

JUDICIAL COUNCIL OF GEORGIA

General Session

Wednesday, June 4, 2014

1:00 p.m. – 5:00 p.m.



Jekyll Island Club Hotel

Morgan Center

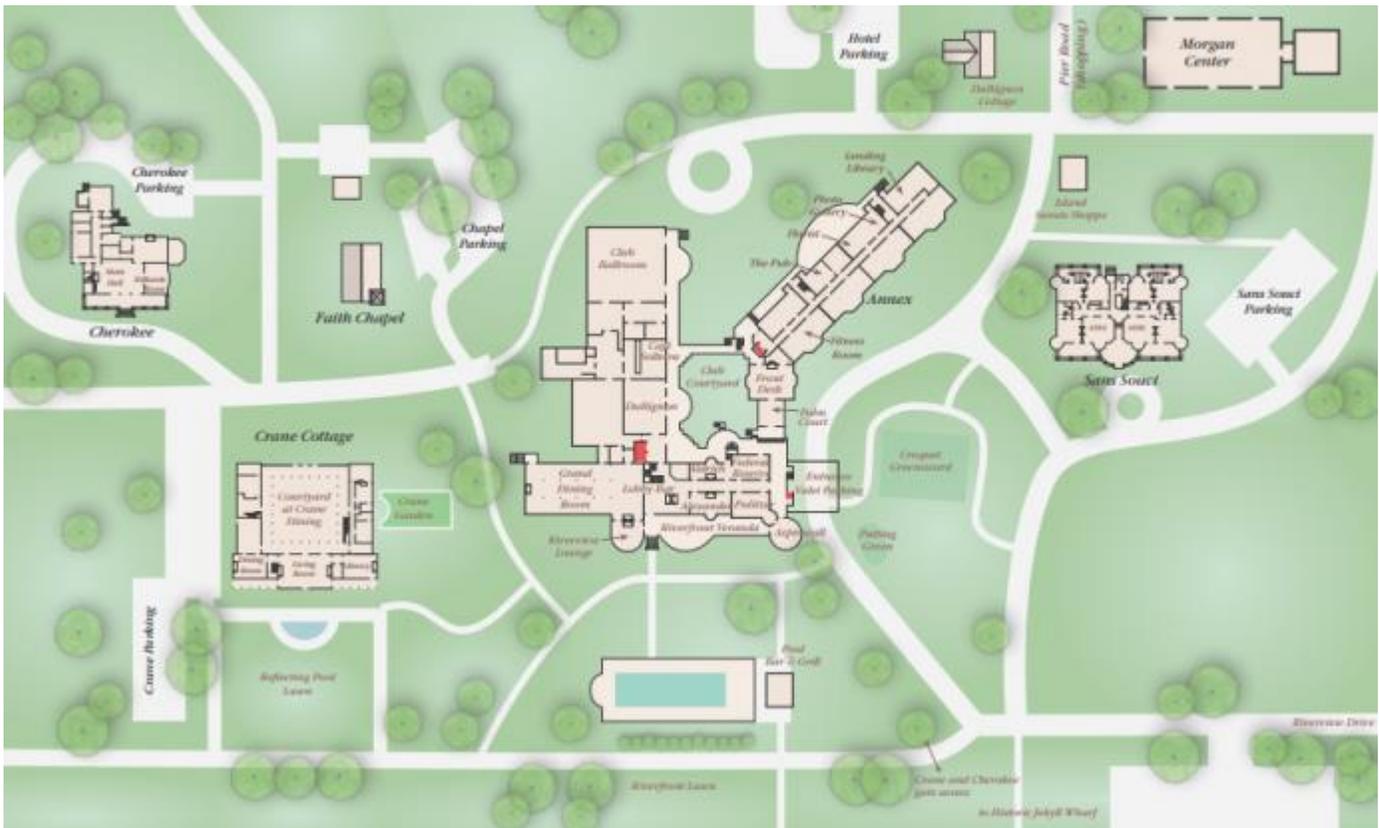
371 Riverview Drive

Jekyll Island, GA 31527

Jekyll Island Club Hotel
Morgan Center
371 Riverview Drive
Jekyll Island, GA 31527

Driving Directions

On I-95 take Exit 29 onto Highway 17/82 North for 6 miles to the Jekyll Island Causeway (State Road 520). Proceed on the Causeway East 5 miles to the Jekyll Island toll plaza (\$6 park entry fee). Continue over the Jekyll bridge and make the first left (U-turn). This is Riverview Drive and takes you directly to the front of the hotel.



Judicial Council of Georgia

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Morgan Center
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Jekyll Island, GA 31527

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1:00 p.m. – 5:00 p.m.

A group photograph will be taken at the break.

- 1. Preliminary Remarks and Introductions**
(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)
- 2. Approval of Minutes, February 18, 2014** (*Action Item*) **TAB 1**
(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)
- 3. Judicial Council Committee Reports**
 - A. Policy and Legislative Committee** **TAB 2**
(Presiding Justice P. Harris Hines, Est. Time – 10 Min.)
 - B. Court Reporting Matters Committee** (*Action Item*) **TAB 3**
(Presiding Judge Sara Doyle, Est. Time – 5 Min.)
 - C. Strategic Plan Implementation Committee** **TAB 4**
(Presiding Judge Sara Doyle, Est. Time – 5 Min.)
 - D. Accountability Court Committee** **TAB 5**
(Written Report)
 - E. Judicial Workload Assessment Committee** **TAB 6**
(Written Report)
 - F. Budget Committee** **TAB 7**
(Justice Harold D. Melton, Est. Time – 10 Min.)
 - G. Domestic Violence Committee** **TAB 8**
(Written Report)
- 4. Council of Magistrate Court Judges Access to Courts Project Update**
(Ms. Sharon Reiss, Council of Magistrate Court Judges, Est. Time – 10 Min.)
- 5. Accountability Court Funding Committee**
(Judge Jack Partain, Est. Time – 5 Min.)
- 6. Report from AOC** **TAB 9**
(Ms. Marla S. Moore, Est. Time – 30 Min.)
 - A. Access & Fairness Activities**

- B. Civil E-Filing
- C. CourTools Update
- D. County and Municipal Probation Advisory Council Annual Report
- E. County and Municipal Probation Advisory Council Memo
- F. Georgia Courts Registrar
- G. Supreme Court Committee on Justice for Children

7. Reports from Appellate Courts and Trial Court Councils

TAB 10

- A. Supreme Court
- B. Court of Appeals
- C. Council of Superior Court Judges
- D. Council of State Court Judges
- E. Council of Juvenile Court Judges
- F. Council of Probate Court Judges
- G. Council of Magistrate Court Judges
- H. Council of Municipal Court Judges

8. Old/New Business

(Chief Justice Hugh P. Thompson, Est. Time – 15 Min.)

9. Outgoing Members

(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)

10. Concluding Remarks and Adjournment

(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)

The next meeting of the Judicial Council of Georgia will be September 25, 2014 at the Carter Center in Atlanta, Georgia. Please also mark your calendars for January 7, 2015.

Judicial Council Members

As of June 2014

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Tajsha Dekine
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Kevin Kirk
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Rory Parker
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Arnold Schoenberg
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Judges**

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**Council of Magistrate Court
Judges**

Sharon Reiss
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All email addresses follow this format: firstname.lastname@gaaoc.us.

Meeting of the Judicial Council of Georgia
Carter Center • Cyprus Room
Atlanta, Georgia
February 18, 2014 • 2:00 p.m.

Members Present:

Chief Justice Hugh P. Thompson, Chair
Presiding Justice P. Harris Hines, Vice Chair
Chief Judge Gregory A. Adams
Judge Louisa Abbot
Judge James M. Anderson
Chief Judge Harry Jay Altman, II
Judge J. Lane Bearden
Judge James G. Bodiford
Judge Linda S. Cowen
Judge Chase Daughtrey
Presiding Judge Sara Doyle
Judge Kathlene Gosselin
Judge Betsey Kidwell
Judge Edward D. Lukemire
Chief Judge Arch W. McGarity
Judge John E. Morse, Jr.
Chief Judge J. Carlisle Overstreet
Chief Judge Kathy Palmer
Chief Judge Herbert E. Phipps
Judge Kelley Powell
Judge Robin W. Shearer
Judge Mary Staley
Judge Robert Turner (for Judge Wigington)
Chief Judge Gail S. Tusan
Judge Charles Wynne

Members Absent:

Judge E.R. Lanier
Judge W. Allen Wigington

Non-Member Committee Chairs

Justice Harold Melton, Budget Committee
Chief Judge Brenda S. Weaver,
Accountability Court Committee

Staff Present:

Ms. Marla S. Moore
Mr. Jorge Basto
Mr. Derrick Bryant
Mr. Michael Cuccaro
Mr. Randy Dennis
Ms. Ashley Garner
Mr. Christopher Hansard
Ms. Tracy Mason
Ms. Erin Oakley
Ms. Molly Perry
Ms. Maggie Reeves
Ms. Ashley G. Stollar

Guests Present:

Ms. Dena Adams, Superior Court Clerk, White County
Mr. Joseph Baden, Third District Court Administrator
Ms. Tee Barnes, Supreme Court of Georgia
Mr. Tracy BeMent, Tenth District Court Administrator
Mr. Bob Bray, Council of State Court Judges
Ms. Connie Cheatham, Superior Court Clerk, McDuffie County
Mr. Scott Evans, ScotCro, LLC
Mr. Steve Ferrell, Ninth District Court Administrator
Ms. Rita Harkins, Superior Court Clerk, Lumpkin County
Ms. Barbara Harrison, Superior Court Clerk, Henry County
Mr. Linda D. Hays, Superior Court Clerk, Newton County

Judge Lark Ingram, Superior Court, Cobb Judicial Circuit
Mr. Bart W. Jackson, Superior Court Clerk, Jones County
Mr. Eric John, Council of Juvenile Court Judges
Ms. Debbie Kines, Superior Court Clerk, Grady County
Ms. Beverly Logan, Superior Court Clerk, Athens-Clarke County
Ms. Cathy McCumber, Fourth District Court Administrator
Trooper Moses Little, Georgia State Patrol
Ms. Tia Milton, Supreme Court of Georgia
Mr. David Mixon, Second District Court Administrator
Ms. Elise Myers, Chief Clerk, Henry County Probate Court
Ms. Megan O'Leary, Tyler Technologies
Mr. Matt Ogley, Office of Planning and Budget
Mr. Richard Reaves, Institute of Continuing Judicial Education
Ms. Sharon Reiss, Council of Magistrate Court Judges
Mr. Cheston Roney, Georgia Council of Court Administrators
Ms. Kelli Paradise Smith, Superior Court Clerk, Oglethorpe County
Ms. Sheila Studdard, Superior Court Clerk, Fayette County
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Ms. Carolyn Williams, Superior Court Clerk, Pike County
Judge Don E. Wilkes, Probate Court of Emanuel County
Mr. Max Wood, Office of State Administrative Hearings

Call to Order

Chief Justice Thompson called the meeting to order at 2:00 p.m. Judge Tusan was welcomed as the new Chief Judge of the Atlanta Judicial Circuit and Administrative Judge of the Fifth District. He then introduced Judge Turner, sitting in for Judge Wigington. Council members, staff, and guests introduced themselves.

Approval of Minutes

Chief Justice Thompson noted an amendment to the minutes had been suggested by Judge Staley. A copy of the amended minutes was distributed to each Council member noting the amendment under the Policy and Legislative Committee report. Judge Adams moved to approve the minutes of the September 13, 2013 meeting as amended. Judge Kidwell seconded the motion. The motion passed with no dissent.

Committee Reports

Policy and Legislative Committee. Presiding Justice Hines observed that the Council is meeting on the twenty-third legislative day; crossover day will be March 3; and the last day of the legislative session is scheduled to be March 20. He noted that legislation supported by the Judicial Council is progressing well.

Sen. Jesse Stone has sponsored the court technology fee bill, SB 345, and the AOC is working to fine tune language in the bill. SB 332, also sponsored by Sen. Stone, seeks to increase the contempt fine in magistrate court to \$500 or imprisonment of twenty days or both. HB 438 increases the maximum filing fee that may be charged and collected by local programs to support court-connected or court-referred dispute resolution programs from \$7.50 to \$10.00 per civil filing.

Presiding Justice Hines reported that there are two bills based on the Judicial Council's recommendations creating additional judgeships in the Coweta (HB 742) and Waycross (SB 331) Judicial Circuits. Judge Abbot added that the superior court judges' legislative support team has answered many questions from legislators on how the Judicial Council determines the need for judgeships.

Presiding Justice Hines reported that HB 776, sponsored by Rep. Alex Atwood, aims to amend Title 15 (Courts), Title 21 (Elections), and Title 40 (Motor Vehicles and Traffic) to revise provisions relating to the creation of the state's master jury list. HB 776 deletes OCGA § 15-12-20 that creates boards of jury commissioners and deletes other references to jury commissioners throughout the Code. HB 776 also adds superior court clerks and jury clerks to several code sections. Presiding Justice Hines invited Mr. Bart Jackson to explain the bill in depth. Mr. Jackson reported that superior court clerks are obligated to call jury commissioners to approve people who are to be taken off the jury lists. As the jury list is now automated, this process is antiquated and unnecessary. Duplication of names has been reduced drastically, but a new concern has been that felons may be on the list. This legislation will allow clerks access to additional databases to continue to refine the list. The Council of Superior Court Clerks will ask the Supreme Court to consider rule changes. Mr. Jackson thanked Mr. Mike Cuccaro and Dr. John Speir for their continued work on the master jury list; he expressed appreciation of the work of Mr. Gary Yates, who has contracted with the Council to assist with the jury project.

Presiding Justice Hines reported that the Committee recommends the Judicial Council support legislation to: (1) remove reference to jury commissioners in the Georgia Code; and (2) amend authorizations so that the Council of Superior Court Clerks can receive data necessary to refine the master jury lists. Judge Adams seconded the committee motion. The motion passed with no dissent.

Court Reporting Matters Committee. Presiding Judge Doyle noted the resignation of Mr.

Dennis Bull from the Board of Court Reporting. The Committee moves that Ms. Tiffany Alley fill the vacancy. The motion passed.

Presiding Judge Doyle reported that the Committee has met twice since the September 2013 Judicial Council meeting to work on the language in the action items adopted in April 2013. Some items need to be coordinated with the appellate courts prior to implementation. The Committee moved that the Council approve an extension for effecting all policies to January 1, 2015. The motion passed with no dissent.

Strategic Plan Implementation (SPI) Committee. Presiding Judge Doyle reported that the SPI Committee has met three times since the last Judicial Council meeting and has created an action plan for work through the end of the calendar year. The SPI Committee has begun working through the nine identified initiatives of the strategic plan and is prioritizing them. The Committee plans to meet in April for a full day workshop to review the legislative process and determine what has worked and what new ideas have been identified. A plan will be delivered to the Judicial Council during its June meeting.

Accountability Court Committee. Judge Weaver noted that later in the week, the first peer review in the state would be held in the Gwinnett Circuit; a review of the Appalachian Circuit will be held in March. Judge Gosselin and Judge Steve Goss are developing a peer review process for mental health courts. A new bill for veterans' courts is working its way through the General Assembly. Judge Weaver reported that the Committee is working with the legislature to fund a certification program officer position, which was taken away in the FY2014 budget. The work of accountability courts is time-intensive and the additional staff person is critical to their continued success. Chief Justice Thompson expressed his gratitude for the work of the Committee and Judge Weaver's leadership.

Judicial Workload Assessment Committee. Chief Justice Thompson referred members to the written report in the agenda.

Budget Committee. Justice Harold Melton reported that the Judicial Council's prioritization of enhancement requests has been well-received by legislators. The House version of the FY2015 Appropriations Bill includes Statewide E-filing, civil legal services for domestic violence victims, the Certification Program Officer position, and a position for the County and Municipal Probation Advisory Council. Still in negotiation between the two houses of the General Assembly is funding for the Institute of Continuing Judicial Education (ICJE) and a

Family Law Information Center in the Pataula Judicial Circuit. The request by the Council of Probate Court Judges for an executive director has been zero funded.

Justice Melton referred members to the financial report for Judicial Council Operations FY14 in the agenda. He pointed out that the budget is on target with 60 percent of funds expended and two-thirds of the fiscal year completed.

Review and Approval of Training Curricula for Magistrate and Municipal Courts Training Councils

Mr. Rich Reaves, Executive Director, ICJE, presented the products and services planning calendar for continuing education of magistrate and municipal court judges in CY2014. Judicial Council approval of these programs is required by law. In addition to the traditional on-site courses, several online opportunities are available. Judge Kidwell moved approval of the training courses as presented. Judge Adams seconded. The motion carried.

Council of Magistrate Court Judges Access to Courts Wizard

Ms. Sharon Reiss, Executive Director, Council of Magistrate Court Judges (CMagCJ), thanked Judge Staley's Cobb County Family Court Program that served as a catalyst for the CMagCJ's project. Ms. Reiss reported that the Access to Courts Wizard is an online tool to assist pro se litigants and attorneys in navigating the process of filing cases in the magistrate courts. The tool leads the user through interview questions to validate the court's jurisdiction. While the Wizard is not an e-filing application, CMagCJ has worked with Mr. Jorge Basto, AOC IT, to ensure the Wizard is compatible with any system that is adopted in the future. Benefits include dynamic questions similar to TurboCourt and links to legal resources. The Wizard helps determine in which court the case belongs and can generate the needed forms with filing instructions.

Ms. Megan O'Leary, Tyler Technologies, demonstrated the ease of use of the Wizard which will be available on the CMagCJ website. Three forms are currently available. Users simply type in their answers and the program populates a form that can be printed and brought to court. The Access to Courts Wizard utilizes specific questions to guarantee the user is successfully filing in the correct court.

Judge Kidwell remarked that the CMagCJ is very excited about the tool Access to Courts Wizard. She acknowledged the efforts of Judge Turner, Judge Wigington, Judge Alan Harvey,

Judge Mike Greene, Judge Jennifer Lewis, Judge Michael Barker, and Judge Phinia Aten on the project.

Judge Turner expressed his hope that the Access to Courts Wizard will clarify the documents litigants should bring to court, reducing the frustration for judges and litigants as well as improving case processing time.

Chief Justice Thompson called for a fifteen minute break.

Report from the AOC Director

Ms. Moore focused her remarks on a few of the AOC's recent activities.

Access and Fairness. Ms. Moore is working with the Chief Justice to appoint a Judicial Council committee to deal with access, fairness and public trust and confidence issues. She thanked Ms. Erin Oakley and Ms. Tracy Mason for their recent efforts in this area. This year marks the fourth year of partnership between the AOC and the Center for Public Policy Studies (CPPS). The collaboration began with a focus on immigration and its impact on the courts and has expanded to addressing human trafficking in the courts. Georgia is a technical assistance site chosen for the Human Trafficking and the State Courts Collaborative between CPPS, the National Association of Women Judges, the Center for Court Innovation, and others.

In 2004, "A Meaningful Opportunity to Participate: A Handbook for Georgia Court Officials on Courtroom Accessibility for Individuals with Disabilities" was published by the Committee on Access and Fairness in the Courts. That document is currently being reviewed and updated. Recently, the AOC hosted two Japanese judges who are studying disability compliance issues in Japan and interested in our Handbook. Mr. Shinji Morokuma also discussed Alternative Dispute Resolution with the international visitors.

The AOC continues to support the State Bar of Georgia's efforts moving forward on access to justice issues for self-represented litigants. Ms. Mason and Ms. Oakley are working with the State Bar Access to Justice Committee that is exploring ways to create and fund an Access to Justice Commission. The State Bar's former Committee on Civil Justice dealt with these issues but was unable to continue working once its funding source, Interest on Lawyers Trust Accounts (IOLTA) funds, was no longer available.

CourTools. As part of the Judicial Council/AOC strategic plan, CourTools is a way for judges and courts to find ways to self-evaluate, review processes, and determine customer satisfaction. Six court administrators have been trained to work with trial court councils to

disseminate information to the judicial community on how to use CourTools. A two and a half day Institute for Court Management (ICM) course for judges and court administrators will be offered in the future.

