation for indigent clients.

The **Juvenile Advocacy Division** began work in July 1996 to provide support and consultation to attorneys and guardians ad litem who represent clients in actions and proceedings of the juvenile courts. In fiscal year 1997, the staff provided individual case consultation, conducted training seminars, provided training materials to judges and attorneys, and tracked the effects of legislation impacting juveniles.

Georgia Magistrate Courts Training Council

(Annual Report for calendar year 1997,
as required by OCGA §15-10-134.)

The Georgia Magistrate Courts Training Council (OCGA §15-10-132) supervises continuing judicial education requirements for magistrate court judges and prescribes minimum standards for magistrate training curricula and the criteria for magistrate certification. The council approves instructor qualifications and issues training certification to chief magistrates and magistrates who satisfactorily comply with mandatory

continuing judicial education programs. The membership, comprised of five magistrate court judges, is appointed by the president of the Council of Magistrate Court Judges to two-year terms. Prior to changes in the statute made by the 1997 General Assembly, members were appointed by the governor. The director of the AOC serves as non-voting secretary.

Nonlawyer magistrates who are newly elected or appointed must attend the first scheduled certification course after assuming office and successfully complete 40 hours of training. To maintain certified status, all magistrates (including those who are members of the State Bar of Georgia) must fulfill an annual 20-hour recertification training requirement.

In calendar year 1997, the training council sponsored two 40-hour seminars covering civil and criminal matters.

Georgia Magistrate Courts Training Council: 1997 Seminars

Seminar	Location	Attendees
40-Hour Certification	Athens	75
Judging and Humanities	Athens	13
Domestic Violence	Columbus	25
Constitutional Criminal Procedure	Columbus	26
Judicial Use of Computers	Athens	12
20-Hour Recertification	Savannah	147
40-Hour Certification	Athens	70
20-Hour Recertification	Duluth	62
Domestic Violence	St. Simons	39
Constitutional Criminal Procedure	St. Simons	42
Total		511

Notes:

483 magistrates were certified by training in 1997.

Additional attendees included magistrates who attended more than one program, judges of other courts, and trainers.

One judge attended training at the National Judicial College in Reno, Nevada.

One judge attended the National Court Technology Conference in Detroit, Michigan.

Magistrates needing recertification training may attend part of a 40-hour program to fulfill the 20-hour requirement. Two 20-hour recertification programs were held. In addition, four specialty courses were offered: Domestic Violence; Judging and Humanities; Judicial Use of Computers; and Constitutional Criminal Procedure. The council also sponsored training for magistrate court clerks and secretaries.

The training council allows recertification credit for attendance at programs other than the traditional 20-hour programs. Up to four hours of credit per year may be obtained by attending training at the Council of Magistrate Court Judges quarterly meetings.

In conjunction with the Council of Magistrate Court Judges, the training council continued its mentor judges program. The Institute of Continuing Judicial Education assigns new judges to mentor judges. No more than two judges are assigned to each mentor.

The following publications were distributed: the *Magistrates Benchbook* (to new magistrates) or its update (to sitting magistrates), the *Georgia Magistrate Court Handbook* or its supplement by Judge Wayne M. Purdom, and the *Magistrate Court Guide* by Judge Johnny W. Warren. In addition, magistrates were given a choice of receiving either the *Georgia Law Enforcement Handbook* published by the Harrison Company or the Michie Company's *Georgia Criminal and Traffic Law Manual*.

The council also provides the Automated Fee and Fine Accounting System to judges on request.

Georgia Municipal Courts Training Council

(Annual Report for calendar year 1997,
as required by OCGA §36-32-24.)

The Georgia Municipal Courts Training Council (OCGA §36-32-22) prescribes minimum course requirements and training criteria for municipal court judges and supervises completion of the continuing education requirements. The council sets minimum qualifications for instructors, approves schools, keeps training records, and issues certificates of course completion.

Newly appointed or elected judges must attend a 20-hour certification course within twelve months of assuming office. All other municipal court judges must attend 12 hours of instruction annually to maintain their certification. All pro hac vice or pro tem appointees must also be certified.

With the Institute of Continuing Judicial Education (ICJE), the training council offered two initial and eight recertification courses during fiscal year 1997. The initial certification course includes the following topic areas: serious traffic offenses, caseload management and court administration, judicial ethics and discipline, professionalism, local ordinance adjudication, and criminal law and procedure.

