

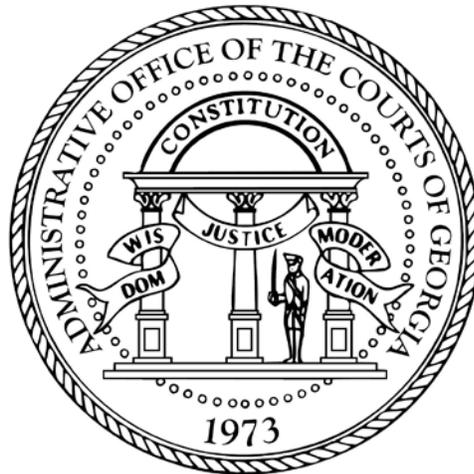
JUDICIAL COUNCIL OF GEORGIA

General Session

Friday, September 21, 2012

10:00 a.m. – 2:00 p.m.

Georgia Department of Corrections
State Offices South at Tift College



300 Patrol Road
Forsyth, GA 31029

**Directions to the State Offices South at Tift College
300 Patrol Road
Forsyth, GA 31029**

From the East

Take Exit 133 onto GA Highway 83 South.
Follow GA 83 S through Shady Dale and Monticello.
Enter Forsyth city limits and pass under I-75.
Turn left at the first stop light, next to Burger King
Travel .4 miles onto Patrol Road.
Turn right at State Offices South Main Entrance.

From the North

Take Interstate 75 South to Exit 187 into Forsyth.
Turn right off of ramp onto Cabiniss Road.
Turn left at the first stop light, next to Burger King.
Travel .4 miles onto Patrol Road.
Turn right at State Offices South Main Entrance.

From the West

Take Exit 133 onto GA Highway 83 South.
Follow GA 83 S through Shady Dale and Monticello.
Enter Forsyth city limits and pass under I-75.
Turn left at the first stop light, next to Burger King.

Travel .4 miles onto Patrol Road.
Turn right at State Offices South Main Entrance.

From the South (Interstate 75)

Take Interstate 75 North to Exit 186 toward Tift College Drive.
Turn left off of ramp onto Tift College Drive.
Turn right at CVS Pharmacy onto Patrol Road.
Turn left at State Offices South Main Entrance (after Ingles).

From the South (Highway 83 North)

Follow GA Highway 83 North through city of Forsyth.
Travel through two stoplights at Courthouse Square.
Cross railroad tracks toward I-75.
Turn right at third stop light, next to Wendy's.
Travel .4 miles onto Patrol Road.
Turn right at State Offices South Main Entrance.



Judicial Council of Georgia
State Offices South at Tift College
Georgia Department of Corrections
300 Patrol Road
Forsyth, Georgia 31029

Friday, September 21, 2012

10:00 a.m. – 2:00 p.m.

Lunch will be served at 12:00 p.m.

A group photograph will be taken at the lunch break.

- 1. Preliminary Remarks and Introductions**
(Chief Justice Carol W. Hunstein, Est. Time – 5 Min.)

- 2. Approval of Minutes** *(Action Item)* **TAB 1**
(Chief Justice Carol W. Hunstein, Est. Time – 5 Min.)
 - A. May 31, 2012**
 - B. July 2, 2012**

- 3. Consideration of Requirements for Circuit Workload Assessments** *(Action Item)* **TAB 2**
(Ms. Molly Perry, Est. Time – 30 Min.)

- 4. Judicial Council Committee Reports**
 - A. Policy and Legislative Committee** **TAB 3**
(Presiding Justice Hugh P. Thompson, Est. Time – 15 Min.)

 - B. Accountability Court Committee** *(Action Item)* **TAB 4**
(Chief Judge Brenda Weaver, Est. Time – 5 Min.)

 - C. Court Reporting Matters Committee** **TAB 5**
(Written Report)

 - D. Budget Committee** **TAB 6**
(Written Report)

 - E. Domestic Violence Committee** **TAB 7**
(Written Report)

 - F. Committee on Justice for Children** **TAB 8**
(Written Report)

- 5. Statewide Judiciary Civil E-Filing Steering Committee** **TAB 9**
(Justice Harold D. Melton, Est. Time – 15 Min.)

- 6. Report from AOC Director**
(Ms. Marla S. Moore, Est. Time – 10 Min.)

- 7. Reports from Appellate Courts and Trial Court Councils**
 - A. Supreme Court**
(Chief Justice Carol W. Hunstein, Est. Time – 5 Min.)
 - B. Court of Appeals**
(Chief Judge John J. Ellington, Est. Time – 5 Min.)
 - C. Council of Superior Court Judges**
(Judge David T. Emerson, Est. Time – 5 Min.)
 - D. Council of State Court Judges**
(Judge David Darden, Est. Time – 5 Min.)
 - E. Council of Juvenile Court Judges**
(Judge A. Gregory Poole, Est. Time – 5 Min.)
 - F. Council of Probate Court Judges**
(Judge Mary Jo Buxton, Est. Time – 5 Min.)
 - G. Council of Magistrate Court Judges**
(Judge Alan Harvey, Est. Time – 5 Min.)
 - H. Council of Municipal Court Judges**
(Judge Kenneth E. Wickham, Est. Time – 5 Min.)
- 8. Old/New Business**
(Chief Justice Carol W. Hunstein, Est. Time – 5 Min.)
- 9. Concluding Remarks and Adjournment**
(Chief Justice Carol W. Hunstein, Est. Time – 5 Min.)

Judicial Council Members

As of September 2012

Supreme Court

Chief Justice Carol W. Hunstein
Chair, Judicial Council
507 State Judicial Building
Atlanta, GA 30334
404-656-3475/F 657-9586
hunsteinc@gasupreme.us

Presiding Justice Hugh P. Thompson
Vice-Chair, Judicial Council
501 State Judicial Building
Atlanta, GA 30334
404-656-3472/F 651-8642
thompsoh@gasupreme.us

Court of Appeals

Chief Judge John J. Ellington
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-463-3026/F 463-5590
tallentj@gaappeals.com

Presiding Judge Herbert E. Phipps
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-656-3457/F 657-8945
phippsh@gaappeals.us

Superior Court

Judge David T. Emerson
President, CSCJ
Douglas Judicial Circuit
8700 Hospital Drive
Douglasville, GA 30134
770-920-7227/F 920-7377
demerson@co.douglas.ga.us

Judge Louisa Abbot
President-Elect, CSCJ
Eastern Judicial Circuit
203 Chatham County Courthouse
133 Montgomery Street
Savannah, GA 31401
912-652-7162/F 652-7164
labbot@chathamcounty.org

Judge John E. Morse Jr.
Eastern Judicial Circuit, 1st JAD
213 Chatham County Courthouse
133 Montgomery Street
Savannah, GA 31401
912-652-7236/F 652-7361
jemorse@chathamcounty.org

Chief Judge Harry J. Altman II
Southern Judicial Circuit, 2nd JAD
PO Box 1734
Thomasville, GA 31799
229-228-6278/F 225-4128
thosct@rose.net

Judge Edward D. Lukemire
Houston Judicial Circuit, 3rd JAD
201 Perry Parkway
Perry, GA 31069
478-218-4850/F 218-4855
elukemire@houstoncountyga.org

Chief Judge Mark Anthony Scott
Stone Mountain Judicial Circuit, 4th JAD
210 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-7010/F 687-3978
mascott@dekalbcountyga.gov

Chief Judge Cynthia D. Wright
Atlanta Judicial Circuit, 5th JAD
T8855 Justice Center Tower
185 Central Avenue SW
Atlanta, GA 30303
404-613-4185/F 335-2883
cynthia.wright@fultoncountyga.gov

Chief Judge Arch W. McGarity
Flint Judicial Circuit, 6th JAD
Henry County Courthouse
One Courthouse Square
McDonough, GA 30253-3293
770-288-7907/F 288-7920
awm8439@yahoo.com

Judge James G. Bodiford
Cobb Judicial Circuit, 7th JAD
70 Haynes Street, Suite 6400
Marietta, GA 30090
770-528-1822/F 528-8141
james.bodiford@cobbcounty.org

Chief Judge Kathy Palmer
Middle Judicial Circuit, 8th JAD
PO Box 330
Swainsboro, GA 30401
478-237-3260/F 237-0949
kspalmer@bellsouth.net

Chief Judge Brenda S. Weaver
Appalachian Judicial Circuit, 9th JAD
PO Box 545
Jasper, GA 30143-0545
706-253-8729/F 253-8734
basw54@gmail.com

Chief Judge J. Carlisle Overstreet
Augusta Judicial Circuit, 10th JAD
735 James Brown Blvd., Suite 4203
Augusta, GA 30901
706-821-2347/F 721-4476
batkins@augustaga.gov

State Court

Judge David Darden
President, CStCJ
Cobb County
12 E. Park Square, Suite 4A
Marietta, GA 30090
770-528-1721/F 528-1726
david.darden@cobbcounty.org

Judge Linda S. Cowen
President-Elect, CStCJ
Clayton County
Harold R. Bank Justice Center
9151 Tara Blvd., Room 3JC302
Jonesboro, GA 30236
770-477-3392/F 603-4149
lscowen@mindspring.com

Juvenile Court

Judge A. Gregory Poole
President, CJCJ
Cobb Judicial Circuit
1738 County Services Parkway SW, Suite 250
Marietta, GA 30008
770-528-2444/F 528-2576
greg.poole@cobbcounty.org

Judge Robin W. Shearer
President-Elect, CJCJ
Western Judicial Circuit
325 East Washington Street, Room 115
Athens, GA 30601
706-613-3300/F 613-3306
robin.shearer@athensclarkecounty.com

Probate Court

Judge Mary Jo Buxton
President, CPCJ
Johnson County
2557 E. Elm Street
PO Box 264
Wrightsville, GA 31096-0264
478-864-3316/F 864-0528
maryjobuxton64@hotmail.com

Judge Kelley Powell
President-Elect, CPCJ
Henry County
99 Sims Street
McDonough, GA 30253
770-288-7600/F 288-7616
kpowell@co.henry.ga.us

Magistrate Court

Judge Alan Harvey
President, CMagCJ
DeKalb County
3630 Camp Circle
Decatur, GA 30032
404-294-2150/F 294-2145
acharvey@dekalbcountyga.gov

Judge Betsey Kidwell
First Vice-President, CMagCJ
Heard County
PO Box 395
Franklin, GA 30217-0395
706-675-3002/F 675-0819
kidwell42@yahoo.com

Municipal Court

Chief Judge Kenneth E. Wickham
President, CMunCJ
Municipal Court of Norcross
65 Lawrenceville Street
Norcross, GA 30071
404-448-2173/F 368-9185
kewickham@comcast.net

Judge James M. Anderson, III
President-Elect, CMunCJ
Municipal Court of Sandy Springs
5855 Sandy Springs Circle NE, Suite 130
Sandy Springs, GA 30328
404-255-0319/F 255-0477
jma@jmalawfirm.com



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Molly Perry
Director, Court Services Division

RE: 2011 Workload Assessment Recommendations

DATE: September 10, 2012

The Judicial Council has forwarded recommendations regarding the need for superior court resources to the Georgia General Assembly and the Governor since 1976. These recommendations are based on objective analyses of circuit caseload filings, types of cases, and available judge time. The analyses involve an average time to disposition model, the standard for judicial workload assessment. The model is considered a best practice by the National Center for State Courts. Please see the *Judicial Workload Assessment Guide* dated August 2012 for an explanation of the process and methodology used to arrive at the recommendations.

The following pages present the results of the Administrative Office of the Courts' analyses of the four circuits found to have a critical need for an additional superior court judgeship. The Chattahoochee and Coweta circuits qualify for a recommendation based on their 2011 workload calculations. The General Assembly did not create judgeships for the Middle or Oconee circuits in 2012. Therefore, this is the second of three years that the Middle and Oconee circuits qualify for a recommendation based on their 2010 workload assessment.

Included in the related materials are (1) *Judicial Workload Assessment Guide*, August 2012; (2) Superior Court Judgeships, 1993-2013; and (3) CY 2011 Superior Court Caseload Qualifying Circuit Assessment.

Judicial Workload Assessment Guide



2 0 1 2

Judicial Workload Assessment Guide

A Description of the Process of Evaluating
the Need for Additional Superior Court Judgeships

**Administrative Office of the Courts
Office of Research, Planning, and Data Analysis**

August 2012

Table of Contents

Introduction	1
Historical Overview.....	1
Caseload Study.....	2
Workload Assessment.....	4
Appendix A: Judicial Council Policy for Judgeship and Circuit Boundary Studies	A-1
Appendix B: Example of Judicial Workload Assessment Processes.....	B-1

Introduction

The purpose of this Guide is to provide Judicial Council members an understanding of the methodology and activities precipitating recommendations to the Governor and General Assembly for additional superior court judgeships. The Guide presents the policies, procedures, and fundamental concepts used by the Judicial Council and Administrative Office of the Courts in their work. We hope you will find that the information enhances your knowledge of the entire judicial workload assessment process, and we are grateful for your questions and comments to improve its usefulness.

Historical Overview

Legislation establishing the Administrative Office of the Courts (AOC) as the administrative arm of the Judicial Council of Georgia was enacted in 1973 as a result of a national initiative¹ to combat crime that encouraged states to examine their court structure, organization, and management. Governor Jimmy Carter's subsequent Commission on Judicial Processes evaluated the state's court system and endorsed creation of a court administrative structure to support court modernization.