Drug-Involved Offenders. Under a Bureau of Justice Assistance grant, a Ms. Moore served with a team of experts that met over a two year period to develop principles for identifying substance abusers earlier in the judicial process to deliver services before they become a court problem. Once the principles were developed, Georgia was chosen to be a pilot site for technical assistance on implementation of the principles. The Appalachian, Bell-Forsyth, and Pataula Judicial Circuits volunteered to participate. The project is winding down, but Ms. Moore thanked the judges in those circuits for their willingness to work with the national team. Each circuit received assistance in strengthening their current programs and the national team gained some hands on experience which will inform them on roll-out of the principles.

Georgia Courts Registrar. Ms. Reeves presented a brief overview of the Georgia Courts Registrar, an online application for registering and certifying nearly 5,000 court professionals and officials by their governing organizations. The AOC is consolidating its certification activities for these entities and, with its vendor, ScotCro LLC, is introducing the Registrar sequentially by customer group. The first module was launched on January 6 for court reporting firms, with the second launching at the end of February for court reporters. Application processing time has been reduced from several hours to several minutes, allowing program staff to shift attention to education, compliance, policy, and service issues.

Surveys administered prior to application development indicated that customers wanted to view their application status and receive prompt and efficient responses to inquiries. Registrar features include a questionnaire, messaging, document uploads, and online payment. There are plans to incorporate an additional feature to manage continuing education events.

Ms. Moore remarked that while a few problems have been identified, customers are pleased with the Registrar, and surveys will be conducted to measure satisfaction. She asked judges to forward any issues regarding the application to the AOC for resolution.

Research Caseload Analysis. Mr. Christopher Hansard reminded the Council that part of the AOC's function is to collect data from courts to assist in policy decisions. Caseload and financial data have been collected by the AOC since 1976 when the duty was statutorily mandated. The data are shared with stakeholders for local, state, and national analysis. Georgia's

caseload peaked in 2008, a trend seen nationally. General civil caseload has decreased in state and superior courts, while increasing in magistrate court. Among the reasons could be the filing fee increases in state and superior courts; also there is a correlation between economic downturns and decreasing civil case filings.

National trends reported by the National Center for State Courts (NCSC) show decreasing caseload in all classes of courts, although domestic relations cases are on the rise. The Judicial Workload Assessment Committee (JWAC) hopes to bring reliable, accurate data to the Judicial Council. Mr. Hansard remarked that if courts need court-specific data or technical assistance, the AOC is available to assist.

Georgia Court Cost Study. Mr. Hansard reported that one of the AOC's statutory functions is to collect financial data for courts. Formerly, the AOC met this duty by conducting an annual salary survey that sought salary and staffing information from each court. This process was resource intensive and, by 2010, the response rate had decreased to 50 percent.

Based on the AOC's limited resources, staff attempted a new approach to gathering court financial data, the Court Cost Study. During Phase I of the study, a survey was sent to county finance officers requesting salary and benefits data for judges and staff. After five months, the response rate was close to 50 percent. Several problems and concerns were identified: (1) access to data – it proved difficult for county finance officers to provide data; (2) uniformity – one survey was developed not taking into account that different classes of courts and counties administer their courts differently; and (3) accuracy – many surveys were returned incomplete and staff were not able to validate the information because of lack of resources. In Phase II, a Capstone Team from Georgia State University's Andrew Young School of Policy Studies tested data collection from three counties to identify and analyze court operational costs. The same concerns identified in Phase I were found in Phase II.

Mr. Hansard explained that AOC Research felt the data collected during the Court Cost Study was not sufficiently reliable to proceed with additional data collection on a wider basis. He sought the following guidance from the Judicial Council: (1) Based on the strategic plan, what is the priority of salary and operational data analysis? (2) If determined a priority, how can that data support local courts' needs? Further work with the Judicial Council would be needed to create specific research and policy questions.

There was some discussion about the utility of collecting financial data. Judge Abbot observed that unless the Judicial Council establishes how such information could assist local courts, collecting this data is not worthwhile.

Chief Justice Thompson noted that other types of data may be useful, especially how many pro se litigants appear in the courts. Mr. Hansard commented that JWAC is meeting to approve forms to collect new case information including pro se litigants.

Reports from Appellate Courts and Trial Court Councils

Supreme Court. Chief Justice Thompson noted that the Supreme Court published 426 signed opinions in 2013. He travelled to Williamsburg, VA, with Ms. Moore to attend an orientation by the National Center for State Courts. The Conference of Chief Justices' mid-year meeting brought 39 chief justices from across the nation to Sea Island, GA, in January. This legislative session the Supreme Court and Court of Appeals have made efforts to meet with key members in the House and Senate and the executive branch. The Chief Justice expressed his wish for the Jurisdiction Workgroup to continue its collaboration. There is an effort between the Supreme Court and Court of Appeals to work out jurisdiction issues.

Chief Justice Thompson noted the great response he received when he called for stories from courts to share during his State of the Judiciary address to the General Assembly. Thanks to those reports, he was able to call on specific examples of the good work being done within the judiciary.

Court of Appeals. Presiding Judge Doyle reported that operations were running smoothly and referred members to the written report provided in the agenda.

Superior Courts. Judge Abbot spoke of the collaboration the superior courts are engaging in as a result of the accountability courts, such as working with treatment providers and housing providers. The Council of Superior Court Judges (CSCJ) is working closely with several executive branch agencies including the Department of Corrections (DOC) on its pre-sentence assessment tool and the Department of Behavioral Health and Developmental Disabilities (DBHDD) regarding incompetence.

State Courts. Judge Cowen referred members to the written report of the Council of State Court Judges (CStCJ) in the agenda. She expressed appreciation to the AOC for its data collection, often used by the CStCJ to lobby county commissions for salary adjustments or new judgeships. Judge Cowen thanked Mr. Bob Bray, Executive Director, for working with the AOC

on a bill to approve a new judgeship in Lowndes County. She recognized Judge Nancy Bills, Rockdale County, for receiving a grant aimed at reducing domestic violence homicide and educating teens about dating violence. Judge Cowen thanked Mr. Reaves for conducting the CStCJ's New Judges training in January. Judge Daughtrey requested the information packet referenced in the written report. Judge Cowen explained that the packet is intended for legislators' inquiries and includes a model legislation packet. She asked Mr. Bray to make it available for the probate court judges.

Juvenile Courts. Judge Shearer reported that the Council of Juvenile Court Judges (CJCJ) spent its entire Fall Seminar devoted to the new juvenile code. The juvenile bench book was rewritten and is available online. CJCJ is looking at the accountability courts model as a guide on how to handle child in need of services, formerly status offender, cases. The juvenile courts regularly work with the Department of Juvenile Justice, Department of Human Services, DBHDD, prosecutors, and public defenders. The juvenile judges are working with the National Center for Crime and Delinquency to rewrite all instruments that are used. The Governor has created an implementation committee of leaders of agencies and juvenile judges to work together without barriers. Judge Shearer noted that Judge Peggy Walker, Douglas County, is the incoming president of the National Council of Juvenile and Family Court Judges.

Probate Courts. Judge Powell referred members to the Council of Probate Court Judges (CPCJ) written report included in the agenda. The CPCJ is working to revamp its statewide standard forms and is working on minor guardianships. Judge Powell noted that the CPCJ will meet in the next week to work on its strategic plan.

Magistrate Courts. Judge Kidwell referred members to the written report of the Council of Magistrate Court Judges (CMagCJ) in the agenda. The CMagCJ's 30th Anniversary celebration is coming to a close. Judge Kidwell thanked Ms. Reiss for her work on the 30th anniversary celebrations and Tyler Technologies for its help on the Access to Courts Wizard. The CMagCJ is working on updates to its bench book and updating its videos with the help of the DeKalb School of the Arts. Judge Kidwell invited members to the May 5 meeting of the magistrate judges at Lake Lanier.

Municipal Courts. Judge Anderson reported that the 350 municipal courts handle around 1.3 million cases per year. While most cases seen in municipal courts are traffic cases, many cases revolve around abuse of meth, heroin, cocaine, MDMA, etc. Judge Anderson expressed

interest in seeing accountability courts at the municipal level, especially since addiction and addiction-related behavior is first seen in municipal courts. Judge Anderson reported that HB 387 (private probation) had been tabled and HB 1000 (tax intercept) had dropped. Judge Anderson referred members to the written report of the Council of Municipal Court Judges (CMunCJ) in the agenda.

Old/New Business

Ms. Moore reported on the habeas project. Ms. Tee Barnes, Supreme Court Clerk, and the superior court clerk in Butts County have been involved in the project. Next steps involve the AOC creating an authentication layer so that an electronic copy of the record can be accessed without the necessity of shipping a physical copy of the record to the reviewing judge.

Chief Justice Thompson extended an invitation to all members of the Judicial Council and guests to attend the Legislative Reception being held on February 26, 2014.

Concluding Remarks and Adjournment

The next meeting of the Judicial Council will be held on June 4, 2014, in Jekyll Island, GA.

Chief Justice Thompson adjourned the meeting at 5:00 p.m.

Respectfully submitted:



Ashley G. Stollar

Communications/Outreach Specialist II

The above and foregoing minutes were

Approved at the meeting held on the _____

day of _____, 2014.



**Judicial Council of Georgia
Administrative Office of the Courts**

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Presiding Justice P. Harris Hines 
Chair, Policy and Legislative Committee

RE: Policy Committee Report

DATE: June 4, 2014

On September 13, 2013 and February 18, 2014, the Judicial Council approved its 2014 Legislative Package. The following report contains an overview of each item the Council took a position on, and the final status of each:

I. Alternative Dispute Resolution filing fee

Bill: HB 438 – Court-referred alternative dispute resolution programs; legal costs; increase maximum amount of additional cost (O.C.G.A. § 15-23-7)

Sponsor: Representative Jay Powell (R – Camilla)

HB 438 amends O.C.G.A. § 15-23-7 to increase the maximum filing fee that may be charged and collected by local programs to support court-connected or court-referred alternative dispute resolution (ADR) programs from \$7.50 to \$10 per civil filing.

Position: The Judicial Council **supports** HB 438.

Final Status: Signed by Governor 4/23/14

II. Tax setoff legislation

Bill: HB 1000 - Revenue and taxation; setoff debt collection against state income tax refunds for debts owed to political subdivisions and courts; provisions (O.C.G.A. Title 48)

Sponsor: Representative Barry Fleming (R – Harlem)

Tax setoff legislation allows for debt collection from state income tax refunds for unpaid fines and fees due the court and the funds that receive money through add-ons.

Position: The Judicial Council **supports** legislation that allows courts to participate in a tax refund intercept program.

Final Status: Signed by Governor 4/14/14

III. Traffic Violations Bureaus statute reform
(O.C.G.A. §§ 40-13-50 through 40-13-66)

This proposal allows each court having jurisdiction over violations of traffic laws or traffic ordinances to customize the procedures for the summary disposition of minor traffic offenses to its own best practices. Additionally, this reform addresses constitutional infirmities cited in appellate opinions, modernizes forty-year old statutes, and specifically authorizes online payment of appearance bonds.

Position: The Judicial Council **supports** reform of the traffic violations statutes.

Final Status: No legislation filed.

IV. General legislation on the recovery of court costs

Bill: SB 345 - Courts; to provide for a technology fee to be collected under certain circumstances (O.C.G.A. Titles 15 and 36)

Sponsor: Senator Jesse Stone (R – Waynesboro)

A handful of local bills are filed in the General Assembly every year by courts seeking to impose their own court technology fees. A general law allowing local courts to establish technology fees would: (1) alleviate concerns that piecemeal implementation is not in keeping with uniformity requirements; (2) provide a consistent process for adoption by any court; and (3) provide a foundation for steady investment into court infrastructure. This would also shorten the process for approving a fee since specific action by the General Assembly would no longer be required.

Position: The Judicial Council **supports** legislation allowing courts to impose a technology fee on civil filings and/or fines.

Final Status: Read and Referred to Senate Judiciary Committee; did not pass.

V. Increase contempt penalties in Magistrate Court

Bill: SB 332 - Magistrate Courts; increase the fine amount for contempt of court (O.C.G.A. § 15-10-2)

Sponsor: Senator Jesse Stone (R – Waynesboro)

The Council of Magistrate Court Judges would like legislation introduced to raise the maximum fine for contempt in magistrate courts from \$200 to \$500, and the maximum imprisonment changed from ten to twenty days.

Position: The Judicial Council **supports** legislation allowing the penalty for contempt in magistrate courts to be increased to fines not exceeding \$500, by imprisonment not exceeding twenty days, or both.

Final Status: House Judiciary Civil Committee Favorably Reported; did not pass.

VI. Jury legislation

Bill: House Bill 776 - Courts; information provided to compile state-wide master jury lists and county master jury lists; clarify (O.C.G.A. Titles 15, 21 and 40)

Sponsor: Representative Alex Atwood (R – Brunswick)

House Bill 776, sponsored by Representative Alex Atwood (R – Brunswick), amends Titles 15 (Courts), 21 (Elections), and Title 40 (Motor Vehicles and Traffic), to revise provisions relating to the creation of the state’s master jury list. The bill cleans up antiquated language that is no longer necessary following the implementation of the Jury Reform Act of 2011.

Position: The Judicial Council **supports** legislation to remove reference to jury commissioners in the Georgia Code and amend authorizations so that the Council of Superior Court Clerks can receive data necessary to refine the master jury lists.

Final Status: Signed by Governor 4/22/14

VII. Weapons Carry legislation

Bill: SB 101 – Firearms; regulate the sale, use and possession in this state

Replaced by HB 60 - Firearms; certain laws regarding carrying and possession by retired judges; provide exemption.

Sponsor: Rep. Doug Holt (R – Social Circle)

SB 101 amends weapons carry laws. The judiciary’s concern with SB 101 is that the definitions of “Courthouse” and “Government building” are not mutually exclusive. Buildings where judicial proceedings are held may also be “government buildings” under the definitions of this bill. After several revisions, the bill provided that concealed carry permits would allow persons to carry weapons into unsecured government buildings, but it appears that the prohibition against carrying weapons into courthouses (any building where judicial proceedings is held) applies whether a person has a license or not. *See lines 162-220 of HB 60 (attached).*

Position: The Committee recommends that the Judicial Council **support** the placement of language in SB 101 that states “courthouses as defined by Code Section 16-11-127 are prohibited places for carrying weapons.”

Final Status: Signed by Governor 4/23/14

132 right to ~~forbid~~ exclude or eject a person who is in possession of a weapon or long gun on
 133 their private property in accordance with paragraph (3) of subsection (b) of Code Section
 134 16-7-21, except as provided in Code Section 16-11-135."

135 **SECTION 1-5.**

136 Said article is further amended by revising Code Section 16-11-127, relating to carrying
 137 weapons in unauthorized locations and penalty, as follows:

138 "16-11-127.

139 (a) As used in this Code section, the term:

140 ~~(1) 'Bar' means an establishment that is devoted to the serving of alcoholic beverages for~~
 141 ~~consumption by guests on the premises and in which the serving of food is only~~
 142 ~~incidental to the consumption of those beverages, including, but not limited to, taverns,~~
 143 ~~nightclubs, cocktail lounges, and cabarets.~~

144 ~~(2)~~(1) 'Courthouse' means a building occupied by judicial courts and containing rooms
 145 in which judicial proceedings are held.

146 ~~(3)~~(2) 'Government building' means:

147 (A) The building in which a government entity is housed;

148 (B) The building where a government entity meets in its official capacity; provided,
 149 however, that if such building is not a publicly owned building, such building shall be
 150 considered a government building for the purposes of this Code section only during the
 151 time such government entity is meeting at such building; or

152 (C) The portion of any building that is not a publicly owned building that is occupied
 153 by a government entity.

154 ~~(4)~~(3) 'Government entity' means an office, agency, authority, department, commission,
 155 board, body, division, instrumentality, or institution of the state or any county, municipal
 156 corporation, consolidated government, or local board of education within this state.

157 ~~(5)~~(4) 'Parking facility' means real property owned or leased by a government entity,
 158 courthouse, jail, prison, or place of worship, ~~or bar~~ that has been designated by such
 159 government entity, courthouse, jail, prison, or place of worship, ~~or bar~~ for the parking of
 160 motor vehicles at a government building or at such courthouse, jail, prison, or place of
 161 worship, ~~or bar~~.

162 (b) Except as provided in subsection (d) or (e) of this Code section, a ~~★~~ person shall be
 163 guilty of carrying a weapon or long gun in an unauthorized location and punished as for a
 164 misdemeanor when he or she carries a weapon or long gun while:

165 (1) In a government building;

166 (2) In a courthouse;

167 (3) In a jail or prison;

- 168 (4) In a place of worship, unless the governing body or authority of the place of worship
 169 permits the carrying of weapons or long guns by license holders;
- 170 (5) In a state mental health facility as defined in Code Section 37-1-1 which admits
 171 individuals on an involuntary basis for treatment of mental illness, developmental
 172 disability, or addictive disease; provided, however, that carrying a weapon or long gun
 173 in such location in a manner in compliance with paragraph (3) of subsection (d) of this
 174 Code section shall not constitute a violation of this subsection;
- 175 ~~(6) In a bar, unless the owner of the bar permits the carrying of weapons or long guns by~~
 176 ~~license holders;~~
- 177 ~~(7)(6)~~ On the premises of a nuclear power facility, except as provided in Code Section
 178 16-11-127.2, and the punishment provisions of Code Section 16-11-127.2 shall supersede
 179 the punishment provisions of this Code section; or
- 180 ~~(8)(7)~~ Within 150 feet of any polling place, except as provided in subsection (i) of Code
 181 Section 21-2-413.
- 182 (c) Except as provided in Code Section 16-11-127.1, a license holder or person recognized
 183 under subsection (e) of Code Section 16-11-126 shall be authorized to carry a weapon as
 184 provided in Code Section 16-11-135 and in every location in this state not listed in
 185 subsection (b) or prohibited by subsection (e) of this Code section; provided, however, that
 186 private property owners or persons in legal control of private property through a lease,
 187 rental agreement, licensing agreement, contract, or any other agreement to control access
 188 to such private property shall have the right to forbid exclude or eject a person who is in
 189 possession of a weapon or long gun on their private property in accordance with
 190 paragraph (3) of subsection (b) of Code Section 16-7-21, except as provided in Code
 191 Section 16-11-135. A violation of subsection (b) of this Code section shall not create or
 192 give rise to a civil action for damages.
- 193 (d) Subsection (b) of this Code section shall not apply:
- 194 (1) To the use of weapons or long guns as exhibits in a legal proceeding, provided such
 195 weapons or long guns are secured and handled as directed by the personnel providing
 196 courtroom security or the judge hearing the case;
- 197 (2) To a license holder who approaches security or management personnel upon arrival
 198 at a location described in subsection (b) of this Code section and notifies such security
 199 or management personnel of the presence of the weapon or long gun and explicitly
 200 follows the security or management personnel's direction for removing, securing, storing,
 201 or temporarily surrendering such weapon or long gun; and
- 202 (3) To a weapon or long gun possessed by a license holder which is under the possessor's
 203 control in a motor vehicle or is in a locked compartment of a motor vehicle or one which

204 is in a locked container in or a locked firearms rack which is on a motor vehicle and such
205 vehicle is parked in a parking facility.

206 (e) (1) A license holder shall be authorized to carry a weapon in a government building
207 when the government building is open for business and where ingress into such building
208 is not restricted or screened by security personnel. A license holder who enters or attempts
209 to enter a government building carrying a weapon where ingress is restricted or screened
210 by security personnel shall be guilty of a misdemeanor if at least one member of such
211 security personnel is certified as a peace officer pursuant to Chapter 8 of Title 35; provided,
212 however, that a license holder who immediately exits such building or immediately leaves
213 such location upon notification of his or her failure to clear security due to the carrying of
214 a weapon shall not be guilty of violating this subsection or paragraph (1) of subsection (b)
215 of this Code section. A person who is not a license holder and who attempts to enter a
216 government building carrying a weapon shall be guilty of a misdemeanor.

217 (2) Any license holder who violates subsection (b) of this Code section in a place of
218 worship shall not be arrested but shall be fined not more than \$100.00. Any person who
219 is not a license holder who violates subsection (b) of this Code section in a place of
220 worship shall be punished as for a misdemeanor."

