

# *JUDICIAL COUNCIL OF GEORGIA*

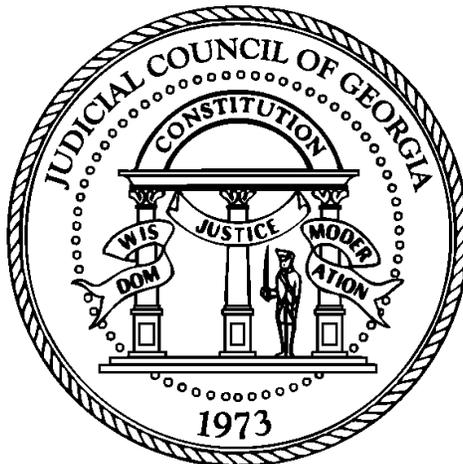
*General Session*

*Wednesday, August 24, 2005*

*Wyndham Vinings Hotel*

*9:00 a.m.*

*Overlook A & B*



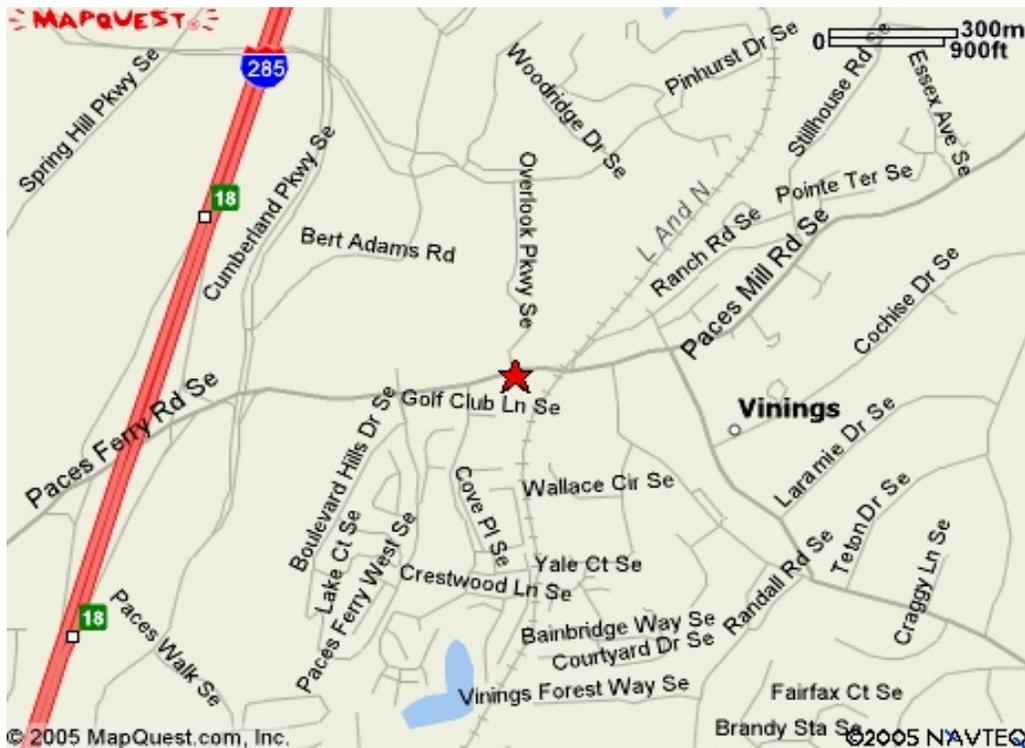
*Luncheon*

*12 Noon*

*Fireplace Lounge*

*2857 Paces Ferry Road  
Atlanta, GA 30339*

***Driving Directions to the Wyndham Vinings Hotel  
2857 Paces Ferry Road  
Atlanta, GA 30339  
770-432-5555***



**Traveling South on I-75**

Take I-285 Westbound (Birmingham) and travel 1.5 miles to Paces Ferry Road (Exit 18). Turn left onto Paces Ferry Road and travel ½ mile; hotel is on the left.

**Traveling South on I-85**

Take I-285 Westbound and continue past the I-75 interchange. Exit at Paces Ferry Road (Exit 18). Turn left onto Paces Ferry Road and travel ½ mile; hotel is on the left.

**Traveling North on I-75**

Travel toward Atlanta and take I-285 Westbound, then continue on I-285 Northbound pass the I-20 interchange proceeding to Paces Ferry Road (Exit 18). The exit ramp will have 3 or 4 different turn lanes. Turn right onto Paces Ferry Road East, crossing Cumberland Parkway then crossing Boulevard Hills, hotel is on the left.

**Traveling North on I-85**

Take I-285 North, pass the I-20 interchange and proceed to Paces Ferry Road (Exit 18). The exit ramp will have 3 or 4 different turn lanes. Turn right onto Paces Ferry Road East, crossing Cumberland Parkway then crossing Boulevard Hills, hotel is on the left.

**Whether traveling I-20 Eastbound OR traveling I-20 Westbound**

Take Exit 51B (285 North) and proceed to Paces Ferry Road (Exit 18). The exit ramp will have 3 or 4 different turn lanes. Turn right onto Paces Ferry Road East, crossing Cumberland Parkway then crossing Boulevard Hills, hotel is on the left.

Judicial Council of Georgia  
Wyndham Vinings Hotel  
2857 Paces Ferry Road  
Atlanta, GA 30339

Wednesday, August 24, 2005  
9:30 a.m.

*Continental Breakfast will be served beginning at 8:30 a.m.*

1. **Introductions and Preliminary Remarks**  
(Chief Justice Leah Ward Sears, Est. Time—5 Min.)
2. **Approval of June 8, 2005 Minutes** Tab 1  
(Chief Justice Sears, Est. Time—3 Min.)
3. **Consideration by the Judicial Council of Requests for Additional Superior Court Judgeships & Recommendations to the General Assembly and the Governor**  
(Mr. Ratley & Dr. Arnold, Est. Time—30 Min.)
  - A. **Judicial Council Policy for Judgeship & Circuit Boundary Studies** Tab 2
  - B. **Circuit Boundary Study** Tab 3
    - 1) Alcovy Judicial Circuit
    - 2) Sample Ballot - Vote on Circuit Boundary Division
  - C. **Charts** Tab 4
    - 1) Superior Court Circuit Time Line
    - 2) Explanation of Judgeship Processes & Procedures
      - 2-A Judgeship Table Insert 1
      - 2-B Judgeship Table Insert 2
    - 3) Circuits, Personnel, & Weighted Caseload
    - 4) CY2004 Criminal Filings by Rank & 5-year Percentage Change
    - 5) CY2004 Civil Filings by Rank & 5-year Percentage Change
    - 6) Population
    - 7) 4-Factor
    - 8) Sample Ballots
  - D. **Letters of Request and Comments from Invited Respondents**
    - 1) Alapaha Judicial Circuit (3<sup>rd</sup> Judge) Tab 5
    - 2) Alcovy Judicial Circuit (new request for 5<sup>th</sup> Judge)\* Tab 6
    - 3) Atlanta Judicial Circuit (20<sup>th</sup> Judge) Tab 7
    - 4) Blue Ridge Judicial Circuit (3<sup>rd</sup> Judge) Tab 8
    - 5) Enotah Judicial Circuit (3<sup>rd</sup> Judge) Tab 9
    - 6) Houston Judicial Circuit (3<sup>rd</sup> Judge) Tab 10
    - 7) Paulding Judicial Circuit (3<sup>rd</sup> Judge) Tab 11

\*{In the event that a circuit boundary change is approved, this judgeship request will be withdrawn as per Judge Ott's letter of June 15, 2005, see page 2 of Tab 6}

**E. Carryover Circuit Requests**

Tab 12

- 1) Cobb Judicial Circuit (10<sup>th</sup> Judge)
- 2) Coweta Judicial Circuit (6<sup>th</sup>)
- 3) Dublin Judicial Circuit (3<sup>rd</sup> Judge)
- 4) Gwinnett Judicial Circuit (10<sup>th</sup> Judge)
- 5) Southern Judicial Circuit (6<sup>th</sup> Judge)

**4. Vote on New Judgeship Requests by Written Ballot**  
(Est. Time—5 Min.)

**5. Report from AOC Director**  
(Mr. Ratley, Est. Time—10 Min.)

**6. Rank Judgeship Recommendations** [Including all carryover requests]  
(Est. Time—5 Min.)

**\*\*\*\*\* 15 Minute Break \*\*\*\*\***

**7. Budget Matters**  
(Judge Carriere & Mr. Harris, Est. Time—15 Min.)  
FY 2006 Supplemental and  
FY 2007 General Appropriations & Enhancements

Tab 13

**8. Written Reports from Various Judicial Agencies & Entities**

- 1) Committee on Court Reporting Matters Tab 14
- 2) Committee on Domestic Violence Tab 15
- 3) Georgia Courts Automation Commission Tab 16
- 4) State and Juvenile Caseload Report Tab 17

**9. Reports from Appellate Courts and Trial Court Councils**

- 1) Supreme Court  
(Chief Justice Sears, Est. Time—5 Min.)
  
- 1) Court of Appeals  
(Chief Judge Ruffin, Est. Time—5 Min.)
  
- 2) Council of Superior Court Judges  
(Judge Coursey, Est. Time—5 Min.)
  
- 3) Council of State Court Judges  
(Judge Salter, Est. Time—5 Min.)
  
- 4) Council of Juvenile Court Judges  
(Judge McDonald, Est. Time—5 Min.)

- 5) Council of Probate Court Judges  
(Judge Bracewell, Est. Time—5 Min.)
- 6) Council of Magistrate Court Judges  
(Judge Anderson, Est. Time—5 Min.)
- 7) Council of Municipal Court Judges  
(Judge Edwards, Est. Time—5 Min.)

10. **Old/New Business**  
(Chief Justice Sears, Est. Time—15 Min.)

**New Business:**

- A. Transition into Law Practice Program—Executive Summary Tab 18  
(Mr. Ashworth, Est. Time—5 Min.)
- B. Public Defender Standards Council  
(Mr. Mears, Est. Time—5 Min.)
- C. Date and Place of Next Regular Council Meeting  
*Date:* Wednesday, December 8, 2005  
*Place:* Wyndham Vinings Hotel

11. **Concluding Remarks and Adjournment**  
(Chief Justice Sears, Est. Time—5 Min.)

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**GROUP PHOTOGRAPH — POOLSIDE**

**12 Noon — Lunch Served in the Fireplace Lounge**

Judicial Council of Georgia  
June 8, 2005  
Savannah Marriott Riverfront  
Savannah, Georgia

DRAFT

**Members Present:**

Chief Justice Norman S. Fletcher  
Presiding Justice Leah Ward Sears  
Judge Stephen H. Andrews  
Judge William T. Boyett  
Judge Mike Bracewell  
Judge Betty B. Cason  
Judge A. Wallace Cato  
Judge Daniel M. Coursey, Jr.  
Judge William H. Craig  
Judge James E. McDonald, Jr.  
Judge George F. Nunn, Jr.  
Judge John M. Ott  
Judge F. Gates Peed  
Judge John F. Salter, Sr.  
Judge Hugh W. Stone  
Judge Ben Studdard, III  
Judge Haynes Henton Townsend  
Judge Philip R. West  
Judge Jon B. Wood  
Judge Melvin K. Westmoreland for Judge Downs

**Members Absent:**

Chief Judge John H. Ruffin, Jr.  
Judge Anne Elizabeth Barnes  
Judge Melinda Anderson  
Judge Doris L. Downs  
Judge Linda Warren Hunter

**Staff Present:**

Mr. David L. Ratley  
Ms. Becky Alston  
Dr. Greg Arnold  
Mr. Jorge Basto  
Ms. Billie Bolton  
Mr. Byron Branch  
Mr. Robert Bray  
Ms. Cynthia H. Clanton

Ms. Terry Cobb  
Mr. Randy Dennis  
Mr. Rex McElrath  
Mr. Vince Harris  
Ms. Marla Moore  
Ms. Debra Nesbit  
Mr. George Nolan  
Ms. Jill Radwin  
Ms. Sharon Reiss  
Ms. Helen Scholes  
Mr. Kevin Tolmich

**Guests Present:**

Mr. Frank Abbott, Council of Superior Court Clerks  
Mr. Doug Ashworth, State Bar of Georgia  
Judge Edward E. Carriere, Jr., State Court of DeKalb County  
Judge Mike Cielinski, Council of Municipal Court Judges  
Mr. John Cowart, Second District Court Administrator  
Ms. Judith Cramer, Fifth District Court Administrator  
Mr. Mike Cuccaro, Council of Superior Court Judges  
Mr. Danny DeLoach, First District Court Administrator  
Judge John K. Edwards, Jr., Council of Municipal Court Judges  
Mr. Michael L. Edwards, Public Defender, Eastern Judicial Circuit  
Mr. Steve Ferrell, Ninth District Court Administrator  
Judge Gail C. Flake, Stone Mtn. Judicial Circuit  
Mr. Tom Gunnels, Tenth District Court Administrator  
Judge Jackson Harris, Blue Ridge Judicial Circuit  
Ms. Sara Smith-Haskins, Public Defender Standards Council  
Justice Harris Hines, Supreme Court of Georgia  
Mr. Michael Holiman, Council of Superior Court Clerks  
Justice Carol Hunstein, Supreme Court of Georgia  
Mr. Greg Jones, Third District Court Administrator  
Judge George Kreeger, Cobb Judicial Circuit  
Ms. Cathy McCumber, Fourth District Court Administrator  
Judge Arch McGarity, Flint Judicial Circuit  
Mr. Nolan Martin, Eighth District Court Administrator  
Mr. Tom Merriam, Council of Superior Court Judges  
Ms. Cindy Moss, Office of Child Support Enforcement  
Judge Henry Newkirk, State Court of Fulton County  
Ms. Lois Oakley, Office of State Administrative Hearings  
Judge Samuel Ozburn, Alcovy Judicial Circuit  
Ms. Jody Overcash, Seventh District Court Administrator  
Judge Timothy Pape, Juvenile Court of Floyd County  
Ms. Molly J. M. Perry, Council of Superior Court Judges

Judge Donnie Peppers, State Court of Walker County  
Ms. Christina Petrig, Office of Dispute Resolution  
Mr. Jim Poulakos, The North Highland Company  
Mr. Richard Reaves, Institute of Continuing Judicial Education  
Mr. Fred Roney, Sixth District Court Administrator  
Judge Richard Slaby, State Court of Richmond County  
Ms. Leila Taaffe, Office of Dispute Resolution  
Judge Kenneth Van Horn, Probate Court of Chattahoochee County  
Mr. Lynn Vellinga, State Accounting Officer  
Ms. Sherie Welch, Clerk, Supreme Court of Georgia

Chief Justice Fletcher called the meeting to order at 9:10 a.m. He recognized Judges Boyett, Cason, Andrews and Studdard who have recently taken seats on the Judicial Council and welcomed Judge Westmoreland, who is sitting in for Judge Downs. He asked the members of the Council to introduce themselves, followed by those in the audience.

