

*Judicial Council of Georgia  
Administrative Office of the Courts*

*Table of Contents*

Judicial Council of Georgia	.....1
Georgia Appellate Courts	.....2
Georgia Trial Courts	.....3
Justice Issues	.....5
Appointments	.....9



Published by the Judicial Council of Georgia and the Administrative Office of the Courts in compliance with OCGA § 15-5-24 and by Order of the Supreme Court of Georgia dated June 12, 1978. All rights reserved.

Annual caseload statistics for the Georgia appellate and trial courts are now published in *Research Review*. Copies of this publication can be obtained by contacting the AOC.

Director, David L. Ratley  
Assistant to the Director for Communications, Billie Bolton  
Editor, Ashley G. Stollar

# ***Judicial Council of Georgia***

**June 2000**

**Chief Justice Robert Benham**

Supreme Court

**Presiding Justice Norman S. Fletcher**

Supreme Court

**Chief Judge Edward H. Johnson**

Court of Appeals

**Judge G. Alan Blackburn**

Court of Appeals

**Judge Lawton E. Stephens**

Council of Superior Court Judges  
Athens

**Judge William T. Boyett**

Council of Superior Court Judges  
Dalton

**Judge Jack E. Carney**

Council of State Court Judges  
Pembroke

**Judge Leon M. Braun, Jr.**

Council of State Court Judges  
Hinesville

**Judge R. Michael Key**

Council of Juvenile Court Judges  
LaGrange

**Judge James F. Morris**

Council of Juvenile Court Judges  
Marietta

**Judge William J. Self, II**

Council of Probate Court Judges  
Macon

**Judge Del Buttrill**

Council of Probate Court Judges  
McDonough

**Judge Joseph Iannazzone**

Council of Magistrate Court Judges  
Lawrenceville

**Judge Barrett Whittemore**

Council of Magistrate Court Judges  
Dalton

**Judge A. Blenn Taylor, Jr.**

First District Administrative Judge  
Brunswick

**Judge H. Arthur McLane**

Second District Administrative Judge  
Valdosta

**Sr. Judge E. Mullis Whisnant**

Third District Administrative Judge  
Columbus

**Judge Robert P. Mallis**

Fourth District Administrative Judge  
Decatur

**Judge Thelma W. Cummings Moore**

Fifth District Administrative Judge  
Atlanta

**Judge William F. Lee, Jr.**

Sixth District Administrative Judge  
Newnan

**Judge Walter J. Matthews**

Seventh District Administrative Judge  
Rome

**Judge Walter C. McMillan, Jr.**

Eighth District Administrative Judge  
Sandersville

**Judge Richard T. Winegarden**

Ninth District Administrative Judge  
Lawrenceville

**Judge T. Penn McWhorter**

Tenth District Administrative Judge  
Winder

## ***Georgia Appellate Courts***

Georgia's appellate courts review both civil and criminal cases from the superior courts in 48 judicial circuits.

### ***Supreme Court***

The Supreme Court of Georgia is composed of a Chief Justice, a Presiding Justice, and five Justices. The Supreme Court is one of the busiest appellate courts in the nation because of constitutional requirements and its varied appellate jurisdiction.



**The State Judicial Building in Atlanta houses courtrooms for the Supreme Court and Court of Appeals.**

### ***Court of Appeals***

Three new positions were added to the Court in FY 2000. Judge John J. Ellington of Soperton, Judge Herbert E. Phipps of Albany, and Judge M. Yvette Miller of Atlanta were appointed by Governor Roy Barnes. These new judgeships were created by the General Assembly and increased the court's membership to 12. Judge Charles B. Mikell of Savannah also joined the court, replacing Judge Dorothy T. Beasley. The court is composed of a Chief Judge, four Presiding Judges, and seven Judges.

### **★ TECHNOLOGY**

Opinions of the Supreme Court and Court of Appeals were made available on-line in 2000 at <http://www.appeals.courts.state.ga.us/opinions>

## Georgia Trial Courts

*Superior Court* — Georgia’s general jurisdiction trial court. In FY 2000, six new judgeships for the Superior Courts were approved by the Judicial Council. With authorization from the General Assembly, new seats were created in the Bell-Forsyth, Towaliga, Chattahoochee, Tallapoosa, Cobb, and Atlanta Judicial Circuits, bringing the number of Superior Court judgeships to 183.