221 **SECTION 1-6.**

222 Said article is further amended by revising subsection (a), paragraphs (1) and (2) of
223 subsection (b), and subsections (c) through (f) of Code Section 16-11-127.1, relating to
224 carrying weapons within school safety zones, at school functions, or on school property, as
225 follows:

226 "(a) As used in this Code section, the term:

227 (1) 'Bus or other transportation furnished by a school' means a bus or other transportation
228 furnished by a public or private elementary or secondary school.

229 (2) 'School function' means a school function or related activity that occurs outside of a
230 school safety zone and is for a public or private elementary or secondary school.

231 ~~(1)~~(3) 'School safety zone' means in or on any real property or building owned by or
232 leased to:

233 (A) Any any public or private elementary school, secondary school, or school local
234 board of education and used for elementary or secondary education; and in or on the
235 campus of any

236 (B) Any public or private technical school, vocational school, college, university, or
237 other institution of postsecondary education.

238 ~~(2)~~(4) 'Weapon' means and includes any pistol, revolver, or any weapon designed or
239 intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife,



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

To: Judicial Council Members

From: Presiding Judge Sara L. Doyle
Chair, Court Reporting Matters Committee

Re: Prospective Nominees for Appointment to the Board of Court Reporting

Date: May 20, 2014

The Judicial Council Court Reporting Matters Committee represents the Council on all matters relating to court reporting to include recommending qualified individuals for membership to the Board of Court Reporting, and pursuant to O.C.G.A. § 15-14-24, the Judicial Council appoints the members of the Board for two year terms.

The Board of Court Reporting seeks to fill the open seats of two certified court reporters (one freelance machine shorthand, and one official, in any method), a superior court judge, and a State Bar representative for the term of office beginning July 1, 2014. The nine-Board membership is composed of: five certified court reporters, two representatives from the State Bar of Georgia, and two members of the judiciary (one Superior Court judge and one State Court judge).

To ensure statewide representation of Board membership, the Committee considers various qualifications, geographical regions, and policy issues regarding the court record and court reporting services. The Committee will meet on May 30, 2014 to determine its nominees for the upcoming seats. At the June 4 Judicial Council meeting, the Committee will announce its nominations for appointment or reappointment to replace Ms. Tiffany Alley (Atlanta Circuit, freelance machine shorthand), Ms. Anita Moore, (Mountain Circuit, official voice writer), Judge M. Cindy Morris (Conasauga Circuit), and Mr. Benjamin Perkins (Eastern Circuit).



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

To: Judicial Council Members

From: Presiding Judge Sara L. Doyle
Chair, Court Reporting Matters Committee

Re: Implementation of Court Reporting Policies and Fees

Date: May 20, 2014

At the behest of former Chief Justice Carol Hunstein and after the Special Committee on Court Reporting Fees and Processes concluded its report in April 2013, the Judicial Council approved several recommendations and tasked the Court Reporting Matters Committee (CRMC) with implementation. Attached to this memo are the proposed policies and fee schedule developed by the CRMC after considering feedback from the Board of Court Reporting, following meetings on December 4, 2013, February 26, 2014, March 31, 2014, April 29, 2014 and May 16, 2014.

The CRMC is asking the Judicial Council for tentative approval of the policies and fee schedule to then be put out for public comment and notice to the chairpersons of the Judiciary Committees of the state House of Representatives and Senate. The CRMC will then review the comments and make any necessary or recommended changes to the proposed policies and fee schedule and seek final approval from the Judicial Council at its next meeting.

Judicial Council of Georgia
Policies and Fees for Court Reporting Services

*[Note: The Court Reporting Matters Committee presents the following policies to the
Judicial Council for consideration at its June 4, 2014 meeting.]*

1.1 Application of Official Fee Schedule

Recommendation

The Official Fee Schedule applies to court reporters who are independent contractors. Counties that hire court reporters as employees shall arrange compensation and scope of work for them under their terms of employment, similar to other employees.

Implementation

The Board of Court Reporting shall clarify that the Fee Schedule applies to independent contractors and may be used as a guide in establishing personnel salaries.

The Judicial Council's *Schedule of Fees for Court Reporting Services in Criminal Cases* applies to court reporters who are independent contractors. Counties that hire court reporters as employees shall arrange compensation and scope of work for them under their terms of employment, similar to other employees, using the *Schedule of Fees* as a guide for salaries.

1.2 Contingent Expense and Travel Allowance

Recommendation

To better reflect typical travel guidelines that disallow expense reimbursement for travel between home and place of employment, O.C.G.A. §15-14-6 should be amended to remove the contingent expense and travel allowance for official court reporters serving a single-county jurisdiction.

Implementation

The ACCG or other interested organization should propose legislation to amend the statute clarifying that the contingency travel fee does not apply to single county circuits.

No action required.

1.3 Billing Practices and Forms

Recommendation

Court reporters shall clearly document work performed on invoices or requests for payment developed by the Board of Court Reporting to ensure accountability to the county fiscal office, which estimates budgets, processes payments, and is subject to audit.

Implementation

At a minimum, the Board of Court Reporting shall adopt model invoice forms to include the name of the court, style of case and case number, presiding judge, attorney(s), date(s) of service, type(s) of service, number of transcript pages, and fee rates for service and/or transcript. Invoices for court attendance, recordation/takedown, and transcripts shall also be prescribed.

The model invoice contained in Appendix A is recommended for use by official court reporters when billing for services. Invoices shall be submitted on a monthly basis within ten days of the end of a month.

1.4 Format and Page Rate

Recommendation

By January 1, 2014, transcripts shall be produced utilizing current information technology and filed in a searchable .pdf (portable document format), or as determined by the Judicial Council, that is accessible to all court users. The Judicial Council shall determine the page rate for electronic including transcripts, exhibits, and specialized exhibits.

Implementation

In conjunction with Recommendation 2.3, the Judicial Council shall require transcripts to be filed in searchable .pdf (portable document format), stipulate that the Board of Court Reporting issue written instructions for transcript format and style, and determine fair compensation that will substitute for the current paper-based scheme. (A page rate of \$5.00 will approximate the current average payment for an original and copies typically requested by court officials.)

I. Transcripts

Standards for transcripts assure fair, equitable, and uniform treatment of parties. In all criminal cases filed after January 1, 2015, case transcripts shall be produced in searchable portable document format (.pdf), or another approved electronic format with document search capability, and filed with the clerk of court in a medium that can be stored electronically.

The following format and style shall be used for the production of all transcripts in Georgia courts.

A. Margins

Preprinted solid left and right marginal lines shall be placed on the transcript page so that text begins 1-3/4 inches from the left side of the page and ends 3/8 inch from the right side of the page.

B. Character Spacing

The letter character size shall be 10 letters to the inch, providing for approximately 63 characters per line.

C. Lines and Line Numbering

Each page shall include numbers indicating each line of transcription on the page and shall contain 25 lines of double-spaced text. If a page contains less than 13 lines, no charge shall be assessed. A page containing 13 or more lines will be charged as a full page. The last page will be charged as a full page, regardless of the number of lines.

Page numbers or notations are not considered lines of text.

D. Indentations

1. Question and Answer (Q&A)

For Q&A, indentation from the left margin shall be five spaces for the first line and none for subsequent lines.

2. Colloquy

On the first line, indentation from the left margin shall be ten spaces, followed by speaker identification and a colon, with the statement beginning two spaces after. Subsequent lines shall be indented five spaces from the left margin.

3. Additional Testimony

Depositions read at trial, if taken down as part of the trial transcript, shall be formatted the same as oral testimony, with the same indentations as Q&A. In a transcript, each question and answer read from a deposition must be preceded by a quotation mark. At the conclusion of the reading, there shall be a closing quotation mark.

E. Page Numbering

Transcript page numbers shall be printed at the bottom right of each page. Pages shall be numbered consecutively beginning with page “1.”

F. Cover Page

Each transcript shall include a cover page indicating:

- (1) court name;
- (2) case name and number;
- (3) name and title of judge;
- (4) type, date, location, and time of proceeding;
- (5) name and address of each attorney and party represented;
- (6) whether jury was present;
- (7) court reporter’s name, address, and contact information;
- (8) volume number if multi-volume transcript (ex: Volume 1 of 3 in Arabic numerals).

G. Index

Each transcript shall contain a general index, a witness index, an exhibit index, and an index of matters not reported and/or transcribed. When a transcript has more than one volume, each volume shall contain a general index, a witness index, and an exhibit index.

- (1) The general index shall list all occurrences in chronological order, including the charge of the court.
- (2) The witness index shall list:
 - (a) all witnesses in the order of their appearance with associated page numbers of their testimony on direct, cross, redirect, and re-cross examinations; and
 - (b) all witnesses alphabetically with associated page numbers of their testimony on direct, cross, redirect, and re-cross examinations.
- (3) The exhibit index shall list each exhibit received into evidence with its description and associated page numbers when tendered and admitted.
- (4) The index of matters not reported and/or transcribed shall enumerate those matters (e.g. audio recordings, videotaped depositions, etc.)

H. Parenthetical Notations

Parenthetical notations, when appropriately separate from dialogue, must begin with an open parenthesis on the fifth space from the left margin, with the remark beginning on the sixth space from the left margin.

I. Exhibits

Documents, photographs, and physical evidence must comport with Rules 71 to 74 of the Supreme Court of Georgia and Rule 17 of the Court of Appeals of Georgia. Audio/video recordings played in court entered as an exhibit in a proceeding need not be transcribed unless ordered by the court and will not be considered part of the certified transcript.

J. Page Rate

The page rate for certified transcripts filed in electronic format shall be:

- (1) \$5.00 per page for required transcripts filed within 30 days from the conclusion of proceedings or for requested transcripts filed within 30 days from the date of request,
- (2) \$4.50 per page for required transcripts filed after 30 days up to 60 days from the conclusion of proceedings or for requested transcripts filed after 30 days up to 60 days from the date of request, and
- (3) \$4.00 per page for required transcripts filed after 60 days from the conclusion of proceedings or for requested transcripts filed after 60 days from the date of request.

[Note: See Appendix B for the Judicial Council's *Schedule of Fees for Court Reporting Services in Criminal Cases.*]

2.1 Takedown and Transcript Filing in Criminal Proceedings

Recommendation

Because there are inconsistent interpretations of the laws addressing the takedown and transcription of court proceedings, the Judicial Council shall clarify (1) which proceedings must be taken down and/or transcribed, and (2) which proceedings and transcripts must be authorized by a judge. Also, since the majority of complaints filed with the Board of Court Reporting against certified court reporters allege failure to produce a transcript in a reasonable period of time, the Judicial Council shall address time limits for transcript filing.

Implementation

The Judicial Council shall draft rules clarifying the court proceedings required to be taken down and transcribed and pertinent time periods for filing transcripts by December 31, 2013.

I. Takedown and Transcript Filing in Criminal Proceedings

A. Takedown

1. All proceedings in death penalty cases shall be taken down.
2. Felony cases other than death penalty cases
 - (1) Guilty pleas shall be taken down.
 - (2) Pre-trial motions shall be taken down when requested by the court or counsel.
 - (3) In trials, all evidence, including testimony, objections and rulings, motions made during the trial and rulings thereon, colloquies, jury charge (if a jury trial), and sentencing, and including voir dire, opening statements, and closing arguments shall be taken down.
 - (4) Motion for new trial hearings shall be taken down.
 - (5) Probation revocation hearings when requested by the court or counsel.
3. Misdemeanor cases other than traffic cases
 - (1) Guilty pleas shall be taken down.
 - (2) Pre-trial motions shall be taken down when requested by the court or counsel.
 - (3) In trials, all evidence, including testimony, objections and rulings, motions made during the trial and rulings thereon, colloquies, jury charge (if a jury trial), and sentencing, shall be taken down when requested by the court or counsel.
 - (4) Motion for new trial hearings when requested by the court or counsel.
 - (5) Probation revocation hearings when requested by the court or counsel.

B. Preparation and Filing of Transcript

1. A transcript of all proceedings in death penalty cases shall be prepared and filed.
2. A transcript of all proceedings in felony trials, jury or non-jury, resulting in a guilty verdict shall be prepared and filed.
3. In felony cases when requested by the court or counsel, a transcript shall be prepared and filed for a:
 - (1) Guilty plea,
 - (2) Pretrial motion, or
 - (3) Motion for new trial hearing.

3. Misdemeanor cases

No transcript of any proceeding shall be prepared or filed unless requested by the court, counsel, or defendant.

C. Magistrate Court

No transcript of any proceeding shall be reported or transcribed unless requested by the court, counsel, or defendant.

D. Habeas Corpus

All habeas corpus proceedings shall be taken down. Transcripts of habeas corpus proceedings shall be prepared and filed when requested by the court, counsel, or defendant.

2.2 Documentation of Evidence

Recommendation

Appellate court protocols for the transmission of physical evidence by photograph, videotape, or audiotape in lieu of the original evidence have already been established. Documenting evidence and exhibits in a transcript shall consist of visual recording by photograph or scan, or digital video or audio if necessary, by January 1, 2014, concurrent with Recommendation 1.4.

Implementation

The custodian of the physical evidence shall scan the evidence into digital format and transmit the images to the court reporter for incorporation into the transcript. The archiving policies established by the trial courts shall require physical evidence to be indexed and cataloged for easy retrieval.

To comport with appellate court requirements and other Judicial Council rules and policies, the case transcript shall include all evidence (exhibits) in digital format. Documentary evidence, photographs of physical evidence, and video and audio recordings shall be provided to the court reporter in digital format at the time of tender, unless otherwise ordered by the court.

2.3 Certified Transcript is a Public Record

Recommendation

The court reporter shall file the certified criminal transcript with the clerk of court prior to releasing any certified copies. Once filed, the transcript becomes a public record (O.C.G.A. §50-18-70) and shall be accessible to the judge, prosecutor, and defendant without charge.

Implementation

The Judicial Council shall clarify that the criminal transcript must be filed first with the court clerk, is a public record, and, in digital format, is reproducible in certified form. An interested organization should introduce legislation to include transcripts under O.C.G.A. §15-6-77.

I. Certification and Filing of Transcript

In all criminal cases, when a transcript is required or requested to be prepared, it shall be filed with the clerk of court immediately upon completion and certification. Once filed, the transcript is a public record (O.C.G.A. § 50-18-70), and copies may be provided at the rate determined by the clerk or by law as any other public record.

The court reporter shall notify the judge, prosecutor, and defense attorney of the date the transcript is filed with the clerk of court. The prosecutor and defense attorney may obtain a copy of the transcript in digital format from the clerk at no cost or may request a paper copy at the rate determined by the clerk or by law as any other public record.

A. Electronically Certified Transcript

Transcripts may be electronically certified. Any transcript electronically certified must include a certificate as described by O.C.G.A. § 15-14-5 and must include the electronic signature of the court reporter. The electronic signature shall be unique to and under the sole control of the court reporter using it and constitute evidence of a legal signature of the court reporter.

B. Time Period for Filing Transcript

- 1) Other than in a death penalty case, any transcript required to be prepared shall be filed with the clerk of court no later than 30 days from the date of conclusion of the proceeding for which the transcript is prepared.
- 2) Any transcript to be prepared only upon request shall be filed with the clerk of court no later than 30 days from the date of the request for transcript. The request for transcript shall be made in writing to the court reporter and a copy sent to the clerk of court by the requesting party.

A maximum of two 30-day extensions (for a total of 90 days) for filing a transcript may be granted by the judge. An extension shall be requested in writing, signed by the judge, with a copy sent to the clerk of court. For good cause shown by the court reporter, the judge may extend the time for filing beyond 90 days.

2.4 Business Continuity

Recommendation

To minimize disruption in judicial process due to missing, lost, or incomplete records and transcripts and ensure business continuity, court reporters shall maintain a backup recording system that serves as a repository of all criminal court proceedings by January 1, 2015.

Implementation

The Judicial Council shall adopt standards that delineate the management of electronic files and digital recordings in preserving court testimony. The written protocols will guide courts on the use of remote or stand-alone systems that provide direct and secure access to recordings by court officials.

Business Continuity

Each court is responsible for ensuring that an accurate record of court proceedings is produced as an essential requirement of due process of law.

The court shall maintain business continuity of court proceedings preliminary to the production of the official record. Recommended practice requires the digital recording of court proceedings when a transcript is required or ordered or the court determines it is necessary to ensure business continuity.

The court owns the recording of a court proceeding and has the authority and responsibility to control access to it. Thus, copies of digital recordings may be made accessible per the discretion of the court under approved protocols.

Policies and procedures shall provide for the management of digital recording equipment and personnel assigned to its operation. Digital recordings shall be stored in a secure, accessible location; indexed for convenient retrieval; and retained according to applicable retention schedules.

If a court reporter is unable or fails to produce a transcript of assigned court proceedings due to death, resignation, removal from office, or other reason, the court shall assign another court reporter to produce the transcript from the court's digital recording and shall certify the transcript (See Ga. Att'y. Gen. U73-107 and Board of Court Reporting Advisory Opinion 2009-1, June 10, 2009).

A court reporter who takes down assigned court proceedings shall generate a backup recording for personal use in preparing the transcript. When necessary, the court may designate this backup recording as the business continuity recording, and the court reporter shall file an electronic copy of the backup recording with the court on a daily basis.

3.1 Digital Recording

Recommendation

The Judicial Council shall recognize electronic/digital reporting as a means of capturing the record for certain types of trial court proceedings and shall direct the Board of Court Reporting to develop rules and regulations for a separate classification and certification for digital monitors using electronic/digital methods by July 1, 2014.

Implementation

The Judicial Council shall determine the types of trial court proceedings for which electronic/digital reporting is authorized to capture the record. The Board of Court Reporting shall establish certification requirements for electronic/digital reporting and develop standard operating procedures and rules for implementation and use of electronic/digital reporting.

I. Digital Recording of Court Proceedings

- A. Digital recording is a sound recording process that converts audio or analogue signals to electronic format for storage and integration with other digital applications, such as case management and calendaring systems.
- B. Digital recordings and related materials are part of a comprehensive transcript management system that governs the life cycle of the court record from the initial court proceeding through the filing of a transcript. These recordings and materials are preliminary to the transcript and are owned by the court.
- C. Subject to Judicial Council standards and procedures, digital recording may be used as the verbatim record in the following court proceedings:
 - (1) Any proceeding where takedown is not mandatory and recording is authorized by the court;
 - (2) In an emergency situation where takedown is mandatory, when a certified court reporter is unavailable, and the court determines that the recording system will maintain the integrity of the judicial process; and
 - (3) Any proceeding under a pilot project of limited duration to study the feasibility of a recording system.

II. Licensing of Digital Monitors

A. Preliminary Qualifications

To apply for licensure as a digital monitor, a candidate shall meet the following qualifications:

- (1) At least 18 years of age,
- (2) High school graduate or equivalent, and
- (3) Good moral character.

B. Application for License

A candidate for initial licensure as a digital monitor shall:

- (1) Apply for, pass, and receive notice of passing an exam offered by the American Association of Electronic Reporters and Transcribers (AAERT) for Certified Electronic Court Reporter, Certified Electronic Court Transcriber, or both;
- (2) Complete the Board of Court Reporting's application for a licensed digital monitor; and
- (3) Pass the Georgia Written Test that assesses knowledge of the laws, rules, and regulations pertaining to court processes and court reporting in Georgia.

C. Initial and Continuing Education

Within twelve months of initial licensure, a digital monitor shall complete the Board-sponsored educational program for new digital monitors.

To qualify for licensure renewal, a digital monitor shall complete and submit a certificate for a minimum of ten hours of Board-approved continuing education each year.

D. Disqualification for Act of Dishonesty

Any applicant who commits any act of dishonesty with respect to any portion of the exam shall immediately be disqualified and will not be eligible to take the exam again for a period of two years from the date of the exam on which the applicant was disqualified.

E. License

After an applicant has met all requirements for licensing, the Board shall issue a license with a unique identification number to the digital monitor. The license shall designate the proficiency in which the digital monitor is licensed to practice from the following:

- (1) Licensed electronic recorder (LER),
- (2) Licensed electronic transcriber (LET), or
- (3) Licensed electronic recorder and transcriber (LERT).