### **Approval of Minutes**

Chief Justice Fletcher called attention to the minutes of the Judicial Council meeting held on December 10, 2004. He asked for any corrections or additions from the members. Judge Cato moved approval of the minutes as prepared. Judge Carriere seconded. The motion carried.

### **Status of Judgeship Requests**

Mr. Ratley stated that the Judicial Council deadline for circuits making new judgeship requests is June 20, 2005. At the present time six requests have been received. Two requests are carry-overs from 2004. The Council will consider these requests at the August meeting.

## **Reports from Committees & Commissions**

Nominating Committee. Judge Carriere reported for the committee, composed of himself and Judges Nash and Wood. He noted that nominations for vacancies on the Board of Court Reporting were selected from a list of candidates prepared by the staff of the Board. The committee recommends: reappointment of Mr. Sam Dennis of Valdosta for another two-year term; appointment of new members: machine shorthand reporters, Ms. Marilyn Rowe of Roswell and Mr. Bill Able of Gainesville; freelance reporter, Ms. Carrie McFadden; and State Court Judge Linda Cowan of Clayton County.

Nominees for appointment as advisory members to the Superior Court Clerks Training Council are Judge Bo Wood, Judge Wallace Cato and Judge Adele Grubbs. Judge Carriere moved that these recommendations be adopted as presented. Judge Stone seconded. The motion carried.

Standing Committee on Policy. Presiding Justice Sears reported that the committee met during the legislative session to discuss pending bills affecting the courts. Meeting details are presented in the agenda at Tab 2. Justice Sears noted that as the incoming Presiding Justice, Justice Hunstein will chair the Policy Committee beginning July 1, 2005.

Workload Assessment Committee. Judge Craig, reporting for Judge Bishop, stated that three committee meetings had been held to allow full discussion of the need for modification of the threshold values used to determine qualification for an additional judgeship. The members of the committee agreed that the present value creates a workload measurement disparity that favors multiple-judge circuits. They recommend adoption of new threshold values based on a sliding scale. Under this method, the

threshold requirement for a two-judge circuit would be lowered by a certain fraction; thresholds would gradually increase for multi-judge circuits.

Judge Craig reported that the committee will continue to meet to discuss preparation of new case weights based on the Minnesota model. He noted that a time-keeping study would be conducted prior to the formulation of any new case weights.

Judge Boyett moved approval of the new threshold values as presented. Judge Nunn seconded. After some discussion about the impact of the change on urban circuits in particular and the implementation of the proposed changes, Judge Cato called the question. The motion carried with one vote against.

Drug Court Committee. Judge Kreeger directed attention to a memo detailing development of DUI courts around the state. Judge Kent Lawrence, chair of the Drug Court Standards subcommittee, is presently working on proposed standards of operation. A brochure for their upcoming conference “Building & Strengthening Drug/DUI Courts,” is included with the agenda materials. He noted that thanks to the work of Judge John Girardeau and Ms. Nesbit, the General Assembly appropriated state funds for drug courts and enacted statutory authorization

Cross-Jurisdictional Committee. Justice Hines stated that the committee is a forum for discussion of jurisdictional issues among various levels of court and officials from DHR and the Department of Family and Children Services. Recent issues addressed include family court operations, child support matters, and fair treatment of foreign nationals.

Commission on Access and Fairness. Justice Hunstein reported that the Georgia Commission recently hosted the 17<sup>th</sup> Annual Meeting of the National Consortium on

Racial and Ethnic Fairness in the Courts. A written report on the conference has been provided. A publication entitled, “A Meaningful Opportunity to Participate: a Handbook for Georgia Court Officials on Courtroom Accessibility for Individuals with Disabilities,” has been prepared with the assistance of the state ADA coordinator. The handbook will be distributed to all classes of court.

Georgia Courts Automation Commission. Judge Pape presented information on initiatives to bring the Georgia courts into the “Information Age.” He noted that because today’s decisions are made based on information generated electronically, those who gather and process data have the power to shape the future. The judiciary compiles the necessary workload assessment information to document the need for new judgeships. Based on this information, the General Assembly determines whether to fund judgeships.

During the 2005 session the Legislature removed the power of juvenile court judges to sentence a child for up to 90 days incarceration. Juvenile court judges were not in favor of the modification, however, the change was sought by the Department of Juvenile Justice. Because the courts had no data to counter that proposal, the judiciary lost an opportunity to shape policy affecting daily court operations.

He noted that with the recent adoption of program-based budgeting, the courts must be able to measure their own performance outcomes. He is convinced that the information used by the Executive and Legislative branches to shape decisions about the courts must be information that is systematically collected and managed by the judiciary.

Judge Pape stated that sharing information requires certain decisions by each class of court as to what data to collect, what to share, and under what conditions. GCAC has plans to hold meetings with judges from each class of court to assist with development of

a judiciary-wide plan for information collection, exchange and management. Judge Pape urged the leadership of each council to participate in these meetings to insure the collective empowerment of the judiciary to shape its own future.

Traffic Information (Citation) Program. Judge Van Horn reported that software standards are being developed for traffic court data to improve sharing of information. Traffic courts will use judicial XML as the standard language so that information entered in this language can be shared via network.

### **Child Support Enforcement Project/OXCI**

Mr. Harris introduced Ms. Cindy Moss, director of state operations, Georgia Office of Child Support Enforcement, to report on the Child Support Enforcement e-filing project which the Supreme Court has been pursuing for a number of months.

Ms. Moss noted that there are 500,000 child support cases annually in Georgia. Projected collections are expected to exceed \$570,000,000 through June 30, 2005. Unfortunately an additional \$274,000,000 will remain uncollected. In examining their current operations, she estimates that currently, the transfer of child support information to courts (making copies) occupies 15 full-time employees. E-filing of these documents could save money and duplication of effort in processing these cases and thereby increase the efficiency of collection efforts.

In 2001 a pilot e-filing project was successfully conducted in Douglas County. Later in collaboration with AOC Information Technology staff, Washington County courts initiated a trial e-filing project involving child support orders. The Office of Child Support Enforcement is working to enable the STARS database, (Child Support

Computer System) to allow electronic filing and transmittal between the courts and child support offices.

### **Legislative Update**

Ms. Nesbit reported that a summary of passed legislation will go out to judges next week. A copy of this document has been distributed to Council members. She noted that listservs, e-mail and the legislative website were used during the session to update judges on actions of the General Assembly. Improving relationship with the legislative leadership and educating legislators regarding judicial branch budget preparation are priorities for her division.

### **Budget Matters**

Mr. Harris called attention to charts showing the Judicial Council final appropriation for FY2005, the 2006 requested appropriations including enhancements, and the final appropriation for FY2006. The Judicial Council budget is presented in the program-based format now required by the Legislature.

### **Report from Assistant Director for Finance**

Mr. Ratley introduced Mr. Randy Dennis, AOC chief accounting officer, to present information found in the FY 2004 Management Report for the Judicial Branch prepared by the Department of Audits.

Mr. Dennis noted that the management report reflects audit procedures looking at the Judicial Branch as a whole. Exhibit A, Analysis of Changes in Fund Balance, shows the addition of revenues in excess of expenditures and any subsequent reimbursements, etc., minus certain reserves. For the Judicial Branch, the balance of funds available for FY 04 is a surplus of \$55,000. Exhibit B compares amounts budgeted to actual

expenditures. (There is always some variance between budget and actual expenditures.) The schedule measures expenditures by object class and reveals an unfavorable variance for the judicial branch in excess of \$300,000.

Mr. Dennis explained that the unfavorable variance highlights a problem with Judicial Branch resource management that can be attributed to a fragmented accounting system. He noted that, at present, each level of court handles its own accounting and provides data to the state auditor who compiles the report. Mr. Dennis stated that under Governor Perdue's administration, these reports will no longer be prepared by the State Auditor but rather their preparation will be a judicial branch management function.

Expenditures for the Superior Courts show an overage of \$673,000. Mr. Dennis does not have access to the accounting information provided to the State Auditor and therefore cannot explain where this over-spending occurred, however, consolidation of judicial branch financial reports could help identify any future variances. He stated that the final report of the State Auditor to the General Assembly noted these overages.

Mr. Dennis then introduced Mr. Lynn Vellinga, Director of the newly-created Office of State Accounting, who comes to Georgia from Utah state government.

Mr. Vellinga stated that the office, initially authorized by Executive Order and subsequently authorized statutorily by the General Assembly, becomes operational on July 1, 2005. He noted that two separate studies have recommended creation of such an office in Georgia. Because the State Department of Audits issues all financial statements, there is an independence issue when the same people prepare the composite financial reports. Under the new configuration, travel policies, accounting policies, budgeting policies, and federal reporting will be transferred to the new State Accounting Office to

insure that the State provides credible information, accountability and consistency in reporting statewide financial information.

The Governor has charged the new office with preparing interim reports to improve accountability of accounts receivable, cash management, etc. The SAO does not take control of any departmental or agency accounting procedures, but relies on accounting information they are given. Mr. Vellinga has recently met with judicial branch financial officers and has been assured of their cooperation in preparing the needed financial data in accordance with accepted accounting procedures.

### **Report of the AOC Director**

Mr. Ratley stated that he was especially pleased with the staff performance in hosting the 17<sup>th</sup> Annual Meeting of the National Consortium on Racial and Ethnic Fairness and acknowledged the good work of Ms. Stephanie Chambliss who planned and oversaw conference activities.

Ms. Helen Scholes, AOC Assistant Director for Human Resources, has recently assembled detailed job descriptions for every position in the agency. Standards and procedures are now being developed for regular performance evaluations of agency employees. In the coming months a pay scale will be developed and presented to the Council. Other HR projects include complete staff participation in awareness training regarding harassing behaviors and revision of the AOC policies and procedures manual.

Mr. George Nolan has been reassigned to full-time duties as Executive Director of the Georgia Courts Automation Commission. Mr. Jorge Basto is now Interim Assistant Director for IT, as well as Senior Manager for Applications. Mr. Bryon Branch, formerly of the Macon office, now oversees the IT field service technicians.

Other staff reassignments include transfer of Mr. Steve Nevels to the Court Services Division, working with Ms. Marla Moore and the Councils of Probate, Magistrate and Municipal Court Judges. Ms. Lisa Durden, Assistant Director for Regulatory Services, now oversees the Board of Court Reporting, Court Interpreters, and County and Municipal Probation Advisory Council. These groups are now part of the Legal Division. Ms. Michelle Barclay, Ms. Jane Martin and Mr. Bob Bray are now Assistant Directors as well.

Mr. Ratley expressed his deep gratitude to Chief Justice Fletcher for his steadfast support, guidance and leadership during the past four years.

#### **Reports from Appellate Courts and Trial Court Councils**

Supreme Court. Chief Justice Fletcher noted that the court has received the report of the Committee on Court Technology which includes the automation concerns of all components of the court system as well as judicial branch agencies.

Superior Courts. Judge Coursey voiced concerns regarding HB 609, a legislative effort to mandate policy on the use of senior judges in the courts. The bill was tabled at the end of the session and the council is currently revising standing policies and procedures regarding appointment and compensation of senior judges.

The Governor recently vetoed the budget line item funding operation of the Council of Superior Court Judges. The officers of the CSCJ will be meeting with the governor later this week for discussion of budget concerns. Dome and Gavel, their legislative outreach program, will continue to foster relationships between local legislators and judges. The council will host a Kick-Off Event when the General

Assembly convenes in January 2006. A committee on court security has been established and their compensation committee will begin working toward a judicial pay increase.

State Court. Judge Salter noted that since Mr. Stephan Frank was deployed to Iraq in October, 2004, Mr. Bob Bray has assumed the title of acting director of their Council. Seventeen new state court judges took office in January, they continue to participate in the High School Mock Trial Competition as their community outreach effort.

Juvenile Courts. McDonald began by acknowledging the Council of Superior Court Judges for including the juvenile court judges as users of their Sidebar system. As to legislation, the judges are concerned by the passage of SB 134 which alters the option of sentencing juveniles to 90 days of boot camp. A committee is at work regarding implementation of measure. Their council will hold a special business meeting later this summer to discuss SR 161 which created the Juvenile Law Commission.

Probate Judges. Judge Bracewell expressed thanks to Court Services staff and Mr. Ratley for AOC support of the probate judges council. In the coming months, they must implement significant changes to Probate Court procedures which were enacted by the 2005 General Assembly. These included changes to the Guardianship Code, new firearms license application requirements and a reduction in marriage license fees to encourage participation in premarital counseling. The needs of mental health patients continue to be of concern to the probate court judges.

In January twenty-six new probate court judges took office and are participating in the mentor program and receiving ongoing training. He asked for support from other classes of court in the effort to attain nonpartisan election of all probate judges and

expressed appreciation to Chief Justice Fletcher for his support on the issue of nonpartisan judicial elections.