In calendar year 1997, the recertification courses focused on traffic case adjudication and criminal procedure. Course offerings also included constitutional

Judicial Agencies

criminal procedure, domestic violence, computer applications for the courts, judicial ethics and a judging and humanities specialty course. There were 35 new judges certified in 1997, and 290 judges were recertified.

Courses sponsored by the training council are usually creditable as mandatory continuing legal education hours for part-time judges who practice law. Municipal court judges have the option of attending nationally sponsored judicial training such as the annual ABA traffic seminar, National Judicial College courses, and those of the Institute for Court Management. Other ICJE training is creditable if the

subject matter is relevant to the duties of a municipal court judge.

During 1997, the training council made revisions to its benchbook which will be distributed in 1998. The council also provided each judge with a copy of the *Georgia Law Enforcement Handbook* published by Harrison Company.

Georgia State-Federal Judicial Council

The State-Federal Judicial Council (Supreme Court Order, Nov. 9, 1990) was established to foster a cooperative relationship between the state and federal judiciaries of Georgia. Council membership includes all federal judges in Georgia, justices of the Georgia Supreme Court, judges of the Georgia Court of Appeals and judges of the superior courts.

The executive committee is comprised of the chief judge of the Eleventh Circuit Court of Appeals; three U.S. District Court judges and one U.S. Bankruptcy Court judge named by the chief judge of the Eleventh Circuit Court of Appeals; the chief justice of the Georgia Supreme Court; the chief judge of the Georgia Court of Appeals; five superior court judges named by the chief justice; the president of the Council of Superior Court Judges; and the president-elect and immediate past president of the State Bar of Georgia.

The June 1997 annual meeting, planned by the executive committee, featured a program entitled "The Public's Dissatisfaction with the Courts." The program was presented at the State Bar of Georgia annual meeting.

Georgia Municipal Courts Training Council: 1997 Seminars

Seminar	Location	Attendees
12-Hour Recertification	Savannah	150
20-Hour Certification	Athens	65
Judicial Use of Computers	Athens	12
Judicial Ethics	Unicoi	18
Constitutional Criminal Procedure	Unicoi	12
20-Hour Certification	Athens	47
Judging and Humanities	Athens	22
Domestic Violence Specialty Course for Magistrate and Municipal Court Judges	Columbus	24
Constitutional Criminal Procedure	Columbus	18
Domestic Violence Seminar	Columbus	6

Total 374

Notes:

Some judges attend more than one seminar, and municipal court judges may attend other ICJE-sponsored seminars for judges of other trial courts or national judicial educational programs relevant to their duties as municipal court judges. Therefore, total numbers certified do not match attendees.

19 judges were required to attend calendar year 1997 training courses to complete their 1996 training requirements.

Institute of Continuing Judicial Education

More than 2,900 judges, clerks, court administrators, judges' secretaries, juvenile court probation officers and administrative law judges attended programs delivered by the Institute of Continuing Judicial Education (ICJE) in fiscal year 1997. Attendee contact hours for the year totaled 49,469.5, a new record for the ICJE, surpassing the 46,165 hours delivered in fiscal year 1995.

As an administrative arm of the Supreme Court (Supreme Court Order, Jan. 26, 1979), the Institute has had responsibility for the training of all judicial personnel since 1981. Training standards for members have been adopted by the various courts and judges' councils. Supreme Court justices and Court of Appeals judges must complete a minimum of 12 hours of instruction each year, with at least two hours devoted to legal or judicial ethics. Superior court judges are required to attend judicial education programs totaling at least 12 hours per year, including two hours of judicial ethics every two years. Rule 43 of the Uniform Rules of the State Courts mandates that state court judges attend continuing legal and/or judicial education courses totaling 24 hours every two years. The total must include two ethics hours. Juvenile court judges are required to complete 12 hours of continuing education each year.

The Probate Judges Training Council requires that probate court judges complete a training program for new judges and 12

hours of continuing education annually. Magistrate court judges fulfill an initial 40-hour training requirement (attorney magistrates are exempt) and annually attend 20-hours of recertification training. Municipal court judges complete an annual 12-hour certification course. New judges must fulfill a 20-hour training requirement.