F. Right to Review

The Board reserves the right to refuse to allow testing or licensing of any applicant for good cause.

III. Standard Operating Procedures and Rules

A. Supervision of Digital Monitors

1. The chief judge of each court may designate an administrator or a managing court reporter to oversee the digital audio recording of court proceedings.
2. The administrator or managing court reporter shall be responsible to:
 - a. Appoint, schedule, and supervise digital monitors for the purpose of equitably distributing workload and assuring the lowest overall cost to the court.
 - b. Verify certification records for all digital monitors working in the court's jurisdiction.
 - c. Review the work and work product of digital recording monitors and report regularly to the chief judge.

- d. Manage the preparation of transcripts of digitally recorded proceedings.
- e. Coordinate requests and orders for digital recordings and transcripts and review related invoices for payment.

IV. Procedures and Best Practices for the Use of Digital Recording Technology

A. Signage

Signage provides important reminders to litigants, staff, and the public that the proceedings are being recorded and that anything spoken may be recorded.

1. The following is suggested language for signs placed at each table microphone, podium, and on the judge's bench:

- (1) *The court may be electronically recording proceedings.*
- (2) *Speak clearly and slowly into the microphone.*
- (3) *Speak in normal conversational tone. Do not whisper.*
- (4) *Do not speak over another person.*
- (5) *Remain seated or at the podium.*
- (6) *Mute microphone for private conversations.*

2. The following is suggested language for a sign posted at the courtroom entrance door:

The court may be electronically recording proceedings. Silence in the gallery and litigation area is required. Remain seated and do not approach the bench until instructed to do so.

Courtroom participants may also need to be informed that the recording system may purposely or inadvertently remain operational between proceedings and/or after the proceeding has ended.

B. Opening Colloquy

For some or all proceedings, the judge may choose to supplement signage by opening the court session with an opening colloquy similar to the following:

These proceedings are being electronically recorded. Please clearly state your name and appearance for the recording. Speak clearly and directly into the microphone. Do not speak over each other. All responses must be made orally. Avoid gesturing or head nodding, as these gestures will not be captured for the record.

C. Procedures for Digital Monitors

The digital monitor (monitor) is responsible for producing backed up recordings of court proceedings using a digital recorder. The monitor produces log notes and other material containing the spelling of proper names, unusual terms, and beginning and end times enabling systematic playback.

In general, responsibilities include:

- (1) Assisting in identifying the best placement of microphones in the courtroom to achieve the goal of maximizing channel-to-channel voice separation for all speaking participants;
- (2) Monitoring the recording through headphones to ensure that the proceedings are being properly recorded by the digital recording equipment;
- (3) Taking and maintaining log notes and relevant lists of attorneys' names and addresses, witnesses, exhibits, and other information;
- (4) Playing back recorded court proceedings, as directed by the judge; and
- (5) Ensuring that the recording is properly stored and archived at the court.

1. Case Management System Entries

When appropriate, the monitor may be assigned responsibility for making entries into the court's case management system (CMS) for proceeding start and end times, appearances, court orders, and next hearing dates. For example, at arraignment or change of plea sessions, the digital monitor may be assigned responsibility for entering conditions of release, fine amounts, and conditions of probation into the court's CMS.

2. Practices and Procedures

a. Preparation for proceedings

i. Supplies

Make sure that all necessary supplies for producing a recording, making log notes, marking exhibits, and preserving the record are available and accessible. Supplies could include headphones, the court calendar and docket, pens, pencils, legal pads, blank appearance sheets, witness and exhibit lists, and compact disks used for archiving the recording.

ii. Daily Testing

- (1) Test the recording and log notes software for operating functionality.
- (2) Check the microphone and camera placement in the courtroom according to the type of case and the flow and movement of the participants.
- (3) Test the recording quality of each microphone and the wiring by speaking into each microphone and listening to the recorded result on each audio channel. Problems could be caused by the microphones not being plugged into the proper channels or equipment or not being set on "Record" mode. Report any problems so that they can be fixed prior to the day's proceedings.

iii. Default Settings

If default settings are used, check whether the system has been set back to the appropriate default setting and, in particular, that the setting accurately identifies the name of the judge presiding over the recorded proceeding.

iv. Communication with Judge

Determine how the judge would like to be notified or interrupted by the monitor during the court proceeding if the record is not being captured.

b. During Proceedings

i. Operation

The recording system should be operated at the direction of the judge.

ii. Confidential Communications

a. The court should post signs providing notice that any conversations occurring in the room and, in particular any conversations at the attorney/party tables, may be recorded at any time.

b. The court should install microphones with “hold to mute” buttons for microphones used by attorneys and the judge.

iii. Monitor Through Headphones

Using headphones, monitor what is being recorded onto the audio channels, not what is being said into the microphones, ensuring that the proceedings are being adequately and intelligibly recorded (known as “confidence monitoring”).

iv. Interrupting Proceedings

a. The digital monitor should strive for an unobtrusive presence interrupting proceedings only as necessary and in accordance with protocols established with the judge. Monitors must use their best judgment before interrupting, since an interruption may not be desirable at a critical point in testimony. It may be necessary to interrupt proceedings to:

- (1) Request the correct spelling of names or technical or unfamiliar names;
- (2) Request that a party move closer to the microphone;
- (3) Request that a person stop tapping a microphone or shuffling papers too close to it;
- (4) Request that a non-verbal response be made audible; or
- (5) Request that a party slow down his or her speech pattern.

b. Interrupt the proceeding and notify the judge when a record is not being made.

Examples include:

- (1) Technical failure of the equipment
- (2) The speaker’s words are inaudible for reasons including:
- (3) Audio level of the recording is not adequate
- (4) Parties are speaking too softly or too rapidly
- (5) Parties are talking simultaneously over each other
- (6) Excessive shuffling of papers
- (7) A microphone remains muted
- (8) Excessive gallery or extraneous noise.

c. Monitors must use their best judgment before interrupting. An interruption may not be desirable at a critical point in testimony.

v. Off the Record Discussions

The recording should be stopped for “off the record” discussions only at the direction of the judge and only as long as the judge directs that the discussions not be recorded.

vi. Sidebar or Bench Conferences

Sidebar or bench conferences are part of the official record and need to be recorded unless the judge orders otherwise. Because these conferences are often whispered, it is important to monitor the volume and to ensure that the log notes identify each speaker.

vii. Jury Voir Dire

Creative microphone placement and/or the use of wireless microphones can help avoid problems with voir dire. The judge and attorneys should address jurors by name or number for proper identification during questioning. Monitors may need to be particularly vigilant at asking potential jurors to speak up.

viii. Language Interpreters

Digital recording preserves both the English and the foreign-language interpretation making it possible to confirm accuracy. The interpreter must be provided with a microphone assigned to a channel that is not the same as the channel assigned to the witness in order to ensure that the witness is not speaking over the interpreter. Log notes on when the interpreter is interpreting and the identity of the speaker whose words are interpreted are particularly important.

ix. Log Notes

Log notes allow for a simplified search of the electronic record for the playback of testimony during and after court proceedings.

a. For all court proceedings, log notes must contain:

- (1) Names/Identifiers - the full name of the judge, parties, and attorneys present and not present; case caption; and case number; and
- (2) Time - the beginning and end times of each proceeding.

[Note: The digital recording software should automatically insert the beginning and end times along with any time that the recording is paused, started, or stopped. In court sessions where proceedings overlap, the monitor will need to be particularly diligent at logging start and stop times and may not be able to rely on the software to do so.]

b. For trials and evidentiary proceedings, log notes must contain:

- (1) Names/Identifiers - the full name of the judge, monitor, parties, and attorneys present and not present; case caption; and case number;
- (2) Time - the beginning and end times of each proceeding;

[Note: Log notes should also identify the time that each type of examination (direct, cross, *voir dire*) begins, the time that any off the record discussion begins, and the time that the jury enters or leaves the courtroom.]

- (3) Spelling/Unusual Names and Terminology - uncommon words, proper nouns, unusual phrases or jargon, events occurring on the record, attorney objections, and court rulings; consider a separate word list with the spelling of proper nouns and technical jargon;

- (4) Trial Events - the calling and swearing in of witnesses, the beginning of each type of examination, all attorney objections and court rulings, exhibit marking and identifying, motions for admission of evidence, references to statutes and rules and any other information that would assist transcription; commonly used abbreviations may be useful;
- (5) Identifying Speakers by Channel - speakers may move between multiple microphones during a proceeding, so it may be useful to develop a code to identify a speaker on a particular channel at a particular time.

[Note: A standard setup for channel allocation could serve as a useful guide in the majority of cases. For example:

- ① Judge/Jury/Bench or Well
- ② Witness
- ③ Defendant
- ④ Plaintiff]

- (6) Nonverbal occurrences - such as “witness nodded head” and could indicate times when attorneys are conferring off the record;
- (7) Abbreviations – for commonly understood standard terms, such as “YH” for “Your Honor;”
- (8) Shortcuts - as needed to identify speakers in the log notes during rapid fire colloquy with the judge, such as “Jones, then Smith, then Judge, Jones again, then Smith, etc.;

[Note: See Appendix X for a list of log note entries.]

x. Appearance/Information Sheet

- a. For indexing case information, enter case information onto a digital or paper appearance/information sheet identifying the case along with the judge’s name and the names and spellings of the attorney(s) representing the parties in the case.

[Note: In some recording systems, this information can be entered when a recording is initiated, preserving it in a searchable format directly associated with the recording.]

- b. For most hearings, the sheet should contain the:

- (1) date of the hearing;
- (2) full name of the judge and monitor;
- (3) case number, case name, and type of hearing;
- (4) full names and spellings of attorneys and self-represented litigants;
- (5) speaker identification codes selected for the log notes;
- (6) channel designation and seating arrangement for all parties.

[Note: In some recording systems, monitors can create name macros for all parties present for a case, enabling the monitor to quickly insert the full name of a party or an attorney by a single mouse click, entry, or keystroke combination.]

- c. For trials and evidentiary hearings, the sheet should contain items (1)-(6), above, and the:

- (1) law firm and/or government agency names, street addresses, e-mail addresses, and business and cell phone numbers;
- (2) names of all witnesses;
- (3) description and number for all exhibits.

[Note: See Appendix X: Appearance/Information Sheet.]

xi. Playback

- a. As directed by the judge, locate the requested portion and play it back, using the courtroom public address system or sound reinforcement system such as a set of speakers connected to the recording personal computer.
- b. After the playback, ask the participants to provide time for the monitor to resume duties before resuming the hearing.

[Note: The recording system should support immediate resumption after playback, with no interruption in the proceedings.]

c. At the conclusion of the day's proceedings

Follow court practice to properly store and archive the recording at the court. This could include:

- (1) backing up the day's recordings to the court's electronic network,

[Note: If the system does not enable backup onto a network, back up the day's recordings onto a compact disk.]

- (2) labeling the recordings to enable their retrieval during the retention period,
- (3) setting the system on the appropriate default setting for the next day's proceedings, and
- (4) shutting down the recording system.

D. Procedures for Judges

- 1) Verify with the monitor that the system is operational.
- 2) Make participants aware that the court proceeding is being electronically recorded.
- 3) Remind participants to speak loudly and clearly.
- 4) State each case by name and number and type of proceeding each time a case is called.
- 5) Remind all participants to properly identify themselves when making their appearance at the beginning of each proceeding and to spell their names for the record.
- 6) Request attorneys to give their appearances at the start of each day of a continuous, multi-day trial.
- 7) Remind attorneys to take necessary precautions (i.e. cover the microphone or use the mute button) when they wish to consult with clients during the hearing.
- 8) Point out to those present that coughing or sneezing near a microphone will adversely affect the recording.
- 9) Permit attorneys to remain seated during proceedings and make sure that they are speaking into a microphone.
- 10) Remind participants that only one person should speak at a time. Discourage overlapping questions and answers or colloquy.
- 11) Discourage speakers wandering around the courtroom unless wireless microphones are used.
- 12) Hold on the record bench conference conversations at the bench conference microphone.
- 13) Leave the judge's bench microphone turned on while in session.

E. Procedures for Attorneys and Courtroom Participants

- 1) Attorneys should inform their clients of the method of recording being utilized and take necessary precautions to protect disclosure of confidential communications during proceedings.
- 2) Upon speaking for the first time, identify yourself for the record. Spell your name and state whom you represent.
- 3) Provide the monitor with the correct spellings of unusual or technical names and words to be used.
- 4) Avoid moving microphones.
- 5) Always remain within arm's reach of a microphone. If you approach the bench, wait until you are within arm's reach of a microphone before speaking again.
- 6) For the benefit of the written record, avoid speaking while witnesses or other counsel are speaking. Only one person should speak at a time.
- 7) Address jurors by name or number for proper identification during voir dire.
- 8) Solicit verbal responses from all witnesses since the recording system can only pick up spoken words. Avoid "uh huh," head nods, and gestures.
- 9) Avoid shuffling papers or making other noises when people are talking. Move away from the microphone before coughing or sneezing.
- 10) Use the mute button to consult with a client or make statements that should not be recorded. Be sure the mute button is off and the microphone is on before proceeding.
- 11) When at a bench conference, avoid blocking the microphone with documents and speak one at a time into the sidebar microphone.
- 12) When there are multiple cases set for hearing, hold discussions outside the courtroom or away from microphones.

3.2 Realtime Reporting

Recommendation

The Judicial Council recognizes the benefits and efficiencies of real time reporting and acknowledges it as the best practice of court reporting.

Implementation

The Board of Court Reporting shall establish a date certain and minimum requirements for certified court reporters having real time capability in superior and state courts.

I. Certification of Realtime Reporters

A. Preliminary Qualifications

To apply for certification as a realtime reporter, a candidate shall meet the following qualifications:

- (1) At least 18 years of age;
- (2) High school graduate or equivalent; and
- (3) Good moral character

B. Application for Certification

A candidate for certification as a certified realtime reporter shall:

- (1) Apply for, pass, and receive notice of passing the certified realtime reporter examination offered by the National Court Reporters Association (NCRA) or the realtime verbatim reporter examination offered by the National Verbatim Reporters Association (NVRA);
- (2) Complete the Board of Court Reporting's application for a certified realtime reporter; and
- (3) Pass the Georgia Written Test that assesses knowledge of the laws, rules, and regulations pertaining to court processes and court reporting in Georgia.

Court reporters who become certified or reinstated following revocation of certification after January 1, 2015 shall become certified in realtime reporting within two years of initial or reinstated certification.

C. Initial and Continuing Education

A court reporter certified as a realtime reporter shall comply with initial and continuing education requirements determined by the Board of Court Reporting of the Judicial Council.

D. Disqualification for Act of Dishonesty

Any applicant who commits any act of dishonesty with respect to any portion of the exam shall immediately be disqualified and will not be eligible to take the exam again for a period of two years from the date of the exam on which the applicant was disqualified.

E. Certificate

After an applicant has met all requirements for certification, the Board shall issue a certificate with a unique identification number to the court reporter. The certificate shall designate the proficiency in which the realtime reporter is certified to practice from the following:

- (1) Certified Realtime Reporter (CRR)
- (2) Realtime Verbatim Reporter (RVR)

Only a realtime reporter certified by the Board may charge the enhanced rate for court attendance. (See *Schedule of Fees for Court Reporting Services in Criminal Cases.*)

F. Right to Review

The Board reserves the right to refuse to allow testing or certification of any applicant for good cause.

II. Standard Operating Procedures

A. Court Reporter

Realtime reporting includes the following services:

- (1) The instantaneous translation of the proceedings on a computer monitor;
- (2) The opportunity to scroll forward and backward, search the record for key words or phrases, and mark portions of the text using viewer/annotation software; and
- (3) The realtime unedited transcript and appended notes on electronic media delivered during the proceedings or at the end of the day.

A certified realtime reporter shall not provide a realtime unedited feed to anyone who is not a party to the case without written approval of the presiding judge.

A certified realtime reporter shall:

- (1) Provide operational support in the use of realtime reporting services to include necessary wiring and data connections;
- (2) Acquire and maintain any portable realtime translation systems and ancillary components (software and hardware) that enable 96% accuracy during court proceedings;
- (3) Be capable of providing an unedited, uncertified English text translation:
 - a. Within three seconds of the spoken word,
 - b. Transmitted in a non-proprietary ASCII text format via standard computer connections,
 - c. That can be displayed on designated equipment within the courtroom,
 - d. That enables requesting parties to capture the unedited text translations on their equipment and software package during court proceedings.

B. Judges and Court Personnel

Judges and court personnel should use a single realtime viewer/annotation system standard. The viewer/annotation system should:

- (1) Operate on a Windows-based computer;
- (2) Be capable of receiving the incoming ASCII text stream from the realtime translation system via standard computer connections;
- (3) Be capable of capturing and storing simultaneously the realtime unedited text, and entering annotations to that text during court proceedings; and
- (4) Be capable of preserving the content and correct positional linkage of all annotations to the realtime unedited text record, to any additional realtime edits and updates provided by the realtime reporter, and to the final certified record.

C. Attorneys and Parties

Attorneys and parties shall be responsible for providing their own receiving equipment and viewer/annotation software that is compatible with the certified realtime reporter's translation system. To ensure interoperability, parties shall pre-test equipment and software compatibility with the reporter before court proceedings.

Appendix B

Judicial Council of Georgia
Schedule of Fees for Court Reporting Services in Criminal Cases
Effective January 1, 2015

FEE

Takedown		Preliminary Unedited Copy		Certified Transcript	
Court Attendance	Court Attendance with Realtime Feed¹	Daily Copy¹	Expedited Copy¹	Per page	Per exhibit page²
≤ 8 hrs. = \$195.00	≤ 8 hrs. = \$215.00			≤ 30 days = \$5.00	
8 ≥ 9 hrs. = \$215.00	8 ≥ 9 hrs. = \$235.00	\$7.58/page	\$5.70/page	30 ≥ 60 days = \$4.50	\$0.50
> 9 hrs. = \$235.00	> 9 hrs. = \$255.00			> 60 days = \$4.00	

¹ As authorized by the court.

² If evidence not tendered digitally to court.

[See Judicial Council Policies and Fees for Court Reporting Services in Criminal Cases for mandatory and discretionary takedown and transcript filing.]



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Members of the Judicial Council

FROM: Presiding Judge Sara Doyle, Chair
Strategic Plan Implementation Committee

RE: Update

DATE: May 16, 2014

The Strategic Planning Implementation (SPI) Committee is responsible for implementing the following nine priority initiatives contained within the Judicial Council/Administrative Office of the Courts Strategic Plan for FY 2014-FY 2016:

1. Establish a baseline of current customer experience with Georgia courts;
2. Encourage Georgia courts to assess performance and develop improvement plans;
3. Implement ongoing strategic planning by the Judicial Council/AOC;
4. Implement new approaches to engage the Judicial Council in preparation for the legislative sessions;
5. Develop and implement new two-way communication strategies for the Judicial Council/AOC to engage with judges;
6. Solicit input and develop recommendations for the Judicial Council bylaws, committee structure, and leadership continuity;
7. Define research priorities and schedule for FY 2014-2016;
8. Create open repository of information for all classes of court; and
9. Identify and share innovations and best practices across courts.

In order to effectively address these initiatives, a work plan and calendar were developed that allowed the Committee to prioritize certain initiatives. For example, the Committee identified priority initiatives 4 (legislation) and 6 (bylaws) for its initial work. In February, the Committee worked through an overview of different Judicial Council structures and responsibilities among the states to provide the Committee with information on best practices. The Committee also reviewed draft bylaws for the Judicial Council and suggested revisions at that meeting.

Most recently, on April 16 the Committee met with staff and council legislative chairs for a full-day at the State Bar to discuss priority initiative 4 (legislation) in detail. Lobbyists Skin Edge and

Mark Middleton reviewed Judicial Council/AOC efforts during the previous legislative session, focusing on what worked well and opportunities for improved effectiveness. Mike Cuccaro with AOC Governmental and Trial Court Liaison presented a synopsis of changes made to the legislative program over the past year. Jim Neal from the North Highland Group led the group in a robust discussion of strategies for the future that resulted in the following recommendations:

- Increase efforts to educate and engage the judiciary about the Judicial Council Policy Committee and its work;
- Implement periodic legislative reviews during the session;
- Publish more information on the Policy Committee's decision-making and approaches to supporting legislation; and
- Continue to build relationships to support more effective engagement with the policy development.