Magistrate Courts. Judge Townsend stated that there are currently 521 magistrate judges. Their council recently held a long-range planning session at Amicalola State Park. ICJE assists with their mentoring program and judicial training. Their retirement bill is pending and they continue to work with probate courts on nonpartisan election. In closing, Judge Townsend expressed his hope that the municipal court judges would soon be given a seat on the Judicial Council.

Municipal Courts. Judge Edwards noted that a letter went to Chief Justice Fletcher outlining their recent activities. He expressed his appreciation to Judge Townsend for his support of Judicial Council membership for the municipal court judges. He stated that the loss of Judge Bill Coolidge was a blow for their council—Judge Coolidge was a wonderful advocate on their behalf.

Passage of HB 1EX and the US Supreme Court opinion in *Alabama v. Shelton* prompted significant changes to municipal court procedures. To promote greater uniformity and consistency in municipal courts Uniform Rules are being prepared for distribution. In closing Judge Edwards expressed appreciation to Chief Justice Fletcher for his appointments of municipal court judges to commissions and committees.

Chief Justice Fletcher called attention to written reports from the committees on court fees and records retention. He announced that Mr. Doug Ashworth's presentation on the State Bar Transition to Law Practice Program will be given at the August meeting.

## Closing Remarks

As Chair of the Judicial Council, Chief Justice Fletcher stated that he greatly appreciates the services provided to all courts by the AOC. He expressed his hope that judges will continue to work together across classes of court and speak with one voice to the legislative leadership. He is troubled by increasing attacks on the judiciary around the nation and the state. Judges must stand up for their own best interests especially as concerns preserving nonpartisan election status.

He stated that the judiciary must be accountable for wise use of resources, but it must resist any interference, budgetary or otherwise regarding decisional independence. He has enjoyed his years of service on the Judicial Council and values the great friendships made and the good work accomplished. He noted that the Council will be in good hands under the leadership of Chief Justice Sears and Presiding Justice Hunstein.

The members of the Council, staff and others rose to give Chief Justice Fletcher a sustained ovation.

A certificate of recognition was presented to Judge Townsend for his service on the Council. Justice Sears presented a certificate to Chief Justice Fletcher as well. She spoke for all present when she said, "Chief, you will be missed."

The meeting was adjourned.

Respectfully submitted,



Billie Bolton, Assistant Director

The above and foregoing minutes  
were approved at the meeting held on  
\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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## JUDICIAL COUNCIL OF GEORGIA

Chief Justice Leah Ward Sears  
Chairperson  
Supreme Court of Georgia  
507 State Judicial Building  
Atlanta, GA 30334  
404-656-3474/FAX 657-6997

Presiding Justice Carol W. Hunstein  
Vice Chairperson  
Supreme Court of Georgia  
501 State Judicial Building  
Atlanta, GA 30334  
404-656-3475/FAX 657-9586

Judge Melinda Anderson  
Magistrate Court of Liberty County  
P. O. Box 912  
Hinesville, GA 31310-0912  
912-368-2063/FAX 876-2474

Judge Stephen H. Andrews  
Juvenile Court of the  
Southern Judicial Circuit  
P. O. Box 6443  
Thomasville, GA 31758  
229-226-5308/FAX 228-9108

Judge Anne Elizabeth Barnes  
Court of Appeals of Georgia  
334 State Judicial Building  
Atlanta, GA 30334  
404-656-3454/FAX 463-8303

Judge Thomas C. Bobbitt, III  
Magistrate Court of Laurens County  
308 Roosevelt Street  
P. O. Box 1676  
Dublin, GA 31040-1676  
478-272-5010/FAX 275-0035

Judge William T. Boyett  
Superior Courts  
Conasauga Judicial Circuit  
P. O. Box 2582  
Dalton, GA 30722-2582  
706-278-3340/FAX 275-7567

Judge Mike Bracewell  
Probate Court of Morgan County  
P. O. Box 857  
Madison, GA 30650-0857  
706-343-6500/FAX 343-6465

Judge Betty B. Cason  
Probate Court of Carroll County  
Carroll County Courthouse  
Room 204  
Carrollton, GA 30117  
770-830-5840/FAX 830-5995

Judge A. Wallace Cato  
Superior Courts  
South Georgia Judicial Circuit  
P. O. Box 65  
Bainbridge, GA 39818-0065  
229-246-1111/FAX 246-5265

Judge Daniel M. Coursey, Jr.  
Superior Court  
Stone Mountain Judicial Circuit  
900 DeKalb County Courthouse  
556 N. McDonough Street  
Decatur, GA 30030  
404-371-4710/FAX 371-2993

Judge William H. Craig  
Superior Court  
Flint Judicial Circuit  
Henry County Courthouse  
1 Courthouse Square, 2<sup>nd</sup> Floor  
McDonough, GA 30253-3293  
770-954-2107/FAX 954-2083

Judge Doris L. Downs  
Superior Court  
Atlanta Judicial Circuit  
T-7955 Justice Center Tower  
185 Central Avenue, S. W.  
Atlanta, GA 30303  
404-730-4991/FAX 335-2828

Judge Gail C. Flake  
Superior Court  
Stone Mountain Judicial Circuit  
Judicial Tower, Suite 6240  
556 N. McDonough Street  
Decatur, GA 30030  
404-371-2909/FAX 371-2788

Judge James E. McDonald, Jr.  
Juvenile Court of the  
Western Judicial Circuit  
325 E. Washington Street, Room 115  
Athens, GA 30601  
706-613-3300/FAX 613-3306

Judge George F. Nunn, Jr.  
Superior Court  
Houston Judicial Circuit  
201 North Perry Parkway  
Perry, GA 30169  
478-218-4840/FAX 218-4845

Judge John M. Ott  
Superior Courts  
Alcovy Judicial Circuit  
Walton County Government Building  
303 South Hammond Drive, Suite 221  
Monroe, GA 30655  
770-267-1339/FAX 266-1630

Judge F. Gates Peed  
Superior Courts  
Ogeechee Judicial Circuit  
P. O. Box 967  
Statesboro, GA 30459  
912-764-6095/FAX 489-3148

Chief Judge John H. Ruffin, Jr.  
Court of Appeals of Georgia  
334 State Judicial Building  
Atlanta, GA 30334  
404-656-3458/FAX 651-8139

Judge John F. Salter, Sr.  
State Court of Dougherty County  
P. O. Box 1827  
Albany, GA 31702-1827  
229-431-2152/FAX 431-3282

Judge Hugh W. Stone  
Superior Courts  
Enotah Judicial Circuit  
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# **Judicial Council of Georgia**

Wyndham Vinings Hotel

Atlanta, GA

August 24, 2005

## **NEW JUDICIAL COUNCIL MEMBERS WHO HAVE JOINED SINCE THE JUNE 8, 2005 MEETING**

1. Presiding Justice Carol W. Hunstein, Supreme Court of Georgia
2. Judge Gail C. Flake, Administrative Judge, 4<sup>th</sup> Judicial Administrative District
3. Judge Ben Studdard, III, President-Elect, Council of State Court Judges
4. Judge Thomas C. Bobbitt, III, President-Elect, Council of Magistrate Court Judges

## **Judicial Council Policy for Judgeship and Circuit Boundary Studies \***

### **Initiation**

Recommendations to the governor and the General Assembly for judicial personnel allocations for the superior courts shall be made annually prior to the beginning of the regular session of the General Assembly. Studies by the Administrative Office of the Courts of the need for judgeships or of the need for changes in circuit boundaries may be authorized by the Judicial Council upon the request of the governor, members of the General Assembly, or by a judge of the county or counties affected. Such requests shall be submitted in writing by June 1, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any judge who intends to make a request for a study must notify the Judicial Council of any special circumstances or data of the courts involved in the request by June 1 so that these special circumstances may be investigated during the studies conducted by the Administrative Office of the Courts. (Rev. 8/25/2000)

### **Purpose**

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

### **Policy Statements**

The Judicial Council will recommend the creation of additional judgeships or changes in circuit boundaries based only upon needs demonstrated through comparative" objective studies. The Judicial Council will not recommend the addition of a judgeship not requested by the circuit under study unless there is clear and convincing evidence that an additional judgeship is needed. (10/27/1981)

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

\* Reprinted from the original format published in the Georgia Courts Journal.

## **Judgeships**

### **1. Part-time judgeships**

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

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

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

### **2. Promotion of Multi-Judge Circuits**

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

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

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

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

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

e. Expedites handling of cases. Probably most important of all, under the arithmetic of calendar management, the judges of a multi-judge court can handle substantially more cases than an equal number of judges operating in separate courts. (10/27/1981) Besides the advantage of improved efficiency to be realized through the use of multi-judge circuits, there are also a number of other reasons as to why this approach should be taken. Under the existing law, a new judgeship may be created without the addition of another elected district attorney, although an assistant district attorney is added. However, when the circuit is divided and a new circuit thereby created, another elected district attorney is needed. (10/27/1981) A second reason supporting the use of multi-judge circuits is that upon division of an existing circuit into two new ones, one new circuit may grow disproportionately to the other, or population or other factors suggesting division may diminish, thus negating the factors which initially led to the division and compounding future problems of adjustment. (10/27/1981)

## **Methodology**

### **1. Criteria for Superior Court Judgeship Requests**

In establishing the need for additional superior court judgeships, the Judicial Council will consider weighted caseloads per judge for each circuit. If the per judge weighted caseload meets the threshold standards established by the Council for consideration of an additional judgeship, additional criteria will be considered. The threshold standard is one whole judge year value for the circuit under consideration. For example, to be considered for a single judgeship recommendation, a circuit that has 2 judges must have a weighted caseload of at least 3. (Rev. 12/8/2000)

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

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

### **2. Criteria for Studying Requests to Alter Circuit Boundaries**

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

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

b. Caseload Growth Trends - Caseload growth trends should be examined so that an imbalance in growth rates when a circuit boundary is changed will not necessitate a reallocation of manpower or alteration of circuit boundaries again in the near future. Such continual shifts in circuit boundaries or manpower could be very unsettling and, thereby, significantly reduce judicial efficiency. (10/27/1981) If a reliable caseload projection method is available, this technique will be used to determine future case filings; if one is not available, caseload growth rates, increases in the number of attorneys per capita and population projections will be analyzed. The population per judge should be evenly divided among the geographical areas affected by the proposed circuit boundary change if a recommendation is to be made. Secondly, population projections should be examined to insure that disparate population growth rates will not create a great imbalance in the population to be served by each judge within a short period of time from the date of the alteration of the circuit boundaries. Lastly, the population per judge of the altered circuit should not be substantially different from the statewide average population per judge. (10/27/1981)

c. Changes in Judicial Travel Time - Travel time diminish total judicial time available for case processing; therefore, travel time should not be significantly increased for judges in circuits affected by a change in circuit boundaries before such a change should be recommended. Terms of court in and the number of times each county was visited on case-related business by the judges should be determined and these trips should be translated into travel time by using official distances between courthouses and road conditions determined by the Georgia Department of Public Safety. (10/27/1981)

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

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

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

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

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

- i. Alleviation of case assignment problems in larger counties of circuit. (12/11/1981)
  - j. Population growth of counties of circuit which would reflect need for new circuit. (12/11/1981)
  - k. Comparison population per judge in new circuit with standards approved by Judicial Council in recent years. (12/11/1981)
- I. The Judicial Council will presume that a multi-judge circuit is preferred over a single-judge circuit. (12/11/1981)
- m. If a county is to be split off from the circuit of which it is a part, the possibilities of adding that county to another circuit should be exhausted prior to the council's recommending a single- judge circuit. (12/11/1981)

## **Judicial Council Deliberations**

### **1. Testimony**

Judges, legislators, and others deemed appropriate by the chairman shall be invited to make written remarks or present data regarding the need for judgeships or to alter circuit boundaries. Any special circumstance or data of a circuit for which a request is to be made must be brought to the attention of the Judicial Council by a judge of the requesting circuit by June 1 of the year prior to the year of the legislative session during which the judgeship or change in circuit boundaries will be considered. The written testimony of the judges, legislators and other persons shall be reviewed and considered by the Judicial Council in their deliberations regarding judicial manpower. Oral arguments will not be made. (6/6/1984)

### **2. Final Deliberations**

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

### **3. Staff Presentations**

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

### **4. Vote**

After final deliberations, the Council will, in open session, approve or disapprove recommended changes in judicial manpower allocations. Votes on such motions shall be by secret written ballot. A two-thirds vote of the council membership present at the session will be required to override an unfavorable recommendation based on the criteria contained in these by-

laws (policy). After determining those circuits in which the council recommends an additional judgeship, the council will rank the recommendations based on need. (6/6/1984)

## **5. Length of Recommendations**

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

## **6. Disqualifications**

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

## **Dissemination of Recommendations**

### **1. Study of the Need for Additional Superior Court Judgeships**

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

### **2. Special Studies of Judicial Manpower**

#### **Including Alteration of Circuit Boundaries**

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

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

Printed July 18, 2003

**A Study of the Alteration of the Circuit Boundaries of the  
Alcovy Judicial Circuit**

**Presented to the Judicial Council of Georgia on August 24, 2005**

**Prepared by the Research Division of the Administrative Office of the  
Courts**

**Published August 5, 2005**

## Preface

At this time, the Administrative Office of the Courts can not make a recommendation concerning the alteration in the boundaries of the Alcovy Judicial Circuit. The comparative, objective data presented in this study appears to support a circuit with two demographically similar counties. Both are experiencing accelerated population growth and increasing urbanization. It appears that the demographic divergence of the two counties is likely to be more pronounced sometime after year 2010. As is always the case, an alteration would result in new costs to the state and to the counties.

The Judicial Council of Georgia historically has recommended an alteration of the boundaries of a circuit only after careful deliberation and extensive review of comparative, objective data. The recent recommendations were based on major demographic shifts within a circuit. For example, a county or counties may shift from a rural to an urban classification that creates a disparity between or among the counties. These shifts make increasing demands on judge work in the urban county and, in effect, decrease the judge work in the rural counties. The rural to urban shift in classification usually simultaneously occurs with a rapid increase in population which very likely impacts the criminal and domestic relations cases. The increase in population almost always brings additional business and industry which may contribute to the general civil cases in the circuit.