Superior court clerks complete 40 hours in basic certification and 15 hours in yearly recertification training courses.

Seminars

In fiscal year 1997, the institute offered programs for judges of the superior, state, juvenile, probate, magistrate and municipal courts. In addition, training was provided for clerks of court, judges' secretaries, juvenile court probation officers, court administrators and administrative law judges. For more information on seminars, please refer to the chart on page 66.

During the year, ICJE continued to conduct mentoring activities for new judges. Scripts dramatizing a mock DUI trial and a commercial landlord/tenant dispute were created for use in the Institute's new trial practice courtroom. The clinical experience for new judges included critiques of their hearing supervisory skills, focusing on decision-making in questions of evidence and on the skills and techniques necessary for courtroom proceedings to run smoothly.

Other ICJE initiatives during fiscal year 1997 included the following:

- More than 500 copies of Harrison's *Georgia Law Enforcement Handbook* and Michie's *Georgia Traffic and Criminal Law Manual* were distributed to magistrates and municipal court judges.
- To foster cultural diversity and equality in the courts, the Anti-Defamation

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League's curriculum, "A Workplace of Difference" was presented to juvenile court probation officers, state court judges, magistrate court judges and municipal court judges. Training sessions for superior court judges will include this video in 1998.

- The race, gender, ethnicity and status fairness provisions of the Code of Judicial Conduct were examined in judicial ethics and professionalism instruction

for newly selected state, probate, magistrate and municipal court judges.

- Handling domestic violence cases received special emphasis in recertification and specialty courses for magistrate and municipal court judges, the spring seminar for probate court judges (focusing on elder abuse), as well as in humanities and judging courses for probate, magistrate and municipal court judges.

- ICJE hosted judges from Brazil (in

Institute of Continuing Judicial Education: Fiscal Year 1997 Instructional Activities

Date	Program	Location	Attendees	Date	Program	Location	Attendees
August 5-7	Municipal court judges traffic recertification	Savannah	150	Feb. 2-7	Magistrates 40-hour certification	Athens	75
August 11-14	Superior court judges summer seminar	St. Simons	172	Feb. 7-9	Municipal court judges 20-hour certification	Athens	47
August 26-28	Magistrates 20-hour recertification	Savannah	157	March 3-5	Magistrate court clerks and secretaries annual seminar	Savannah	115
Sept. 8-13	Magistrates 40-hour certification	Athens	48	March 10-12	Municipal court judges specialty course: Judging and humanities	Athens	22
Sept. 25-27	Municipal 20-hour certification	Athens	65	March 10-12	Magistrate court judges specialty course: Judging and humanities	Athens	13
Sept. 25-27	Magistrates 20-hour recertification	Atlanta	72	March 24-26	Workers' compensation judges/administrative law judges annual seminar	Pine Mountain	25
Sept. 26-27	Municipal court judges specialty course: Judicial use of computers	Athens	12	April 2-4	Judicial secretaries annual seminar	St. Simons	121
Oct. 2-4	Probate court clerks seminar	Helen	64	April 9-11	Probate court judges spring seminar	Athens	175
Oct. 2-4	Magistrate court judges specialty course: Judicial use of computers	Athens	12	April 28-30	Juvenile court judges spring seminar	St. Simons	96
Oct. 16-18	State court judges fall seminar	Brasstown Valley	63	April 29-May 1	Superior court clerks spring seminar	Jekyll Island	157
Oct. 23-25	Juvenile court probation officers fall seminar	Unicoi	92	April 30-May 2	Juvenile court clerks annual seminar	Jekyll Island	59
Oct. 30-Nov. 1	Magistrate court judges specialty course: Judicial ethics	Unicoi	14	May 7-9	State court judges spring seminar	Jekyll Island	61
Oct. 30-Nov. 2	Municipal court judges specialty course: Judicial ethics	Unicoi	18	May 7-9	Magistrate and municipal court judges specialty course: Domestic violence	Columbus	24
Oct. 30-Nov. 2	Municipal court judges specialty course: Constitutional criminal procedure	Unicoi	12	May 7-9	Magistrate court judges specialty course: Constitutional criminal procedure	Columbus	25
Oct. 30-Nov. 2	Magistrate court judges specialty course: Constitutional criminal procedure	Unicoi	56	May 21-23	Municipal court judges specialty course: Constitutional criminal procedure	Columbus	18
Nov. 4-6	Juvenile court judges fall seminar	Augusta	60	May 28-30	Juvenile court probation officers spring seminar	Savannah	99
Nov. 19-21	Probate court judges fall seminar	Savannah	31	May 29-30	Foster care review workshop	Athens	25
Nov. 19-21	Probate court judges 1996 traffic seminar	Savannah	59	June 11-13	Probate court clerks spring seminar	Jekyll Island	69
Nov. 20-22	Superior court clerks fall seminar	Savannah	110	June 24-30	COAG for superior court clerks	Jekyll Island	30
Dec. 5-6	Administrative law judges first annual mandatory judicial education seminar	Smyrna	73	June 25-27	Magistrate court judges specialty course: Judicial use of computers	Athens	11
Dec. 5-6	State court judges orientation	Athens	13				
Dec. 10-13	Probate court judges orientation	Athens	22				
Jan. 27-30	Superior court judges winter seminar	Athens	164				
Jan. 28-30	Court administrators annual seminar	Athens	27				