A critical element of applying business management practices to the courts has been the collection and analysis of caseload data. A specific responsibility of the AOC is to "compile statistical and financial and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which data and information shall be provided by the courts." (OCGA §15-5-24 (3))

The first statewide caseload collection was initiated in June 1974 and encompassed superior, state, juvenile and probate courts. Because the task proved difficult due to inadequate records across the state, the AOC did not complete its calendar year 1973 caseload study until after June 1975. The initial presentation of superior, state, juvenile and probate court data was included in the AOC's third annual report (fiscal year 1976).

While the AOC still oversees the collection of data, it is the efforts of countless state and local officials that have contributed to valid and reliable results over the years. These officials include trial court judges, clerks, court administrators, prosecutors, probation personnel, and others.

In early years, AOC staff, court administrators, and seasonal employees fanned out across the state to count cases manually, from handwritten docket books kept by court clerks. As information technology developed and was employed to manage court case information, electronic reporting began to replace manual data collection. Government budget constraints have created increasing reliance on technology to furnish accurate compilations of criminal and civil data.

¹The President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society*, Washington, DC: Government Printing Office, February 1967.

Most recently, clerks of all courts report case data to the Administrative Office of the Courts via its Internet Portal. As of August 2012, 66 percent of all courts – including 82 percent of superior courts – reporting 2011 caseload had used the Portal in some capacity. For superior courts, this represents a 51 percent increase over the number of courts reporting 2010 caseload data via the Portal. Superior court clerks compile general civil and domestic relations filings through the Georgia Superior Clerks Cooperative Authority (GSCCCA) by electronic or paper based reports, and these totals are uploaded to an AOC database. On rare occasions, AOC staff travel and count cases in clerk’s office to obtain required data.

The AOC reports statewide caseload activity annually to the National Center for State Courts and other national organizations to inform court and criminal justice system stakeholders about Georgia courts. Case information also serves as a historical description of the courts. The published data are used by a number of judicial branch agencies, state and local executive agencies, project and program managers, and grant applicants to support ongoing process and operational improvements.

The first data-driven analysis of the need for additional superior court judgeships was undertaken in response to requests for seven circuit studies in preparation for General Assembly consideration in 1974. These special studies were conducted according to a methodology dependent on comparisons of geographic, demographic, caseload, and practicing attorney data. However, the goal was to craft a methodology in line with the following premise articulated by the Judicial Council: *“The single most important determinant of the number of judges required in a judicial circuit is the current and anticipated caseload in that circuit. Techniques . . . generally known as ‘weighted case averaging’ provide an informed basis for comparing different trial courts within a system and determining which ones may be overloaded and therefore in need of additional judicial manpower. Experience suggests that this type of caseload measure is a much better indicator of the need for new judgeships than other measures such as the simple number of case filings or changes in community population.”*

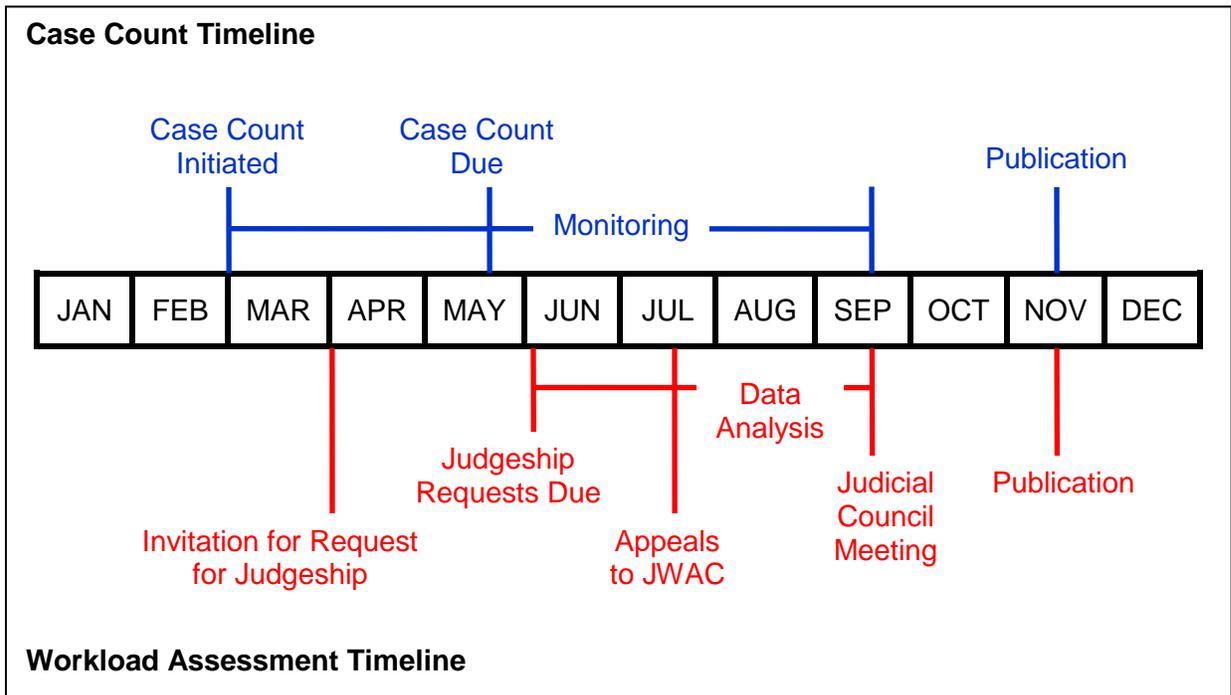
The Judicial Council has employed various models to assess superior court workload and recommend additional judgeships to the Governor and the General Assembly. Although it has been modified over the succeeding 36 years to account for changing resources and technology, the methodology has always taken into account differing case types and their average time requirements. The Council’s Judicial Workload Assessment Committee is assigned the responsibility of reviewing and suggesting improvements to the methodology and potential changes to the Judicial Council policy governing additional superior court judgeships.

Caseload Study

The Judicial Council/Administrative Office of the Courts employs standards and definitions for criminal and civil filing and case types, including what and how to count cases heard in the superior courts. Two new case types were added for the 2011 caseload study – death penalty habeas corpus and adult felony accountability court cases. The remaining case types have been in effect since 2010. All of the case types are listed in the table below:

General Civil	Domestic Relations	Criminal
<ol style="list-style-type: none"> 1. Appeals/Reviews 2. Contract/Account 3. Dispossessory/Distress 4. Forfeiture 5. Habeas Corpus 6. Non-Domestic Contempt 7. Other General Civil 8. Post-Judgment/Garnishment 9. Real Property 10. Tort/Negligence 11. Death Penalty Habeas Corpus 	<ol style="list-style-type: none"> 1. Adoption 2. Child Support Enforcement 3. Contempt 4. Divorce/Alimony 5. Family Violence 6. Legitimation 7. Modification 8. Non-Child Support Enforcement Custody 9. Other Domestic 	<ol style="list-style-type: none"> 1. Serious Felony 2. Felony 3. Misdemeanor 4. Unified Appeal 5. Probation Revocations 6. Adult Felony Accountability Court

In December 2001, the Council suspended the collection of open and backlog cases. At that time, budget and personnel resources were constrained and remain so. In the future, the Council may reconsider the collection of these data elements.



In the beginning of March, communication is initiated with superior court judges and clerks requesting criminal case filings from the prior year. For the 2011 data collection, the AOC provided clerks the *Caseload Reporting Guide CY 2011* with instructions for submitting data through the AOC Portal. Along with civil data uploaded from the GSCCCA, data received by the AOC is later furnished to these officials for verification. Staff continuously monitors receipt of data to ensure it is ready for analysis and eventual publication in the *Annual Report of Georgia Courts*.

Workload Assessment

In the spring, the Chair of the Judicial Council formally advises the Governor, Lieutenant Governor, General Assembly, and chief superior court judges that they may request a study to assess the need for an additional judgeship. Before a request is contemplated, other means to address increased workload or improve efficiency should be implemented, such as caseload management, optimizing use of supporting courts and senior and visiting judges and upgrading case management technology. An official request made to the Administrative Office of the Courts by the June 1 deadline triggers a series of analyses resulting in a comparison of a circuit's available judge time against the standard judge time needed to process its caseload.

Integral to the workload assessment process is the quantitative analysis based on data produced from a time and motion study of superior court judge work activities. A time and motion study is a scientifically developed method of tracking an activity over a period of time. Superior court judges recorded time spent on their work during a certain period, and these time data are joined with disposition data from the same interval to arrive at average times to disposition and judge year values. Three time and motion studies have been conducted in Georgia, in 2000, 2006, and 2011 to refresh the average time to disposition values as needed. Two additional studies were conducted in 2012 to create average time to disposition values for death penalty habeas corpus cases and adult felony accountability court cases.

The 2011 Time and Motion Study contained two data collection components. The first component is judge time spent on case and non-case related activities. Data collection took place during March 2011, with 147 of 205 superior court judges, representing 46 circuits, documenting time on printed or electronic forms. These judges, along with nine magistrates designated to preside in superior court, submitted 1,562,117 minutes of case and administrative activity data to the AOC.

The second data collection component is disposition data. Superior court clerks in circuits with participating judges were asked to complete a summary report of dispositions for the month of March and submit it to the Council of Superior Court Clerks. The Council compiled data furnished by 126 clerks and forwarded a report totaling 32,742 criminal, general civil and domestic relations defendants and dockets to the AOC.

Once statewide data were synthesized, the following formula was applied to case related data to determine each case type's average time to disposition value:

$$\sum \left[\frac{\sum \text{Judge Minutes} - \sum \text{Judge Minutes from counties without disposition data}}{\sum \text{County disposition reports} \times \frac{\text{Participating judges in the circuit}}{\text{Total judges in the circuit}}} \right] \text{ for all circuits} = \text{Average Time to Disposition}$$

To ensure a valid and reliable calculation, the AOC removed the judge time recorded in counties for which no disposition data was furnished, and disposition reports for circuits where not all judges recorded time were adjusted proportionally to the number of judges participating.

Each case type is multiplied by its corresponding average time to disposition value as determined in the 2011 Time and Motion Study and the resulting products are summed for each circuit. An example of this process for two circuits is show in the table below.

Case Type	Average Time to Disposition	Multiplied by number of cases (X)	Gamma Circuit (cases)	Delta Circuit (cases)
SF	353.79	X	73	324
F	49.30	X	852	1305
M	13.17	X	1398	209
UA	7,200.00	X	0	0
PR	19.34	X	1512	451
DPHC	7,640.40	X	1	0
AFAC	207.23	X	0	20
T/N	125.31	X	33	103
HC	134.35	X	4	3
A/R	54.58	X	16	10
RP	154.20	X	7	66
FF	66.75	X	37	4
C/A	15.80	X	1003	427
PJG	3.31	X	124	103
D/D	27.02	X	4	1
NDC	76.57	X	1	1
OGC	38.01	X	145	480
C	26.22	X	15	324
LEG	32.14	X	38	42
MOD	58.03	X	70	88
FV	24.32	X	142	249
CSE	10.07	X	1207	95
CUS	187.67	X	18	86
A	52.51	X	19	67
D/A	45.92	X	426	773
ODR	11.67	X	29	113
Total Minutes			199,734	322,757

The total minutes figure (in red) represents the amount of time all judges in the circuit spent on case related work. To determine if their time qualifies them for an additional judge, another calculation is made.

A circuit's *Judge Year Value* is calculated to determine the number of minutes that judges in each circuit should have available for case related work. Total eight-hour work periods in a year are estimated to be 2,920. From this number, the following standard deductions were identified:

Standard Deductions	Hours
Weekends	832
Holidays	96
Annual Leave	120
Sick Leave	72
CJE	40
Total	1,160

Total Hours [2,920] – Standard Deductions [1,160] = Average Work Hours [1,760]

To complete the analysis, additional deductions are made based on circuit demographics and the administrative activity data submitted by judges. All times are in hours.

Non-Case Activities	Urban	Suburban Single County	Suburban Multi-County	Rural
Travel	0	0	104	160
Administration	181	208	293	247
Community Activities	68	53	49	44
Total	249	261	446	451

Counties are classified into four categories – urban, suburban single county, suburban multi-county and rural – as presented in the following table. Note the *Judge Year Values* are given in minutes.