It is not uncommon for all of the counties to undergo the shift in classification in the same time period. This example would be of concern to the elected officials, the local government staff, the social services agencies, law enforcement, and the judges of the courts. Immediate remedy in these cases usually is the result of a recommendation for a new superior court judge with approval by the General Assembly and signed by the Governor. There have been instances where the growing case load was made more manageable by the creation of a state court.

In his request for a study, Chief Judge Ott stated, "Newton and Walton Counties are two of the fastest growing counties in the State of Georgia." His observation is correct, but it should be noted that both of the counties are simultaneously growing in population. It seems that Chief Judge Ott is concerned with the affect that population growth in Newton County has had on court room space. He writes, "Although Newton County built a new court facility within the last five years, we have out grown it with the population explosion." In this instance, the population of Newton County and Walton County will continue to make demands on the counties to increase court facilities as the population continues to grow. Alteration of the boundaries of the circuit would not solve the need for new facilities in the long run. In fact, as a single county circuit, Newton County currently would be qualified for a new judgeship recommendation.

District Attorney Wynne similarly notes the increase in population. He seems concerned with the increasing demands on his office resulting from changes in the law and increasing administrative responsibilities. Mr. Wynne wrote that the circuit already has two fully staffed offices, and he is correct that an alteration would "facilitate" an alteration in the circuit boundaries.

Mr. Aaron Varner, Chairman of the Newton County Board of County Commissioners, notes the population growth as well. He seems concerned with the frustration caused by the “circuit riding” of the four judges.

And lastly, Marcy Hanks, President of the Walton County Bar Association, anecdotally explains that many of the Bar membership supports an alteration in the circuit boundaries. Ms. Hanks seems concerned that a judge is not available at all times to sign emergency orders as result of not being in the county.

## **Introduction**

The Judicial Council of Georgia (JCGa) requires that information be presented to its members for deliberation based only upon needs demonstrated through “comparative” objective studies prior to altering the boundaries of a circuit. In contrast, judges in a circuit, the Governor, or Legislators often have many reasons for requesting an alteration in circuit boundaries which are not based on verifiable objective reasons. The typical reasons given for requesting a circuit boundary study are to meet local county needs, to increase judicial responsiveness, to calendar cases, to assign courtrooms, to account for changing demographics, or to increase political prestige.

On June 10, 2005, Chief Judge John Ott of the Superior Courts of the Alcovy Judicial Circuit (AJC) requested the JCGa study changing the circuit boundaries of the circuit. Judge Ott specifically asked that the study consider the alteration of the circuit boundaries to create two (2) new single county circuits: a Newton County Circuit (NCC) and a Walton County Circuit (WCC).

This study presents the comparative, objective data required by the JCGa in the order published in its current policy.

### **A. Weighted Caseload per Judge**

The AJC has a total weighted caseload of 5.12 based on the case filings collected for calendar year 2004. The proposed NCC has a total weighted caseload of 2.95 and the proposed WCC has a total weighted caseload of 2.18.

At this time, the AJC does not qualify for a fifth (5<sup>th</sup>) judgeship based upon its weight needed to qualify - 5.32. The NCC would be qualified for a recommendation for an additional judge - 2.95 compared to 2.70. The WCC would not qualify for an additional judgeship recommendation - 2.12 compared to 2.70.

The AJC has a weighted caseload per judge of about 1.28 judge years of work. The NCC would have a weighted caseload per judge of about 1.47, and the WCC would have about 1.09 judge years of work respectively.

A comparison of the work load per judge of the NCC with the AJC demonstrates an increase of about 0.19 judge years of work (1.47 compared to 1.28). The judges of the NCC would experience a decrease in the workload of the judges of about 0.19 judge years of work (1.28 compared to 1.09).

## B. Caseload Growth Trends

Examination of the case filings in the Alcovy Judicial Circuit from 1995 to 2004 reveals that the total criminal and civil caseload grew by approximately 8%. Most of the growth occurred in general civil and domestic relations filings. Since 1995, the caseload growth for the total circuit appears to be relatively stable with minor increases or decreases in caseload from year to year. The most notable increase occurred in calendar year 2002 and has declined since that year.

### Alcovy Judicial Circuit Caseload by Dockets

<u>Alcovy Judicial Circuit</u>	<u>1995</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>% Change 95-04</u>
<b>Total Caseload</b>	<b>8,453</b>	<b>8,036</b>	<b>4,749</b>	<b>10,492</b>	<b>9,224</b>	<b>9,128</b>	7.99%
<b>Total Criminal</b>	<b>4,695</b>	<b>3,138</b>	<b>2,176</b>	<b>4,807</b>	<b>3,280</b>	<b>2,683</b>	-42.85%
Felony	1,334	1,069	979	1,576	1,312	1,294	-3.00%
Misdemeanors	2,482	970	845	1,743	1,098	945	-61.93%
Probation Revocations	879	1,099	352	1,480	870	444	-49.49%
<b>Total Civil</b>	<b>3,758</b>	<b>4,898</b>	<b>2,573</b>	<b>5,685</b>	<b>5,944</b>	<b>6,445</b>	71.50%
General Civil	1,475	1,911	1,104	2,344	2,837	3,070	108.14%
Domestic Relations	2,283	2,987	1,469	3,341	3,107	3,375	47.83%

Based on the filings displayed from 1995 to 2004, the Alcovy circuit is expected to increase by 1.0% in total filings for the circuit. This projection is based on the percent change of the circuit's total filings from calendar year 2000 to 2004. As the population for both counties in the circuit continues to grow there is likely to be a steady increase in the civil filings as the counties expand in population, business markets, and industrial sites. In addition to overall percent change from 1995 to 2004, the data presented illustrates caseload changes from year to year and allows for an examination of the actual caseload differences.

## C. Changes in Judicial Travel Time

The AJC is classified as a Suburban/Smaller Urban Center in the "Workload Assessment Model for the Georgia Superior Court, Final Report October, 2000" prepared by the National Center for State Courts. Each judge is allotted 4.74 hours monthly for travel under this classification. This would result in a total of 228 hours of travel per year in the circuit. Should an alteration in the circuit boundaries be recommended, each of the proposed circuits would gain about 114 additional judge hours of work. It should be noted that single county circuits are allocated no time when traveling within the circuit.

Commuting time from home to work and travel not directly related to judge work in the county is not accounted in state travel regulations.

#### **D. Projected Changes in Cost to State and Local Government**

The changes in cost are presented in the tables in Appendix 1 and 2 of this document. Appendix 1 presents summary cost calculations, and Appendix 2 presents detailed cost calculations for the judges, prosecutors, and public defenders in the Alcovy Judicial Circuit, the proposed NCC, and the proposed WCC. The judge costs were extracted from the AOC Annual Salary Survey for the period ending in September 2004. The data for the Office of the District Attorney were collected from the Prosecuting Attorneys' Council of Georgia and from the Office of the District Attorney of the Alcovy Judicial Circuit. The data for the Office of the Public Defender were collected from that office and from the state statutes. The salary information is current as of July 15, 2005.

##### **1. Superior Court**

The total salary for the superior court judges and staff in the AJC is slightly more than about \$942,000. The costs for the NCC and the WCC are about \$498,000 and \$483,000 respectively. This represents an increase in total cost of about \$39,000. In addition, this increase represents new costs to Newton County of about \$4,000 and about \$34,000 new costs to Walton County depending on which circuit would need to hire the new person. This increase can be attributed to the requirement that the new circuit provide the same services in the parent circuit; namely, a Court Services Program Coordinator. There would be no new costs to the state.

##### **2. Juvenile Court**

The total salary for the juvenile court judges and staff is a little more than \$262,000. The costs for the NCC and the WCC would represent an equal division of about \$168,000 for each county. This would be an increase from \$262,000 to about \$336,000 to replace the Juvenile Court Administrator and the Chief Intake Officer. There would be no new costs to the state.

##### **3. District Attorney**

The total salary for the district attorney and staff is about \$567,000. This represents a total cost to the state of about \$510,000 and to the counties of about \$57,000. Most of the positions in the district attorney's office are statutorily authorized and are supplemented by Newton and Walton Counties. The costs for the NCC and the WCC would be about \$389,000 and \$390,000 respectively. This would be an increase of about \$212,000. This would represent new costs to the state of about \$208,000. The costs would arise when the Chief ADA would become the new district attorney. The remaining costs would be the result of hiring three (3) new assistant district attorneys and a new investigator.

##### **4. Public Defender**

The total salary for the public defenders and staff is a little more than \$329,000. The costs for the NCC and the WCC would represent an equal division of about \$192,000

for each county. This would be an increase from \$329,000 to about \$384,000 mainly to cover the difference between the salaries of one the present assistant public defenders that would become the new Chief Public Defender and would add a new investigator. The new costs would accrue to the state. There would be no new costs to the counties.

**E. Characteristics of the Populace**

A brief analysis of the populace was conducted comparing Newton and Walton County. The following agricultural, economic, educational, and labor demographics were selected as the basis of comparison.

Based upon these selected demographic characteristics, it appears that Newton County and Walton County are similar. A proposed alteration in the circuit boundary of the AJC would not appear to remedy distinctions such as one county becoming more urbanized while other counties remain rural.

**Selected Demographics:  
Newton and Walton County Georgia**

<u>Demographic</u>		<u>Newton</u>	<u>Walton</u>
	Total Deposits in Financial Institutions	\$795,185,000	\$638,512,000
	Per Capita Income (2002)	\$22,748	\$24,502
<b>Percent</b>	Farm Land (2002)	25.3	31.4
	Labor (Outside County)	59.6	61.4
	High School Graduates	34.8	35.6
	Bachelor’s Degree or Higher	14.5	13.0

Data extracted from the Georgia County Guide 2003

**F. Operational Policies**

There appear to be no remarkable circumstances that would arise from current operational policies in the AJC should an alteration in circuit boundaries be recommended. This is particularly the case since the two counties have two judges and very nearly equal population and geographical size.

**G. Need for Additional Judges**

Chief Judge Ott has stated that neither circuit would request an additional judgeship recommendation should the boundary alteration be recommended by the JCGa. It should be noted that the NCC would be qualified, upon division, for an additional judgeship recommendation. The population in Newton County continues to increase at a rate above the state and at a greater rate than that observed in Walton County. With this in mind, it is apparent that the circuit would continue to generate an increasing growth in filings and would continue to need an additional judge.

**H. Travel and other Expenses**

The total travel by the judges and the district attorney was 16,552 miles. The standard mileage reimbursement for state authorized travel is \$0.28. This would yield a total circuit travel cost of about \$7,040 for calendar year 2003. This would result in a cost saving of about \$7,040 on a yearly basis.

**I. Alleviation of Case Assignment Problems**

Based on interviews and letters of support there does not appear to be any specific problems associated with case assignments. However, one correspondent reported that the four judges are often in one of the counties. This prevents a judge from being able to sign “emergency orders” in the county where the judges are not present.

**J. Population Growth of Counties**

The following chart displays the comparative growth in population for the State of Georgia with the Alcovy Judicial Circuit, Newton, and Walton Counties along with the percentage change. According to the data from the U.S. Bureau of the Census the population of Newton County and Walton County increased at about the same rate from 1980 to 2000. And according to the Georgia Office of Planning and Budget, the projected population of Newton County will be greater than that of Walton County, 109,345 compared to 89,688. The percentage increase of the population in both Newton and Walton Counties has consistently exceeded that of the State as a whole. Newton County, as noted above, will exceed the percent growth of the state markedly, 76.4% compared to 20.5%.

It is likely that the sharp population increase in Newton County will continue to impact all of the courts. The increases in population will likely require that the counties, and the circuit, proactively anticipate the need for additional court rooms and other court related facilities.

**A Comparison of the Population of the State of Georgia with the Alcovy Judicial Circuit and Newton and Walton County**

<b>Comparison of Actual and Projected Population</b>				<b>Georgia O. P. B. 2010</b>
<b>State of Georgia</b>	<b>U.S. Bureau of the Census</b>			
	<b>1980</b>	<b>1990</b>	<b>2000</b>	
Total Population	5,462,989	6,478,149	8,186,453	9,864,970
<b>Alcovy Judicial Circuit</b>	65,877	80,394	122,688	199,033
Newton	34,666	41,808	62,001	109,345
Walton	31,211	38,586	60,687	89,688
<b>Comparison of Percentage Change</b>				
<b>State of Georgia</b>	<b>1980 to 1990</b>	<b>1990 to 2000</b>	<b>2000 to 2010</b>	

Total Population	18.6%	26.4%	20.5%
<b>Alcovy Judicial Circuit</b>	22.0%	52.6%	62.2%
Newton	20.6%	48.3%	76.4%
Walton	23.6%	57.3%	47.8%

**K. Comparison population per judge**

As of July 1, 2005, the U. S. Census Bureau estimates that the population of the AJC is 153,465, Newton County is 81,524, and Walton County is 71,941. This represents a population per judge of 38,366 in the AJC, 40,262 in the proposed NCC, and 35,971 in the proposed WCC.

The average statewide population per judge is 43,092. The AJC, the proposed NCC, and the proposed WCC all have lower per judge populations.

This data does not demonstrate disequilibrium between the two (2) counties that would be remedied by an alteration in the circuit boundary of the AJC.

**L. Multi-judge Circuit**

An alteration of the boundaries of the AJC would not result in a single judge or a part-time judge in either proposed circuit.

**M. Possibilities of Adding the Counties to another Circuit**

The JCGa requires that staff consider the possibilities of adding the counties in the circuit being studied to other contingent circuits. In this study, geography makes the addition of either Newton or Walton County to another county or counties difficult. The AJC is located just east of Atlanta and borders the following counties in the respective Judicial Administrative Districts (JAD).