collaboration with the UGA Institute of Government) and Ukraine (in cooperation with the UGA Center for Higher Education) and made presentations to these groups.

- Computer training for judges continued to focus on legal research (Georgia Law on Disc).

Administration

The ICJE fiscal year 1997 operating budget of \$1,080,128 was initially allocated as follows: \$40,000 for nationally based travel of superior court judges; \$289,288 for administration and training of magistrate court judges and staff; \$96,534 for administration and training of municipal court judges and staff; \$590,306 for general administration operations; \$56,500 for on-site services, mandatory continuing legal education fees and special projects; and \$7,500 for training of court reporters. Forty-one applicants for financial aid were granted some level of funding to attend national courses.

The ICJE board of trustees is made up of representatives from the courts and judicial organizations. The board includes one Court of Appeals judge; two members of the Council of Superior Court Judges; a representative from the councils of state, juvenile, probate and magistrate court judges; one representative from the Superior Court Clerk's Association; one member of the State Bar of Georgia; and an appointee of the Judicial Council. Ex officio members include the immediate past chairpersons of both ICJE and the Institute of Continuing Legal Education boards of trustees, and the deans of Georgia's four accredited law schools. A liaison member representing the Supreme Court and an advisory member also serve on the board. The board met three times during the year.

Judicial Administrative Districts

Regional court administration for the superior courts is organized through the Judicial Administration Act of 1976 (OCGA §§15-5-2-4). Each of 10 judicial administrative districts is served by an administrative judge and district court administrator selected by the superior court judges and senior judges of that district.

Administrative judges have statutory authority to compile caseload data and other information and to assign superior court judges, with their approval, to serve temporarily in other counties and circuits as needed.

District court administrators assist chief judges in preparing, presenting and managing local court budgets and function as liaisons between superior courts and local government officials, court personnel and the criminal justice system. They also screen and interview applicants for trial court administrator, law clerk, court reporter and other court support positions. District staff assist chief judges and clerks in automated jury selection, revision of jury boxes and orientation sessions for jury commissioners.

District court administrators have been instrumental in implementing alternative dispute resolution projects and educating court staff and local bar associations on the value of such projects. In at least three districts, ADR programs operate on a district-wide basis with funding from joint county boards of trustees of ADR funds.

Judicial Agencies

Other projects and activities by district court administrators include: grant applications and grant management; space and facilities management; courthouse renovation and planning; video arraignment and conferencing; court delay reduction; records retention and management; indigent defense programs; sponsorship of divorcing parent seminars; and management of high-profile cases.

District court administrators work with committees of the Council of Superior Court Judges and the Judicial Council of Georgia and serve on local, state and national committees for the administration of justice and court management.

Judicial Nominating Commission

The Judicial Nominating Commission (Executive Order, February 27, 1995) solicits nominations of qualified individuals to fill vacant or newly created judgeships. The governor selects new judges from a list of candidates prepared by the commission.

Qualifications for judicial offices are specified either by the state constitution or statute. The commission seeks nominations from civic leaders and the legal community. Commission members evaluate each candidate based on a standard questionnaire and a legal article or brief submitted by the candidate. The commission also interviews the candidate and attorneys who know the candidate.