Circuit	Classification	Judge Year Value
Alapaha	Rural	78,540
Alcovy	Suburban Multi County	78,900
Appalachian	Suburban Multi County	78,900
Atlanta	Urban	90,660
Atlantic	Rural	78,540
Augusta	Suburban Multi County	78,900
Bell-Forsyth	Suburban Single County	89,940
Blue Ridge	Suburban Single County	89,940
Brunswick	Suburban Multi County	78,900
Chattahoochee	Suburban Multi County	78,900
Cherokee	Suburban Multi County	78,900
Clayton	Suburban Single County	89,940
Cobb	Urban	90,660
Conasauga	Suburban Multi County	78,900
Cordele	Rural	78,540
Coweta	Suburban Multi County	78,900
Dougherty	Suburban Single County	89,940
Douglas	Suburban Single County	89,940
Dublin	Rural	78,540
Eastern	Suburban Single County	89,940
Enotah	Rural	78,540
Flint	Suburban Single County	89,940
Griffin	Suburban Multi County	78,900
Gwinnett	Urban	90,660
Houston	Suburban Single County	89,940
Lookout Mountain	Suburban Multi County	78,900
Macon	Suburban Multi County	78,900
Middle	Rural	78,540
Mountain	Rural	78,540
Northeastern	Suburban Multi County	78,900
Northern	Rural	78,540
Ocmulgee	Rural	78,540
Oconee	Rural	78,540
Ogeechee	Rural	78,540
Pataula	Rural	78,540
Paulding	Suburban Single County	89,940
Piedmont	Suburban Multi County	78,900
Rockdale	Suburban Single County	89,940
Rome	Suburban Single County	89,940
South Georgia	Rural	78,540
Southern	Suburban Multi County	78,900
Southwestern	Rural	78,540
Stone Mountain	Urban	90,660
Tallapoosa	Suburban Multi County	78,900
Tifton	Rural	78,540
Toombs	Rural	78,540
Towaliga	Rural	78,540
Waycross	Rural	78,540
Western	Suburban Multi County	78,900

A circuit's minutes total is divided by its *Judge Year Value* to arrive at a value to qualify. If this value to qualify is greater than or equal to the threshold to qualify, then the circuit meets the minimum requirement to receive a Judicial Council recommendation for an additional judgeship. Below is the completion of the analysis of Gamma and Delta circuits. One circuit qualifies for an additional judgeship whereas the other does not.

	Gamma Circuit	Delta Circuit
Total Minutes	199,734	322,757
<hr/>		
Judge Year Value	1,309	1,499
<hr/>		
Threshold to Qualify	2.7	2.7
<hr/>		
Value to Qualify	2.54	3.59
<hr/>		
Qualified	No	Yes

Thresholds to qualify are based on the number of judges in a circuit as shown in the table below.

No. Judges in Circuit	Threshold to Qualify
2	2.70
3	4.02
4	5.32
5	6.60
6	7.86
7	9.10
8	10.32
9	11.52
10	12.70
11	13.86
12	15.00
13	16.12
14	17.22
15	18.30
16	19.36
17	20.40
18	21.42
19	22.42
20	23.40

A requesting circuit whose value to qualify does not meet or exceed the appropriate threshold is entitled by Judicial Council policy to appeal to the Judicial Workload Assessment Committee for reconsideration based on factors other than caseload. For those circuits that meet the minimum requirement or attain a successful appeal, the AOC conducts an in-depth study of demographic and other pertinent data. At the Judicial Council meeting in late summer, the AOC presents its analysis and findings.

The *Judicial Council Policy for Judgeship and Circuit Boundary Studies* (see following pages) guides the Council's deliberations and voting. A majority must approve qualified circuits via secret ballot voting. If a circuit does not meet or exceed the threshold value, it must obtain a two-thirds majority vote to receive a recommendation. The Council Chair votes in the event of a tie. A second secret ballot vote occurs to rank the qualified circuits in order of priority need.

The votes are counted and tallied in secret by the Presiding Judge of the Court of Appeals and AOC staff. The Chair notifies pertinent state and local officials of the recommendations and a press release is issued. Legislators representing the recommended circuits are responsible for presenting and passing bills to implement any judgeships and generally do so at the General Assembly session subsequent to the recommendations. Common practice is to make new judgeships effective on July 1 of the same year.

Appendix A

Judicial Council Policy for Judgeship and Circuit Boundary Studies

Initiation

Recommendations to the Governor and the General Assembly for judicial personnel allocations for the superior courts shall be made annually prior to the beginning of the regular session of the General Assembly. Studies by the Administrative Office of the Courts of the need for judgeships or of the need for changes in circuit boundaries may be authorized by the Judicial Council upon the request of the governor, members of the General Assembly, or by a judge of the county or counties affected. Such requests shall be submitted in writing by June 1, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any request received after June 1 shall not be considered until the following year. Any judge who intends to make a request for a study must notify the Judicial Council of any special circumstances or data of the courts involved in the request by June 1 so that these special circumstances may be investigated during the studies conducted by the Administrative Office of the Courts (AOC). (12/7/2005) (6/11/2010)

Purpose

The Judicial Council seeks to achieve a balanced and equitable distribution of case load among the judges of the state to promote speedy and just dispositions of citizens' cases. The Judicial Council recognizes that the addition of a judgeship is a matter of great gravity and substantial expense to the counties and the state and should be approached through careful inquiry and deliberate study before action is taken. (10/27/1981)

Policy Statements

The Judicial Council will recommend the creation of additional judgeships or changes in circuit boundaries based only upon needs demonstrated through comparative "objective" studies. The Judicial Council will not recommend the addition of a judgeship not requested by the circuit under study unless

there is clear and convincing evidence that an additional judgeship is needed. (10/27/1981)

As a matter of policy, the Judicial Council recommends that no new part-time judgeship be created. Because of the advantages of multi-judge circuits, the Judicial Council generally will not recommend the creation of additional circuits. (10/27/1981)

Judgeships

1. Part-time judgeships

As a general rule, part-time judgeships are not an effective method of handling judicial workload. The disadvantages of part-time judgeships are many; a few specific ones are:

a. The cost of training a part-time judge is the same as that of training a full-time judge, but the benefits to the state or local government of training a part-time judge are only a fraction of those realized by training a full-time judge, since a part-time judge will hear only a fraction of the cases heard by a full-time judge receiving the same training. Additionally, part-time judges are generally not paid for the time they spend in continuing education. This creates a financial disincentive for part-time judges to attend continuing education, whom might ordinarily spend time practicing law or conducting law or conducting other business. (10/27/1981)

b. Conflicts of interest often arise in professional relationships for part-time judges. It is often difficult for other attorneys to litigate against an attorney and have to appear before the same attorney, sitting as judge, the next day. Additionally, cases in which part-time judges are disqualified usually arise in their own court, thus eliminating a large potential portion of their law practice. (10/27/1981)

2. Promotion of Multi-Judge Circuits

Multi-judge courts are more effective organizations for administrative purposes. Some specific advantages of multi-judge courts are:

a. Accommodation of judicial absences. Multi-judge circuits allow better management in the absence of a judge from the circuit due to illness, disqualification, vacation, and the demands of other responsibilities such as continuing legal education. (10/27/1981)

b. More efficient use of jurors. Better use of jury resources can be effected when two judges hold court simultaneously in the same county. One judge in a multi-judge circuit may use the other judge's excess jurors for a trial of a second case rather than excusing them at an added expense to the county. Present courtroom space in most counties may not permit two trials simultaneously; but such a practice, if implemented, may justify the building of a second smaller courtroom by the county affected, or the making of other arrangements. (10/27/1981) (6/11/2010)

c. Accommodation of problems of impartiality or disqualification. A larger circuit with additional judges may permit hometown cases where acquaintances are involved to be considered by an out-of-town judge without the appearance that the local judge is avoiding responsibility. (10/27/1981)

d. Improves court administration. Multi-judge circuits tend to promote impartiality and uniformity of administrative practices and procedures by making court administration something more than the extension of a single judge's personality. Multi-judge circuits also permit economies in the deployment of auxiliary court personnel. (10/27/1981)

e. Expedites handling of cases. Probably most important of all, under the arithmetic of calendar management, the judges of a multi-judge court can handle substantially more cases than an equal number of judges operating in separate courts. Besides the advantage of improved efficiency to be realized through the use of multi-judge circuits, there are also a number of other reasons as to why this approach should be taken. Under the existing law, a new judgeship may be created without the addition of another elected district attorney, although an assistant district attorney is added. However, when the circuit is divided and a new circuit thereby created, another elected district attorney is needed. A second reason

supporting the use of multi-judge circuits is that upon division of an existing circuit into two new ones, one new circuit may grow disproportionately to the other, or population or other factors suggesting division may diminish, thus negating the factors which initially led to the division and compounding future problems of adjustment. (10/27/1981)

Methodology

1. Criteria for Superior Court Judgeship Requests

In establishing the need for additional superior court judgeships, the Judicial Council will consider weighted caseloads per judge for each circuit. If the per judge weighted caseload meets the threshold standards established by the Council for consideration of an additional judgeship, additional criteria will be considered. The threshold standard is a value set by the Judicial Council in open session. (06/08/2005) No study will be conducted when a requesting circuit does not meet the threshold criteria established by the Judicial Council. When the AOC determines that a requesting circuit does not meet the minimum criteria, the chief judge of the circuit will be so notified along with information as to how to appeal to the Council's Judicial Workload Assessment Committee and the time frame for such appeal. (6/11/2010)

Additional criteria considered may include, but are not limited to, the following and are not necessarily in the order of importance as listed below:

- a. Filings per judge
- b. Growth rate of filings per judge
- c. Open cases per judge
- d. Case backlog per judge
- e. Population served per judge
- f. Population growth
- g. Number and types of supporting courts
- h. Availability and use of senior judge assistance
- i. Number of resident attorneys per judge
- j. Responses to letters to legislators, county commissioners, presidents of local bar associations, district attorneys, and clerks of superior court asking for their input. (8/25/2000)

2. Criteria for Studying Requests to Alter Circuit Boundaries

The criteria used by the Judicial Council in reviewing proposals to alter circuit boundaries will include the following criteria:

a. **Weighted Caseload per Judge.** After the proposed change in circuit boundaries, caseload should be more evenly distributed. In addition, a proposed circuit's workload should not vary significantly from the statewide average weighted caseload per judge. (10/27/1981)

b. **Caseload Growth Trends.** Caseload growth trends should be examined so that an imbalance in growth rates when a circuit boundary is changed will not necessitate a reallocation of resources or alteration of circuit boundaries again in the near future. Such continual shifts in circuit boundaries or resources could be very unsettling and, thereby, significantly reduce judicial efficiency. If a reliable caseload projection method is available, this technique will be used to determine future case filings; if one is not available, caseload growth rates, increases in the number of attorneys per capita and population projections will be analyzed.

The population per judge should be evenly divided among the geographical areas affected by the proposed circuit boundary change if a recommendation is to be made. Secondly, population projections should be examined to insure that disparate population growth rates will not create a great imbalance in the population to be served by each judge within a short period of time from the date of the alteration of the circuit boundaries. Lastly, the population per judge of the altered circuit should not be substantially different from the statewide average population per judge. (10/27/1981) (6/11/2010)

c. **Changes in Judicial Travel Time.** Travel time diminish total judicial time available for case processing; therefore, travel time should not be significantly increased for judges in circuits affected by a change in circuit boundaries before such a change should be recommended. Terms of court in and the number of times each county was visited on case-related business by the judges should be determined and these trips should be translated into travel time by using official distances between courthouses and road

conditions determined by the Georgia Department of Public Safety. (10/27/1981)

d. **Projected Changes in Cost to State and Local Government.** Cost savings or additional expenditures required of local and state governing authorities should be determined. Changes in cost for personnel, facilities, and travel should be considered. A recommendation for change should not be made unless additional expenditures required are minimal or balanced by equivalent cost savings. (10/27/1981)

e. **Characteristics of populace in areas of circuits sought to be separated,** such as rural or urban. (12/11/1981)

f. **Operational policies of circuit as presently constituted as might involve inattention to smaller counties in circuit.** (12/11/1981)

g. **Whether creation of new circuit would obviate necessity of one or two additional judges in parent circuit.** (12/11/1981)

h. **Travel and other expenses incident to serving smaller counties.** (12/11/1981)

i. **Alleviation of case assignment problems in larger counties of circuit.** (12/11/1981)

j. **Population growth of counties of circuit which would reflect need for new circuit.** (12/11/1981)

k. **Comparison population per judge in new circuit with standards approved by Judicial Council in recent years.** (12/11/1981)

l. **The Judicial Council will presume that a multi-judge circuit is preferred over a single-judge circuit.** (12/11/1981)

m. **If a county is to be split off from the circuit of which it is a part, the possibilities of adding that county to another circuit should be exhausted prior to the council's recommending a single-judge circuit.** (12/11/1981)

Judicial Council Deliberations

1. Testimony

Judges, legislators, and others deemed appropriate by the chair shall be invited to make written remarks or present data regarding the need for judgeships or to alter

circuit boundaries. Any special circumstance or data of a circuit for which a request is to be made must be brought to the attention of the Judicial Council by a judge of the requesting circuit by June 1 of the year prior to the year of the legislative session during which the judgeship or change in circuit boundaries will be considered. Any request submitted after the stated deadline will not be considered until the following year. The written testimony of the judges, legislators and other persons shall be reviewed and considered by the Judicial Council in their deliberations regarding judicial resources. Oral arguments will not be made. (6/6/1984) (6/6/2006) (6/11/2010)

2. Final Deliberations

After all written presentations, the Judicial Council and key (AOC) staff, in open session, will discuss the merits of each request. (6/6/1984) (6/11/2010)

3. Staff Presentations

The AOC will present data evaluating the need to add judgeships or to alter circuit boundaries based on council approved criteria and will make staff recommendations. (10/27/1981)

4. Vote

After final deliberations, the Council will, in open session, approve or disapprove recommended changes in judicial resource allocations. Votes on such motions shall be by secret written ballot. A two-thirds vote of the council membership present at the session will be required to override an unfavorable recommendation based on the criteria contained in these by-laws (policy). After determining those circuits in which the council recommends an additional judgeship, the council will rank the recommendations based on need. Any ranking ballot that does not rank each and every judgeship recommendation presented on the secret ballot shall not be counted. (12/07/2005) (6/11/2010)

5. Length of Recommendations

Upon a recommendation of an additional judgeship or to alter circuit boundaries for a judicial circuit by the council, the recommendation shall remain approved by the council for a period of three years, unless the caseload of that circuit decreases ten percent or more. (Rev. 12/13/1996) (6/11/2010)

6. Disqualifications

Any council member in a circuit or county affected by a council recommendation shall be eligible to vote by secret ballot on motions affecting that circuit, but shall not be present or participate in the council's final deliberations regarding his or her circuit. (Rev. 6/6/1984)

Dissemination of Recommendations

1. Study of the Need for Additional Superior Court Judgeships

The AOC shall prepare a report, including data required by the council for their deliberations and council policy statement, on the Judicial Council's recommendations as to the need for additional superior court judgeships. Such report shall be distributed to the governor, members of the judiciary and special judiciary committees of the Senate and House, all superior court judges and other interested parties approved by the director of the AOC. Additionally, the AOC shall prepare and distribute a press release summarizing the council's recommendations. (10/27/1981)(6/11/2010)

2. Special Studies of Judicial Resources, Including Alteration of Circuit Boundaries

a. The AOC shall prepare reports on the Judicial Council's recommendations for special studies, including reports on requests to alter circuit boundaries and for judgeships of courts other than the superior court and shall distribute them to the requestor, and, in the discretion of the director, to other interested parties. (10/27/1981)

b. In preparing special reports, written remarks of judges, legislators, and others deemed appropriate by the chairperson shall be solicited by the AOC and considered by the Judicial Council. (12/11/1986) (6/11/2010)

Appendix B

Example of Judicial Workload Assessment Processes

This will give a brief example of how to calculate whether a circuit qualifies for an additional judgeship and demonstrate why exclusively relying on population or an unweighted filing count is an unreliable means of assessing circuit judicial need.