<u>County</u>	<u>JAD</u>	<u>County</u>	<u>JAD</u>
Rockdale	Fourth	Morgan	Eighth
Henry	Sixth	Gwinnett	Ninth
Butts	Sixth	Barrow	Tenth
Jasper	Eighth	Oconee	Tenth

A minimally disruptive alternative configuration of the circuit boundaries of the AJC would require that either Newton or Walton County be joined to adjacent counties located in a different JAD. The boundaries of the different JADs are set at O.C.G.A. § 15-5-2 and would require that the respective Judicial Administrative Judges concur with such an alteration. It should be observed that there have been no alterations in the JAD boundaries since codification in 1976. As such, an alternative alteration of the AJC across the JAD boundaries would require a separate endeavor, and this possibility of altering the circuit boundary is deferred in this study.

One other alternative possibility, confined to the circuits within Tenth JAD, would be to join Walton County with Barrow and Oconee Counties. This would result in

a single county circuit composed of Newton County, a new circuit composed of Walton, Barrow, and Oconee Counties, a new circuit composed of Banks and Jackson Counties, and a single county circuit composed of Athens-Clarke County.

The number of judges and the weighted caseload of the proposed circuits are presented in the following table.

**Circuit**

Athens-Clarke .....	2.....	2.56
Banks and Jackson .....	2.....	1.97
Barrow, Oconee, and Walton Counties.....	4.....	5.58
Newton County .....	2.....	2.95

This alternative possibility results in a circuit composed of Athens-Clarke County having a weighted caseload of 2.56 judge years of work. This represents a circuit with a workload that is well balanced. The circuit composed of Banks and Jackson Counties would have a workload that is somewhat less than optimal for two (2) judges: 1.97 compared to values above 2.00 but less than 2.70. The proposed circuit consisting of Barrow, Oconee, and Walton Counties would have a workload that would immediately qualify the proposed circuit for a recommendation for a fifth (5<sup>th</sup>) judgeship: 5.58 compared with 5.32. And finally, the circuit composed of Newton County would have a workload that would qualify it for a third (3<sup>rd</sup>) judgeship: 2.95 compared with 2.70.

**Judicial Council Policy for Circuit Boundary Studies**  
**Extracted from the Complete Judicial Council Policy in**  
**Effect on August 3, 2005**

**Initiation**

Recommendations to the governor and the General Assembly for judicial personnel allocations for the superior courts shall be made annually prior to the beginning of the regular session of the General Assembly. **Studies by the Administrative Office of the Courts of the need for judgeships or of the need for changes in circuit boundaries may be authorized by the Judicial Council upon the request of the governor, members of the General Assembly, or by a judge of the county or counties affected.** Such requests shall be submitted in writing by June 1, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any judge who intends to make a request for a study must notify the Judicial Council of any special circumstances or data of the courts involved in the request by June 1 so that these special circumstances may be investigated during the studies conducted by the Administrative Office of the Courts. (Rev. 8/25/2000)

**Purpose**

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

**Policy Statements**

The Judicial Council will recommend the creation of additional judgeships or **changes in circuit boundaries based only upon needs demonstrated through comparative, objective studies.** The Judicial Council will not recommend the addition of a judgeship not requested by the circuit under study unless there is clear and convincing evidence that an additional judgeship is needed. (10/27/1981)

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

## **Methodology**

### **2. Criteria for Studying Requests to Alter Circuit Boundaries**

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

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

**b. Caseload Growth Trends** - Caseload growth trends should be examined so that an imbalance in growth rates when a circuit boundary is changed will not necessitate a reallocation of manpower or alteration of circuit boundaries again in the near future. Such continual shifts in circuit boundaries or manpower could be very unsettling and, thereby, significantly reduce judicial efficiency. (10/27/1981) If a reliable caseload projection method is available, this technique will be used to determine future case filings; if one is not available, caseload growth rates, increases in the number of attorneys per capita and population projections will be analyzed. The population per judge should be evenly divided among the geographical areas affected by the proposed circuit boundary change if a recommendation is to be made. Secondly, population projections should be examined to insure that disparate population growth rates will not create a great imbalance in the population to be served by each judge within a short period of time from the date of the alteration of the circuit boundaries. Lastly, the population per judge of the altered circuit should not be substantially different from the statewide average population per judge. (10/27/1981)

**c. Changes in Judicial Travel Time** - Travel time diminish total judicial time available for case processing; therefore, travel time should not be significantly increased for judges in circuits affected by a change in circuit boundaries before such a change should be recommended. Terms of court in and the number of times each county was visited on case-related business by the judges should be determined and these trips should be translated into travel time by using official distances between courthouses and road conditions determined by the Georgia Department of Public Safety. (10/27/1981)

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

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

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

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

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

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

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

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

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

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

## **Judicial Council Deliberations**

### **1. Testimony**

Judges, legislators, and others deemed appropriate by the chairman shall be invited to make written remarks or present data regarding the need for judgeships or to alter circuit boundaries. Any special circumstance or data of a circuit for which a request is to be made must be brought to the attention of the Judicial Council by a judge of the requesting circuit by June 1 of the year prior to the year of the legislative session during which the judgeship or change in circuit boundaries will be considered. The written testimony of the judges, legislators and other persons shall be reviewed and considered by the Judicial Council in their deliberations regarding judicial manpower. Oral arguments will not be made. (6/6/1984)

### **2. Final Deliberations**

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

### **3. Staff Presentations**

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

#### **4. Vote**

After final deliberations, the Council will, in open session, approve or disapprove recommended changes in judicial manpower allocations. Votes on such motions shall be by secret written ballot. A two-thirds vote of the council membership present at the session will be required to override an unfavorable recommendation based on the criteria contained in these by-laws (policy). After determining those circuits in which the council recommends an additional judgeship, the council will rank the recommendations based on need. (6/6/1984)

#### **5. Length of Recommendations**

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

#### **6. Disqualifications**

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

#### **Dissemination of Recommendations**

### **2. Special Studies of Judicial Manpower, including Alteration of Circuit Boundaries**

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

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

Printed July 18, 2003

**Appendix 1  
Alcovy Boundary Alteration**

**A Comparison of Costs Among the Alcovy and the  
Proposed Newton and Walton Judicial Circuits**

**Superior Court Judge and Staff Costs**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
<b>Total Costs</b>	\$942,160	\$676,964	\$265,196	\$130,660	\$134,536
<u>Newton County Circuit</u>				<u>Prior Costs</u>	<u>New Costs</u>
<b>Total Costs</b>	\$497,550	\$362,976	\$134,574	\$66,318	\$68,256
<u>Walton County Circuit</u>					
<b>Total Costs</b>	\$482,820	\$313,988	\$168,832	\$85,385	\$83,447

**Juvenile Court Judges and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
<b>Total Costs</b>	\$262,300	\$95,000	\$167,300	\$83,650	\$83,650
<u>Newton County Circuit</u>				<u>Prior Costs</u>	<u>New Costs</u>
<b>Total Costs</b>	\$168,300	\$47,500	\$120,800	\$83,650	\$37,150
<u>Walton County Circuit</u>					
<b>Total Costs</b>	\$168,300	\$47,500	\$120,800	\$83,650	\$37,150

**District Attorney and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
<b>Total Costs</b>	\$566,819	\$510,082	\$56,737	\$35,045	\$21,692
<u>Newton County Circuit</u>				<u>Prior Costs</u>	<u>New Costs</u>
<b>Total Costs</b>	\$388,627	\$357,490	\$31,137	\$17,445	\$13,692
<u>Walton County Circuit</u>					
<b>Total Costs</b>	\$389,914	\$360,814	\$29,100	\$21,100	\$8,000

**Office of the Public Defender and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
<b>Total Costs</b>	\$329,670	\$329,670	\$0	\$0	\$0
<u>Newton County Circuit</u>				<u>Prior Costs</u>	<u>New Costs</u>
<b>Total Costs</b>	\$191,546	\$191,546	\$0	\$0	\$0
<u>Walton County Circuit</u>					
<b>Total Costs</b>	\$191,546	\$191,546	\$0	\$0	\$0

**Appendix 2**  
**Alcovy Boundary Alteration**  
**A Comparison of Costs Among the Alcovy and the**  
**Proposed Newton and Walton Judicial Circuits**

**Salary Analysis**

**Superior Court Judges and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
Judge A	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Judge B	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Judge C	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Judge D	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Secretary A	\$54,900	\$54,900	\$0	\$0	\$0
Secretary B	\$51,328	\$51,328	\$0	\$0	\$0
Secretary C	\$50,847	\$50,847	\$0	\$0	\$0
Secretary D	\$40,651	\$40,651	\$0	\$0	\$0
Legal Assistant A	\$40,500	\$34,258	\$6,242	\$3,121	\$3,121
Legal Assistant B	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Legal Assistant C	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Legal Assistant D	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Program Coordinator	\$38,210	\$0	\$38,210	\$19,105	\$19,105
<b>Total Costs</b>	<b>\$942,160</b>	<b>\$676,964</b>	<b>\$265,196</b>	<b>\$130,660</b>	<b>\$134,536</b>

<u>Newton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Newton Costs</u>	
				<u>Prior</u>	<u>New</u>
Judge A	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Judge B	\$136,056	\$111,245	\$24,811	\$11,921	\$12,890
Secretary A	\$54,900	\$54,900	\$0	\$0	\$0
Secretary B	\$51,328	\$51,328	\$0	\$0	\$0
Legal Assistant A	\$40,500	\$34,258	\$6,242	\$3,121	\$3,121
Legal Assistant B	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Program Coordinator	\$38,210	\$0	\$38,210	\$19,105	\$19,105
<b>Total Costs</b>	<b>\$497,550</b>	<b>\$362,976</b>	<b>\$134,574</b>	<b>\$66,318</b>	<b>\$68,256</b>

<u>Walton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Newton Costs</u>	
				<u>Prior</u>	<u>New</u>
Judge C	\$136,056	\$111,245	\$24,811	\$12,890	\$11,921
Judge D	\$136,056	\$111,245	\$24,811	\$12,890	\$11,921
Secretary C	\$50,847	\$50,847	\$0	\$0	\$0
Secretary D	\$40,651	\$40,651	\$0	\$0	\$0
Legal Assistant C	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Legal Assistant D	\$40,500	\$0	\$40,500	\$20,250	\$20,250
Program Coordinator	\$38,210	\$0	\$38,210	\$19,105	\$19,105
<b>Total Costs</b>	<b>\$482,820</b>	<b>\$313,988</b>	<b>\$168,832</b>	<b>\$85,385</b>	<b>\$83,447</b>

**Appendix 2**

**Juvenile Court Judges and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
Judge A	\$94,000	\$47,500	\$46,500	\$46,500	\$0
Judge B	\$94,000	\$47,500	\$46,500	0	\$46,500
Court Administrator	\$40,700	\$0	\$40,700	\$20,350	\$20,350
Chief Intake Officer	\$33,600	\$0	\$33,600	\$16,800	\$16,800
<b>Total Costs</b>	<b>\$262,300</b>	<b>\$95,000</b>	<b>\$167,300</b>	<b>\$83,650</b>	<b>\$83,650</b>

**Proposed Newton County Judicial Circuit**

<u>Newton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Newton Costs</u>	
				<u>Prior</u>	<u>New</u>
Judge A	\$94,000	\$47,500	\$46,500	\$46,500	
Court Administrator	\$40,700		\$40,700	\$20,350	\$20,350
Chief Intake Officer	\$33,600		\$33,600	\$16,800	\$16,800
<b>Total Costs</b>	<b>\$168,300</b>	<b>\$47,500</b>	<b>\$120,800</b>	<b>\$83,650</b>	<b>\$37,150</b>

**Proposed Walton County Judicial Circuit**

<u>Walton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Walton Costs</u>	
				<u>Prior</u>	<u>New</u>
Judge A	\$94,000	\$47,500	\$46,500	\$46,500	
Court Administrator	\$40,700		\$40,700	\$20,350	\$20,350
Chief Intake Officer	\$33,600		\$33,600	\$16,800	\$16,800
<b>Total Costs</b>	<b>\$168,300</b>	<b>\$47,500</b>	<b>\$120,800</b>	<b>\$83,650</b>	<b>\$37,150</b>

**Appendix 2**

**District Attorney and Staff**

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
District Attorney	\$111,597	\$98,926	\$12,671	\$4,068	\$8,603
Secretary A	\$47,198	\$40,752	\$6,446	\$2,857	\$3,589
Secretary B	\$40,752	\$40,752	\$0	\$0	\$0
ADA A	\$69,920	\$55,920	\$14,000	\$10,000	\$4,000
ADA B	\$56,808	\$48,288	\$8,520	\$7,020	\$1,500
ADA C	\$55,920	\$55,920	\$0	\$0	\$0
ADA D	\$53,300	\$41,700	\$11,600	\$7,600	\$4,000
ADA E	\$46,008	\$46,008	\$0	\$0	\$0
ADA F	\$41,700	\$41,700	\$0	\$0	\$0
Investigator	\$43,616	\$40,116	\$3,500	\$3,500	\$0
<b>Total Costs</b>	<b>\$566,819</b>	<b>\$510,082</b>	<b>\$56,737</b>	<b>\$35,045</b>	<b>\$21,692</b>

**Proposed Newton County Judicial Circuit**

<u>Newton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Newton Costs</u>	
				<u>Prior</u>	<u>New</u>
District Attorney	\$111,597	\$98,926	\$12,671	\$4,068	\$8,603
Secretary A	\$47,198	\$40,752	\$6,446	\$2,857	\$3,589
ADA B	\$56,808	\$48,288	\$8,520	\$7,020	\$1,500
ADA E	\$46,008	\$46,008	\$0	\$0	\$0
ADA F	\$41,700	\$41,700	\$0	\$0	\$0
ADA New A	\$41,700	\$41,700	\$0	\$0	\$0
Investigator	\$43,616	\$40,116	\$3,500	\$3,500	\$0
<b>Total Costs</b>	<b>\$388,627</b>	<b>\$357,490</b>	<b>\$31,137</b>	<b>\$17,445</b>	<b>\$13,692</b>