The commission held 4 meetings in fiscal year 1997 to consider candidates for a total of 5 judicial vacancies. These included: one superior court vacancy in the

Lookout Mountain Judicial Circuit, one superior court vacancy in the Atlanta Judicial Circuit, one state court vacancy in Forsyth County, and two state court vacancies in Richmond County.

Since originally founded by executive order in 1973, the commission has acted on a total of 292 judgeships, including 17 Supreme Court vacancies, 17 Court of Appeals vacancies, 173 superior court seats, 76 state court posts, two municipal court judgeships and three civil court vacancies.

The nine-member commission includes three individuals appointed by the governor who must be members of the State Bar and four non-lawyer positions—two appointed by the governor, one by the lieutenant governor and one by the Speaker of the House of Representatives. Members serve at the pleasure of the appointing authority. The president of the State Bar of Georgia and the state Attorney General are ex-officio members.

Judicial Qualifications Commission

The Judicial Qualifications Commission (JQC) responds to inquiries from judges regarding appropriate judicial conduct, directs investigations into complaints involving members of the state judiciary and holds hearings on allegations of judicial misconduct. Its powers derive from the Georgia Constitution (Art. VI, §VII, ¶6).

Grievances against judges are usually initiated by a written, verified complaint to the commission. Alleged misconduct or protests must be based on one of the canons of the Code of Judicial Conduct. Grounds for

action include: 1) willful misconduct in office, 2) willful and persistent failure to perform duties, 3) habitual intemperance, 4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute, and 5) disability which seriously interferes with the performance of judicial duties and which is or is likely to become permanent.

During fiscal year 1997, the commission held 8 meetings. In addition, the commission received and acted upon 97 new matters, including 84 complaints and 13 requests for opinion. At the beginning of the year, 16 complaints were still pending from fiscal year 1996. At year end, 16 complaints were pending.

The 82 judges named in the 84 new complaints (one judge was named in three separate complaints) included:

- one Court of Appeals judge
- 35 superior court judges
- three senior judges
- five state court judges
- nine probate court judges
- 21 magistrate court judges
- two juvenile court judges
- three municipal court judges
- one recorder's court judge
- one judge pro tem (municipal court)
- one candidate for judicial office.

Including carryovers from fiscal year 1996, the commission handled and concluded 97 matters. Eighty-four complaints were disposed of as follows:

- nine dismissed as appropriate for appeal as a matter of law, unsupported or without merit
- 49 dismissed after minimal investigation
- one dismissed after a conference with the judge
- two dismissed after substantial investigation (two judges were named in one complaint)

- one judge resigned voluntarily
- one judge was removed
- five judges were privately reprimanded
- 13 judges were admonished or cautioned by letter to avoid recurrence of the action giving rise to complaint
- one judge lost his bid for re-election (and was therefore no longer under the commission's jurisdiction)
- one judge was dismissed due to a Rule 20 (Confidentiality and Exceptions) violation
- two complaints were withdrawn.

The seven-member commission operates under established procedural rules. All proceedings—including complaints, conferences, communications and decisions—are confidential, with the exception of notice of formal hearings, formal hearings, reports recommending discipline and decisions after a hearing in which a judge was found not guilty of misconduct.

For the first time in its history, the commission utilized the exception set forth in Rule 20 and issued a public statement with respect to the status and handling of pending complaints. As part of an agreed upon disposition, the commission required three judges to publish public apologies at their own expense.

Thirteen requests for advisory opinions were disposed of as follows: 6 formal opinions were issued; the commission declined to give an opinion in one case; 4 informal opinions were issued; one request was found to be moot; and one request was withdrawn.

Sources of complaints and requests for opinions for the fiscal year included: 60 litigants or their relatives, 13 judges, one auxiliary judicial personnel, seven attorneys, one nonlitigant, two public officials, three anonymous complainants, and ten others.

Judicial Agencies

No formal hearings were held during the year.