Caseload Report for Alpha and Beta Circuits

Case Type	Alpha Circuit	Beta Circuit
Serious Felony	54	201
Felony	412	1468
Misdemeanor	36	789
Unified Appeal	0	2
Probation Revocation	881	1016
Death Penalty Habeas Corpus	1	0
Adult Felony Accountability Court	20	21
Appeals/Review	28	5
Contract/Account	2,007	1,321
Dispossessory/Distress	30	0
Forfeiture	33	0
Habeas Corpus	4	2
Non-Domestic Contempt	91	4
Other General Civil	262	116
Post Judgment/Garnishment	352	207
Real Property	74	0
Tort/Negligence	90	1
Adoption	43	0
Child Support Enforcement	322	0
Contempt	559	84
Divorce/Alimony	537	552
Family Violence	48	80
Legitimation	49	50
Modification	23	57
Non-CSE/Custody	29	35
Other Domestic	58	32
Total	6,043	6,043

Observations

- Both circuits have two judges.
- Both circuits are classified as rural.
- Both circuits have 6,043 defendants/dockets filed in calendar year 2009.
- Based on the information above, the circuits could be called “equal.”

Analysis

Beta Circuit’s caseload includes two unified appeals filings and 201 serious felony filings. Alpha Circuit’s caseload includes no unified appeals filings and only 54 serious felony filings.

Beta Circuit had 1,468 felony filings and Alpha Circuit had only 412 misdemeanor filings. Observers in the judiciary would say that the criminal caseload in the Beta Circuit is far more time consuming than that in the Alpha Circuit.

No system for comparing the judge’s workload is ideal, completely objective, or devoid of complexity. In the past few years, most judges, court administrators, and other court personnel have reluctantly compromised on the mechanics of how to compare the workload of one court with another. The weighted caseload is the most widely accepted and broadly implemented method for comparison.

The broad intent of the weighted caseload is to allow for a determination of how many judge hours of work will be needed in the next year. The second intent is to equalize the basis of comparison from different classes of court filings to a comparison based on time required for the entire workload of a circuit.

The next two pages show the calculations needed to obtain the judge workload for Alpha and Beta Circuits. A comparison of the judge workload in the Alpha and Beta Circuits reveals that there is approximately 2.56 and 3.32 judge years of work in the circuits respectively.

Case Type	Average Time to Disposition	Alpha Circuit No. of Cases	Case Minutes
Serious Felony	353.79	54	19,104.66
Felony	49.30	412	20,311.60
Misdemeanor	13.17	36	474.12
Unified Appeal	7,200.00	0	0
Probation Revocation	19.34	881	17,038.54
Death Penalty Habeas Corpus	7,640.40	1	7,640.40
Adult Felony Accountability Court	207.23	20	4,144.60
Appeals/Review	54.58	28	1,528.24
Contract/Account	15.80	2,007	31,710.60
Dispossessory/Distress	27.02	30	810.60
Forfeiture	66.75	33	2,202.75
Habeas Corpus	134.35	4	537.40
Non-Domestic Contempt	76.57	91	6,967.87
Other General Civil	38.01	262	9,958.62
Post Judgment/Garnishment	3.31	352	1,165.12
Real Property	154.20	74	11,410.80
Tort/Negligence	125.31	90	11,277.90
Adoption	52.51	43	2,257.93
Child Support Enforcement	10.07	322	3,242.54
Contempt	26.22	559	14,656.98
Divorce/Alimony	45.92	537	24,659.04
Family Violence	24.32	48	1,167.36
Legitimation	32.14	49	1,574.86
Modification	58.03	23	1,334.69
Non-CSE/Custody	187.67	29	5,442.43
Other Domestic	11.67	58	676.86

Total Case Minutes: 201,296.51

Total Case Hours: 3,354.94

Total Case Hours divided by Judge Year Value: 2.56

Convert Total Weight in Minutes to Hours

Total weight in minutes / 60 = total weights in hours

Calculate Judge Need

Total weight in hours / judge year value in hours

Analysis

At 2.56 there is not enough workload to justify three judges in the circuit. The Alpha Circuit does not qualify for an additional judgeship.

Case Type	Average Time to Disposition	Beta Circuit No. of Cases	Case Minutes
Serious Felony	353.79	201	71,111.79
Felony	49.30	1468	72,372.40
Misdemeanor	13.17	789	10,391.13
Unified Appeal	7,200.00	2	14,400.00
Probation Revocation	19.34	1016	19,649.44
Death Penalty Habeas Corpus	7,640.40	0	0
Adult Felony Accountability Court	207.23	21	4,351.83
Appeals/Review	54.58	5	272.90
Contract/Account	15.80	1,321	20,871.80
Dispossessory/Distress	27.02	0	0
Forfeiture	66.75	0	0
Habeas Corpus	134.35	2	268.70
Non-Domestic Contempt	76.57	4	306.28
Other General Civil	38.01	116	4,409.16
Post Judgment/Garnishment	3.31	207	685.17
Real Property	154.20	0	0
Tort/Negligence	125.31	1	125.31
Adoption	52.51	0	0
Child Support Enforcement	10.07	0	0
Contempt	26.22	84	2,202.48
Divorce/Alimony	45.92	552	25,347.84
Family Violence	24.32	80	1,945.60
Legitimation	32.14	50	1,607.00
Modification	58.03	57	3,307.71
Non-CSE/Custody	187.67	35	6,568.45
Other Domestic	11.67	32	373.44

Total Case Minutes: 260,568.43

Total Case Hours: 4,342.81

Total Case Hours divided by Judge Year Value: 3.32

Convert Total Weight in Minutes to Hours

Total weight in minutes / 60 = total weights in hours

Calculate Judge Need

Total weight in hours / judge year value in hours

Analysis

At 3.32 there is enough workload to justify three judges in the circuit. The Beta Circuit does qualify for an additional judgeship.

Superior Court Judgeships (1993-2012)

Circuit	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Alapaha	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Alcovy	2	2	3	3	3	3	3	3	3	4	4	4	4	4	4	4	5	5	5	5	5
Appalachian	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3
Atlanta	15	15	15	15	15	17	17	18	18	19	19	19	19	19	19	19	20	20	20	20	20
Atlantic	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Augusta	6	6	7	7	7	7	7	7	7	8	8	8	8	8	8	8	8	8	8	8	8
Bell-Forsyth	N/A	N/A	N/A	N/A	N/A	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	3
Blue Ridge	3	3	3	3	3	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3
Brunswick	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	5	5	5	5	5
Chattahoochee	5	5	5	5	5	5	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6
Cherokee	3	3	3	3	3	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4
Clayton	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Cobb	7	7	8	8	8	8	8	9	9	9	9	9	9	9	10	10	10	10	10	10	10
Conasauga	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Cordele	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3
Coweta	4	4	5	5	5	5	5	5	5	5	5	5	5	5	6	6	6	6	6	6	6
Dougherty	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Douglas	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Dublin	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3
Eastern	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6
Enotah	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3
Flint	3	3	3	3	3	3	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3
Griffin	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Gwinnett	6	6	6	6	6	7	7	7	7	8	8	8	8	9	9	10	10	10	10	10	10
Houston	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3
Lookout Mountain	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Macon	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Middle	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Mountain	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Northeastern	3	3	3	3	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Northern	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Ocmulgee	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Oconee	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Ogeechee	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Pataula	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Paulding	N/A	2	2	2	2	2	3	3	3	3	3	3	3								
Piedmont	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	4
Rockdale	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Rome	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4
South Georgia	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Southern	4	4	4	4	4	4	4	4	4	4	4	4	4	5	5	5	5	5	5	5	5
Southwestern	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Stone Mountain	9	9	9	9	9	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Tallapoosa	3	3	3	3	3	3	3	4	4	3	2	2	2	2	2	2	2	2	2	2	2
Tifton	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Toombs	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Towaliga	N/A	N/A	N/A	N/A	N/A	N/A	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Waycross	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Western	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Totals	159	159	169	169	169	175	176	183	184	189	188	188	188	193	199	202	205	205	205	205	207

CY 2011 Superior Court Caseload Qualifying Circuit Assessment

Table A. Circuits, Number of Judges, and Value to Qualify

Circuit	Counties	Superior	State	Juvenile	Probate Hearing Traffic	Threshold Value	Value to Qualify
Chattahoochee	6	6	2	3	5	7.86	9.33
Coweta	5	6	4	4	2	7.86	8.99
Middle	5	2	5	1	0	2.70	3.82
Oconee	6	2	0	2	6	2.70	2.27

Table B. Criminal Defendants per Judge with Rank and Five-Year Percentage Change

Circuit	U/A	Felony	Misdemeanor	Probation Revocation	Total Criminal	Rank	Percent Change 2007 to 2011
Chattahoochee	1	596	98	67	762	4	59.29%
Coweta	0	599	69	251	919	1	-11.11%
Middle	3	587	42	148	779	3	5.20%
Oconee	0	381	340	99	820	2	-9.85%
Mean	1	541	137	141	820		

**Table C. Civil Dockets with Rank and Five-Year Percentage Change
and Total Civil and Criminal Cases per Judge**

Circuit	General Civil	Rank	Percent Change 2007 to 2011	Domestic Relations	Rank	Percent Change 2007 to 2011	Total Civil	Rank	Total Civil and Criminal Cases	Rank
Chattahoochee	483	4	-31.50%	1,118	3	38.56%	1,600	3	2,161	4
Coweta	487	3	-36.17%	1,546	1	47.26%	2,033	1	2,838	1
Middle	499	2	-13.08%	1,390	2	66.27%	1,889	2	2,559	2
Oconee	524	1	-16.83%	994	4	6.20%	1,518	4	2,249	3
Mean	498			1,262			1,760		2,452	

Table D. Population per Judge: 2010 U.S. Census and 2015 Projection

Circuit	2010	Rank	2015	Rank
Chattahoochee	42,948	3	47,348	3
Coweta	56,452	1	66,911	1
Middle	49,468	2	52,962	2
Oconee	39,957	4	38,547	4
Mean	47,206		51,442	

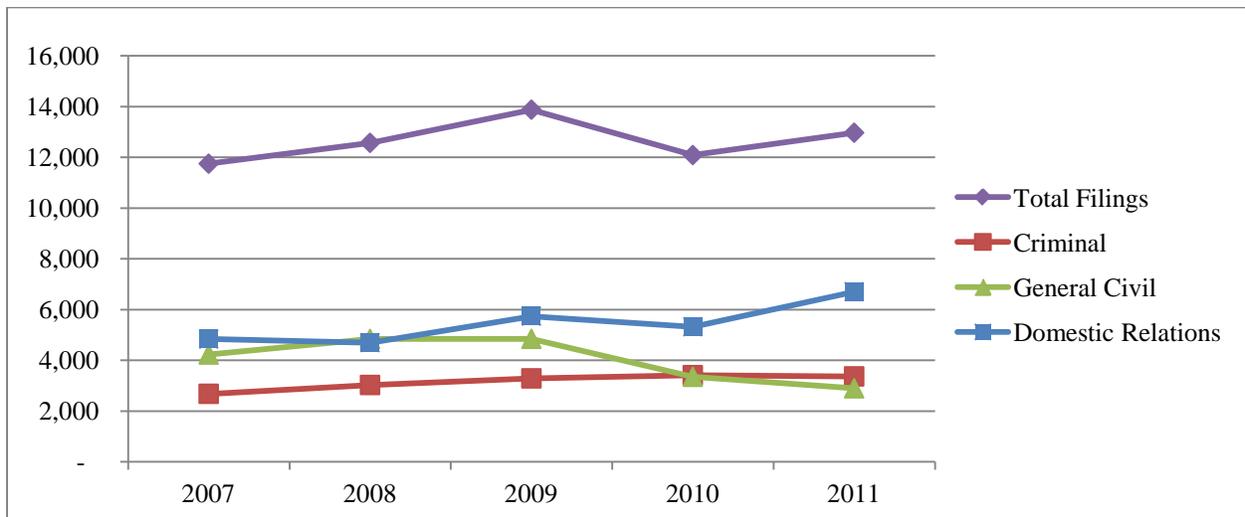
Circuit Characteristics and Caseload

Chattahoochee Judicial Circuit

Court Characteristics

1. The number of judges in the Circuit consists of 16 superior, state, juvenile, and probate judges hearing traffic cases, as outlined in Table A, page two. Additionally, there is one probate judge without traffic jurisdiction and nine magistrate judges. Currently, there are 437 active attorneys in the Circuit.
2. The Chattahoochee Circuit has 276 accountability court participants, all of which are in Muscogee County.
3. The total caseload has remained relatively stable from 2007 to 2011. Domestic relations had a slight increase beginning in 2010 and general civil experienced a decline. See **Graph 1**.