**Proposed Walton County Judicial Circuit**

<u>Walton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Walton</u>	
				<u>Prior</u>	<u>New</u>
District Attorney	\$112,926	\$98,926	\$14,000	\$10,000	\$4,000
Secretary B	\$40,752	\$40,752	\$0	\$0	\$0
ADA C	\$55,920	\$55,920	\$0	\$0	\$0
ADA D	\$53,300	\$41,700	\$11,600	\$7,600	\$4,000
ADA New B	\$41,700	\$41,700	\$0	\$0	\$0
ADA New C	\$41,700	\$41,700	\$0	\$0	\$0
Investigator	\$43,616	\$40,116	\$3,500	\$3,500	\$0
<b>Total Costs</b>	<b>\$389,914</b>	<b>\$360,814</b>	<b>\$29,100</b>	<b>\$21,100</b>	<b>\$8,000</b>

## Appendix 2

### Office of the Public Defender and Staff

<u>Alcovy Judicial Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Current Costs</u>	
				<u>Newton</u>	<u>Walton</u>
Circuit Public Defender	\$87,594	\$87,594	\$0	\$0	\$0
Chief Asst Public Defender	\$65,000	\$65,000	\$0	\$0	\$0
Asst Public Defender A	\$38,124	\$38,124	\$0	\$0	\$0
Asst Public Defender B	\$38,124	\$38,124	\$0	\$0	\$0
Investigator	\$30,828	\$30,828	\$0	\$0	\$0
Secretary A	\$35,000	\$35,000	\$0	\$0	\$0
Secretary B	\$35,000	\$35,000	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$329,670</b>	<b>\$329,670</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<u>Newton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Newton Costs</u>	
				<u>Prior</u>	<u>New</u>
Circuit Public Defender	\$87,594	\$87,594	\$0	\$0	\$0
Asst Public Defender A	\$38,124	\$38,124	\$0	\$0	\$0
Investigator	\$30,828	\$30,828	\$0	\$0	\$0
Secretary A	\$35,000	\$35,000	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$191,546</b>	<b>\$191,546</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<u>Walton County Circuit</u>	<u>Total Compensation</u>	<u>State</u>	<u>Supplement or County Cost</u>	<u>Walton</u>	
				<u>Prior</u>	<u>New</u>
Circuit Public Defender	\$87,594	\$87,594	\$0	\$0	\$0
Asst Public Defender B	\$38,124	\$38,124	\$0	\$0	\$0
Investigator	\$30,828	\$30,828	\$0	\$0	\$0
Secretary B	\$35,000	\$35,000	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$191,546</b>	<b>\$191,546</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

# **ALTERATION OF THE ALCOVY JUDICIAL CIRCUIT**

**AUGUST 24, 2005**

The Alcovy Judicial Circuit seeks approval to divide the current circuit boundaries. Please vote to approve or reject the request for a circuit alteration by checking the appropriate space below.

**APPROVE**

**YES**

**NO**

\_\_\_\_\_

# SAMPLE BALLOT

**Superior Court Circuit Judgeship Timeline: 1990 - 2005**

<b>Circuit</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Alapaha	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Alcovy (created 1972)	2	2	2	2	2	3	3	3	3	3	3	3	4	4	4	4
Appalachian (created 1983)	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Atlanta	14	15	15	15	15	15	15	15	17	17	18	18	19	19	19	19
Atlantic	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Augusta	6	6	6	6	6	7	7	7	7	7	7	7	8	8	8	8
Bell-Forsyth (created 1998)									1	1	2	2	2	2	2	2
Blue Ridge	2	3	3	3	3	3	3	3	2	2	2	2	2	2	2	2
Brunswick	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Chattahoochee	5	5	5	5	5	5	5	5	5	5	6	6	6	6	6	6
Cherokee	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Clayton	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Cobb	7	7	7	7	7	8	8	8	8	8	9	9	9	9	9	9
Conasauga	3	3	3	3	3	4	4	4	4	4	4	4	4	4	4	4
Cordele	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Coweta	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5
Dougherty	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Douglas (created 1983)	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3
Dublin	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Eastern	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6
Enotah (created 1992)			2	2	2	2	2	2	2	2	2	2	2	2	2	2
Flint	3	3	3	3	3	3	3	3	3	2	2	2	2	2	2	2
Griffin	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Gwinnett	5	6	6	6	6	6	6	6	7	7	7	7	8	8	8	8
Houston (created 1971)	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Lookout Mountain	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Macon	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5
Middle	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Mountain	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Northeastern	3	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4
Northern	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3
Ocmulgee	4	4	4	4	4	4	4	4	5	5	5	5	5	5	5	5
Oconee	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Ogeechee	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3
Pataula	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Paulding (created 2002)													2	2	2	2
Piedmont	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3
Rockdale (created 1983)	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Rome	3	3	3	3	3	3	3	3	3	3	3	4	4	4	4	4
South Georgia	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Southern	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Southwestern	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3
Stone Mountain	9	9	9	9	9	9	9	9	10	10	10	10	10	10	10	10
Tallapoosa	2	2	3	3	3	3	3	3	3	3	4	4	3	2	2	2
Tifton	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Toombs	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Towaliga (created 1999)										1	2	2	2	2	2	2
Waycross	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Western	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3
<b>Total</b>	<b>148</b>	<b>153</b>	<b>159</b>	<b>159</b>	<b>159</b>	<b>169</b>	<b>169</b>	<b>169</b>	<b>175</b>	<b>176</b>	<b>183</b>	<b>184</b>	<b>189</b>	<b>188</b>	<b>188</b>	<b>188</b>

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

**David L. Ratley**  
*Director*

**M E M O R A N D U M**

To: All Judicial Council Members

From: Research Division

Date: August 4, 2005

Re: Explanation of Judgeship Processes and Procedures

On August 24 2005, the Judicial Council of Georgia will meet. Two of the items on the agenda will consist of the Alcovy Judicial Circuit boundary study and another will present information regarding the requests for additional judgeships. For first time members of the Judicial Council these two processes are likely to be somewhat confusing processes. This memorandum is presented to orient you briefly in the processes and procedures that will be presented.

**Processes:**

The data in the Agenda presented in the Alcovy Circuit Boundary Study and in the Judgeship Super Table for calendar year 2004 was collected in a number of different ways. The General Civil and the Domestic Relations data were downloaded from the Georgia Superior Court Clerks Cooperative Authority in early June of 2004. The data was sent to the Superior Court Clerks of each county and were verified by the clerk and reviewed by the District Court Administrators. Any changes in the data were finalized prior to presentation to the Judicial Council.

The criminal data was collected from different sources. The number of Unified Appeal filings was reported to the Research Division by the District Attorney of each circuit. The felony and misdemeanor filings were reported by the Superior Court Clerks to the Research Division, mostly in summary form. In addition, criminal cases were counted from printouts sent to the Research Division by the clerks. And finally, the research staff counted the filings and defendants from bound dockets in the clerk's offices. The Chief Probation Officers reported the number of probation revocation petitions filed in the superior courts. In many instances, private probation providers reported the number of misdemeanor revocation petitions filed in the superior courts still handling misdemeanors. The data was sent to the Superior Court Clerks of each county and were verified by the clerk and reviewed by the District Court Administrators. Any changes in the data were finalized prior to presentation to the Judicial Council.

## **Specific Processes for Completion of the Judgeship Chart**

All caseload data are entered into a secure computer program. The data on the Judgeship Super Table are computer generated. All data are verified independently by research staff. All corrections to the data must be in writing and are held in the files for two years.

Letters of support are sent, primarily, to the Chairperson of the Judicial Council and are forwarded to the Director of the AOC. Copies are submitted to research staff for compiling reports and introductory comments.

## **Contents of the Agenda**

### **Item Number**

### **3. Consideration by the Judicial Council of Requests for Additional Superior Court Judgeships & Recommendations to the General Assembly and the Governor**

**A. Tab 2, First Item, Title: Judicial Council Policy for Judgeship & Circuit Boundary Studies - Description:** Official policy of the Judicial Council governing the methodology applied in judgeship assessment process. These policies have been in place since 1973 and are revised by the Judicial Council when circumstances require.

**A. Tab 2, Second Item, Title: Judgeship Case Weight Needed to Qualify -Description:** Case weights approved by the Council on June 8, 2005. Each circuit must have a weight equal to or greater than that presented on this table for the number of judges currently authorized. For example: a circuit with 5 judges would need to have a weight of at least 6.60.

**A. Tab 2, Third Item, Title: Number of Judges and Details of the Circuit and Per Judge Weights - Description:** This table displays the weight needed to qualify for a recommendation for an additional judge by circuit and per judge. Each value is paired with the actual weight generated from the calendar year 2004 data.

**B. Tab 2, Title: Circuit Boundary Study - Description:** This item is entitled, "Alcovy Circuit Boundary Study." The report follows the order requested by the Judicial Council. It includes the pertinent information from the policy of the Judicial Council. q.v. Item A presented above.

*[The following charts conform to the Methodology outlined in the policies presented at Tab 2.]*

**C. Tab 4, Title: Charts - Description:** Present summary data in alphabetical order.

**1. Title: Superior Court Circuit Time Line - Description:** Displays the detailed history of newly created judgeships and new circuits by year. This time line assists council members by displaying the information to answer the question, "When did this circuit last get a new judge?"

**2. Title: Circuits, Personnel, & Weighted Caseload - Description:** Shows number of authorized judgeships and presents the circuit weighted caseload computed from data caseload collected or reported to the AOC from calendar year 2003. Circuits requesting judgeship studies for presentation to the General Assembly in 2005 are highlighted in yellow. In order to “qualify” for a recommendation one of two conditions must be met. The first condition requires a circuit to have a weight that is equal to or greater than the weight currently approved by the Judicial Council. For example, if a circuit has three (3) judges; then, it must have a weight equal to or greater than 4.02. When this first condition is met the circuit is said to “qualify” and is eligible for recommendation to the General Assembly upon a simple majority of the votes cast by the Judicial Council. Second, if a circuit does not “qualify,” using the same definition presented in the first condition, it must receive a two-thirds majority of the votes cast by the Judicial Council to be recommended to the General Assembly.

**3. Title: CY 2003 Criminal Filings by Rank & 5-year Percentage Change - Description:** These caseload figures are ranked from high to low and permit the reader to determine the position of the requesting circuit for that value. Each case type, as defined by the Judicial Council is displayed. The increase or decrease in the case types are shown as percentages compared with the data from calendar year 1999.

**4. Title: CY 2003 Circuit & Civil Filings by Rank & 5-year Percentage Change - Description:** These caseload figures are ranked from high to low and permit the reader to determine the relative position of the requesting circuit for that value. Each case type, as defined by the Judicial Council, is displayed. The increase or decrease in the number of cases for each case type is shown as percentages base on comparison with the data from calendar year 1999.

**5. Title: Population - Description:** This data is from the 2004 Estimate of the Population released on July 1, 2005 and the 2010 Projection of the published on July 1, 2001 by the U. S. Census Bureau July 1, 2001 respectively.

**6. Title: 2004 Circuit Judgeship Requests by Rank, Weighted Caseload, and Population per Judge (More commonly called the 4 – Factor Chart - Description:** This chart is **not an official part** of the studies conducted by the Judicial Council associated with Requests for Additional Superior Court Judgeships. It was developed to highlight the objective criteria used during the formal Judicial Council Deliberations: see paragraphs 2 and 3 on Page 2 of the Judicial Council Policy presented earlier in this memorandum. The purpose of the chart is to aid Judicial Council members in their personal deliberations regarding how they will vote. Since, the case count methodology was changed the factors, with ranking and the sum of the ranks, has been limited to the numerical ranking of criminal, general civil, and domestic relations cases along with the estimated and projected population. As in the past, the general meaning of the Weighted Caseload in Minutes per Judge will be explained during the staff presentation of the caseload at the up-coming Judicial Council meeting.

**7. Title: Sample Ballots – Description:** These are copies of the ballots that will be used during secret voting.

**D. Title: Letters of Request and Comments from Invited Respondents -Description:** These letters are from circuits requesting new judgeships recommendations sent to the Judicial Council during the calendar year 2005 study of data from calendar year 2004 and are presented alphabetically. All comments are in **writing**. Letters received in the AOC, up to the time of the actual meeting, will be provided to Judicial Council members as supplemental items on the morning of the meeting.

**Tab 5:** Alapaha Judicial Circuit (3rd Judge)

**Tab 6:** Alcovy Judicial Circuit (5<sup>th</sup>)

**Tab 7:** Atlanta (20th Judge)

**Tab 8:** Blue Ridge Judicial Circuit (3<sup>rd</sup>)

**Tab 9:** Enotah Judicial Circuit (3<sup>rd</sup>)

**Tab 10:** Houston (3rd Judge)

**Tab 11:** Paulding Judicial Circuit (3<sup>rd</sup>)

**Tab 12, Item: Carryover Circuit Requests - Description:** Judicial Council policy allows a circuit that has been recommended for an additional judgeship to the General Assembly to be presented for three (3) years. This means that the circuit does not have to re-qualify for a recommendation unless the case load drops by more than 10%.