Georgia’s other courts include:

- State Court* — limited jurisdiction, hears misdemeanor violations such as traffic cases and civil actions not within superior court jurisdiction; authority to review lower court decisions;
- Juvenile Court* — exclusive, limited jurisdiction over delinquent and unruly children under the age of 17 and deprived children under age of 18; concurrent jurisdiction with superior courts over certain serious offenses and child welfare matters;
- Probate Court* — exclusive, original jurisdiction for probate of wills, administration of estates, appointment of guardians and involuntary hospitalization of incapacitated adults and other dependent individuals;
- Magistrate Court* — jurisdiction limited to search and arrest warrants, felony and misdemeanor preliminaries, misdemeanor bad check violations, county ordinances, and civil claims of \$15,000 or less;
- Municipal Court* — serve incorporated municipalities, jurisdiction includes municipal ordinance violations, criminal warrants, and preliminary hearings.

*The AOC provides a brochure entitled, “Your Guide to the Georgia Courts” to all courts. This publication describes the functions, jurisdiction, and appellate routes of each class of court. “Your Guide to the Georgia Courts” is updated annually.*

### Diversity on the Bench

Scholastic News, Inc. chose the Supreme Court of Georgia to represent the judicial branch of government on a poster sent to over 40,000 public school teachers in the U.S. Cheryl Moch, photo editor for Scholastic News, said Georgia’s Supreme Court was chosen because, “According to our research, your Court is the most diverse Supreme Court in the country. Many, many children will be inspired.”

# Georgia Trial Courts

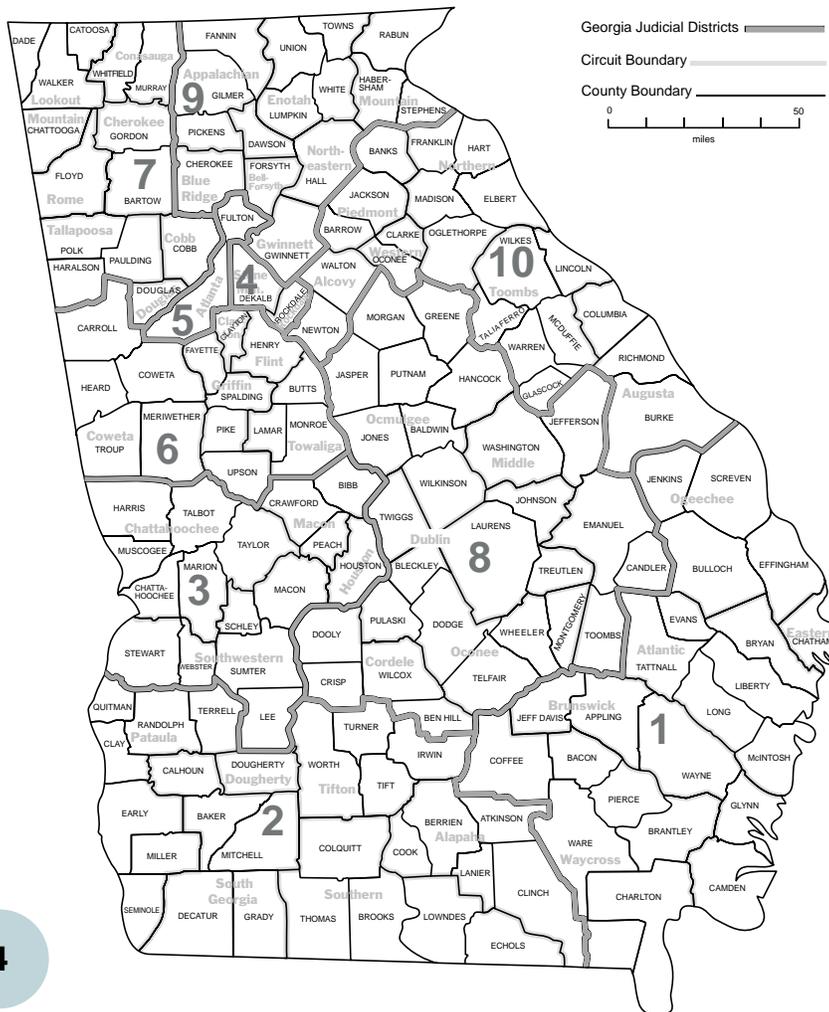
## Judicial Workload Assessment

The National Center for State Courts was commissioned by the Judicial Council to conduct a study designed to measure the workload of judges of the Superior Courts. The study provided a fresh look at the current methods for determining need for judgeships, particularly as to accuracy and fairness.