These recommendations are being shared with the Judicial Council Policy Committee and will be carried out by the AOC's Governmental and Court Liaison staff over this next year.

The next meeting of the SPI Committee will be held on June 10, 2014. Presentations will include a follow-up on the above-listed recommendations as well as reports from the AOC on priority initiatives 1, 2 and 7.

Thank you to the members of this Committee and the AOC staff for their work moving our strategic plan forward.

SPI Committee

Presiding Judge Sara Doyle, Chair

Judge Mary Staley

Judge Charles Wynne

Judge J. Lane Bearden

Judge W. Allen Wigington

Judge Chase Daughtery

Judge E.R. Lanier

Attachments: Strategic Plan, Work Plan and Calendar

Mission

The Judicial Council and AOC lead collaboration on policy across Georgia's courts to improve the administration of justice in Georgia

Vision

To improve justice in all Georgia courts through collaboration, innovation, and information

Guiding Principles

- Uphold the independence and integrity of the judiciary
- Promote efficient and effective administration of justice
- Support informed, fact-based decisions that affect the courts
- Collaborate with key stakeholders in judicial, executive, and legislative branches

Roles and Capabilities

Leaders in Statewide Judicial Policy Formulation

Collaborative Forum for All Classes of Courts

Georgia's Premier Judicial Information Resource

Strategic Objectives

Improve Citizen Experience with Georgia Courts

Improve Collaboration and Planning

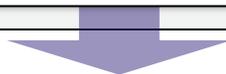
Build Thought Leadership

Priority Initiatives

1. Establish a baseline evaluation of current customer experience with Georgia courts, focusing on Access and Fairness measures
2. Encourage Georgia Courts to assess performance and develop improvement plans

3. Implement ongoing strategic planning by the Judicial Council and AOC
4. Implement new approaches to engage the Judicial Council in preparation for legislative sessions
5. Develop and implement new two-way communication strategies for Judicial Council/AOC to engage with judges
6. Solicit input and develop recommendations for Judicial Council bylaws, committee structure, and leadership continuity

7. Define research priorities and schedule for FY 2014, FY 2015, FY 2016
8. Create open repository of information for all classes of court
9. Identify and share innovations and best practices across Georgia's courts



**Judicial Council Strategic Planning Implementation Committee
2014-2016 Work Plan**

Meetings/Discussion	Date
1 Background and Foundation	
1.1 Judicial Council/AOC	December-13
1.2 AOC supported organizations	"
1.3 AOC divisions/programs/projects (central and supported)	January-14
1.3.1 Division/program budget analysis	
1.3.2 Division activity inventories by JC Priority Initiative	
2 Priority Initiatives	
2.1 Review and recommend priorities	
1. Establish baseline of current customer experience with Georgia courts	
1.a. Design evaluation methodology alternatives with focus on Access and Fairness measures	
1.b. Project budgets for alternatives	
1.c. Select alternative; develop project plan	
1.d. Conduct evaluation and analysis	
1.e. Report to Committee/JC	
2. Encourage Georgia courts to assess performance and develop improvement plans	
2.a. Introduce CourTools statewide	
2.a.i. Update CourTools training plan to show all events	
2.a.ii. Develop and execute communications plan to reinforce CourTools	
2.a.iii. Assess results of i. and ii.	
2.a.iv. Report to Committee/JC	
3. Implement ongoing strategic planning by the Judicial Council/AOC	
3.a. Develop implementation work plan and schedule Committee meetings	
3.b. Report on implementation at each Judicial Council meeting	
3.c. Plan and schedule annual JC strategic planning activities	

4. Implement new approaches to engage the Judicial Council in preparation for legislative sessions

4.a. Work with staff and stakeholders to determine the merit and effectiveness of changes implemented in 2013

4.b. Identify other processes and actions that could aid the Judicial Council in developing policy and promoting the effective and efficient administration of justice

4.c. Recommend to JC

5. Develop and implement new two-way communication strategies for Judicial Council/AOC to engage with judges

5.a. Inventory current communication strategies and tools

5.b. Research/scan environment to identify effective approaches

5.c. Identify recommendations resource needs

5.d. Report to Committee/JC

6. Solicit input and develop recommendations for Judicial Council bylaws, committee structure, and leadership continuity

6.a. Review JC history, purpose and current role

6.b. Scan other states' judicial branch governance

6.c. Propose potential alternatives for JC structure

6.d. Recommend to JC

7. Define research priorities and schedule for FY 2014, FY 2015, FY 2016

7.a. Inventory current recurring and one-time projects

7.b. Identify resource allocation to current projects and opportunities for reallocation

7.c. Propose any new projects and identify their resource needs

7.d. Report to Committee/JC

8. Create open repository of information for all classes of court

9. Identify and share innovations and best practices across courts

8/9.a. Assess courts' information needs

8/9.b. Design repository concept and content alternatives

8/9.c. Develop process to gather information

8/9.d. Analyze available resources and tools

8/9.e. Report to Committee/JC

FY 2014-2016

Completion of Judicial Council Strategic Plan

<u>Date</u>	<u>Event</u>	<u>Content</u>
December 9, 2013	Initial meeting of Judicial Council Strategic Planning Implementation Committee (SPI Committee)	Discussion of AOC/Judicial Council overview; goals of committee
January 8, 2014	Meeting ¹ of SPI Committee	Overview of AOC Projects; discuss committee priorities
February 18, 2014	Meeting of SPI Committee	Overview of Judicial Council history; preliminary discussion on bylaws – Initiative 6
<i>March, 2014</i>	<i>AOC internal work</i>	<i>On Initiative 1, 2 4, and 7; preparation of working timeline</i>
April, 16, 2014	Working session ² of SPI Committee	Focus: Legislation - Initiative 4
<i>May, 2014</i>	<i>AOC internal work</i>	<i>Continuing work on Initiatives</i>
June 10, 2014	Meeting of SPI Committee- (Judicial Council meeting is on June 4)	Focus: Initiatives 1, 2 and 7; legislative follow-up in preparation for the 2015 session; continued bylaws discussion
August 6, 2014	Working session of SPI Committee	Focus: Bylaws - Initiative 6; begin discussion of Initiatives 5, 8, 9
Aug/Sept, 2014	Meeting of SPI Committee	Focus: 2015-2016 calendar and priorities
October, 2014	Working session of SPI Committee	Focus: Initiatives 5,8, 9; continued bylaws discussion
December, 2014 (December 2 or 3?)	Meeting of SPI Committee	Focus: Discuss status; finalize bylaws to present to Judicial Council

¹Meeting usually indicates one-half day meeting.

²Working session usually indicates full day meeting.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council of Georgia

FROM: Chief Judge Brenda S. Weaver
Chair, Accountability Court Committee

RE: Certification and Peer Review Update

DATE: May 23, 2014

The Accountability Court Committee has been working with Northwest Professional Consortium (NPC) Research to develop and implement the peer review program for adult felony drug courts and adult mental health courts. Below is a summary of completed activities and next steps.

Adult Felony Drug Court

Completed Activities

- Gwinnett County Drug Court and Appalachian Judicial Circuit Drug Court teams completed pilot testing of the peer review process in February and March 2014.
- Peer review team members attended training on peer review tools and processes in April 2014. Members unable to attend the training will join the Adult Mental Health Court teams during training slated for September 2014.

Next Steps

- Peer reviews of adult felony drug courts will begin in June 2014.
- The 2014-2015 peer review schedule will be formulated with teams paired geographically.

Adult Mental Health Court

Completed Activities

- Peer review materials and tools adopted in June 2013 were modified to reflect changes to adult felony drug court peer review materials.

Next Steps

- The Mental Health Court Certification and Peer Review Subcommittee is scheduled to meet in June 2014 to review revised peer review materials, confirm team members, and detail the peer review schedule and pairings.
- Pilot testing of the peer review process is planned in July and August 2014.
- Training for peer review teams will be scheduled in September 2014.
- Peer reviews for adult mental health courts are slated to begin in October 2014.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Meeting of the Judicial Workload Assessment Committee

Ratley Training Room, Administrative Office of the Courts

244 Washington Street SW, Suite 300

Atlanta, GA 30334

February 28, 2014 • 10:00 a.m.

Members Present:

Judge David Emerson, Chair
Chief Judge William Boyett
Ms. Cinda Bright
Judge LeRoy Burke III
Chief Judge Michael Cielinski
Mr. Bart Jackson
Judge Stephen Kelley
Chief Judge Russell McClelland
Judge Eric Norris
Judge Cynthia J. Becker
Judge Bonnie Oliver

Mr. Bob Nadekow (*via telephone*)
Judge Kathy Palmer (*via telephone*)
Judge Sheryl Jolly (*via telephone*)
Judge Annie Holder (*via telephone*)

Staff Present:

Mr. Wesley Acosta
Mr. Jordan Dasher
Mr. Christopher Hansard
Ms. Kimberly Miller
Ms. Molly Perry

Call to Order

Judge Emerson called the meeting to order at 10:05 a.m.

Approval of Minutes

The committee unanimously approved the minutes without amendment.

Caseload Reporting Review

Mr. Christopher Hansard reviewed the current caseload reporting period. He provided reporting percentages for each court level and presented the workload assessment timeline. February 28, 2014 marked the end of the caseload reporting period.

Judicial Workload Assessment Committee Charge Presentation Update

Mr. Jordan Dasher presented the Committee with an update on Charge A. Mr. Dasher highlighted the differences between the old forms and the draft forms. Open, filed, and disposed case labels will be added to the new forms as well as self-represented litigants and interpreted cases. The Committee discussed the draft forms in detail. The Committee considered how staff would define and request various data elements, including self-represented litigants, interpreted cases, and serious felonies. The Committee agreed to review the draft forms themselves and solicit feedback from their court councils and clerks.

Ms. Kimberly Miller presented the Committee with an update on Charge B. Ms. Miller reviewed the purpose of the proposed electronic caseload reporting system. An electronic reporting system will reduce confusion on forms and definitions, provide matching CMS reports with AOC reports, and dramatically reduce the time to produce and submit reports to the AOC. The Committee discussed funding obstacles when creating a new electronic caseload reporting system. Mr. Hansard discussed working with the vendors and AOC IT to gain a better understanding of the financial commitment this project would entail. Ms. Miller explained the next steps and timeline for Charge B, including finalizing the reporting forms and sending them to AOC IT and vendors for software development. The Committee agreed on the timeline.

Mr. Wesley Acosta presented the Committee with an update on Charge D. Mr. Acosta explained time to disposition standards in detail, highlighting the Model Time Standards from the National Center for State Courts. The Committee discussed time standards and their appropriateness for Georgia. Mr. Hansard asked the Committee if there is support for Research to gather data on time to disposition in Georgia courts. Judge Emerson recommended requesting each court council review the Model Time Standards to provide feedback to the Committee on their feasibility in Georgia and willingness to participate in a study. The Committee agreed.

Mr. Hansard presented the Committee with an update on Charge C. Ms. Molly Perry reminded the Committee of the Judicial Council's strategic plan and that policy improvements are part of that plan. Committee members requested the existing policy along with the revised policy be emailed to them for review before providing feedback.

Next Meeting

The Committee agreed that staff should continue moving forward with their recommended plan of action for each charge. Judge Emerson set the next Judicial Workload Assessment Committee meeting for a Friday within the next three months. The meeting adjourned at 12:00 p.m.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Marla S. Moore

RE: Judicial Council Budget and Financial Report

DATE: June 4, 2014

The Judicial Council received \$12,471,287 in State Appropriations for Amended Fiscal Year 2014 and \$13,461,113 in State Appropriations for Fiscal Year 2015. The attached reports outline the enhancements and adjustments received. Also included is a Fiscal Year 2014 overview highlighting expenditures through April 30, 2014.

The Judicial Council Budget Committee accepted White Paper Enhancement Requests for the Amended FY 2015 and FY 2016 budget cycles May 1-31, 2014. The Committee will meet on August 14, 2014 to review all requests for funding. It has been the custom for the Budget Committee to ask for and receive authorization to approve the budget submission when the Council does not have a meeting planned before September 1. Final approval will be sought at the September meeting.

Amended FY 2014 Judicial Council State Appropriation

HB 743 (Section 6)

Continuation	\$		12,322,112
AFY 14 Final	\$		12,471,287
Difference	\$		149,175

	Changes	Continuation	Adjustment	Enhancement	AFY 2014
<i>Judicial Council Program and Subprogram</i>		\$ 10,178,804			\$ 10,307,399
Judicial Retirement System adjustment (CStCJ)			\$ 105,631		
Real Estate Rental Adjustment			\$ 6,384		
County and Municipal Probation Advisory Council				\$ 16,580	
<i>Accountability Courts</i>		\$ 353,015			\$ 353,015
no changes					
<i>Institute of Continuing Judicial Education</i>		\$ 471,789			\$ 492,369
Increase funds for maintenance and repairs				\$ 20,580	
<i>Judicial Qualifications Commission</i>		\$ 518,504			\$ 518,504
no changes					
<i>Resource Center</i>		\$ 800,000			\$ 800,000
no changes					
Total		\$ 12,322,112	\$ 112,015	\$ 37,160	\$ 12,471,287

FY 2015 Judicial Council State Appropriation

HB 744 (Section 6)

Continuation	\$	12,322,112
FY 15 Final	\$	13,461,113
Difference	\$	1,139,001

	Changes	Continuation	Adjustment	Enhancement	FY 2015
<i>Judicial Council Program and Subprogram</i>		\$ 10,178,804			\$ 11,223,561
1% merit based pay adjustment			\$ 51,889		
Employees' Retirement System adjustment			\$ 147,851		
Judicial Retirement System Adjustment (CStCJ)			\$ 395,867		
Real Estate Rental adjustment			\$ 6,329		
TeamWorks billing adjustment			\$ (9,750)		
Civil Legal Services to Victims of Domestic Violence				\$ 386,251	
County and Municipal Probation Advisory Council				\$ 66,320	
<i>Accountability Courts</i>		\$ 353,015			\$ 438,057
1% merit based pay adjustment			\$ 1,822		
Employees' Retirement System adjustment			\$ 4,414		
Certification Program Officer Position				\$ 78,806	
<i>Institute of Continuing Judicial Education</i>		\$ 471,789			\$ 471,789
no changes					
<i>Judicial Qualifications Commission</i>		\$ 518,504			\$ 527,706
1% merit based pay adjustment			\$ 2,694		
Employees' Retirement System adjustment			\$ 6,508		
<i>Resource Center</i>		\$ 800,000			\$ 800,000
no changes					
Total		\$ 12,322,112	\$ 607,624	\$ 531,377	\$ 13,461,113

Judicial Council Operations AFY 2014

As of April 30, 2014

Department	Budget	YTD Total Expenses	Remaining	Budget Spent
Judicial Council / AOC	6,157,971	4,805,028	1,352,943	78%
CMPAC	264,446	197,221	67,225	75%
Child Support Collaborative	105,381	91,240	14,141	87%
Georgia Council of Court Administrators	4,057	4,057	0	100%
Council of Magistrate Court Judges	166,177	139,787	26,390	84%
Council of Probate Court Judges	61,216	30,471	30,745	50%
Council of State Court Judges	262,995	188,354	74,641	72%
Council of State Court Judges Ret.	1,180,601	582,835	597,766	49%
Council of Municipal Court Judges	16,185	4,831	11,354	30%
Legal Services for Domestic Violence	1,727,498	1,727,498	0	100%
Georgia Commission on Family Violence	360,872	234,650	126,222	65%
Other Judicial Council Subprograms	4,149,428	3,200,942	948,486	77%
Accountability Courts	233,015	162,317	70,698	70%
Accountability Courts Conference	120,000	120,000	0	100%
Resource Center	800,000	666,666	133,334	83%
Judicial Qualifications Commission	518,504	258,925	259,579	50%
Inst of Continuing Jud Ed Operations	492,369	284,730	207,639	58%
Separate Judicial Council Programs	2,163,888	1,492,638	671,250	69%
TOTAL JUDICIAL COUNCIL	12,471,287	9,498,608	2,972,679	76%



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

CC: Judge William T. Boyett, Chair
Domestic Violence Committee

FROM: Cynthia H. Clanton, General Counsel

RE: Civil Legal Services Grant to Assist Victims of Domestic Violence

DATE: May 5, 2014

Since 1998, the Georgia General Assembly has appropriated funds to the Judicial Council for use as grants to provide civil legal services to low-income victims of family violence. For FY 2015 the amount of \$2,113,749 was appropriated. This includes an increase of \$386,251, which the legislature's Budget Conference Committee requires be used for direct legal services.

In the past, the Judicial Council has adopted general guidelines to govern the granting of these funds. The Judicial Council has delegated to its Judicial Council Domestic Violence Committee the duty of accepting and evaluating grant applications as well as awarding grants.

On April 18 and 21, 2014, the Committee met by conference call to consider modifying the grant guidelines, taking into consideration not only the direction from the legislature but also suggestions contained in a memorandum from Chief Justice Hugh Thompson. Specifically, the legislature's Budget Conference Committee stated that the funds be used "to support direct services" to victims. The Chief Justice suggested that the Committee consider awarding some, if not all, of the increase to grantees in southern rural Georgia. The Chief based his recommendations on the "Georgia State Plan for Ending Family Violence" promulgated by the Georgia Commission on Family Violence in 2012. This Plan recommended that additional resources be developed in South Georgia as this area has a disproportionately high rate of deaths from domestic violence and few legal resources (relevant excerpts attached).^a

^a GEORGIA COMM'N ON FAMILY VIOLENCE, GEORGIA STATE PLAN FOR ENDING FAMILY VIOLENCE, at iv-v, 61-62 (December 2012), available at <http://www.gcfv.org/>.

The Committee voted to accept the Chief Justice's recommendation and added the provision of legal services to victims in rural South Georgia, especially where there are fewer than 10 attorneys in the county, as a special needs category funded by the grant. Twenty-five percent of the available grant funds will be allocated for this special needs category, which also includes funding for legal services to victims who are homeless. All victims aided by the grant funds must have an income below 200% of the federal poverty guidelines. The amended grant guidelines are posted on the AOC's website at <http://www.georgiacourts.org/index.php/grants> and the deadline for the submission of FY 2015 grant applications is May 16, 2014.

The Committee will meet on June 13, 2014 at the State Bar of Georgia headquarters to consider submitted grant applications using the newly adopted grant guidelines.

**DESCRIPTION OF GRANT PROGRAM
OFFICIAL COMPILATION OF THE RULES AND REGULATIONS
OF THE STATE OF GEORGIA
OFFICE OF THE SECRETARY OF STATE**

I. Name of Grant Program: Legal Assistance to Families Victimized by Domestic Violence Project (Short name: Legal Assistance Project).

II. Legal Authority: O.C.G.A. §15-5-24 and Supreme Court of Georgia Order of January 15, 1981 relating to the duties of the Administrative Office of the Courts.

III. Definition: This is a statewide project designed to provide civil legal services to all persons, adults, and children, victimized by or under the direct threat of domestic violence.

IV. Scope: Domestic violence is endemic throughout the nation and in Georgia. In 2012, Georgia law enforcement officers responded to 72,870 domestic violence incidents. Domestic violence shelters refer more than 10,000 victims of domestic violence to legal service agencies each year. Other legal resources are inadequate to meet the serious needs of these families. This project provides a framework under which Georgia's non-profit legal services programs can serve approximately 5,000 victims of domestic violence per year.

V. Purpose: The purpose of this program is to provide legal assistance to persons victimized or threatened by domestic violence with related legal programs. Such legal assistance helps with immediate needs through protective orders or orders for custody and child support, and also includes legal assistance with such issues as access to credit and bank accounts, housing, public benefits, employment and other consumer and financial problems that must be resolved to achieve safety, stability and economic security.

A. Eligible Services

This project focuses on providing direct services to victims in two major areas of need by:

1. Providing legal services related to domestic violence, child custody and family support; and
2. Providing legal services related to the family's economic security and stability, including housing issues, job related problems, problems with access to education, and health care.