In addition to the complaints filed and disposed of during the fiscal year, the commission staff processed 654 requests for complaint forms. From these, 93 complaints were filed. Forty-three were docketed and 50 were returned to the complainant without action because they involved rulings of law or discretionary matters over which the commission has no jurisdiction. In addition, some 77 complaints filed on outdated forms, State Bar grievance forms or by letter were returned to complainants for the same reason. The commission staff also handled telephone inquiries from citizens and judges and conferred privately with four judges about instances of conduct not warranting formal charges, with one such complaint remaining open at end of the year.

During the year, the commission director and another member were invited speakers at the 15th National College on Judicial Conduct and Ethics in Austin, Texas. Other commission representatives participated as requested in various continuing education programs on judicial ethics and the role of the commission in governing judicial conduct.

With the cooperation and assistance of the Supreme Court, the commission named a special committee to study and make recommendations for proposed changes to Canon 7 (dealing with political conduct and elections). The special committee was chaired by a former chief justice of the Supreme Court and composed of judges and lawyers. The final report of the special committee was reviewed by the commission and submitted to the Supreme Court for its approval.

Members of the commission include

two judges of courts of record appointed by the Supreme Court, three attorneys named by the Board of Governors of the State Bar of Georgia and two citizens selected by the governor. A director, investigator and secretary serve as staff.

Synopses of fiscal year 1997 JQC opinions

Opinion 215. It is inappropriate for any judicial officer to endorse or otherwise publicly align himself or herself with any private, for-profit probation service.

Opinion 216. All judges have a legal and ethical duty to make timely rulings in all cases, especially those in which the writ of habeas corpus is sought, and undue delay cannot be countenanced under any circumstances.

Opinion 217. A superior court judge-elect is neither an officer of a judicial system nor an individual performing judicial functions and thus is not subject to the requirements of the Code of Judicial Conduct prior to formally assuming office. Accordingly, such individual may appropriately continue the active practice of law and appear as trial counsel for clients during the interim period between election and assumption of office.

Opinion 218. Because a hearing on the merits of a Petition for Revocation of Probation is a separate and distinct "matter in controversy" from the proceeding giving rise to the original sentence, Canon 3E(1)(b) does not require automatic disqualification of a newly appointed superior court judge who previously served as district attorney when the alleged probation violation occurs subsequent to the date of the judge's swearing in.

Opinion 219. It is inappropriate for any judge to use the power and prestige of judicial office to advance the private interests of a spouse or immediate family member. Hence, a juvenile court judge should not order children and/or parents to obtain counseling from an organization from which the judge's spouse receives remuneration as executive director.

Opinion 220. Even without a showing of actual bias, prejudice or unfairness, and regardless of the merits or timeliness of a Motion to Recuse, it is inappropriate for any trial court judge to preside in any action wherein one of the parties holds a judicial office on the same or any other court which sits in the same circuit.

Supreme Court Commission on Equality

A Supreme Court order established the Supreme Court Commission on Equality on December 13, 1995, for one year. In 1996, the Supreme Court extended the term of the commission until December 13, 1998. The Equality Commission was formed to continue the work of the Supreme Court Committee for Gender Equality (established in 1992) and the Supreme Court Commission on Racial and Ethnic Bias in the Courts (established in 1993), which had reached the ends of their initial terms. The general objective of the commission is to address concerns related to bias or prejudice in Georgia's court system that are based upon race, sex, religion,

national origin, disability, age, sexual orientation or socioeconomic status.

The commission's tasks include: formulating and proposing guidelines, standards and procedures to implement the commission's recommendations; developing appropriate mandatory judicial and legal education course material; serving as a resource to the media; educating the public about domestic violence, resources for its victims and protection available under Georgia law; developing a mechanism for processing bias complaints about the behavior of judges and lawyers; and working with the Judicial Nominating Commission to encourage more individuals from racial and ethnic minorities to apply for judgeships.

During fiscal year 1997, the commission's six subcommittees continued their efforts:

The **Complaint Committee** devised a form and procedures for submitting to the commission complaints that are based on any kind of bias. The commission decided that its proper role would be to serve as a clearinghouse for bias complaints against any court officer or employee, making referrals to the appropriate group or agency.