Sixty-two judges from 22 circuits participated from February 1, 2000, to March 31, 2000. For the purpose of the study, superior court case types were categorized as: unified appeals, felony, misdemeanor, probation revocation, civil, domestic relations, and juvenile.

Judges kept detailed records on daily case-related and non-case-related activities performed. This provided an accurate reflection of actual time spent on judicial duties, rather than estimated time spent.

### Judicial Circuits and Districts



# Justice Issues Facing the Courts

## Juvenile Justice

Juvenile justice was a priority concern of the court system during FY 2000. In his State of the Judiciary address to the General



Assembly, Chief Justice Robert Benham emphasized the correlation between children who are abused and those who later are sent to Youth Detention Centers and, ultimately, as adults to prison. "We are working to ensure that children spend less time away from home and that judges and other professionals responsible for their well-being are well-trained and well-equipped to do their jobs."

### *Funding for Juvenile Court Judgeships*

On April 28, 2000, Governor Roy Barnes signed legislation providing salary grants to counties for additional juvenile court judges. Counties may apply for the funds to create a new part- or full-time judgeship or to make a part-time position full-time.

### *Guardian Ad Litem Guidelines*

The Supreme Court's Child Placement Project sponsored a workshop attended by Guardians ad Litem on March 24-25, 2000, to discuss and create guidelines for child deprivation cases.

The "Guidelines for Georgia Attorney Guardians Ad Litem" was published in June, 2000.

## *Justice Issues Facing the Courts*

### *Outreach*

During FY 2000, the Administrative Office of the Courts added a staff position for Grants, Partnership, and Outreach. The GP&O Program will locate grant opportunities for judicial administration projects; partner with judges, clerks, and district court administrators to develop programs that qualify for grants; prepare and submit grant applications; pursue partnerships with the private sector; complement outreach programs; and manage grant funds.

Among the new grant funds disbursed in FY 2000 were:

- \$27,000 from the Georgia Civil Justice Foundation for production of "I Present My Case," a video outlining court procedures for pro se litigants. An additional grant of \$10,950 was also awarded for this project.
- A \$350,000 Byrne Grant from the Criminal Justice Coordinating Council was awarded to Fulton Superior Court and Atlanta Municipal Court to link the two courts' clerks to the Georgia Crime Information Center Database.
- The Judicial Council awarded Domestic Violence Grants totalling \$2.2 million to six agencies that provide civil legal services to victims of domestic violence. The funds were appropriated to the Judicial Council for this purpose by the General Assembly. The grants were administered through the Administrative Office of the Courts.

### *Domestic Violence*

The Georgia Commission on Family Violence held its Sixth Annual Statewide Conference in Macon on September 23 and 24. Participants attended workshops on a variety of domestic violence issues and listened to keynote speakers, Judge Lynn Tepper of Dade City, Florida, and Ms. Donna Edwards of the National Network to End Domestic Violence.

In honor of her work with the Georgia Commission on Gender Bias, Justice Carol Hunstein of the Supreme Court was honored in a ceremony at the conference. Also recognized for their work on domestic violence issues and legislation were Judge Frank M. Hull, Eleventh Circuit Court of Appeals; Marla Moore, AOC; and Cathy Steinberg, former legislator.



Justice Carol Hunstein was recognized for her contributions.

# Justice Issues Facing the Courts

## Blue Ribbon Commission

Created by order of the Supreme Court of Georgia on March 1, 1999, the Blue Ribbon Commission on the Judiciary was formed to consider the structure and organization of the courts in relation to efficiency and effectiveness in the dispensation of justice. Commission Chair Hardy Gregory, Jr. sent letters to the state's appellate judges, trial judges, clerks of court, court administrators, district attorneys,



Former Justice Hardy Gregory (left) and Chief Justice Robert Benham.

solicitors-general, and public defenders to solicit their input. They were asked to consider the court's ability to ensure access, quality treatment and service, methods for creating an effective response to societal violence, and keeping pace with technological changes. Additionally, during FY 2000, specially invited guests provided their individual perspectives during regular meetings of the Blue Ribbon Commission.

Based on information obtained from those who work most closely within the current system, the Commission highlighted themes to consider in working towards a more efficient and effective judiciary for Georgia. These are efficiency in trial and appellate court processes; technological impact on and in the judiciary; methods for making courts more user-friendly; and the need for greater financial resources for the judicial branch.