B. Excluded Services

Certain services are specifically excluded from this program. Excluded services are:

1. Class action suits;
2. Criminal defense;
3. Deportation proceedings;
4. Divorce proceedings;
5. Initial Temporary Protective Orders;
6. Juvenile delinquency;
7. Matters to be adjudicated in courts outside of Georgia; or
8. Other client-initiated proceedings not related to the safety, stability, or economic security of the victim or the victim's family.

C. Eligible Clients

Victims or persons under the threat of domestic violence who have no reasonable access to resources that may be used for legal services are eligible. Evidence of violence or the threat of violence shall be reasonably demonstrated, but may also be shown by the following:

1. A protective order issued by a court of competent jurisdiction;
2. A referral from domestic violence programs and programs for children and the elderly; or,
3. A warrant or police report indicating an incident involving domestic violence.

D. Eligible Grantees

1. Eligible grantees for these funds are non-profit corporations registered and in good standing with the State of Georgia with at least two years experience providing civil legal services in the State.
2. Recipients must also demonstrate that they have the personnel and the expertise necessary to deliver the services required, that their service delivery structure can adequately provide coverage throughout the geographical area for

which the services are proposed, and that they have sufficient administrative record keeping capabilities to fulfill reporting requirements necessary for the evaluation of these projects.

3. Community partnerships are critical to achieving success with this program. The applicants must show community support and the support and cooperation of local domestic violence programs. Letters of support or other evidence establishing this relationship should accompany applications.

VI. General Terms and Conditions: Grants will be awarded for a one-year term. Each of Georgia's forty-nine circuits will be included. The amount available for distribution to grantees may change each year based on the amount appropriated to the Administrative Office of the Courts/Judicial Council and the cost of the administrative oversight of these funds. The grant awards are generally announced in July.

VII. Criteria for the Award of Grants: The total poverty population resident in each county served by the grant recipient will be considered. This number is based on the most current estimates from the U. S. Census Bureau. In no event shall a grantee provide free legal services to a client whose income exceeds 200% of the federal poverty guidelines. Special need categories (such as homelessness, rural counties with fewer than 10 attorneys, or regional areas or counties with a disproportionately high rate of death from domestic violence¹) will also be considered.

VIII. Directions and Deadlines for Application: Applications for grant funds must be emailed to the Administrative Office of the Courts, Cynthia Hinrichs Clanton, General Counsel at cynthia.clanton@gaaoc.us . The application deadline is in May of the year that funds are appropriated.

Comments may be submitted to the Administrative Office of the Courts, attention Cynthia Hinrichs Clanton at 404-656-6692 or cynthia.clanton@gaaoc.us .

¹ GEORGIA COMM'N ON FAMILY VIOLENCE, GEORGIA STATE PLAN FOR ENDING FAMILY VIOLENCE, at iv-v, 61-62 (December 2012), *available at* <http://www.gcfv.org/>.

Georgia State Plan for Ending Family Violence

Adopted by GCFV on December 7, 2012

Prepared for:

Georgia Commission on Family Violence
Judge Stephen Kelley, Chair, GCFV
Superior Court of Glynn County
Glynn County Courthouse
701 H Street
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skelley@glynncounty-ga.gov
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Prepared by:

Strategic Planning Committee
Georgia Commission on Family Violence

Directed by:

Judge Peggy Walker
past GCFV Chair and current Planning Committee Chair
Juvenile Court Judge
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**Georgia
Commission on
Family
Violence**



Executive Summary

The Georgia Commission on Family Violence (GCFV) was established by the Georgia Legislature in 1992. It was charged with developing a comprehensive state plan for ending family violence in O.C.G.A. Section 19-13-31. To fulfill this charge, the Commission convened a Strategic Planning Committee and Working Groups to undertake an eighteen-month process to produce a plan for the State of Georgia. This Plan offers a broad framework for agencies and policymakers to set priorities and select strategies for ending family violence that are consistent with their missions, responsibilities and resources.

To begin the process, the Planning Committee visualized what Georgia *should be*, forming a vision for the Plan. That shared vision for Georgia's future anticipates that families will have healthy, resilient methods of solving problems so that violence is not tolerated. It expects that people will nurture and help families excel, so that our children are healthy, resilient individuals who do not use violence to solve problems. It appeals to public leaders to promote policies that encourage respectful relationships, equality, and healthy and safe family living. It dreams of a time when Georgians will experience less violence, have more healthy relationships and enjoy the economic vitality that arises from these culture shifts.

Family violence, as defined by statute in O.C.G.A. Section 19-13-1, is broad in nature. Given the historical work of the Commission and its partners, the Planning Committee focused its efforts on three areas of family violence: Domestic violence as defined by the Office of Violence Against Women (OVW), teen dating violence and children exposed to domestic violence. The definition from OVW includes physical abuse, sexual abuse, economic abuse, and psychological abuse. Teen dating violence became a priority because of the unique challenge it poses for Georgia: 30% of the fatalities reviewed by the Georgia Domestic Violence Fatality Review Project involved victims who were between the ages of 15 and 24 when they began their dating relationship with the person who killed them. Children exposed to domestic violence are also a priority because in 19% of the fatality cases reviewed children were present when the victim was killed; in 43% of the fatality cases children were in the vicinity when the victim was killed.

When we examined the data on family violence in Georgia, one system priority became obvious: Georgia's fragmented array of family violence planning data should be better integrated. The judicial system, the Departments of Public Health, Human Services, Juvenile Justice, and the Division of Behavioral Health, Addictive Disease and Developmental Disabilities all maintain unique geographic divisions. Their key definitions (and as a result their data sets) are unique as well. Also unclear still are any associations of family violence with other public health priorities such as motor vehicle accidents, prescription and illicit drug abuse, suicide, and exposure to multiple episodes of violence. Not surprisingly, the accuracy and completeness of the necessary planning information varies as well. All these factors make strategic planning for ending family violence infinitely more difficult. To supplement the existing data, the FV Planning Committee used a rigorous case study process that provided a base of practice wisdom for interpreting the needs data. That approach produced a more comprehensive and integrated framework of strategic strategies than would have been permitted without it. But the reader

will notice that the Plan addresses the shortfalls in planning data with recommendations for improving and coordinating data sets, data collection and planning partnerships among agencies. That strategy alone should ensure a more comprehensive and nuanced picture of family violence for future planning efforts.

The Planning Committee was large, to ensure broad representation and support. To accomplish the work, the Committee formed work groups to gather data, analyze and interpret its meaning, and to report findings to the Planning Committee. The Committee provided the leadership, offering feedback and direction as the work progressed. The Needs Assessment Work Group identified five findings of need to be addressed in the Plan:

1. Violence prevention;
2. Equitable access to resources;
3. Community connections and support;
4. Interventions with people who are abusive; and,
5. Effective system responses.

The Resource Inventory Work Group examined these needs and conducted an analysis of the resources in Georgia. Those findings guided strategy selection for the Plan. The Committee concluded that access to resources matters in the prevention of deaths related to domestic violence. For example, the FV death rates corresponded with geographic patterns of poverty – not because of poverty, but because a limited range of supportive resources leaves victims without alternatives. Similarly, there was no evidence to suggest a higher death rate among non-English speaking families, but language is often a barrier to safety and services for those who do not speak English. In short, domestic violence is not a problem in isolation, but an issue that must be addressed in the context of individual, family, community and societal assets and liabilities. Stress and isolation increase risk at the individual and family levels; at the community and societal levels risks increase where tolerance for abuse is part of the culture.

The Strategy Work Group identified significant portions of Georgia that are experiencing higher FV death rates while suffering a lack of essential family violence resources. These areas included rural south Georgia, a portion of northeast Georgia and a part of central Georgia. In order to reach underserved populations including teens and children exposed to violence, resources must be focused on these populations and these geographic areas. Funding must *not* come at the expense of those agencies and partners in other geographic areas with recent lower death rates; safety is directly related to access to services and support, and so the Plan would not advise shifting limited resources and exposing higher concentrations of people to risk. Another high priority is educating the public at large about risks and warning signs of domestic violence, as well as efforts to change attitudes about domestic violence.

There is a high priority on services for people who are abusive, to reduce the rate of continued victimization among those known to be abusers. The Plan also places priority on resources to

strengthen collaboration among a family's natural support structures, such as its faith community, and to encourage community connections for families.

The Planning Committee identified ten strategies that became the framework of the Plan:

1. Develop additional resources in south Georgia, including advocacy/safety services, Task Forces, and FVIPs.
2. Enhance access to needed services in Georgia, including child care, legal services, housing, language interpretation and transportation, where these are hard to find.
3. Develop and improve access to services for underserved populations, including children exposed to IPV and teen dating violence.
4. Develop resources that strengthen collaboration, including cross-training and coordinated protocols among law enforcement, prosecutors, judges, advocates, and DFCS workers.
5. Promote approaches that encourage community connections for families at risk (or victims) of family violence (e.g., support for faith-based services, alternatives to removal).
6. Develop a strategic statewide approach for enhancing public awareness and promoting social norms that insist on safety, equality and respect for all people in Georgia.
7. Improve collaboration and develop practices, protocols and tools for gathering and using Family Violence data to assist with future state planning in Georgia.
8. Improve access to coordinated, trauma-informed mental health, substance abuse, and domestic violence services statewide (e.g., partnership with accountability courts, criminal justice reform).
9. Enhance existing resources for people who are abusive, and develop new resources where family violence is high but services for offenders are scarce.
10. Develop a strategic statewide approach for educating the public about the risks and warning signs of IPV, and what to do about it.

The Planning Committee's passion for this work was evident throughout the process. The conversations were often hard and frank. We recognized that alienating any group from the process would put the lives of Georgians at risk.

The Commission has expressed its profound appreciation to the Planning Committee members and Work Group members who devoted many hours to this process, engaged in candid discussions during the meetings, and dedicated themselves to drafting the plan. They performed these tasks in addition to the many responsibilities that fall on the shoulders of each of them at work, at home and in the community. Thank you so much for your leadership and investment in this process.

The result produced by this dedicated group of passionate leaders is a well formed Plan to guide the future of Georgia.

Together we shall end family violence in Georgia.



Judge Stephen Kelley
Chair, Georgia Commission on Family Violence
Judge, Superior Court of Glynn County



Judge Peggy Walker
Strategic Planning Committee Chair, GCFV
Judge, Juvenile Court of Douglas County

FIGURE 2: Regional Distribution of Domestic Violence-Related Deaths

(Source: GA Domestic Violence Fatality Review Project) Reproduced from page 15.

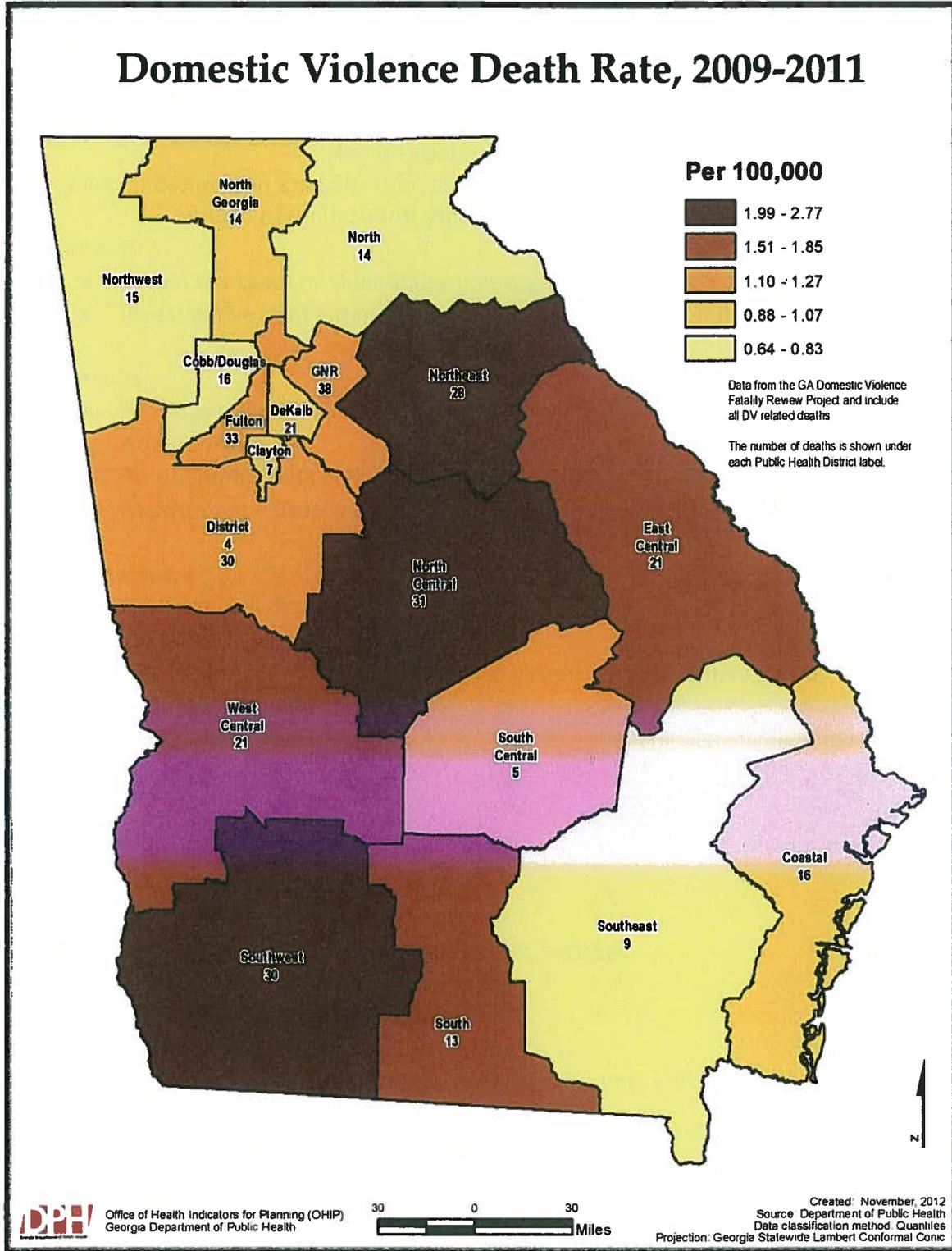
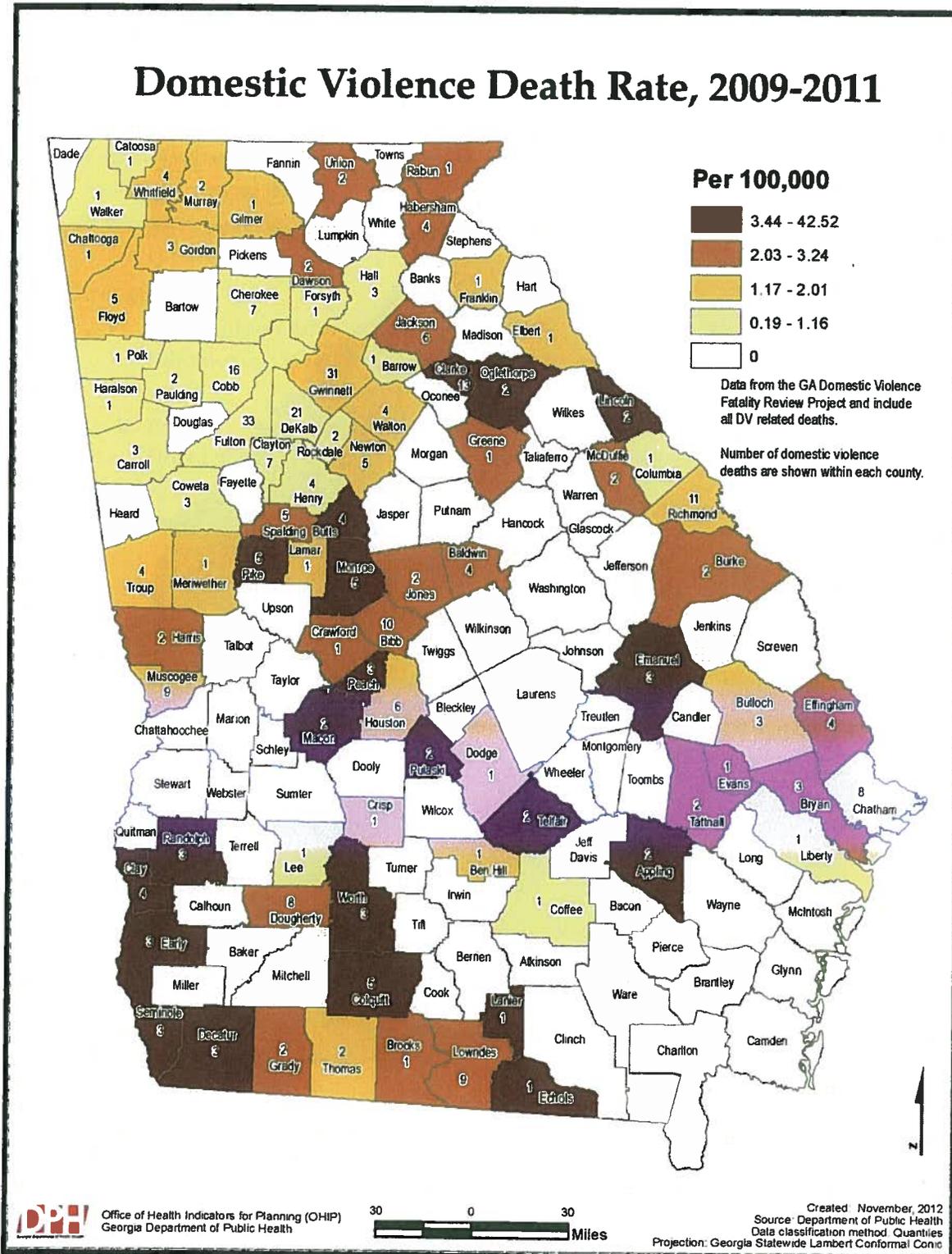


FIGURE 3: County Distribution of Domestic Violence-Related Deaths
 (Source: GA Domestic Violence Fatality Review Project) Reproduced from page 15.





**Judicial Council of Georgia
Administrative Office of the Courts**

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

April 2, 2014

TO: Members of the Judicial Council Domestic Violence Committee

FROM: Chief Justice Hugh P. Thompson

RE: Funding Priorities for FY 2015

First, I want to commend the committee for the good work you have accomplished on behalf of the Judicial Council. The funds that have been granted to civil legal service providers have made a difference in the lives of many victims and their children throughout Georgia.

As you know, the General Assembly adopted a budget for FY2015 which included an enhancement of \$386,251 for this important grant program. I know that in the past it has been your custom to make all the funds available in a grant solicitation. However, in the past two to three years, there has been much discussion and verification that the southern rural portion of the state has seen a disproportionate amount of domestic violence deaths. Also, this area has been identified as having few legal resources for victims in this area. Therefore, I think it would behoove us to consider earmarking some, if not all, of this enhancement to target that area for additional civil legal services for victims of domestic violence.

Thank you for your thoughtful consideration of my request and dedicated service on the Judicial Council Domestic Violence Committee.

Attachment: Domestic Violence Deaths in Georgia Map



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Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Georgia Report

National Consortium on Racial & Ethnic Fairness in the Courts
May 12, 2014

The Judicial Council/Administrative Office of the Courts (AOC) of Georgia is currently involved in several important projects dedicated to advancing access and fairness in the courts. The rapid demographic shifts seen in recent years have created unprecedented challenges for Georgia's courts, as they struggle to meet the needs of populations who are unfamiliar with the legal system, who may have limited resources with which to seek assistance for their legal issues, and who may speak English with limited to no proficiency. A summary and update of state activities over the past year is provided in this report.

Access, Fairness and Public Trust and Confidence

A newly created Judicial Council Access, Fairness and Public Trust and Confidence Committee is in the development stage. The goal of this committee will be to build upon the judiciary's long dedication to improve the public's trust by focusing on access and fairness through the elimination of systemic barriers related to gender, race, ethnicity, disability, and language.

Partnership with the Center for Public Policy Studies

Immigration and the State Courts Initiative

From September 2011 through October 2013, Georgia hosted the Center for Public Policy Studies' (CPPS) Immigration and the State Courts Initiative. Through this national project, CPPS and AOC staff met with judges, clerks, and other court personnel to discuss the impacts of federal and state immigration law, policy, and practice on case processing and operations in Georgia courts. Comprehensive training was delivered to judges of each trial court at their respective judicial education seminars.