- 1) Cobb Judicial Circuit (10<sup>th</sup>)
- 2) Coweta Judicial Circuit (6<sup>th</sup>)
- 3) Dublin Judicial Circuit (3<sup>rd</sup>)
- 4) Gwinnett Judicial Circuit (10<sup>th</sup>)
- 5) Southern Judicial Circuit (6<sup>th</sup>)

# Judgeship Table Insert 1

## Judgeship Case Weight Needed to Qualify

<b>Number of Judges</b>	<b>Value to Qualify</b>
2	2.700
3	4.020
4	5.320
5	6.600
6	7.860
7	9.100
8	10.320
9	11.520
10	12.700
11	13.860
12	15.000
13	16.120
14	17.220
15	18.300
16	19.360
17	20.400
18	21.420
19	22.420
20	23.400
21	24.360
22	25.300
23	26.220
24	27.120
25	28.000

## Judgeship Table Insert 2

### Number of Judges and Details of the Circuit and Per Judge Weights

Circuit	Number of Judges	Circuit Weight		Per Judge Weight	
		To Qualify	Actual 2004	To Qualify	Actual 2004
		Alapaha	2	2.70	2.92
Alcovy	4	5.32	5.12	1.33	1.280
Appalachian	3	4.02	3.04	1.34	1.013
Atlanta	19	22.42	20.08	1.18	1.057
Atlantic	4	5.32	4.07	1.33	1.018
Augusta	8	10.32	7.73	1.29	0.966
Bell-Forsyth	2	2.70	1.89	1.35	0.945
Blue Ridge	2	2.70	2.79	1.35	1.394
Brunswick	4	5.32	4.89	1.33	1.223
Chattahoochee	6	7.86	6.46	1.31	1.076
Cherokee	4	5.32	4.07	1.33	1.018
Clayton	4	5.32	4.29	1.33	1.072
Cobb	9	11.52	9.22	1.28	1.024
Conasauga	4	5.32	4.01	1.33	1.004
Cordele	2	2.70	2.94	1.35	1.469
Coweta	5	6.60	6.14	1.32	1.228
Dougherty	3	4.02	3.16	1.34	1.053
Douglas	3	4.02	3.83	1.34	1.277
Dublin	2	2.70	2.83	1.35	1.417
Eastern	6	7.86	4.88	1.31	0.813
Enotah	2	2.70	2.84	1.35	1.421
Flint	3	4.02	3.34	1.34	1.112
Griffin	4	5.32	4.86	1.33	1.216
Gwinnett	9	11.52	10.71	1.28	1.190
Houston	2	2.70	3.19	1.35	1.593
Lookout Mountain	4	5.32	4.33	1.33	1.082
Macon	5	6.60	4.51	1.32	0.901
Middle	2	2.70	3.18	1.35	1.588
Mountain	2	2.70	2.62	1.35	1.308
Northeastern	4	5.32	4.03	1.33	1.007
Northern	3	4.02	4.28	1.34	1.428
Ocmulgee	5	6.60	5.41	1.32	1.082
Oconee	2	2.70	2.73	1.35	1.366
Ogeechee	3	4.02	3.40	1.34	1.132
Pataula	2	2.70	2.68	1.35	1.339
Paulding	2	2.70	2.80	1.35	1.399
Piedmont	3	4.02	3.16	1.34	1.055
Rockdale	2	2.70	1.85	1.35	0.925
Rome	4	5.32	4.61	1.33	1.152
South Georgia	2	2.70	2.39	1.35	1.196
Southern	5	6.60	6.76	1.32	1.352
Southwestern	3	4.02	2.94	1.34	0.981
Stone Mountain	10	12.70	10.75	1.27	1.075
Tallapoosa	2	2.70	2.02	1.35	1.012
Tifton	2	2.70	2.77	1.35	1.383
Toombs	2	2.70	2.31	1.35	1.157
Towaliga	2	2.70	2.48	1.35	1.239
Waycross	3	4.02	3.69	1.34	1.230
Western	3	4.02	3.52	1.34	1.172

Color Code



New Judgeship Request  
Carryover  
Qualified but Not Requested

## 2004 Circuits, Personnel, and Weighted Caseload

Circuit	Counties	Superior Court Judge Positions Authorized	State Court Judge Authorized	Juvenile Court Judges and Associate Judges	Probate Court Judges hearing traffic cases	CY04 Weighted Caseload
Alapaha	5	2	1	2	4	2.92
Alcovy	2	4	0	3	2	5.12
Appalachian	3	3	0	4	3	3.04
Atlanta	1	19	10	9	0	20.08
Atlantic	6	4	6	3	0	4.11
Augusta	3	8	4	4	1	7.73
Bell-Forsyth	1	2	2	2	0	1.89
Blue Ridge	1	2	2	2	0	2.79
Brunswick	5	4	4	6	1	4.89
Chattahoochee	6	6	2	3	5	6.46
Cherokee	2	4	0	2	2	4.98
Clayton	1	4	4	3	0	4.29
Cobb	1	9	10	3	0	9.22
Conasauga	2	4	0	1	2	4.01
Cordele	4	2	0	1	4	2.94
Coweta	5	5	3	4	2	6.82
Dougherty	1	3	1	2	0	3.16
Douglas	1	3	1	3	0	3.83
Dublin	4	2	1	2	3	2.83
Eastern	1	6	2	3	0	4.88
Enotah	4	2	0	2	4	2.84
Flint	1	3	2	3	0	3.34
Griffin	4	4	2	2	2	4.86
Gwinnett	1	9	5	5	0	10.71
Houston	1	2	1	1	0	3.19
Lookout Mountain	4	4	2	4	2	4.27
Macon	3	5	1	3	2	4.51
Middle	5	2	5	2	0	3.18
Mountain	3	2	2	1	1	2.67
Northeastern	2	4	2	2	1	4.03
Northern	5	3	1	2	4	4.28
Ocmulgee	8	5	2	1	6	5.41
Oconee	6	2	0	2	6	2.73
Ogeechee	4	3	4	0	0	3.40
Pataula	7	2	2	2	5	2.68
Paulding	1	2	0	2	1	2.80
Piedmont	3	3	1	1	2	3.16
Rockdale	1	2	1	1	0	1.85
Rome	1	4	0	3	1	4.61
South Georgia	5	2	3	2	2	2.39
Southern	5	5	4	5	1	7.21
Southwestern	6	3	1	1	5	2.94
Stone Mountain	1	10	7	6	0	10.75
Tallapoosa	2	2	0	3	2	2.02
Tifton	4	2	3	2	1	2.77
Toombs	6	2	0	1	6	2.31
Towaliga	3	2	0	1	3	2.48
Waycross	6	3	5	2	1	3.69
Western	2	3	1	3	1	3.52
Totals:	159	193	110	127	88	

**CY04 Criminal Filings by Rank and Five-Year Percentage Change Per Judge**

Circuit	Total Criminal Filings	Rank	% Change CY99 - CY04	Unified Appeals	Felony Defendants	Misdemeanor Defendants	Probation Revocations
Alapaha	1,273	1	-32%	0.00	608	559	107
Alcovy	669	31	-35%	0.00	324	235	111
Appalachian	661	32	-24%	0.00	298	273	89
Atlanta	1,018	3	15%	0.26	786	0	232
Atlantic	439	47	77%	0.00	355	3	82
Augusta	674	30	17%	1.00	360	92	221
Bell-Forsyth	398	49	37%	0.50	281	0	117
Blue Ridge	959	6	57%	0.00	753	174	33
Brunswick	615	35	-11%	0.25	449	73	93
Chattahoochee	412	48	-11%	0.50	223	76	114
Cherokee	999	4	15%	0.25	334	230	435
Clayton	802	16	19%	0.00	559	28	215
Cobb	786	19	-3%	0.11	711	8	67
Conasauga	833	15	6%	0.00	332	282	220
Cordele	952	7	12%	0.50	395	222	335
Coweta	789	18	44%	0.20	629	57	102
Dougherty	921	10	17%	0.00	596	0	325
Douglas	690	27	-34%	0.67	524	35	130
Dublin	723	25	-17%	0.00	361	219	144
Eastern	517	42	-15%	0.00	280	14	223
Enotah	877	13	23%	0.00	372	263	242
Flint	523	41	11%	0.67	374	9	140
Griffin	870	14	9%	0.00	555	94	221
Gwinnett	643	33	17%	0.44	421	5	217
Houston	926	9	-9%	0.00	556	68	303
Lookout Mountain	759	24	10%	0.00	337	286	135
Macon	797	17	21%	0.00	411	31	355
Middle	512	43	8%	1.50	412	8	91
Mountain	761	22	4%	1.00	426	135	199
Northeastern	759	23	13%	0.25	453	149	157
Northern	631	34	0%	0.67	334	90	205
Ocmulgee	766	21	-13%	0.00	365	261	140
Oconee	888	12	8%	0.00	425	249	214
Ogeechee	502	45	5%	0.00	462	2	38
Pataula	1,035	2	65%	0.00	733	157	145
Paulding	699	26	6%	0.00	326	338	36
Piedmont	893	11	35%	0.00	361	472	59
Rockdale	550	38	-10%	0.00	429	0	122
Rome	979	5	-28%	0.00	373	375	231
South Georgia	503	44	10%	0.00	303	29	172
Southern	683	28	-18%	0.00	522	28	133
Southwestern	601	37	-34%	0.00	302	139	160
Stone Mountain	679	29	-4%	0.00	483	0	197
Tallapoosa	470	46	-32%	0.00	177	168	125
Tifton	546	39	17%	0.00	312	21	214
Toombs	605	36	-13%	0.00	227	281	97
Towaliga	531	40	-1%	0.00	347	171	13
Waycross	772	20	31%	0.00	545	57	170
Western	930	8	40%	0.00	485	202	243
Mean:	731			0.18	428	136	167

**CY04 Civil Filings by Rank and Five-Year Percentage Change Per Judge**

Circuit	Total Circuit Filings (Criminal + Civil)	Rank	% Change CY99 - CY04	Total Civil Filings	Rank	% Change CY99 - CY04	General Civil	Domestic Relations
Alapaha	2,355	4	-23%	1,082	35	-8%	393	689
Alcovy	2,280	7	-12%	1,611	4	4%	768	844
Appalachian	1,548	46	-17%	887	45	-10%	431	457
Atlanta	1,856	32	6%	838	48	-3%	219	619
Atlantic	1,500	47	35%	1,060	37	23%	316	745
Augusta	1,759	38	-4%	1,086	34	-13%	294	792
Bell-Forsyth	1,648	42	61%	1,251	24	70%	421	830
Blue Ridge	2,450	2	37%	1,491	10	26%	418	1,074
Brunswick	1,783	36	15%	1,168	31	36%	389	779
Chattahoochee	1,919	26	3%	1,507	8	8%	541	966
Cherokee	2,297	6	-2%	1,297	20	-12%	682	615
Clayton	1,986	25	4%	1,185	30	-4%	139	1,046
Cobb	1,835	34	-13%	1,049	40	-19%	144	905
Conasauga	1,889	28	5%	1,056	38	4%	464	592
Cordele	2,270	8	-1%	1,319	16	-8%	537	782
Coweta	2,348	5	28%	1,559	6	22%	512	1,047
Dougherty	1,842	33	6%	920	43	-3%	327	593
Douglas	2,092	18	-5%	1,402	12	20%	702	700
Dublin	2,168	13	-6%	1,445	11	0%	556	889
Eastern	1,479	48	-14%	962	42	-13%	312	650
Enotah	2,186	12	30%	1,309	18	34%	602	708
Flint	1,863	31	-3%	1,341	15	-7%	597	744
Griffin	2,138	14	8%	1,269	22	8%	491	778
Gwinnett	2,229	9	2%	1,586	5	-3%	389	1,197
Houston	2,916	1	25%	1,991	1	50%	544	1,447
Lookout Mountain	2,049	20	9%	1,291	21	8%	394	897
Macon	1,616	45	5%	819	49	-7%	355	464
Middle	2,229	9	34%	1,717	2	45%	633	1,084
Mountain	1,995	23	15%	1,234	26	22%	406	829
Northeastern	1,811	35	20%	1,052	39	25%	361	691
Northern	2,123	15	30%	1,492	9	49%	559	934
Ocmulgee	1,670	41	-8%	904	44	-3%	404	500
Oconee	2,107	17	6%	1,220	27	5%	489	731
Ogeechee	1,635	43	-18%	1,134	32	-25%	291	843
Pataula	1,908	27	18%	873	46	-12%	389	485
Paulding	2,401	3	75%	1,703	3	139%	1,030	673
Piedmont	2,000	22	14%	1,107	33	1%	529	578
Rockdale	1,631	44	-3%	1,081	36	1%	282	800
Rome	2,193	11	-8%	1,214	28	20%	510	704
South Georgia	1,742	39	11%	1,239	25	11%	530	709
Southern	2,033	21	-16%	1,351	13	-15%	581	770
Southwestern	1,458	49	-32%	857	47	-30%	428	429
Stone Mountain	1,992	24	-2%	1,313	17	-1%	330	983
Tallapoosa	1,775	37	2%	1,305	19	24%	727	579
Tifton	2,084	19	24%	1,538	7	27%	512	1,026
Toombs	1,869	30	-3%	1,264	23	3%	409	855
Towaliga	1,877	29	15%	1,346	14	23%	419	927
Waycross	1,741	40	-1%	969	41	-18%	443	526
Western	2,118	16	39%	1,188	29	38%	518	670
Mean:	1,973			1,242			463	779

## Population

Circuit	CY04 U.S. Census		2010 GA O.P.B. Projected	
	Population Per Superior Court Judge	Rank	Population for Superior Court Judge	Rank
Alapaha	27,679	46	26,026	46
Alcovy	38,366	31	49,157	13
Appalachian	25,380	48	30,380	44
Atlanta	42,865	18	43,178	24
Atlantic	35,391	34	35,731	37
Augusta	40,005	25	40,780	28
Bell-Forsyth	65,933	6	90,981	3
Blue Ridge	87,340	1	107,072	1
Brunswick	43,862	15	44,725	19
Chattahoochee	42,109	20	41,730	25
Cherokee	34,012	37	39,583	31
Clayton	66,238	5	77,080	5
Cobb	72,667	3	86,209	4
Conasauga	32,504	38	35,206	39
Cordele	29,833	44	30,519	43
Coweta	60,439	8	69,361	7
Dougherty	31,894	39	31,351	42
Douglas	35,739	33	39,745	30
Dublin	36,894	32	37,295	35
Eastern	39,753	27	38,775	32
Enotah	38,630	28	44,433	20
Flint	53,169	9	70,609	6
Griffin	51,519	11	57,568	11
Gwinnett	77,866	2	91,218	2
Houston	61,877	7	64,533	10
Lookout Mountain	41,443	21	44,962	18
Macon	38,545	29	38,448	33
Middle	48,503	12	46,962	15
Mountain	39,989	26	44,285	21
Northeastern	44,997	13	52,107	12
Northern	30,142	43	37,662	34
Ocmulgee	31,344	41	33,734	41
Oconee	34,928	35	33,797	40
Ogeechee	43,007	17	45,923	16
Pataula	25,795	47	25,947	47
Paulding	52,968	10	69,037	8
Piedmont	40,548	24	47,244	14
Rockdale	38,411	30	41,014	27
Rome	23,502	49	23,722	49
South Georgia	43,542	16	43,717	22
Southern	40,801	22	40,103	29
Southwestern	31,884	40	30,201	45
Stone Mountain	67,573	4	66,335	9
Tallapoosa	34,168	36	36,573	36
Tifton	40,761	23	41,428	26
Toombs	28,537	45	25,832	48
Towaliga	31,100	42	35,349	38
Waycross	42,761	19	43,369	23
Western	44,297	14	45,301	17
Mean:	43,092		47,271	