Graph 1. Chattahoochee Circuit, Cases Filed 2007-2011



Circuit Characteristics

1. The Chattahoochee Circuit consists of Chattahoochee, Harris, Marion, Muscogee, Talbot, and Taylor counties. The Judicial Council classifies the Circuit as “Suburban Multi-County.” The Circuit is in the western part of the state, and Harris, Muscogee, and Chattahoochee counties border Alabama. There is a large military presence in the Circuit. Columbus State University, the Georgia Military College, McMurry University, and Taylor Technical Institute are in the Circuit.
2. Population density in 2010 was 42 persons per square mile. **Graph 2** shows the Circuit population from 1970 to 2010. **Table 1** shows the percent change in population for the Circuit and Georgia.

Graph 2. Chattahoochee Circuit Total Population 1970-2010

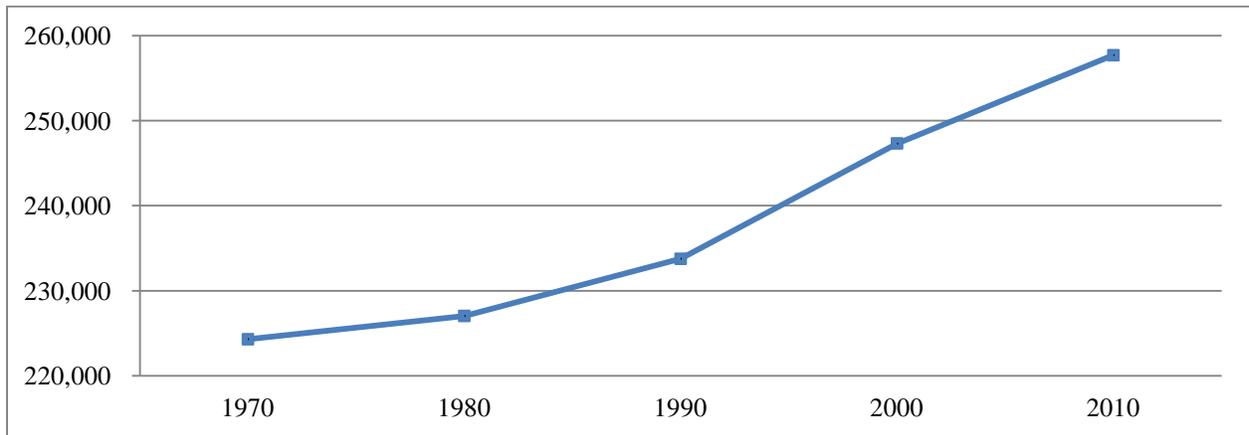


Table 1. Comparison of Circuit and State Population Change

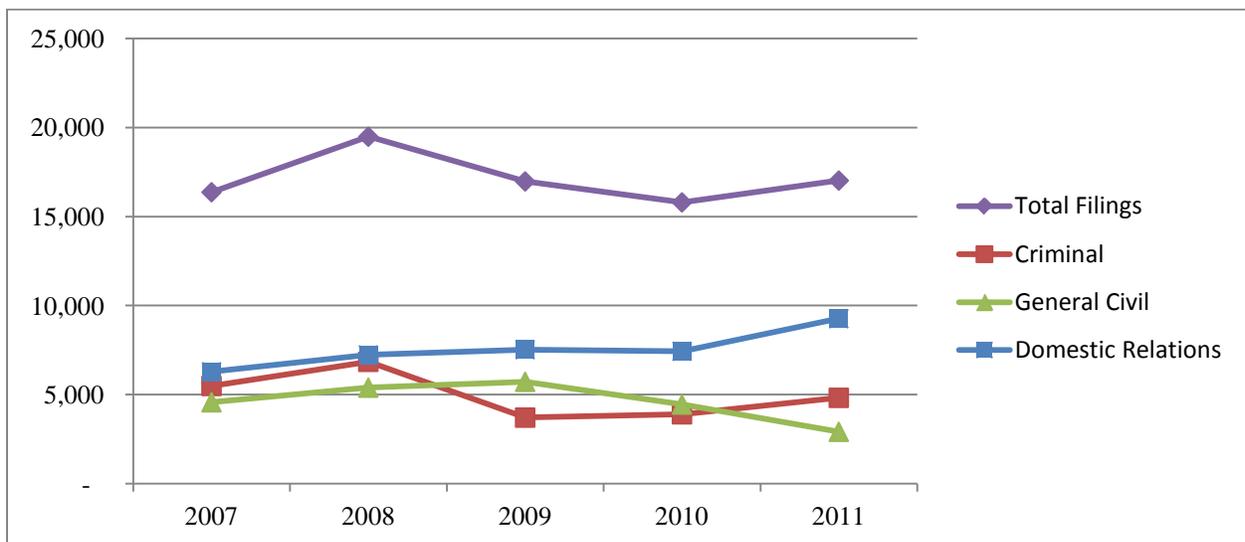
Entity	<u>Percent Change in Population</u>				
	1970-1980	1980-1990	1990-2000	2000-2010	1970-2010
Chattahoochee Circuit	1%	3%	6%	4%	15%
Georgia	19%	19%	26%	18%	111%

Coweta Judicial Circuit

Court Characteristics

1. The number of judges in the Circuit consists of 16 superior, state, juvenile, and probate judges hearing traffic cases, as outlined in Table A, page two. Additionally, there are three probate judges without traffic jurisdiction and 13 magistrate judges. Currently, there are 374 active attorneys in the Circuit.
2. The Coweta Circuit has 93 accountability court participants, 30 from Carroll, 41 from Coweta, and 22 from Troup County.
3. The number of total filings peaked in 2008 with consecutive declines for two years followed by a gradual increase in 2010. Criminal, general civil, and domestic relations cases were consistent in 2007 before they diverged in 2008. See **Graph 3**.

Graph 3. Coweta Circuit, Cases Filed 2007-2011



Circuit Characteristics

1. The Coweta Circuit includes Carroll, Coweta, Heard, Meriwether, and Troup counties. The Judicial Council classifies the Circuit as “Suburban Multi-County.” The Circuit is in the western part of the state. Carroll, Heard, and Troup counties border Alabama. Troup, Meriwether, and Coweta share I-85 with Alabama. The Circuit is characterized by the presence of the West Point Lake extending from Troup to Heard County. The Bethel College, LaGrange College, and West Georgia Technical College are in the Circuit.
2. Population density in 2010 was 89 persons per square mile. **Graph 4** shows the Circuit population from 1970 to 2010. **Table 2** shows the percent change in population for the Circuit and Georgia.

Graph 4. Coweta Circuit Total Population 1970-2011

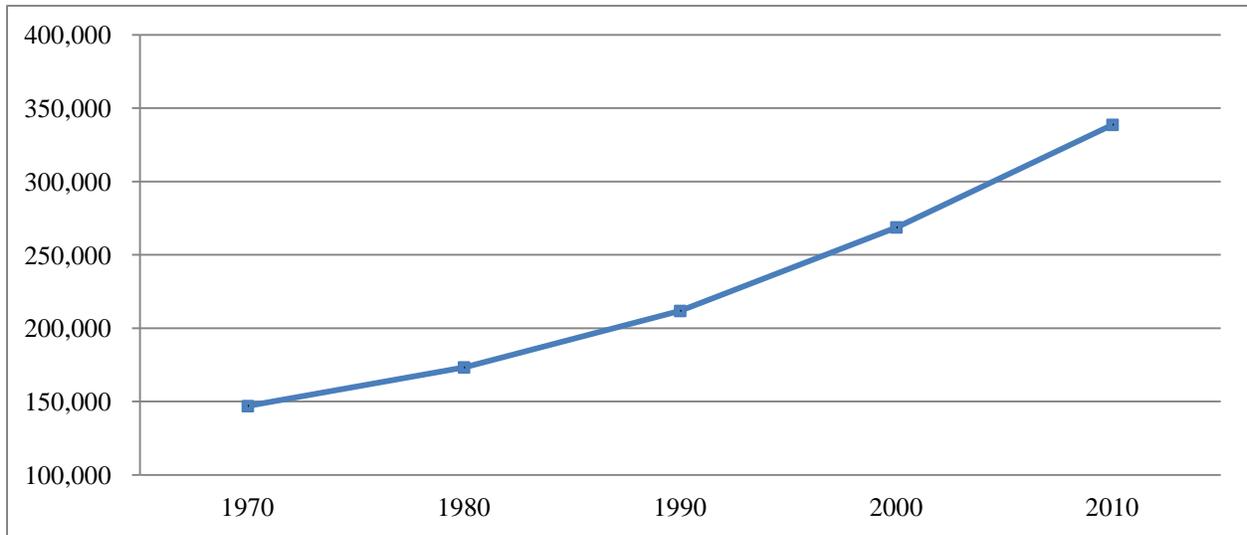


Table 2. Comparison of Circuit and State Population Change

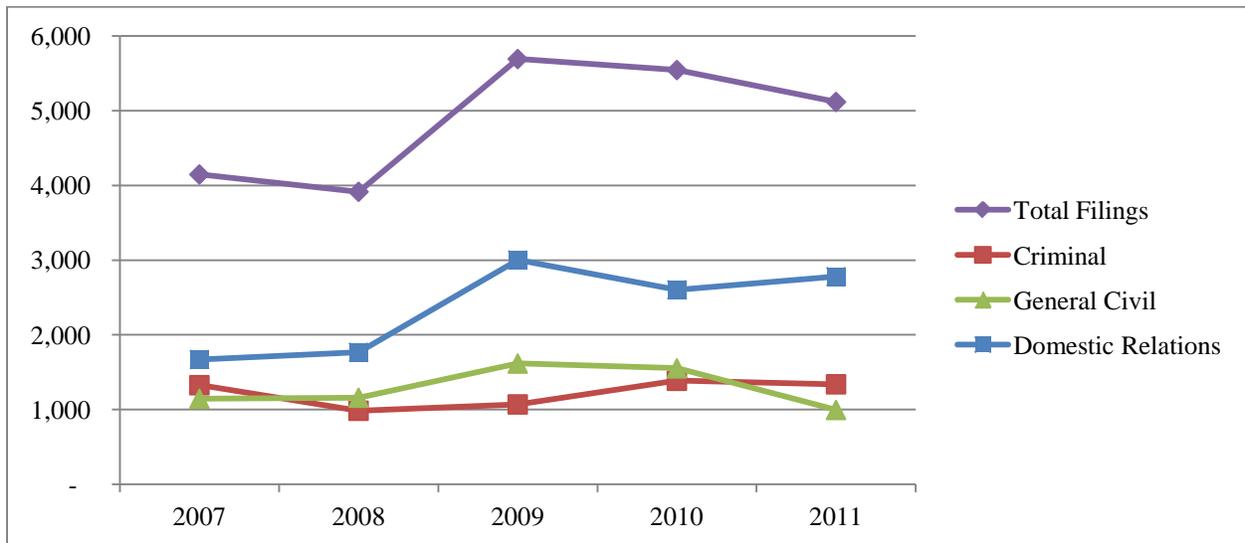
Entity	<u>Percent Change in Population</u>				
	1970-1980	1980-1990	1990-2000	2000-2010	1970-2010
Coweta Circuit	18%	22%	27%	26%	130%
Georgia	19%	19%	26%	18%	111%

Middle Judicial Circuit

Court Characteristics

1. The number of judges in the Circuit consists of eight superior, state, juvenile, and probate judges hearing traffic cases, as outlined in Table A, page two. Additionally, there are five probate judges without traffic jurisdiction and 14 magistrate judges. Currently, there are 99 active attorneys in the Circuit.
2. The Middle Circuit has no accountability courts.
3. The number of total filings had a sharp increase in 2008 followed by moderate decreases from 2009 to 2011. Criminal and general civil cases remained stable across years. Domestic relations cases had a sharp increase in 2008. See **Graph 5**.