The **Court Interpreters Committee** completed development of a code of professional responsibility for foreign language interpreters, guidelines for interpreters, and draft benchbook materials for judges. These materials were distributed to court interpreters, judges and court administrators. The registry of foreign language interpreters created by the Administrative Office of the Courts was updated to provide the courts with current data on the qualifications and availability of interpreters. At the end of fiscal year 1997, the committee

Judicial Agencies

began planning a seminar to educate interpreters about the state court system. The seminar will be held in the fall of 1997. The committee continued to work on a certification process and, with the assistance of benchbook committees of the trial court councils, materials for benchbook updates.

The **Diversity in the Workplace Committee** updated information on the demographic composition of the judiciary. Members met with law school placement directors from the four law schools in Georgia accredited by the American Bar Association to discuss programs involving minority and women students and judicial and other court-related agencies. Development of a Career Day package which can be used by local courts in their recruitment process is planned to publicize the types of work available in the courts.

The **Juvenile Justice Committee** reviewed the recommendations of the Supreme Court Commission on Racial and Ethnic Bias. Interest was shown in creation of uniform intake forms and processes for all juvenile intake programs and public social service agencies.

The **Mandatory Training Committee** maintained a comprehensive listing of all

training/informational materials available through the Administrative Office of the Courts (AOC) and the Institute of Continuing Judicial Education (ICJE) for use in judicial training. The committee contracted for the development of a training video, featuring scenarios in which actors display gender, racial or ethnic bias in a court context. The video production was completed in June 1997. It will be used to foster discussion and help train judicial personnel in bias-free behavior. The committee also reviewed judicial education programs conducted by ICJE and continued to work to include diversity issues in judges' training

The **Programs Committee** completed a bias-free language brochure to be distributed to all judges and attorneys. The committee renewed the commission's request that the Supreme Court adopt a uniform rule requiring each court to have a sexual harassment policy.

Executive summaries of the final reports of the Supreme Court Committee for Gender Equality and the Supreme Court Commission on Racial and Ethnic Bias, as well as the order creating the Commission on Equality and a list of its current membership, became available on the Internet in late 1996.

Judicial Appointments and Elections

Fiscal Year 1997

The following new judges were elected for the term of January 1, 1997, through December 31, 2000, unless otherwise indicated.

COURT OF APPEALS

Judge Frank M. Eldridge, appointed July 16, 1996 - Dec. 31, 1998.

SUPERIOR COURTS

Alapaha Judicial Circuit

Judge Dane Perkins

Atlanta Judicial Circuit

Judge Cynthia D. Wright, appointed Nov. 1, 1996 - Dec. 31, 1998.

Judge T. Jackson Bedford

Augusta Judicial Circuit

Judge Neal W. Dickert

Coweta Judicial Circuit

Judge John Simpson

Dougherty Judicial Circuit

Judge Willie E. Lockette

Houston Judicial Circuit

Judge Edward D. Lukemire (Though elected for the term beginning Jan. 1, 1997, Judge Lukemire was appointed by the governor on Sept. 13, 1996, to complete the term of a retiring judge.)

Lookout Mountain Judicial Circuit

Judge Ralph Van Pelt Jr., appointed Sept. 20, 1996 - Dec. 31, 1998.

Northern Judicial Circuit

Judge Lindsay A. Tise

Ogeechee Judicial Circuit

Judge John R. Turner

South Georgia Judicial Circuit

Judge J. Richard Porter III

Tifton Judicial Circuit

Judge Gary McCorvey

Toombs Judicial Circuit

Judge Roger W. Dunaway Jr.

Waycross Judicial Circuit

Judge Stephen L. Jackson

STATE COURTS

Brooks County

Judge William R. Folsom

Bulloch County

Judge F. Gates Peed

Clayton County

Judge Morris Braswell

Colquitt County

Judge Richard T. Kent

Fayette County

Judge Fletcher Sams

Fulton County

Judge M. Yvetter Miller, appointed Nov. 1, 1996 - Dec. 31, 1998.

Forsyth County

Judge Jeffrey S. Bagley, appointed Jan. 1 1997 - Dec. 31, 1998.

Habersham County

Judge Linton Crawford Jr.

Jefferson County

Judge John R. Murphy III

Mitchell County

Judge Michael Bankston

Putnam County

Judge Jesse Copelan Jr.

Screven County

Judge Lisa Gross

JUVENILE COURTS

Bibb County

Judge Quintress J. Gilbert, appointed Feb. 1, 1997 - Dec. 31, 2000.