### Invited guests in the course of the Commission's work included:

- Jean H. Rogers, President, Superior Court Clerks' Association;
- Peter J. Skandalakis, President, Georgia District Attorneys' Association;
- Judge Ben Studdard, Henry County State Court;
- Judge J. Mike Greene, Jones County Probate Court;
- Judge Joseph Iannazzone, Gwinnett Magistrate Court

## AOC Debuts New Publications

The Administrative Office of the Courts debuted two publications during FY 2000.

*Web Currents*, produced by the Web Design and Information Services Division, is geared toward informing Georgia's judicial community of the latest web-based information and technology. Regular features in the newsletter include articles on Legal XML, E-filing, and court technology projects.

The Research and Court Services Division introduced *Research Review*, which highlights caseload data from all the classes of court. *Research Review* features charts, graphs, and tables illustrating data from the Georgia courts.

## Justice Issues Facing the Courts

### Commission on Certainty in Sentencing

The Commission on Certainty in Sentencing was formed by Governor Roy Barnes on August 20, 1999, to evaluate Georgia's current and past sentencing practices. After study, the Commission provided direction for development and implementation of advisory sentencing guidelines for trial court judges. This commission, chaired by Judge Robert E. Flournoy, Sr. of Cobb County, included among its members judges, prosecutors, and other representatives of the state's criminal justice system.

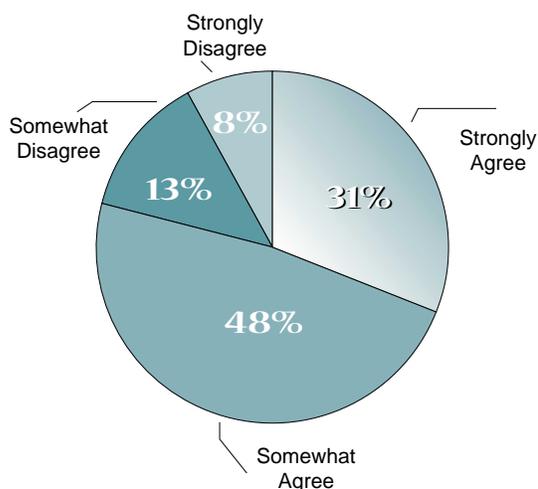
A report was delivered on December 1, 1999, to Gov. Barnes containing the Commission's proposed goals, adoption procedures, and structure for voluntary sentencing guidelines. A recommendation for creating a standing "Sentencing Body" to further develop the Commission's findings was proposed in the report.

### Commission on Public Trust and Confidence

Judge M. Yvette Miller of the Court of Appeals of Georgia was chosen to chair the Supreme Court Commission on Public Trust and Confidence. This commission, created by order of the Supreme Court of Georgia in October 1999, was directed to "look at ways in which the bench and Bar can improve the delivery of services to citizens and improve the quality of justice." Members of this commission represented the bench, bar, and community.

Georgia's study on public trust and confidence in the state's judiciary followed the model provided by the National Center for State Courts national study. The Commission evaluated the issues of Fairness, Access, Cost, and Timeliness. Also through the use of a state-wide telephone survey, focus groups, and

public hearings, the Commission explored the public's perception of Georgia's judicial system and created recommendations to address these concerns.



# ***Judicial Appointments and Elections***

## **July 1, 1999 to June 30, 2000**

### ***Court of Appeals: Appointments***

Judge John J. Ellington, 7/12/99  
Judge Herbert Phipps, 7/12/99  
Judge M. Yvette Miller, 7/12/99  
Judge Charles B. Mikell, 5/31/00

### ***Superior Courts: Appointments***

Charles Paul Rose, Jr., Atlantic Circuit, 7/30/99  
Bonnie Chesser Oliver, Northeastern Circuit, 9/27/99  
John C. Pridgen, Cordele Circuit, 9/27/99  
Thomas L. Hodges, III, Northern Circuit, 10/21/99  
Stephen S. Goss, Dougherty Circuit, 11/05/99  
Robert B. Adams, Conasauga Circuit, 1/26/00  
George M. Peagler, Southwestern Circuit, 1/26/00

### ***State Courts: — Appointments***

Judge Roland Castellanos, State Court of Cobb County, 9/27/99  
Judge Myra H. Dixon, State Court of Fulton County, 11/5/99  
Judge Donald W. Gillis, State Court of Treutlen County, 11/5/99  
Judge Richard D. Campbell, State Court of Elbert County, 1/12/00

### ***State Courts: — Elected***

Judge David Burroughs, State Court of Hall County, 11/5/99

Administrative Office of the Courts  
244 Washington Street, SW  
Suite 300  
Atlanta, GA 30334

[www.georgiacourts.org](http://www.georgiacourts.org)