Graph 5. Middle Circuit Cases Filed 2007-2011



Circuit Characteristics

1. The Middle Circuit includes Candler, Emanuel, Jefferson, Toombs, and Washington counties and is located in the central eastern part of the state. The Judicial Council classifies the Circuit as “Rural.” The geology of the Circuit is characterized by gentle hills and consists of considerable farm land. The distances between the county courthouses are significant. The Middle Georgia College, Brewton Parker College, and Sandersville Technical College are in the Circuit.
2. Population density in 2010 was 40 persons per square mile. **Graph 6** shows the Circuit population from 1970 to 2010. **Table 3** shows the percent change in population for the Circuit and Georgia.

Graph 6. Middle Circuit Total Population 1970-2011

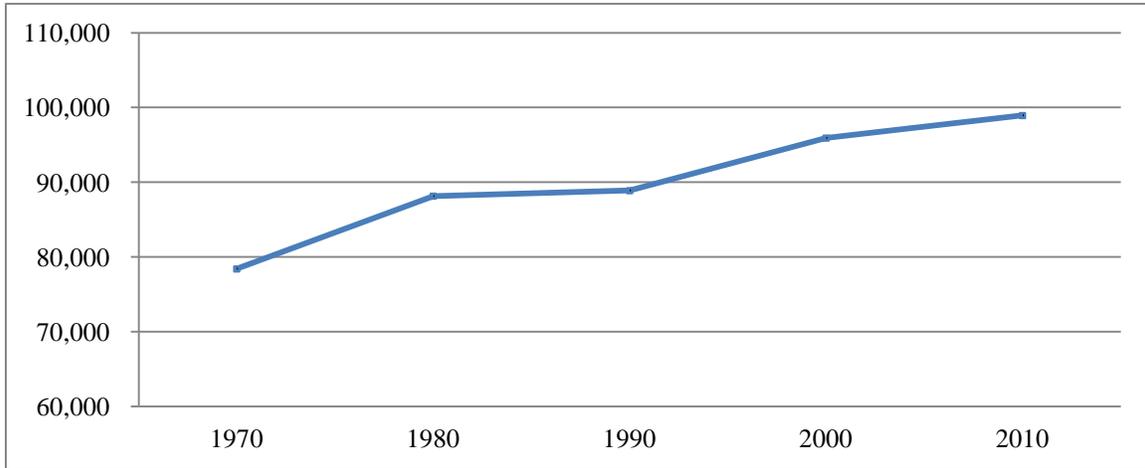


Table 3. Comparison of Circuit and State Population Change

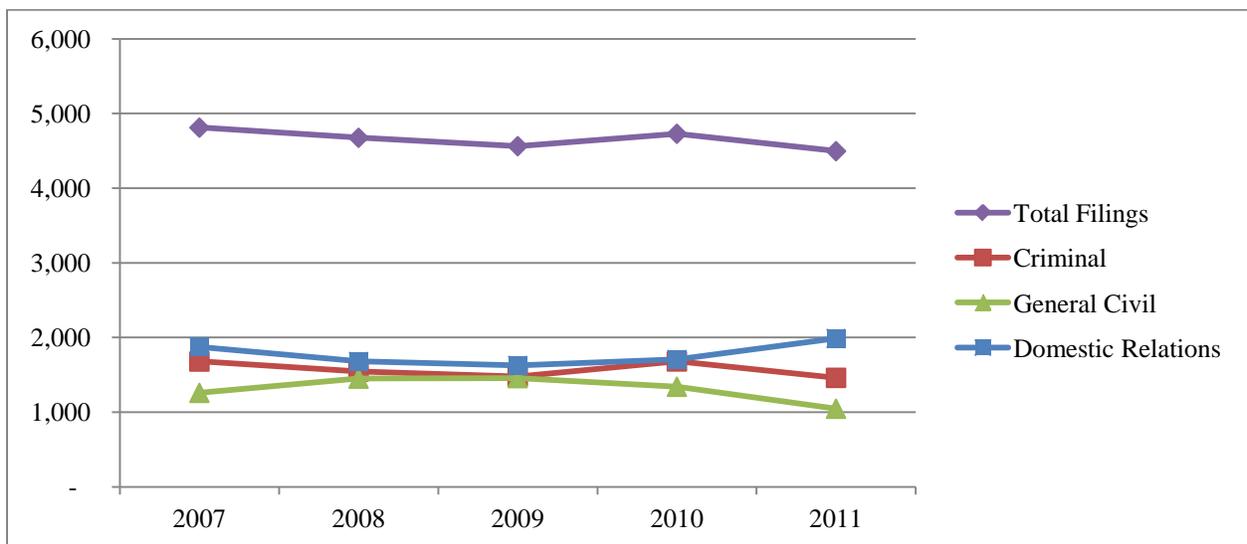
Entity	<u>Percent Change in Population</u>				
	1970-1980	1980-1990	1990-2000	2000-2010	1970-2010
Middle Circuit	12%	1%	8%	3%	26%
Georgia	19%	19%	26%	18%	111%

Oconee Judicial Circuit

Court Characteristics

1. The number of judges in the Circuit consists of ten superior, state, juvenile, and probate judges hearing traffic cases, as outlined in Table A, page two. Additionally, there are ten magistrate judges. Currently, there are 45 active attorneys in the Circuit.
2. The Oconee Circuit has no accountability courts.
3. The total number of cases filed remained nearly unchanged from 2007 to 2011. Criminal and general civil cases began to fall in 2010 while domestic relations cases increased. See **Graph 7**.

Graph 7. Oconee Circuit Cases Filed 2007-2011



Circuit Characteristics

1. The Oconee Circuit is located in the central part of the state and consists of Bleckley, Dodge, Montgomery, Pulaski, Telfair, and Wheeler counties. The Judicial Council classifies the Circuit as “Rural.” The geology is characterized by gently rolling hills, the Altamaha, Ocmulgee, and Oconee Rivers, and consists of considerable farm land.
2. Population density in 2010 was 42 persons per square mile. **Graph 8** shows the population for the Oconee Circuit from 1970 to 2010. **Table 4** shows the percent change in population for the Circuit and Georgia.

Graph 8. Oconee Circuit Total Population 1970-2011

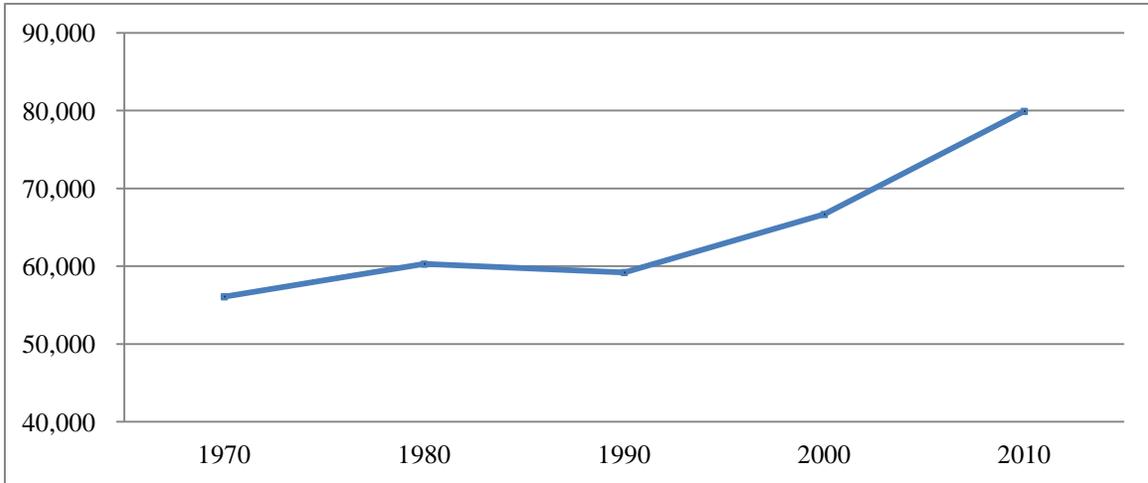


Table 4. Comparison of Circuit and State Population Change

Entity	<u>Percent Change in Population</u>				1970-2010
	1970-1980	1980-1990	1990-2000	2000-2010	
Oconee Circuit	7%	-2%	13%	20%	42%
Georgia	19%	19%	26%	18%	111%

Summary of Circuit Officials' Submissions

Circuit	Name	Position	Supportive
Chattahoochee	John D. Allen	Chief Judge	Yes
Chattahoochee	John T. Darr	Sheriff, Muscogee County	Yes
Chattahoochee	Andrew C. Dodgen	President, Columbus Bar Association	Yes
Chattahoochee	Bobby R. Gates	Sheriff, Talbot County	Yes
Chattahoochee	Stacy K. Haralson	Clerk, Harris County	Yes
Chattahoochee	Ed Harbison	Senator, District 15	Yes
Chattahoochee	Carolyn F. Hugley	Representative, District 133	Yes
Chattahoochee	Mike Jolley	Sheriff, Harris County	Yes
Chattahoochee	Frank J. Jordan, Jr.	Judge	Yes
Chattahoochee	Joey M. Loudermilk	Vice Chariman, Harris County Commission	Yes
Chattahoochee	Penny D. Mahone	Clerk, Talbot County	Yes
Chattahoochee	Laura Marion	Clerk, Chattahoochee County	Yes
Chattahoochee	Bemon G. McBride, III	Judge	Yes
Chattahoochee	Josh McKoon	Senator, District 29	Yes
Chattahoochee	Bobby G. Peters	Judge	Yes
Chattahoochee	M. Linda Pierce	Clerk, Muscogee County	Yes
Chattahoochee	Resolution 220-12	Columbus Unified Government	Yes
Chattahoochee	William C. Rumer	Judge	Yes
Chattahoochee	Julia Slater	District Attorney	Yes
Chattahoochee	Arthur L. Smith	Judge	Yes
Chattahoochee	Joy Smith	Clerk, Marion County	Yes
Chattahoochee	Robert E. Taunton, Jr.	Clerk, Taylor County	Yes
Chattahoochee	Teresa Pike Tomlinson	Mayor, Columbus Unified Government	Yes
Chattahoochee	Jeff Watson	Sheriff, Taylor County	Yes
Coweta	Allen B. Keeble	Chief Judge	No
Coweta	John Simpson	Judge	Yes
Oconee	Gene Johnson	Clerk, Telfair County	Yes



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Presiding Justice Hugh P. Thompson
Chair, Policy and Legislative Committee

RE: Policy and Legislative Committee Report

DATE: September 10, 2012

Please find listed below descriptions of tentative legislative proposals submitted to the Committee by the councils of the classes of courts. This list is for informational purposes and is not intended to be final. The Committee is also following developments related to criminal justice initiatives such as the Special Council for Criminal Justice Reform for Georgians and the House Title 40 Study Committee and is scheduled to meet on October 18, 2012 to begin considering potential recommendations regarding legislation during the 2013 General Assembly.

I. Superior Courts

- A. Increase the fine for contempt of court not to exceed \$1,000.00, formerly \$500.00.
- B. Implement some kind of limits or deadline on defendants' ability to file motions to dismiss based on failure to provide constitutional speedy trial. Specifically, address the situations where defense attorneys file motions to dismiss AFTER their motion for a continuance are denied, thereby obtaining the delay previously denied. Increasing numbers of defense attorneys file motions to dismiss/constitutional speedies on the eve of trial, when the date is set, witnesses summoned, and travel expenses incurred. A deadline may be proposed.
- C. Amend the requirement that judges schedule tax appeals at the convenience of the taxpayer.

II. Juvenile Courts

Remove the requirement for rehearing of associate juvenile court judges' decisions, and allow for an associate juvenile court judges to serve as judge pro tempore in the event of the disqualification, illness, or absence of the judge of the juvenile court.

III. Probate Courts

Provide that the judge of the probate court may request the district attorney to prosecute misdemeanor traffic cases in the probate court and, if the district attorney is unable to assist, the governing authority of the county may employ an attorney to prosecute the cases.

IV. Magistrate Courts

- A. Add additional procedural safeguards in the issuance of a warrant by a judicial officer. Requires a hearing with notice to the Defendant before a Judge could issue a warrant; a court could require a good behavior bond with conditions. In the judicial officer's discretion, arrest warrants may be issued in cases of imminent danger to persons or property.
- B. Remove the requirement of being physically located in the county of jurisdiction while issuing warrant via electronic means.

V. Municipal Courts

Allow the Chief Judge of any court exercising municipal court jurisdiction to recommend, to the local governing body, a schedule of fees to assist the court in its operation and budget. If the local governing body fails to approve or disapprove the fee schedule within 30 days, the fee schedule shall become effective immediately.

To be included when approved by Committee Chair.



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice George H. Carley
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Presiding Judge Herbert E. Phipps, Chair
Chair, Court Reporting Matters Committee

RE: Court Reporting Matters Committee Report

DATE: September 10, 2012

The Judicial Council delegated to its Court Reporting Matters Committee (“Committee”) the responsibility of representing the Council on all matters relating to court reporting which includes the review of disciplinary appeals and Board rules.

This memorandum will provide an update on the Committee’s review of the Court Reporters’ Fee Schedule and the Appeal filed by Gilbert and Jones, Inc., a registered court reporting firm on a grievance matter.

Court Reporters’ Fee Schedule

The Committee met on May 17, 2012, to review and consider future trends in court reporting and existing technology used for recordation and transcription. The presentation included information on alternative reporting methods used by other states and a video illustrating the progression of digital recording and its use as a court audio backup system. The Committee determined that recommendations on the standards for court audio backup systems would help alleviate the recovery issues related to court proceedings and transcripts.