Judge Thomas J. Matthews, appointed Feb. 1, 1997 - Dec. 31, 2000.

Cherokee County

Judge Jackson Harris, appointed Jan. 1, 1997 - Jan. 1, 2001.

Forsyth County

Judge Jeffrey S. Bagley, appointed Jan. 1 1997 - Jan. 1, 2001

Houston County

Judge Deborah E. Edwards, appointed July 1, 1996 - July 1, 2000.

Murray and Whitfield Counties

Judge Connie Maples Blaylock, appointed July 1, 1996 - July 1, 2000.

PROBATE COURTS

Atkinson County

Judge Jeffrey Paulk McGowan

Ben Hill County

Judge Tommy Walton Ash

Bleckley County

Judge Kenneth Powell

Burke County

Judge Preston B. Lewis III

Carroll County

Judge Betty B. Cason

Charlton County

Judge Bob Phillips

Cherokee County

Judge Kip McVay

Judicial Appointments and Elections

Clarke County

Judge Susan P. Tate

Dawson County

Judge Jennifer Evans Burt

Floyd County

Judge Steve Burkhalter

Franklin County

Judge Eddy Fowler

Houston County

Judge Janice Davidson Spires

Long County

Judge Marie H. Middleton

Pike County

Judge Lynn Brandenburg

Putnam County

Judge Patrice Howard

Taliaferro County

Judge Martha R. Mayo

Terrell County

Judge Nancy P. Fryer

Union County

Judge Dwain Brackett

Wilkinson County

Judge Vivian Cummings

CHIEF MAGISTRATES

Atkinson County

Judge Rowan Sirmans

Baker County

Judge Wanda T. Floyd

Barrow County

Judge Michael A. Barnette

Bartow County

Judge Tom Moseley

Bryan County

Judge Dale Mitchum, appointed March 1
1997 - Dec. 31, 2000.

Burke County

Judge Alma Young Tuft

Candler County

Judge Mary L. Skene, appointed Jan. 31,
1997 - Dec. 31, 2000.

Catoosa County

Judge Donald Caldwell

Charlton County

Judge Reginald F. Todd

Chattooga County

Judge Tracy L. Maddux, appointed April 10,
1997 - April 10, 2001.

Clayton County

Judge Michael P. Baird

Cook County

Judge Vicki S. Parrish, appointed Jan. 1,
1997 - Dec. 31, 2000.

Coffee County

Judge Betty S. Lanier

Coweta County

Judge James C. Stripling

Decatur County

Judge Billy G. Mills

Effingham County

Judge Preston G. Exley

Elbert County

Judge Lanie Simmons, appointed July 20,
1996 - Dec. 31, 2000.

Floyd County

Judge Jerry Wood

Gilmer County

Judge Roger Kincaid

Glascocock County

Judge Terry Usry

Hall County

Judge Charles S. Wynne

Houston County

Judge David M. Pierce, appointed Jan. 1,
1997 - Dec. 31, 2000.

Jeff Davis County

Judge Chris Davenport

Lamar County

Judge Brenda Williamson

Laurens County

Judge Thomas C. Bobbitt III

Lee County

Judge Jim Thurman

Lumpkin County

Judge William "Jeif" Lowe

Montgomery County

Judge James L. McCall Jr., appointed Jan. 1,
1997 - Dec. 31, 2000.

Putnam County

Judge Ellen Rudder, appointed Jan. 1,
1997 - Dec. 31, 2000.

Spalding County

Judge Rita L. Cavanaugh

Stewart County

Judge George Hancock

Sumter County

Judge R. Lawton Lesueur Jr.

Taliaferro County

Judge Martha Mayo, appointed Jan. 1,
1997 - Dec. 31, 2000.

Telfair County

Judge Vickie Scarborough

Terrell County

Judge Linda Freeman

Union County

Judge Charles Dwain Brackett, appointed
Jan. 1, 1997 - Dec. 31, 2000.

Ware County

Judge Lawton G. Taylor

Washington County

Judge Clayton Sheppard

Webster County

Judge Frank Walker, appointed Jan. 1,
1997 - Dec. 31, 2000.

White County

Judge Maylon K. London

Wilkinson County

Judge Vivian L. Cummings, appointed Jan. 1,
1997 - Dec. 31, 2000.