Human Trafficking and the State Courts Collaborative

Building on the work with the Immigration and the State Courts Initiative, Georgia was selected to participate as one of three pilot sites in the Human Trafficking and the State Courts Collaborative. This collaborative, made up of CPPS, the Center for Court Innovation, the National Judicial College, and the National Association of Women Judges is designed to assess the scope of human trafficking-related challenges faced by state courts and to develop resources and capacity to address them.

In April 2013, a diverse group of stakeholders was convened to discuss the project's purpose and goals. Following this project kickoff, a meeting was held in September to determine the priorities and next steps of the project. In December, the group met to review bench and information cards, focusing on resources available for trafficking victims and how the courts can access them, as well as the format and content for judicial training seminars. Working groups from each court council met in May 2014 to discuss judges' experience with cases involving human trafficking and to assist in the development of training curricula.

Language Access Program

The AOC Language Access Program is continuing a pilot project to test the effectiveness of a remote interpreting system for use with Spanish speaking court users. The Remote Interpreter Pilot Project was funded through a one-time state appropriation in Fiscal Year 2013, and allows for certified interpreters, housed in the AOC offices in Atlanta, to provide remote interpretation in courthouses outside of Atlanta using a combination of video, phone, wireless, and internet technology in non-trial events. The goal is that the remote interpreting system will give more court users access to certified interpreters and save local courts money by eliminating the travel and per diem fees paid to interpreters. Courts do not pay to use the remote system or for the interpreters during this pilot phase, but may be able to utilize the remote system and pay for interpreters upon completion of the Project.

The Project began on October 1, 2012, and was originally scheduled to end on June 30, 2013. However, due to a very limited need for interpreters in the original two pilot sites, the equipment was moved to address a more diverse and greater number of proceedings. The project will be evaluated quantitatively (through budget analysis) and qualitatively (through interviews, observations, and environmental scans) to determine the value of remote interpreting services. The Project evaluation will conclude on June 30, 2014.

Access to Justice

The Judicial Council/AOC is serving in an advisory role to the State Bar of Georgia Access to Justice Committee. This partnership seeks to establish a statewide Access to Justice Commission, and to enhance the delivery of pro bono services and access to the courts for self-represented litigants.

In November 2013, the AOC developed and administered a survey of court-based self-help program administrators in the state. Their responses will inform the development of a "Tool Kit" that can be used by other courts seeking to establish such programs. Funding is being sought through the Legal Services Corporation's Technology Initiative Grant program to develop and implement a regional online portal to direct court users to an appropriate referral based on their legal issue and needs.



**Judicial Council of Georgia
Administrative Office of the Courts**

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Justice Harold D. Melton 

RE: Report – Statewide Judiciary Civil E-filing Steering Committee

DATE: June 4, 2014

The Statewide Judiciary Civil E-filing Steering Committee (Committee) is continuing its charge to explore the development and implementation of a statewide electronic filing (e-filing) service. The Committee met on March 28 and May 8, 2014 to discuss its objectives.

In addition to the statewide portal solution, the Committee will focus on the development of standards and rules to govern the process of e-filing in the state. The Committee is reviewing existing rules from other states, as well as other resources, to compile a set of rules for e-filing in Georgia.

Regarding standards, the Committee makes the following recommendation:

“The Committee recommends that the Judicial Council adopt as a standard the latest version of OASIS ECF for e-filing.”



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Institute for Court Management *Court Performance Standards: CourTools* Statewide Training Initiative June 2014

AOC staff is continuing outreach and education on *CourTools* through the Statewide Training Initiative. The goals of the Initiative are to bring awareness of *CourTools* measures to court administrators, clerks, and judges, and to train court administrators and clerks to measure their work using *CourTools*.

The 15-minute introductory session was presented to various groups in Fall 2013, and to the Council of State Court Judges in May 2014. The one-hour primer session has been presented at the following events:

- Municipal Court Clerks Recertification Seminar – April 9 & May 7, 2014
- Council of Probate Court Judges Spring Conference – April 10, 2014
- Council of Magistrate Court Judges Spring Conference – May 6, 2014

The one-hour primer session is also scheduled for the following dates:

- Council of Municipal Court Judges Conference – June 25 & October 8, 2014
- Council of Superior Court Judges Summer Conference – July 31, 2014
- Municipal Court Clerks Recertification Seminar – August 27 & November 5, 2014
- Council of Magistrate Court Judges Fall Conference – October 2014

Faculty plans to present the full two and a half day Institute for Court Management certification course the week of November 3.

For more information about *CourTools* or to schedule a faculty presentation for your council or committee, please contact Tracy Mason at tracy.mason@gaaoc.us. Further resources may be accessed at www.courttools.org.



Judicial Council of Georgia
Administrative Office of the Courts
County and Municipal Probation Advisory Council

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

CMPAC

Ms. Sandra Thomas
Chairperson

Mr. Michael J. Terrell
Vice Chairperson

Judge Deborah Andersen
Member

Mr. Bob Blackburn
Member

Judge W. Neal Dettmering, Jr.
Member

Judge Richard T. Kent
Member

Judge John M. Ott
Member

Mr. Steve P. Page
Member

Sheriff Howard R. Sills
Member

Judge James (Jim) Thurman
Member

Mr. Vince Williams
Member

Shevondah M. Fields
Staff Director

MEMORANDUM

TO: Judicial Council Members

FROM: Sandra Thomas
Chairperson, CMPAC

RE: Annual Report

Date: May 4, 2014

The County and Municipal Probation Advisory Council (CMPAC) is an eleven member Council that was established pursuant to O.C.G.A. § 42-8-Title 42 to regulate and register all (private and public/governmental) misdemeanor probation providers, who provide services in the state of Georgia. The eleven member Council, which is administratively attached to the Administrative Office of the Courts (AOC), consists of: five judges (Superior Court, State Court, Probate Court, Magistrate Court, and Municipal Court) designated by their respective councils, five individuals (Sheriff, Mayor, County Commissioner, Public Probation Officer, and Private Probation Officer) appointed by the Governor, and the Commissioner of Corrections or his designee. CMPAC's duties include: registering providers, collecting quarterly reports, promulgating and enforcing rules, and establishing requirements for initial training and continuing education for providers and their staff.

STAFFING

The Council is supported by a Staff Director, two (2) Compliance Monitors, and a Compliance Coordinator. CMPAC Staff offices are located within the Administrative Offices of the Courts. In calendar year 2013 CMPAC received the following new team members:

- Sheriff Howard Sills, Council Member
- Shevondah M. Fields, Staff Director
- Mary Interiano, Compliance Monitor
- Herbert Gordon, Compliance Coordinator

REGISTERED PROVIDERS AT A GLANCE

Annual registration renewal is required for all misdemeanor probation providers. Eighty-Six (86) misdemeanor probation entities renewed their registration with CMPAC during the registration period (October 1st to December 31st). This number includes 53 public/governmental programs and 33 private companies.

Public/Governmental programs:

- Comprised of 26 municipalities, 25 counties, and 4 judicial circuits;
- Employ 220 registered and approved probation officers and 109 support staff;
- Supervise 58,000 cases (including 23,000 cases in warrant status) for 138 courts;
- In 2013, remitted \$30.6 Million in fines, restitution, court costs and surcharges;
- In 2013, remitted \$3.3 Million to the Georgia Crime Victims Emergency Fund (GCVEF)

Private companies:

- Operate out of multiple field offices – the largest operating as many 17 offices;
- Employ 623 registered and approved probation officers and 388 support staff;
- Supervise 250,000 cases (including 120,000 cases in warrant status) for 631 courts;
- In 2013, remitted \$94.3 Million in fines, restitution, court costs and surcharges;
- In 2013, remitted \$9.3 Million to the Georgia Crime Victims Emergency Fund (GCVEF)

QUARTERLY REPORTS

Quarterly misdemeanor probation data, including the case counts and financial collections presented above is self-reported by each provider for each court served. As part of the compliance review process CMPAC staff uses numbers from individual courts to check the accuracy of the programs' internal case lists. The aggregate numbers are also submitted to the Federal Bureau of Justice Statistics.

In conjunction with the AOC's Court Registrar project, CMPAC staff has diligently worked on revisions to probation providers' quarterly reporting procedures. These new procedures seek to eliminate duplication at the court level and provide the Judicial Council and CMPAC with additional tools to assess probation activities. CMPAC staff will augment these revisions with training opportunities to raise awareness and increase the likelihood of more accurate data submissions.

COUNCIL RULES AND ENFORCEMENT

Council rules and regulations exclude certain individuals from supervising probationers, set standards for court service contracts, and establish limited professional standards. CMPAC requires probation entities to provide quality case management and to professionally execute all court orders; however, entities are primarily held accountable by the sentencing court. Monitoring and enforcement are performed through complaint investigations and compliance reviews. While compliance reviews attempt to address a broad range of issues CMPAC's authority is limited.

Compliance reviews focuses on compliance with statutory requirements and documents areas that can be improved upon but are not governed by CMPAC as "best practices." CMPAC received

approximately 9 complaints between February 2013 and February 2014. Complaints typically originate from probationers, the general public, or local officials. Though resources were limited CMPAC staff was able to conduct approximately 28 compliance reviews and 17 six-month follow-up reviews. Compliance reviews consist of CMPAC staff traveling throughout the state to various misdemeanor probation offices. During the site visit staff review case files (approximately 30-40 cases), employees' files, and conduct interviews with directors to ensure that they are knowledgeable of their duties and responsibilities. Staff also conducts case file reviews and criminal background checks of probation employees while at CMPAC base office.

CMPAC staff recently began the practice of compiling the findings and recommendations from various compliance review reports completed by staff. Some of the more consistent deficiencies noted from May 2013 to February 2014 include:

- Gaps in case documentation;
- Lack of case management oversight;
- Inaccurate or inconsistent quarterly reports;
- Extending cases beyond the original term of probation, in conflict with the determinate sentencing requirements of O.C.G.A. §17-10-1 ;
- Failure to obtain or properly document training; and
- Failure to maintain employee files with all required documents

CMPAC members met once a quarter in 2013. Some of the topics discussed were possible revisions to the council rules and probation entity violations. CMPAC currently has eleven (11) rule amendments and/or additions that has received its first council approval and are currently posted for public comment. Also, six (6) providers appeared before the council to address rule violations. The following sanctions were imposed:

- A \$300 was fine imposed on a public/governmental probation entity for failure to fingerprint an employee within 30 days of hire
- A private probation company's registration was revoked for submitting fraudulent training documents and impeding CMPAC's investigation.
- A public/governmental probation company's registration was revoked for failing to renew registration, failing to register new employees, and knowingly making false statements to CMPAC Staff

The County and Municipal Probation Advisory Council is committed to providing quality oversight and regulatory services to misdemeanor probation in Georgia, working with the Judicial Council, through the AOC, to request funding on an annual basis. For more than 17 years, CMPAC has provided oversight to misdemeanor probation, raising standards and quality statewide. Through the maintenance of adequate staffing and funding, this Council is able to provide services and assure the citizens of Georgia that quality misdemeanor services are provided to their courts and local governments. This Council appreciates the opportunity to inform the members of the Judicial Council of the work done in the misdemeanor probation arena. We will be happy to respond to any questions the Judicial Council may have.



Judicial Council of Georgia
Administrative Office of the Courts
County and Municipal Probation Advisory Council

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Judge James (Jim)
Thurman
Member

Mr. Vince Williams
Member

Shevondah M. Fields
Staff Director

MEMORANDUM

TO: Marla Moore
FROM: Shevondah M. Fields
CMPAC Staff Director
RE: Misdemeanor Probation Audit
Date: May 19 2014

On April 25, 2014 the Department of Audits released the findings and recommendations for the Misdemeanor Probation Operations audit that began January 2012. The audit examined the oversight and management of misdemeanor probation operations by local government and private probation providers. The auditors advised that the objectives of the audit were:

- To assess courts' procurement and oversight of probation providers and
- To assess whether probation providers supervise offenders effectively.

They visited thirteen (13) misdemeanor probation providers (8 private probation companies and 5 governmental/public providers) and reviewed contracts between providers and the courts covering twenty-nine (29) jurisdictions (13 municipal courts and 16 state courts).

The audit resulted in fifty-four (54) recommendations. Twenty-seven (27) of the 54 recommendations suggest some action on the part of the courts. Two (2) recommendations were directed to the Council and Municipal Probation Advisory Council (CMPAC), which is administratively attached to the AOC.

CMPAC staff conducts 2-4 compliance reviews per month. Similar to the Department of Audits, one of the areas reviewed by CMPAC staff includes probationers' files. Council rules require probation entities to provide quality case management and to professionally execute all court orders;

however, entities are primarily held accountable by the sentencing court. As noted in the audit, compliance reviews attempt to address a broad range of issues; however, CMPAC's authority and resources are limited.

Summary of Findings

A review of misdemeanor probation operations in a sample of jurisdictions found that courts provided limited oversight of providers, with contracts that often lack the detail needed to guide provider actions. In many cases courts do not receive useful performance reports from the providers. The reports that are provided to the courts are infrequent and tell little about providers' and/or their probationers' performance. They also found that providers frequently had inadequate case management policies and that some providers' reporting and payment policies were likely to increase probationer non-compliance.

Recommendations

Below are highlights from the most notable recommendations made by the Department of Audits:

Procurement Oversight

- Courts that contract for probation services should solicit proposals from multiple providers, adopt practices that maximize evaluation transparency and objectivity, and document key decisions.
- Courts should ensure that contracts and governmental agreements have the provisions necessary to communicate all relevant operational and performance expectations.
- Courts should improve the monitoring of probation providers by requiring meaningful reports and periodic compliance reviews.
- The General Assembly and CMPAC can address issues identified in our review, but most issues can be addressed more effectively by the courts and providers.

Reporting Standards and Practices

- Probation providers should have written reporting policies for both compliant and non-compliant probationers, and courts should ensure that provisions detailing the frequency and type of reporting are included in contracts and governmental agreements, as required by state law.

Payment Collection Standards and Practices

- Probation providers should establish written policies to address financial non-compliance. In addition, providers and courts should ensure that probation terms are not improperly extended and that arrest warrants are not improperly used to compel payments.
- Probation providers should establish probationer payment plans based on the fine amount and time frame approved by the court.
- Probation providers should establish policies and procedures for identifying potentially

indigent probationers in a timely manner, and courts should ensure that the provider's role in the process is clearly defined.

Payment Allocation and Remittance Standards and Practices

- Probation providers should consult with courts when developing written policies for the allocation and remittance of probationer payments. The policies should address issues such as improperly prioritizing supervision fees, the allocation of partial payments, and remittance of funds to all recipients.

Community Service

- Probation providers should develop written policies to ensure probationers complete community service work and to reduce the risk of fraudulent reporting.
- Probation providers and courts should establish procedures to ensure appropriate conversions between community service hours and financial obligations.

Evaluation and Treatment

- Probation providers should develop written policies to ensure evaluations and treatments are completed in a timely manner.
- Courts should ensure that all necessary actions are taken to address the inherent conflict of interest that exists when probation providers deliver evaluation and treatment in-house.

Drug Testing

- Courts should work with probation providers to clarify expectations regarding drug testing frequency and fee amounts.

Case Records and Quality Assurance Review Procedures

- Probation officers should maintain case records that describe all interactions with the probationer, contain supporting documents for all completed special conditions, and justify why administrative actions are taken.
- Probation providers should improve quality assurance review practices to oversee officer case management and consider providing the results to court officials.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Georgia Courts Registrar Project Update May 2014

Overview

Following the January 2014 launch of the Georgia Courts Registrar for court reporters and court reporting firms, the online licensing and information management tool for court professionals expanded to include family violence intervention programs. Testing and development is in progress for two other business units, and an additional continuing education and events management module is under development.

The AOC has reorganized and re-tasked personnel to take advantage of the efficiencies resulting from the Registrar. Ease of use and technical support for users are primary goals, so the AOC tracks and evaluates customer contact to consider application modifications. Research staff is also completing post-renewal customer surveys to measure satisfaction with the tool.

Court Reporting Renewals

During the Board of Court Reporting's three-month renewal season, Registrar staff processed or approved 989 court reporters and 110 court reporting firms within one business day – 38 percent of which occurred in the final two weeks. Prior to the Registrar, it took one to two hours on average to process each application; using the Registrar, the average processing time was two minutes per application. The use of the Registrar allowed the Board to suspend 79 individuals and make 11 firms inactive within hours of the deadline. During the renewal period, Registrar staff addressed 179 telephone calls and 386 emails.

Work in Progress

- Family Violence Intervention Programs – Nearly all 70 programs have registered to use the module and 10 percent have submitted renewal applications during their rolling certification period.
- Misdemeanor Probation Providers – This module is developed and is being tested (renewal begins October 1).
- Neutrals – This module is developed and is being tested (renewal begins November 1).

Partnership with the Institute of Continuing Judicial Education

The AOC and ICJE signed an agreement to expand continuing education management capabilities within the Registrar. Magistrate judges, municipal judges, and municipal clerks will be able to register for ICJE course offerings and view continuing education hours through the Registrar beginning in 2015. These added capabilities will augment all modules developed in 2014, including court interpreters and process servers.

Contact Maggie Reeves at 404-463-0350 or maggie.reeves@gaaoc.us for additional information.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Supreme Court of Georgia Committee on Justice for Children June 2014

The mission of the Supreme Court of Georgia Committee on Justice for Children (J4C) is to improve Georgia's court process for civil child abuse and neglect cases. 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 notice of another multi-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 J4C Committee has directed the funds toward the following priorities for 2012 through 2015:

- 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 2014, J4C also continued the Cold Case Project, a quality assurance program of reviewing children's cases who have been in foster care for long periods of time. Cold Case reviews explore all permanency options for the identified children, check on whether all legal requirements and due process measures have been met, and review the quality of representation for each child. After five years of foundation funding from Casey Family Programs, the data results show improved legal permanency outcomes when compared to a similar group of children's cases. Thus, state funding will be sought in 2015 to institutionalize this work within the AOC and its project partner agencies. In addition, a Quality Improvement Center (QIC) grant given to J4C to participate in research administered by the University of Michigan to study the QIC legal representation model against existing attorney practices will be coming to an end in early 2015, with findings due in late 2015.

On any given day, Georgia has approximately 8,000 children in foster care due to child abuse or neglect. 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 employees, 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 eighteen 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.

The Case Plan Report System (CPRS) has been a ten year effort to electronically share child specific information between the executive and judicial branches of government for civil child abuse and neglect cases. With 1800 users, CPRS now holds Department of Education data as well and will soon have Department of Juvenile Justice data for some pilot work data sharing.

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



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Court of Appeals

Memorandum

To: The Judicial Council
ATTN: Ms. Marla Moore

From: Sara L. Doyle, Presiding Judge and
Steven E. Castlen, Clerk/Court Administrator

Subject: Court of Appeals

Date: May 22, 2014

The Court is in the process of reviewing all of our Court Rules. Judge Dillard is leading the effort and we are working closely with the Supreme Court to bring as much uniformity to the rules as possible. This is an intensive effort that will provide significant improvements and clarity to appellate practitioners before both Courts.

The Court is also near completion of a total review of all our internal operating procedures. These procedures are provided in our Internal Operations Manual. They provide excruciating detail regarding all elements of our Court's functions. The changes provide much greater direction to our Court and employees and provides better efficiency for Court operations.

Our Information Technology team is always moving at a fast pace. Docket improvements are constantly occurring. The most formidable challenge is getting trial court records in an electronic format. Soon we will accept electronic filings of all applications and emergency motions. This is a significant advancement in our IT progress and will be a terrific benefit to practitioners and to our operations. It will also result in great savings of paper and of storage space. Also, our IT team is continually improving what we call Continuity of Operations making sure that all data is backed up and that the Court can operate in the event of a climate or other disaster where our buildings are not accessible, damaged, or destroyed.