On June 14, 2012, the Committee met to review results from an online survey disseminated to court reporters, court administrators, county finance administrators and personnel, and judges of superior, state, and juvenile courts. The results depicted the average court reporters’ compensation and transcripts costs in 2011, the most commonly used compensation model, patterns and trends in salary compensation and fringe benefits, filing requirements for criminal transcripts, and the use of real-time reporting services. The Advisory Members proposed areas of consideration for the Committee, including clarifying language in the fee schedule, restructuring copy rates and filing requirements, and preservation of court proceedings, such as bond hearings, probation revocation, and felony pleas.

The Committee met on September 6, 2012 and continued its discussion about compensation methods, preservation and ownership of the record, and transcript production management. It was determined that the Committee will publish and distribute its proposed recommendations for comment before making a final recommendation to the Judicial Council.

Appeal by Gilbert and Jones, Inc. a registered court reporting firm

On July 31, 2012, Gilbert and Jones, Inc. (Appellant) appealed the Board of Court Reporting's decision to issue a public reprimand in Complaint No. 2011-27 filed by Ms. Deborah Black on the violation of the ethics rule of the Board of Court Reporting. Ms. Black alleged that the firm failed to include certain elements of the disclosure forms for deposition transcripts as required by the Rules and Regulations of the Board.

In Deborah O. Black v. Gilbert and Jones, Inc. (BCR Complaint File No. 2011-27), the Board found that the Appellant violated Article 10.B. of its Rules and Regulations that requires the disclosure of the naming attorney or court reporting firm or party who contacted the court reporter to provide court reporting services for the deposition. The Appellant's failure to provide the full disclosure statement harmed the ethical standards maintained in the practice of the court reporting and prevented all parties from knowing about the relationships involved in the preparation of the record. The omission of essential information from the disclosure statement is a departure from the minimal reasonable standards of acceptable and prevailing practice of court reporting in Georgia. Thus, the Appellant acted unprofessionally and unethically, and the Board determined the sanction to be a public reprimand and \$3,000 fine.

On September 6, 2012, the Court Reporting Matters Committee considered an appeal from the Board's decision and unanimously affirmed the decision. In addition, the Committee strongly encourages the Appellant to re-evaluate its practice in making certain all court reporters in its employ adhere to the regulations set forth by the Board.

**Meeting of the
Judicial Council Committee on Court Reporting Matters
Room 1, 104 Marietta Street, NW, Atlanta
Thursday, May 17, 2012 10:00am**

Committee Members Present

Presiding Judge Herbert Phipps, Court of Appeals, Chair
Chief Judge Frederick T. Mullis, Jr., Oconee Judicial Circuit
Judge Mary E. Staley, Cobb Judicial Circuit

Staff Present

Mr. Matthew Kloiber, Compliance Coordinator, Board of Court Reporting
Ms. Aquaria R. Smith, Program Manager, Board of Court Reporting

Guests Present

Mr. Bob Nadekow, District Court Administrator, Eighth Judicial Circuit

Call to Order

Chair Phipps called the meeting to order at 10:10 a.m. and those present introduced themselves.

Overview of Minutes

The minutes of the March 15, 2012, and April 5, 2012 meetings were approved without corrections.

Assessment of Court Reporting Technology

Ms. Smith reported on the current technology used in recordation and transcript production while presenting alternatives to existing methods of court reporting. Although technological advancement gave court reporters the tools to generate a transcript almost immediately from court proceedings, it was the national outlook and trends in court reporting that led the Board of Court Reporting staff to examine the average age of licensed court reporters, the percentage of court reporters certified in a specific method, the total number of reporters located in each judicial administrative district, and whether the existing court reporting methods could withstand the automation of court business operations and continuity models. Based on the data from 2010, it revealed possible challenges that may impact the courts. The average age of Georgia court reporters is 51 years with a career expectancy of 20-25 years. A majority of court reporters (57 percent) is certified as machine writers; 42 percent are certified as voice writers, and a small number (1 percent) licensed as pen writers. The data further illustrated three jurisdictions where the most court reporters reside (Fifth, Seventh and Ninth Judicial Administrative Districts).

Ms. Smith briefly discussed the white paper drafted by the Conference of State Court Administrators that identified similar challenges to creating, producing, accessing, and safeguarding the record. Some of those obstacles included shrinking pools of available court reporters according to the Bureau of Labor and Statistics, difficulty of rural courts to hire or retain court reporters, creating a record in the current environment, and the physical demands of

the job. Ms. Smith questioned whether Georgia courts could continue their current business processes in the next 5-10 years.

Future Trends of Court Reporting Technology

Mr. Kloiber reported on the future trends and best practices of court reporting technology. The presentation covered the evolution of court reporting technology and how states utilize it to produce a verbatim record. It was pointed out that Alaska, Kentucky, New Hampshire, Vermont, and Utah use electronic reporting to capture the verbatim record, whereas, Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Illinois, Indiana, Maryland, Michigan, Minnesota, Nebraska, New Jersey, New Mexico, North Dakota, Ohio, Oregon, and Washington employ a "blended system" that rely on both court reporters and electronic reporting. Pennsylvania, Texas, and Wisconsin authorize use of electronic reporting but continue to make use of court reporters. A video demonstration illustrating the installation and implementation of an advanced digital recording system was previewed by all present. Mr. Bob Nadekow briefed the Committee on the effectiveness of the digital recording system (For the Record) used in the Eighth Judicial Administrative District.

The Committee proposed to consider standards for court audio backup systems, review the transcript rates that apply to criminal proceedings only, establish guiding principles for filing requirements, and define the owner of the verbatim record. It was suggested the Committee contemplate use of the federal courts fee schedule as a reference for Georgia's new fee schedule, which may address the requirement to transcribe felony pleas.

The Committee agreed to meet with the advisory members on June 14, 2012 to review the compensation analysis report.

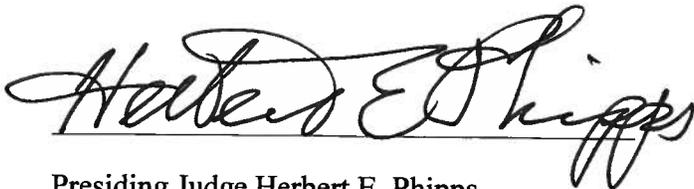
The meeting adjourned at 12:10 p.m.

Respectfully submitted:



Aquaria R. Smith, Program Manager

The above and foregoing minutes were approved and signed at the meeting held on the 6 day of Sept, 2012.



Presiding Judge Herbert E. Phipps
Judicial Council Committee on Court Reporting Matters

**Meeting of the
Judicial Council Committee on Court Reporting Matters
Presidents Boardroom, 104 Marietta Street, NW, Atlanta
Thursday, June 14, 2012 10:00 a.m.**

Committee Members Present

Presiding Judge Herbert Phipps, Court of Appeals, Chair
Judge Larry B. Mims, State Court of Tift County, *via teleconference*
Chief Judge Frederick T. Mullis, Jr., Oconee Judicial Circuit, *via teleconference*
Judge Mary E. Staley, Cobb Judicial Circuit, *via teleconference*

Advisory Members Present

Chief Judge William T. Boyett, Conasauga Judicial Circuit
Ms. Lynn Epps, State Court Administrator, Cherokee County
Ms. Carol Glazier, Vice-Chair, Board of Court Reporting
Mr. Phil Hart, Court Administrator, Floyd County, *via teleconference*
Ms. Kim Hunnicutt, President, Georgia Shorthand Reporters Association (GSRA)
Ms. Carol Mallory, President, Georgia Certified Court Reporters Association (GCCRA)
Mr. Chuck Olson, Acting Executive Director, Prosecuting Attorneys Council (PACGA)
Ms. Debra Nesbit, Associate Director, Association County Commissioners of Georgia (ACCG)
Mr. Benjamin Perkins, Chair, Board of Court Reporting, *via teleconference*
Ms. Marilyn Roe, former Member, Board of Court Reporting, *via teleconference*
Ms. Claudia Saari, Interim Circuit Defender, Stone Mountain Judicial Circuit

Staff Present

Mr. Matthew Kloiber, Compliance Coordinator, Board of Court Reporting
Ms. Marla Moore, Director, Administrative Office of the Courts
Ms. Molly Perry, Division Director, Administrative Office of the Courts
Ms. Aquaria R. Smith, Program Manager, Board of Court Reporting

Call to Order

Chair Phipps called the meeting to order at 10:05 a.m. and those present introduced themselves.

Review of Survey

Ms. Smith reported on the data results compiled from the survey assessment disseminated to the court reporters, court administrators, county finance administrators and personnel, and judges of superior, state, and juvenile courts. She related the significant reason for the survey was to produce a compensation analysis that the Committee might utilize in its deliberations and formulate data-driven recommendations to the Judicial Council.

Statistical Analysis and Data Results

The statistics from the targeted population highlight the average amount spent on court reporters' compensation and transcripts costs in 2011, most commonly used compensation model, patterns

and trends in salary compensation and fringe benefits, filing requirements for criminal transcripts; and the average use of real-time reporting services and its compensation source.

Court Reporters Survey

The survey assessment was electronically distributed to 1,066 certified court reporters. From the 243 responses of the targeted population, 63 percent indicated being compensated as independent contractors with average earnings of \$55,000 in 2011. The three highest ranked benefits selected as part of the court reporters' compensation were office space, insurance, and office supplies. A small percentage, only 15 percent, provide real-time services to the courts and 70 percent agreed the fee schedule needed revision because it was archaic and ambiguous.

Judges Survey

The online survey was disseminated to 463 superior, state, and juvenile court judges. Based on the 120 judges' responses, 45 percent indicated court reporters are compensated as independent contractors. The three highest ranked benefits identified as part of the court reporters' compensation were office space, office supplies, and insurance. An overwhelming majority (68 percent) of judges do not utilize real-time reporting services and 71 percent agreed the fee schedule should not be revised. However, 29 percent of the judges expressed the fee schedule should be revised because it's archaic and needs clarification.

Court Administrators

The 48 court administrators listed in the Georgia Courts Directory received the online questionnaire, and 11 responses were received. Forty-four percent indicated court reporters are compensated as independent contractors, and 67 percent confirmed the salary compensation for court reporters included court attendance and takedown in civil proceedings. They indicated real-time reporting services were used 50 percent of the time. The three highest ranked benefits included in the court reporters' compensation were office space, insurance, and office supplies. A slight majority (55 percent) specified the fee schedule needs revision so that it reflects uniformity on the court reporter charges regardless of compensation method and clarification on the owner of the record.

County Finance Officers or Accounting Personnel

The online survey assessment was sent to 111 county finance officers or accounting personnel. From the 30 responses tabulated, 70 percent indicated court reporters are compensated as independent contractors. A slight majority (53 percent) responded their county employed one-to-five court reporters and the average amount of compensation was \$97,000.

Ms. Smith concluded the data analysis with an outline of the proposed areas of recommendation discussed during previous Committee meetings:

1. Fee Schedule
 - a. Transparent language for all users
 - b. Standards on the types of proceedings to record, transcribe, and file
 - c. Fee schedule possibly reflect criminal transcript only
 - d. Use of competitive market rates for civil proceedings

2. Transcript production
 - a. Filing requirements
 - b. Rates of payment (e.g., per page and number of copies)
3. Minimum criteria for court audio backup systems

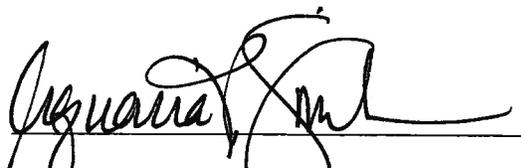
Ms. Smith solicited comments from those present. Ms. Hunnicutt recommended eliminating language that permits loose interpretation of the fee schedule. Ms. Nesbit suggested restructuring the copy rates and filing requirements. Ms. Moore encouraged the Committee to consider innovative approaches to the fee schedule revision, such as the removal of page rates. Judge Phipps mentioned the Committee would deliberate record ownership, and Ms. Smith proposed modeling Georgia's fee schedule employed by the federal courts.

Ms. Perry inquired whether electronic reporting would help ease transcript production backlog. Ms. Hunnicutt disagreed that electronic reporting would assist with backlog and thought it infeasible to model Georgia's fee schedule after the federal courts. Ms. Roe suggested defining requirements for takedown, such as bond hearings, probation revocation proceedings, and felony pleas. Ms. Glazier proposed offering a bulk or discount copy rates for county and state government which could possibly address the loopholes that concern court reporters. Ms. Moore questioned the benefit of the bulk or discount rate when the other charges of the fee schedule remain intact.

Judge Phipps adjourned the meeting with expression of thanks to the advisory members and to AOC staff for their hard work in compiling the data. He announced the Committee will meet in August to consider all information provided over the past few months.

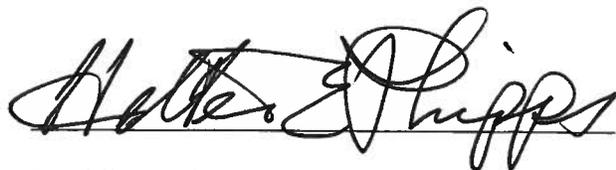
The meeting adjourned at 11:54 a.m.

Respectfully submitted:



Aquaria R. Smith, Program Manager

The above and foregoing minutes were approved and signed at the meeting held on the 6th day of Sept, 2012.



Presiding Judge Herbert E. Phipps
Judicial Council Committee on Court Reporting Matters



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Marla Moore
Director

RE: FY 2013 and FY 2014 Budget Requests

DATE: September 10, 2012

As an update to the Judicial Council's May 31 vote on the FY 2013 Amended and FY 2014 General budgets, the spreadsheet on the following page depicts the approved, submitted program budget requests. These requests were submitted to the Governor's Office of Planning and Budget on September 4.

The second spreadsheet provides a brief description of the FY 2014 enhancement budget requests. Please contact me if you are interested in reviewing the white papers associated with any of the enhancement requests.

We have again been invited to meet with Governor Deal to discuss our budget needs and expect that meeting to occur on November 1.

FY 2014 Judicial Council Budget Request (For the Fiscal Year Starting 7/1/2013)

Budget Unit	FY 13 Base Budget	FY 14 Enhancements	% Change	Total FY 2014 Requests
Georgia Resource Center	800,000	0		800,000
Office of Dispute Resolution	0	0		0
Institute of Continuing Judicial Education	461,789	30,580	7%	492,369
Judicial Qualifications Commission	512,215	0		512,215
Accountability Courts	431,821	0		431,821
Total	2,205,825	30,580	1%	2,236,405

Judicial Council

Administrative Office of the Courts	5,893,068	60,357	1%	5,953,425
Fixed Costs adjustments for all subprograms - retirement, health insurance, etc.)	353,787	0	0%	353,787
Council of State Court Judges - operations	207,272	0	0%	207,272
State Court Judges - retirement	1,061,472	0	0%	1,061,472
Child Support Guidelines Commission	102,050	0	0%	102,050
County and Municipal Probation Advisory Council	243,803	0	0%	243,803
Legal Services to Victims of Domestic Violence	1,753,235	0	0%	1,753,235
Council of Probate Court Judges	62,128	108,320	174%	170,448
Council of Municipal Court Judges	16,427	0	0%	16,427
Council of Magistrate Court Judges	164,220	0	0%	164,220
Georgia Council of Court Administrators	4,117	0	0%	4,117
Georgia Commission on Family Violence	356,458	0	0%	356,458

Total Judicial Council 10,218,036 168,677 2% 10,386,713

Total Judicial Council Section 12,423,861 199,257 2% 12,623,118

FY 2014 Enhancement Requests Explanations

Program	FY13 Base	State Funds Requested	Details of Request	FY 14 Balance (if appropriated)	Judicial Council Recommendation
Attached Entities:					
Institute of Continuing Education	\$461,789	\$30,580	Operating expenses to support ongoing judge training.	\$492,369	
Judicial Council:					
Admin. Office of the Courts	\$5,893,068	\$60,357	Request funds for the expansion of the Family Law Information Center model into another judicial circuit.	\$5,953,425	
Council of Probate Court Judges	\$62,128	\$108,320	Hire an Executive Director, provide for associated travel and operating expenses.	\$170,448	



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Domestic Violence Committee Annual Report

The Judicial Council Domestic Violence Committee is composed of judges, attorneys, a court administrator, and the Executive Director of the Georgia Commission on Family Violence. The Committee grants state funds to provide free civil legal services to impoverished victims of family violence and their children. Grants are awarded to nonprofits with a history of providing civil legal services.

FY 2012 (Final)

For fiscal year 2012, \$1,753,235 was appropriated to the Judicial Council which was a decrease of 4.8% from the previous year. After a competitive process, seven nonprofit agencies received grants which allowed them to provide civil legal services to approximately 4832 victims throughout Georgia. The agencies that received the grants were:

FY 2012 Grant Recipients	Area(s) Covered
Atlanta Legal Aid, Inc.	Metro Atlanta (5 counties)
Gateway House, Inc.	Hall county
Georgia Law Center for the Homeless	Fulton and DeKalb counties
Georgia Legal Services Program	All counties outside metro Atlanta
Northeast Georgia Shelter Collaborative	11 counties in north Georgia served by 5 shelters
Northwest Georgia Family Crisis Center	Gordon, Whitfield and Murray
Wayne County Protective Agency/Fair Haven	Wayne, Appling, and Jeff Davis

FY 2013 (Preliminary)

The Committee met on June 18, 2012, and considered thirteen grant applications. Although the total amount requested by these agencies was \$1,999,628, the amount available was \$1,718,171. After much deliberation by the Committee, grant awards were made to the following agencies:

Atlanta Legal Aid, Inc.	\$ 468,849
Gateway House, Inc.	\$ 3,100
Georgia Law Center for the Homeless	\$ 22,000
Georgia Legal Services Program	\$1,145,211
Northeast Georgia Shelter Collaborative	\$ 36,743
Northwest Georgia Family Crisis Center, Inc.	\$ 22,562
Peace Place	\$ 22,562
Salvation Army of Central Georgia	\$ 5,000
Wayne County Protective Agency (Fair Haven)	\$ 9,706

*These awards may be reduced due to future budget reductions by the Legislature.

The 2012-2013 Domestic Violence Committee members were:

Judge William T. Boyett, Chair	Judge Anne E. Barnes
Judge William P. Bartles	Judge Thomas Bobbitt
Judge Maria Golick	Judge Thomas Bobbitt
Judge Horace Johnson	Judge Tripp Self
Judge J. Carlisle Overstreet	Allegra Lawrence-Hardy
Linda A. Klein	Jody Overcash, advisor
Greg Loughlin, advisor	Cynthia Clanton, AOC

Respectfully submitted,

The Honorable William T. Boyett
Chair, Judicial Council Committee on Domestic Violence



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Committee on Justice for Children August 2012

The mission of the Supreme Court Committee on Justice for Children (J4C) is to improve Georgia's court process for abused and neglected children. Formerly known as the Child Placement Project, J4C was created in 1995 and is staffed by the Administrative Office of the Courts. Justice P. Harris Hines serves as the current chair of J4C; committee members and advisors represent the judiciary, the State Bar, the Department of Family and Children Services, and the community.

On October 1, 2011, J4C received a new four-year Court Improvement Program (CIP) grant. The CIP federal grant, which was originally passed by Congress eighteen years ago, now funds projects in all fifty states. The Committee has directed the funds toward the following priorities for 2012:

- Improving the educational outcomes for children in foster care;
- Improving the quality of legal representation of children, parents, and the agency in child deprivation cases;
- Continuous refinement, monitoring and reporting of a set of child outcome measures for courts in deprivation cases;
- Hosting judicial and community J4C summits in chosen and requested judicial circuits; and
- Exploring the judiciary's role in preserving children's safety.

Through 2013, J4C will also continue to focus on quality assurance improvement by reviewing children's case files, particularly files of children who have been in foster care for long periods of time. This project is titled the Cold Case Project and is funded by Casey Family Programs. These reviews explore all permanency options for these children, check on legal requirements and due process measures, and review the quality of representation. In addition, the J4C obtained a four year Quality Improvement Center (QIC) grant to participate in research administered by the University of Michigan to study the QIC legal representation model against existing attorney practices.

On any given day, Georgia has approximately 7,000 children in foster care due to child abuse or neglect. The number of children in foster care has been dropping since 2005 but has remained constant for the past two years. Balancing safety and permanency for children in foster care is

the primary goal of any child welfare system. The J4C staff and committee members, along with the Division of Family and Children Services, closely review safety measures at both the statewide and county level and provide feedback regarding those measures to the counties through the local courts.

Improvement goals for the past seventeen years have included the automation of the deprivation case records; cross-training and setting standards of practice for all child welfare attorneys in juvenile court; increasing the representation of parents and children in child welfare cases; and obtaining state funding for juvenile court judges. Benchmarks for some of these goals have been reached, while others have needed alteration and steady work to make progress.

For more information about J4C, please visit www.gajusticeforchildren.org.

Respectfully submitted,

Michelle Barclay
Assistant Director
Office of Children, Families and the Courts



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Carol W. Hunstein
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Justice Harold D. Melton
Chair, Statewide Judiciary Civil E-Filing Steering Committee

RE: E-Filing Committee Report

DATE: September 10, 2012

The Statewide Judiciary Civil E-Filing Committee was created on June 13, 2012 by Supreme Court Order. Included in these written materials are the Order and a Committee membership list.



SUPREME COURT OF GEORGIA

Atlanta June 13, 2012

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

The Supreme Court of Georgia hereby establishes a statewide judiciary, civil e-filing steering committee comprised of the following individuals:

- Two members chosen by the President of the State Bar of Georgia;
- Two judges chosen by the Chair of the Judicial Council of Georgia;
- Two members chosen by the Chair of the Georgia Superior Court Clerks' Cooperative Authority;
- One Clerk of Superior Court chosen by the President of the Council of Superior Court Clerks of Georgia
- One member chosen by the President of the Council of Superior Court Judges;
- One member chosen by the President of the Council of State Court Judges;
- One member chosen by the President of the Council of Juvenile Court Judges;
- One member chosen by the President of the Council of Probate Court Judges;
- One member chosen by the President of the Council of Magistrate Court Judges;
- One member chosen by the President of the Council of Municipal Court Judges;
- One member chosen by the President of the Georgia Council of Court Administrators;
- One member chosen by the Director of the Administrative Office of the Courts of Georgia;
- One member of the Georgia Senate designated by the Chair of the Judiciary Committee;

- One member of the Georgia House of Representatives designated by the Chair of the Judiciary Committee;
- One member designated by the Governor; and
- One member designated by the Attorney General.

The committee shall be charged with facilitating the development and implementation of civil e-filing in all classes of court throughout the judiciary and will be supported administratively by the Administrative Office of the Courts.

 , Clerk

Statewide Judiciary Civil E-Filing Steering Committee

Justice Harold D. Melton, Chair
Supreme Court of Georgia
523 State Judicial Building
Atlanta, GA 30334
meltonh@gasupreme.us
404-656-3477

Mr. J. Marcus Edward Howard
945 E. Paces Ferry Road, Suite 2525
Atlanta, GA 30326
mhoward@popehoward.com
404-885-4053

Judge David T. Emerson, Vice-Chair
Superior Court, Douglas Judicial Circuit
Douglas County Courthouse
8700 Hospital Drive
Douglasville, GA 30134
demerson@co.douglas.ga.us
770-920-7227

Judge Stephen D. Kelley
Superior Courts, Brunswick Judicial Circuit
701 H Street, Suite 201
Brunswick, GA 31520
skelley@glynncounty-ga.gov
912-554-7372

Judge James S. Altman
Magistrate Court, Fulton County
170 Mitchell Street, SW
Atlanta, GA 30303
jaltman@altlaw.com
404-526-8868

Representative Edward Lindsey
District 54
415 State Capitol
Atlanta, GA 30334
edward.lindsey@house.ga.gov
404-656-5024

Mr. Jorge Basto
AOC Chief Information/Technology Officer
244 Washington St., SW, Suite 300
Atlanta, GA 30334
jorge.basto@gaaoc.us
404-657-9673

Ms. Cindy Mason
Clerk of Superior Court, Columbia County
P.O. Box 2930
Evans, GA 30809
cindy.mason@gsccca.org
706-312-7139

Judge Diane E. Bessen
State Court, Fulton County
T3855 Justice Center Tower
185 Central Avenue, SW
Atlanta, GA 30303
diane.bessen@fultoncountyga.gov
404-613-7760

Mr. Daniel Massey
Clerk of Superior Court, Chatham County
133 Montgomery Street
P.O. Box 10227
Savannah, GA 31412
dmassey@chathamcounty.org
912-652-7201

Mr. Phillip Boudewyns
Superior Court Administrator, Gwinnett County
Gwinnett Justice & Administration Center
75 Langley Drive
Lawrenceville, GA 30046
phil.boudewyns@gwinnettcountry.com
770-822-8566

Mr. Jeff Milsteen
Chief Deputy Attorney General
40 Capitol Square SW
Atlanta, GA 30334
jmilsteen@law.ga.gov
404-656-3347

Statewide Judiciary Civil E-Filing Steering Committee

Representative Matt Ramsey
District 72
401 State Capitol
Atlanta, GA 30334
matt.ramsey@house.ga.gov
404-656-7146

Judge Margaret Gettle Washburn
Sugar Hill Municipal Court
4799 Sugarloaf Parkway, Bldg. J
Lawrenceville, GA 30044
washburnlaw@bellsouth.net
770-963-1105

Judge Robin W. Shearer
Juvenile Court, Western Judicial Circuit
Clarke County Courthouse,
325 East Washington St.
Athens, GA 30601
robin.shearer@athensclarkecounty.com
706-613-3300

Judge Keith Wood
Probate Court, Cherokee County
90 North Street, Suite 340
Canton, GA 30114
bkwood@cherokeega.com
678-493-6160

Ms. Rita Arlene Sheffey
Hunton & Williams LLP
600 Peachtree Street, NE, Suite 4100
Atlanta, GA 30308
rsheffey@hunton.com
404-888-4053

Ms. Sheila Studdard
Superior Court Clerk, Fayette County
Fayette County Justice Center
One Center Drive
Fayetteville, GA 30214
sheila.studdard@gsccca.org
770-716-4290

Senator Jesse Stone
State Senator, District 23
642 Liberty Street
Waynesboro, GA 30830
jesse.stone@senate.ga.gov
478-237-7029

Mr. Ryan Teague
Executive Counsel to the Governor
201 State Capitol
Atlanta, GA 30334
rteague@georgia.gov
404- 651-7715