The Court is working closely with the Supreme Court on many issues. We strive to standardize our salary scales, share expenses, and coordinate on short and long-range goals. For example, we are working closely with them on making our Court Rules as similar as possible. We are also closely coordinating with them to provide guidance on future needs to use in planning for a new judicial building. Our goal is to continue our close working relationship to insure coordination on all issues facing our Courts.



Council of Superior Court Judges of Georgia

Suite 104, 18 Capitol Square, Atlanta, Georgia 30334

(404) 656-4964 Fax (404) 651-8626

Council of Superior Court Judges Report to Judicial Council June 2014

The 2014 legislative session resulted in the restoration of some of the funding cuts endured by Superior Courts over the past five years. Two of the 14 eliminated law clerk positions were restored in the FY 2015 budget, and the 30 secretaries who have waited the longest for the step increases (due in 2009 and 2010) will receive them on July 1, 2014. Two new judgeships were also funded; the Coweta and Waycross circuits will each receive a new judge in January 2015, bringing the total number of Superior Court Judges to 211.

Unfortunately the request to restore three furlough days built into the base budget for the judges' and judicial administrative districts' staff was not fully funded, and the request for funds to cover a 1 percent increase in State Health Benefit Plan costs was also denied. However, funds were provided for an overall 1 percent increase in staff salaries.

On the legislation front, a bill requested by CSCJ to correct the election dates of the two new judges appointed in January 2014 in the Chattahoochee and Oconee circuits was passed. This bill, HB 940, changes the election dates from 2014 to 2016. This change was needed due to the appointment of these judges in January 2014 and the legislature's moving of the election dates to May 2014. Because the Constitution requires at least a six-month period between appointment and first election, there would have been a conflict with the Constitution had the statute not been changed.

The two newest Superior Court Judges, appointed to fill vacancies in the Macon and Cherokee circuits, were sworn in by the Governor on April 16, 2014. Judge Suzanne H. Smith of the Cherokee Judicial Circuit replaces Judge Shepherd Howell who recently retired. Judge Smith previously served as a municipal court judge and juvenile court judge. Judge Verda Colvin of the Macon Judicial Circuit replaces Judge Phil Brown, who also recently retired. Judge Colvin was most recently a U.S. Attorney who prosecuted drug and violent crimes.

As of January 2014, Superior Courts had 76 accountability courts, an increase of 30 courts since July 1, 2011. More are being added throughout 2014.

On May 1, 2014, Judge Mary Staley became President of CSCJ, and Judge Brenda Weaver became President-Elect. Judge Horace Johnson's election to the office of Secretary-Treasurer was also effective on that date. Judge Staley is currently appointing judges to committees. The Council of Superior Court Judges conducts its business through 16 standing committees and four special committees. Standing committees include Uniform Rules, Pattern Jury Instructions, Legislation, Budget, Bench and Bar, Accountability and Treatment Courts, Court Technology,

Compensation and Retirement, Indigent Defense, Mandatory Continuing Judicial Education, Personnel, and Senior Judges, among others. Special committees include those on Court Security and Issues Relating to Defenses of Incompetency and Insanity.

The Council of Superior Court Judges will meet for its semi-annual conference and continuing education seminars July 28-31, 2014. Guest speakers will include the Lieutenant Governor Casey Cagle and Georgia House of Representatives member Jay Powell.



Council of State Court Judges
Impartial Courts • Judicial Excellence • Accessible and Efficient Justice

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Bob Bray
Executive Director

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Judge Charles S. Wynne
President Elect (Hall)

Judge Wayne M. Purdom
Secretary (DeKalb)

Judge Richard A. Slaby
Treasurer (Richmond)

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Judge Leon M. Braun, Jr. (Liberty)

District 2
Judge J. Kelly Brooks (Charlton)

District 3
Judge Richard T. Kent (Colquitt)

District 4
Judge W. O'Neal Dettmering, Jr. (Douglas)

District 5
Alan W. Thrower (Baldwin)

District 6
Judge Joseph C. Iannazzone (Gwinnett)

District 7
Judge Wesley B. Taylor (Fulton)

District 8
Judge T. Russell McClelland (Forsyth)

Report of the Council of State Court Judges
Judicial Council Meeting

June, 2014

The Council of State Court Judges is very proud of the work our Judges do to handle thousands of serious misdemeanor criminal cases, including vehicular homicide, driving under the influence, family violence offenses, theft, and drug offenses. The State Courts also have jurisdiction over routine traffic offenses, which are in place to make our streets a safer place to drive.

There are now 20 DUI/Drug Courts, and three more in the planning stages. There are also two Misdemeanor Drug Courts. These accountability court programs are changing the lives of those addicted to alcohol and drugs. Several members of our Council will participate in the upcoming year in developing standards for Misdemeanor Drug Courts.

Complex civil cases are turning to the State Courts for expeditious handling of their litigation. The State Courts have seen an increase in the number of product liability, medical malpractice, premises liability, and wrongful death cases. If tried, these cases can take several weeks to disposition. We have five courts who are working on a preliminary examination of their civil workloads to determine if this increase in complex cases is significant with regard to workload assessment and case count information. There are also several State Courts participating in a pilot project with the AOC on utilizing CourTools to track important data, and the Council is working with the Judicial Council Workload Assessment Committee on their goals and assessment tools.

Bob Bray, the Executive Director of the Council, has completed several judicial workload studies relating to the creation of new State Courts in a couple of counties, at the request of legislators and others.

Our Legislative Committee and Legislative Task Force, with the invaluable assistance of Bob Bray, stayed informed and involved with regard to legislation of interest to the Council. The Legislative Task Force met weekly, and sometimes more often, to discuss legislation and our response to it, if needed.

We have been involved in actively pursuing solutions to the use of private and county probation providers, as required by law, regarding a court ruling that questioned the authority of those agencies to enforce orders from the State Court Judges, as well as a performance audit released by the State Department of Audits in April. The legislation that was designed to address some of the issues raised by the court rulings was vetoed by the Governor. The Council will consider

further legislative efforts next year, but has made no decision with regard to that issue at this time. While the Council does not agree with the criticism and conclusions in the state audit, we understand that public perception is of utmost importance, and we want the public to know and understand that the work done by the State Courts is important, serious and a matter of public safety. A committee has been appointed to work on suggested “best practices” with regard to probation.

The Council of State Court Judges follows our Strategic Plan, which includes four main objectives: 1) supporting the state courts; 2) fostering relationships within the Judicial Branch; 3) fostering relationships with other branches of government; and 4) informing and interacting with the public. We have many active committees to help us accomplish our stated goals, and we are actively participating in committees of other agencies, including Judicial Council committees, legislative committees, and State Bar committees. We are proud to have accomplished most of the goals set forth in our current plan, and look forward to a strategic planning retreat in August to review and modify the plan and set new goals, with the help of the Carl Vinson Institute of The University of Georgia.

The Council held New Judge training in January in Athens. Six new judges attended the training, and were there an extra day due to one of the snow storms that hit Georgia during the Winter season. The Council appreciates the assistance of ICJE in making sure that the education piece of the seminar could be completed, and that the judges were comfortable and safe.

The Council held our semi-annual meeting and continuing education seminar May 6-9, and elected new officers, who will take office on July 1, 2014. Hon. Charles Wynne of Hall County will be President, Hon. Wayne Purdom of DeKalb County will be President-Elect, Hon. Richard Slaby of Richmond County will be Secretary, and Hon. J. Kelly Brooks of Charlton County will be Treasurer. Guests at our meeting were Marla Moore, Director of the AOC, and Ms. Rita Sheffey, with the State Bar of Georgia Civil Indigent Task Force. Rep. Mark Hamilton was presented with the Legislative Leadership Award.

Hon. Linda S. Cowen

President, Council State Court Judges

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President-Elect – DON WILKES
Emanuel County, Swainsboro, GA 30401

1st Vice President – ALICE W. PADGETT
Columbia County, Evans, GA 30809

Immediate Past President – KELLEY POWELL
Henry County, McDonough, GA 30253

Report to the Judicial Council of Georgia
June 4, 2014

The following report is a summary of current initiatives by the Council of Probate Court Judges (CPCJ):

Judicial Council Access, Fairness and Public Trust & Confidence Comm. Recommendation

In response to Chief Justice Thompson’s request for endorsement of a prospective candidate to represent the Council of Probate Court in his efforts to bolster the judiciary’s work in the area of improving the fairness and accessibility to the courts. Judge Sherry Moore, Jackson County Probate Court, was recommended to fulfill the Probate Council’s representation on the committee.

Leadership Meeting

As an essential element to assuring the solidity and yearly development of the CPCJ and the services and representation it provides its membership, the newly elected President invites Council officers and key members to meet to discuss the upcoming year, any pertinent current initiatives as well as those from the previous year and moving forward. Several items on the agenda included District Restructuring, Accreditation Program through the Carl Vinson Institute of Government, Jurisdictional Issues, and Council Staffing. Participants met May 28-30th in Lenox, Georgia.

Standard Forms Amendments (GPCSF)

The Council continues to revise its standard forms so that they reflect current law and are compatible with current word processing standards. The Council approved amendments to Georgia Probate Court Standard Forms [1, 10, 11, 12, 19, 28, 30, 32, 35, 53 and Cumulative List] were submitted to the Supreme Court of Georgia in May for vetting and have since been approved. The forms will be published in the Advance Sheets and uploaded to the probate judges’ website (<https://www.gaprobate.org/>) on the effective date of July 1, 2014.

READY Campaign

The Council of Probate Court Judges (CPCJ) launched a campaign to incentivize it judges moving forward while raising awareness of the role Probate Courts play in the lives of everyday Georgians. The READY campaign, the innovation of Judge Daughtrey, was unveiled at the Council’s Spring Banquet. The components of the READY campaign are:

Respect
Education

Assemble
Determined
Yield Results

Benchbook Updating and Revision

The Council has contracted for the updating of the Probate Judges Benchbook with legislation thru CY14 session. Updates are set for completion by August 1st. Additionally, the Council has contracted for the revision of the Criminal Benchbook for probate judges with traffic and criminal jurisdiction. It too will be updated thru the CY14 session.

Legislation

The 2014 legislative session was short in duration but our Council was able pass and navigate legislation despite a wave of discontent between the House and the Senate in the final days of the session; there were four non-partisan probate court bills that were signed into law. Some of the highlights included the passage of a Retirement Bill, a Clerks Bills, and a Tax Intercept Bill that was initiated by the Municipal Courts that will benefit our judges and our constituents. Our Council also worked to fight off potential issues as it related to private probation, testamentary guardianships, and Title 40 Reform.

As the 2015 legislative session approaches, we anticipate working on a number of issues. We will continue to support a bill that provides for a technology fee that is accessible by all the courts and we hope to work to finalize a Title 40 Reform bill that provides for more effectiveness and efficiency moving forward with the summary disposition of traffic offenses. This summer we will be working with the Department of Natural Resources as it relates to Fish and Game laws and the roles that probate courts play in processing those cases.

Future of the Courts

Judge Alice Padgett has been selected to chair a committee that will draft a plan to show what a future judicial system may look like in Georgia and what role the probate courts will play in it. Judge Padgett and her committee will work over the summer and present their plan to Executive Committee in October at COAG. This project is designed to ensure that **if** a time comes when major changes to the judiciary become a reality the probate courts will be proactive and **READY** to defend our roles and responsibilities to ensure the viability of our court and access to our constituents.

Continuing Judicial Education

The Council is scheduled to hold its annual fall training in Savannah, Georgia from October 14-16, 2014 in conjunction with the County Officers Association of Georgia (COAG). The training sessions are conducted through ICJE.

Additional trainings associated with the accreditation program will be afforded to the judges during the summer on Guardianship of Adults and Civil Procedures.

Next Meeting Date

The next Executive Meeting is scheduled for October 14, 2014, in conjunction with the Fall Conference of the County Officers Association of Georgia in Atlanta, Georgia.



Council of Magistrate Court Judges

May 21, 2014

President

Judge Betsey Kidwell
Heard County

1st Vice-President

Judge W. Allen Wigington
Pickens County

2nd Vice-President

Judge Bob Turner
Houston County

Secretary

Judge Alec Glenn Dorsey
Wilcox County

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Pierce County

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Judge Eric Norris

Members-at-Large

Judge Gale Buckner
Judge Mike Greene

As you know, the Department of Audits has been meeting with Executive Directors and members of the Councils for a report they are preparing for the Legislature this next session. Sharon and I have already met with two people from the Dept. of Audits and have given them a copy of our strategic plan, a copy of Sharon's job description, and a short list of projects that Sharon has worked on the past few years. They have attended our annual meeting at Lake Lanier in May and they will be asking for meetings throughout the summer and early fall. Their report is due at the end of December.

The Tech Committee has re-done the video on How to Do Business in the Magistrate Court. This was done with the help of the Dekalb School of the Arts. They are also working with the AOC on updating the website as well. We originally hoped to have our new website design ready to present in May but it appears that it will not be ready until sometime next year. Hopefully, we will have an update for you at the next meeting.

Judge Barker has been working with AOC on updating the benchbook and that has been completed. Judge Barker and Sharon had a meeting with FastCase about replacing the links from Lexis Nexis to FastCase and there was a possibility that FastCase might be able to take over hosting and updating similar to what Lexis did for us. We will keep you updated on that as well at the meeting.

I have nominated that Judge Mary Kathryn Moss and Judge Amos Sheffield receive their next term on MCTC. I have also nominated Judge Patricia Barron as the ICJE Trustee representative for the Magistrate Council. Please join me in thanking them for their previous terms and work they have done on behalf of the Magistrate Council. MCTC approved new policies at the May meeting and they are posted on our website.

Moving forward with the Strategic Plan, I would like to announce that Judge Alan Harvey will be the Objective Owner for initiative of Promoting Legislative and Judicial Agenda. His back up will be confirmed shortly. Judge Patricia Barron will be the Objective Owner and Judge June Davis will be the Backup Owner for the initiative of Create, Improve, Promote and Implement Effective Training. Judge Jimmy Griner will be the Objective Owner and Judge Kristina Hammer Blum will be the Backup Owner for the initiative for Promote Awareness, Involvement and Consistency. Judge Connie Holt will be the Objective Owner and Judge Phil Taylor will be the Backup Owner for the initiative on IT Supporting Strategic Objectives. They will be forming committees to work on the strategic plan over the next 2 years.

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Judge Glenda Dowling will be forming a committee over the next few months to review all of the forms that are on-line for our website.

The legislative session is over for the year. The bill to expand Contempt of Court stalled in the Senate but will be considered again next year. I would like to thank our lobbyist Rusty Sewell for his hard work this year. I would also like to thank the Legislative Chairs, Judge Beryl Anderson and Judge Gayle Buckner for their leadership during this period. I would also like to thank the Judges of the Day: Judge Alan Harvey, Judge Mary Kathryn Moss, and Judge Robert Turner for their help this year.

A demonstration of our project Access to the Courts has received numerous edits since it was previewed at in January. We demonstrated the project to our members at the annual meeting at Lake Lanier. I am very excited about this project. I would like to extend my thanks to Judge Barker, Judge Aten, Judge Lewis, Judge Harvey, Judge Turner, Judge Greene, and Judge Wigington for their work on this project. This is a huge step forward and will blend in nicely with e-filing. Sharon Reiss, Meagan O'Leary, Catherine Fitch and Rusty Sewell have mapped out a very strong PR campaign for this project. They had a great meeting with representatives from GA Legal Aid at the State Bar on May 8th. Mr. Mike Monahan, Mr. Wingo Smith and Ms. Susan Reif from GA Legal Aid have previewed this project and were allowed an opportunity to make suggestions for edits as well. In addition, Sharon has been receiving calls from other states to discuss this project.

Several judges have been appointed to the AOC and State Court collaboration on Human Trafficking Curriculum – Judge June Davis, Judge Mary Kathryn Moss, Judge Jennifer Lewis, Judge Michael Greene, Judge Alan Harvey, and Judge Jason Troiano.

The Council of Magistrate Court Judges had their annual meeting May 4th through 5th at Lake Lanier. At this meeting, the Legislative Committee met and approved 3 bills for 2015 Legislation – Contempt of Court and 2 bills on clean up language for existing law. MCTC, Rules, and Benchbook Committee met as well. The Awards Committee awarded the 1st Kim Warden Humanitarian Award to Judge Jennifer Lewis. This was very exciting, other award winners were Judge Alan Harvey, Workhorse of the Year, Judge Michael Barker, Magistrate of the Year, Judge Sidney Baxter, Lifetime Achievement Award, as well as Judge June Davis and Sharon Reiss being awarded by the President for their hard work and service. Also, 2 resolutions from the Supreme Court were award by Ms. Marla Moore to Judge Glen Dorsey and Judge Sidney Baxter. Judge Dorsey had served as the secretary to the CM CJ for over 30 years (he was secretary to the JP prior to CM CJ) and for Judge Sidney Baxter for his service for over 40 years.

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Council of Magistrate Court Judges

May 21, 2014

I want to thank everyone for their support during my year as President of the Council of Magistrate Court Judges. It has been an exciting year and although I didn't get out to see everyone as I would have liked, I know as I transition to Immediate Past President that the Council has made great strides in moving forward this year.

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**Report to the Judicial Council of Georgia
June 4, 2014**

Among the current initiatives and projects of the Council of Municipal Court Judges are:

Judicial Council Access, Fairness and Public Trust & Confidence Comm. Recommendation

In response to Chief Justice Thompson's call to reinvigorate the judiciary's work in the area of improving the fairness and accessibility to the courts, Judge LaTisha Dear, DeKalb County Recorders Court, was recommended to fulfill the Municipal Council's representation on the committee.

Leadership Session

As a critical component to assuring the continuity and yearly development of the CMuniCJ and the services and representation it provides its membership, representatives from the Council is scheduled to meet in Eatonton, Georgia for a two day session in July. Held annually following the election of new leadership, its purpose is for the president to share their vision for the upcoming year, hold discussions regarding any pertinent association initiatives from the previous year(s) and those moving forward.

20th Year Anniversary

The Council of Municipal Court Judge, which was enacted by law in 1994, celebrates its 20th year of existence this coming June during the annual summer Law and Practice Update Conference. Members will memorialize the occasion by holding a reception with invitations being extended to Judicial Council members, the Supreme Court of Georgia, The Court of Appeals, Past Presidents of the Municipal Judges Council and Georgia Municipal Association (GMA) Representatives.

Continuing Judicial Education

The Council is scheduled to hold its annual summer Law and Practice Seminar June 25-27, 2014 in Jekyll Island, Georgia, conducted through the Institute of Continuing Judicial Education (ICJE). The three day program will provide training for those serving as of January 1, 2014 in addition to recertifying judges. The curriculum will cover: Ethics and Professionalism, including Disqualification and Waiver, Maintaining Open Courtrooms, CourTools, Treatment Court 101, Department of Drivers Services (DDS) Update, Case Law Update, Pre-Trial Diversion-Conditional Release-Expungement, Drugged Driving Issues, Pharmacological Effects of Alcohol, Immigration Issues, Veteran Issues, Probation Issues & Revocation, Bond Forfeitures-Benchbook Update, Judicial Ethics, and Uniform Rules, an Evidence Code Update and Community Outreach: What can you do?

The Council will also hold its Executive Committee, Business meeting, Awards ceremony and Training Council meetings during this conference.

Municipal Judge Benchbook

The editor is currently working on updating the Benchbook with statutory changes through the 2014 legislative session. The committee is also seeking assistance from the Institute of Continuing Judicial Education (ICJE) in enhancing the indexing and search capability of the resource.

Legislation

The CMuniCJ was engaged by a myriad of issues during the short but albeit busy session. Several items of interest did not make it through the CY14 session although one important initiative did, a Tax Refund Interception for Court fines/fees option. The Council was pleased with the passing of HB1000, which provides for debt collection against State income tax refunds for fines and fees owed to courts.

Additionally, the Council will watch any future evolution of legislation relating to modifying the requirements connected to the state-wide probation system and agreements for private probation services. This service is an integral part of business in the municipal courts.

Members have committed to working with all of the stakeholders in this process and resolve to continue to be involved in these efforts as it affects the municipal courts of Georgia

Next Meeting

The Municipal Judges Executive Committee is scheduled to meet June 25, 2014 in Jekyll Island, Georgia in conjunction with the Law and Practice Update.