**2005 Circuit Judgeship Requests  
by Rank, Weighted Caseload, and Population Per Judge**

Judicial Circuit	Final Rank on Factors 1-4 2004	Current Superior Court Judgeships	Factor 1		Factor 2				Factor 3			Factor 4			Total of Ranks	Judicial Circuit				
			Actual Caseload in Minutes Per Circuit	*Rank	Felony	Rank	Misdem	Rank	Revocation	Rank	General Civil	Rank	Domestic Relations	Rank			2004 Population Per Superior Court Judge	Rank	2010 Population Per Superior Court Judge	Rank
Alapaha	12	2	2.92	7	608	5	559	1	107	8	393	9	689	10	27,679	12	26,026	12	64	Alapaha
Alcovy	7	4	5.12	5	324	12	235	4	111	7	768	2	844	7	38,366	10	49,157	7	54	Alcovy
Atlanta	10	19	20.08	6	786	1	0	12	232	3	219	11	619	12	42,865	7	43,178	9	61	Atlanta
Blue Ridge	4	2	2.79	11	753	2	174	6	33	12	418	8	1074	3	87,340	1	107,072	1	44	Blue Ridge
Cobb	9	9	9.22	12	711	3	8	10	67	10	144	12	905	5	72,667	3	86,209	3	58	Cobb
Coweta	3	5	6.82	2	629	4	57	8	102	9	512	7	1047	4	60,439	5	69,361	4	43	Coweta
Dublin	11	2	2.83	9	361	10	219	5	144	5	556	5	889	6	36,894	11	37,295	11	62	Dublin
Enotah	5	2	2.84	8	372	9	263	3	242	2	602	3	708	9	38,630	9	44,433	8	51	Enotah
Gwinnett	2	9	10.71	3	421	8	5	11	217	4	389	10	1197	2	77,866	2	91,218	2	42	Gwinnett
Houston	1	2	3.19	4	556	6	68	7	303	1	544	6	1447	1	61,877	4	64,533	6	35	Houston
Paulding	8	2	2.80	10	326	11	338	2	36	11	1030	1	673	11	52,968	6	69,037	5	57	Paulding
Southern	6	5	7.21	1	522	7	28	9	133	6	581	4	770	8	40,801	8	40,103	10	53	Southern

\*Based on the difference between Weighted Caseload in Minutes Per Judge and Current Superior Court Judgeships

**VOTE ON JUDGESHIP REQUESTS**

**AUGUST 24, 2005**

	<u><b>APPROVE</b></u>	
	<u><b>YES</b></u>	<u><b>NO</b></u>
1. ALAPAHA (3 <sup>rd</sup> Judge)	_____	_____
2. ALCOVY (5 <sup>th</sup> Judge)	_____	_____
3. ATLANTA (20 <sup>th</sup> Judge)	_____	_____
4. BLUE RIDGE (3 <sup>rd</sup> Judge)	_____	_____
5. ENOTAH (3 <sup>rd</sup> Judge)	_____	_____
6. HOUSTON (3 <sup>rd</sup> Judge)	_____	_____
7. PAULDING (3 <sup>rd</sup> Judge)	_____	_____

**SAMPLE BALLOT**

**PRIORITY RANKING OF JUDGESHIP REQUESTS**

**AUGUST 24, 2005**

**(1 = HIGHEST; 12 = LOWEST)**

**CIRCUIT REQUESTING**                      **RANK**

**PRIORITY RANKING OF JUDGESHIP REQUESTS**

**AUGUST 24, 2005**

**(1 = HIGHEST; 12 = LOWEST)**

<b><u>CIRCUIT REQUESTING</u></b>	<b><u>RANK</u></b>
1. ALAPAHA (3 <sup>rd</sup> Judge)	_____
2. ALCOVY (5 <sup>th</sup> Judge)	_____
3. ATLANTA (20 <sup>th</sup> Judge)	_____
4. BLUE RIDGE (3 <sup>rd</sup> Judge)	_____
5. COBB (10 <sup>th</sup> Judge)	_____
6. COWETA (6 <sup>th</sup> Judge)	_____
7. DUBLIN (3 <sup>rd</sup> Judge)	_____
8. ENOTAH (3 <sup>rd</sup> Judge)	_____
9. GWINNETT (10 <sup>th</sup> Judge)	_____
10. HOUSTON (3 <sup>rd</sup> Judge)	_____
11. PAULDING (3 <sup>rd</sup> Judge)	_____
12. SOUTHERN (6 <sup>th</sup> Judge)	_____

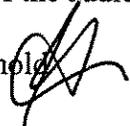
**SAMPLE BALLOT**



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** Alapaha Judicial Circuit Summary  
Third Judgeship Request Summary

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 31, 2005	Chief Judge Brooks E. Blich, III Alapaha Judicial Circuit Second Judicial District	Request for a study to assess the need of an additional judgeship
July 22, 2005	Cathy Harris Helms District Attorney Alapaha Judicial Circuit Second Judicial District	Letter of support



Superior Courts  
**ALAPAHA JUDICIAL CIRCUIT**  
ATKINSON, BERRIEN, CLINCH, COOK AND LANIER COUNTIES

**BROOKS E. BLITCH, III**  
Chief Judge  
P.O. Box 335  
Homerville, Georgia 31634  
(912) 487-2280

**DANE PERKINS**  
Adm. Judge  
P.O. Box 606  
Nashville, Georgia 31639  
(912) 686-2180

**H.W. LOTT**  
Senior Judge  
P.O. Box 348  
Lenox, Georgia 31637  
(912) 686-3153

**W.D. KNIGHT**  
Senior Judge  
P.O. Box 846  
Nashville, Georgia 31639  
(912) 686-7400

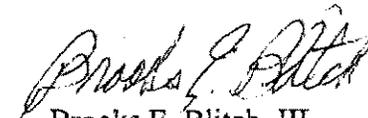
May 31, 2005

Honorable Norman S. Fletcher  
Chief Justice, Supreme Court of Georgia  
State Judicial Building, Fifth Floor  
40 Capitol Square, S. W.  
Atlanta, Georgia 30334

Dear Chief Justice Fletcher:

I have been told by our Court Administrator, John Cowart, that his preliminary count of the caseload indicated that our circuit would qualify for a third judge. Therefore, I am requesting that the Administrative Office of the Courts conduct a formal study to determine if an additional judgeship is needed in the Alapaha Circuit.

Sincerely,

  
Brooks E. Blitch, III

cc: Mr. David L. Ratley  
Suite 300, 244 Washington Street, SW  
Atlanta, GA 30334

Telephone: 404-656-5171  
Fax: 404-651-6449





**CATHY HARRIS HELMS**

DISTRICT ATTORNEY

ALAPAHA JUDICIAL CIRCUIT  
ATKINSON, BERRIEN, CLINCH, COOK AND  
LANIER COUNTIES



July 19, 2005

David L. Ratley  
Director, Administrative Office of the Courts  
Judicial Council of Georgia  
Suite 300  
244 Washington Street SW  
Atlanta GA 30334-5900

**RE: Request for Additional Judgeship in the Alapaha Judicial Circuit**

Dear Mr. Ratley:

I thank you for your Memorandum dated June 29, 2005, requesting my input concerning Judge Blicht's request for a third superior court judgeship in the Alapaha Judicial Circuit. Please consider this letter as my response and I respectfully request you convey it to the Judicial Council.

I took office as District Attorney on January 1, 2005, and discovered there was no systematic record-keeping in the circuit regarding the criminal case load. Thus, in March, I implemented a computer database system within the DA's office to help keep track of our criminal case load. In the five months since I implemented the database, we have logged approximately 350 new cases each month in the circuit. (A "case" is counted as any charge or charges against one or more individuals arising out of the same act or transaction; it is not each individual warrant.) Keep in mind this number does not take into account the nearly 1,000 pending backlogged criminal cases I inherited when I took office. Another important point to consider is that four (4) of the five (5) counties in this circuit do not have a state court, so the superior court also handles all misdemeanor criminal cases. While I cannot speak to the civil case load, as you can see the criminal case load in this circuit is sizeable.

From my perspective, an additional superior court judgeship in this circuit is needed to adequately handle the case load.

PLEASE RESPOND  
TO ADDRESS CHECKED

-3-

P.O. BOX 158  
NASHVILLE, GEORGIA 31639  
PHONE: 229.686.7015  
FAX: 229.686.7170

COOK COUNTY COURTHOUSE  
ADEL, GEORGIA 31620  
PHONE: 229.896.3102  
FAX: 229.896.5031

LANIER COUNTY COURTHOUSE  
LAKELAND, GEORGIA 31635  
PHONE: 229.482.2013  
FAX: 229.482.2014

P.O. BOX 128  
PEARSON, GEORGIA 31642  
PHONE: 912.422.7111  
FAX: 912.422.7516

Page 2  
David L. Ratley Letter  
July 19, 2005

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I thank you for the opportunity to address the Judicial Council and appreciate your interest in our circuit. If you have any questions, I will be happy to address them.

Sincerely yours,

  
Cathy Harris Helms  
[chelms@pacga.org](mailto:chelms@pacga.org)



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Alcovy Judicial Circuit Summary  
Circuit Split or Fifth Judgeship Request Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
June 13, 2005	Chief Judge John M. Ott Alcovy Judicial Circuit Tenth Judicial District	Request for a study to assess the need of a circuit split or an additional judgeship
July 20, 2005	W. Kendall Wynne, Jr. District Attorney Alcovy Judicial Circuit Tenth Judicial District	Letter of support for a circuit split or additional judge
July 26, 2005	Marcy A. Hanks, President Bar Association Walton County	Letter of support for a circuit split
July 27, 2005	Aaron Varner, Chairman Board of Commissioners Newton County	Letter of support for a circuit split
August 4, 2005	Kevin W. Little Chairman, Board of Commissioners Walton County	Letter of support for a circuit split



John A. Ott

Judge Superior Courts  
Alcovy Judicial Circuit

303 SOUTH HAMMOND DRIVE, SUITE 221  
MONROE, GEORGIA  
30655  
TELEPHONE (770) 267-1339  
FAX (770) 266-1630

NEWTON AND WALTON  
COUNTIES

June 10<sup>th</sup>, 2005

The Honorable Norman S. Fletcher  
Chief Justice, Supreme Court of Georgia  
State Judicial Building  
Atlanta, Georgia 30334

Re: Change of Circuit Boundaries/ Additional Judgeship

Dear Justice Fletcher:

Please allow this letter to serve as my request for a study to be conducted by the Administrative Office of the Courts on the change of the circuit boundaries of the Alcovy Judicial Circuit, splitting the two county circuit into two separate single county circuits.

Newton and Walton Counties are two of the fastest growing counties in the State of Georgia. The District Attorney and the Public Defender both maintain independent offices in each county, and the only people traveling from county to county are the District Attorney, the Public Defender, and the four judges. Two judges have their offices and homes in each of the counties. Each county has its own Juvenile Court system. Although Newton County built a new court facility within the last five years, we have now outgrown it with the population explosion. If the circuit is not split, Newton County will have to look toward expanding the present facility. If the circuit is split, then the facility will be adequate to house two judges for a number of years, without further taxpayer expense.

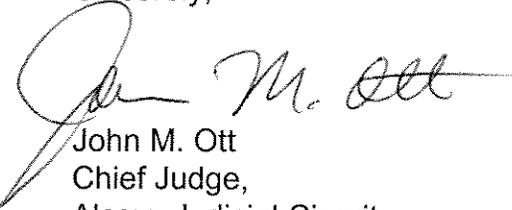
If the study of the AOC does not support changing the circuit boundaries, then I am also requesting a study to determine the need of an additional judgeship. The figures of last year show that the Alcovy Circuit qualified for a fifth judge, although we did not request an additional judgeship at that time.

I might add that all local commissioners and legislators that I have preliminarily spoken to are supportive of the change of the circuit boundaries.



I appreciate your attention to this letter. As always I have enjoyed our time together through the years. I appreciate all you've done, and your leadership for the State of Georgia, and hope that your retirement brings you all the joy and happiness you deserve.

Sincerely,



John M. Ott  
Chief Judge,  
Alcovy Judicial Circuit

cc: David L. Ratley,  
Director of the Administrative Office of the Courts



NEWTON COUNTY  
1132 Usher Street  
Room 313  
Covington, Georgia  
Telephone: 770/784-2070  
Facsimile: 770/784-2069

**W. KENDALL WYNNE, JR.**  
DISTRICT ATTORNEY  
ALCOVY JUDICIAL CIRCUIT

WALTON COUNTY  
303 South Hammond Drive  
Suite 334  
Monroe, GA 30655  
Telephone: 770/267-1355  
Facsimile: 770/267-1364

**LAYLA V. HINTON**  
CHIEF ASSISTANT DISTRICT ATTORNEY

July 19, 2005

Mr. David L. Ratley  
Director, Administrative Office of the Courts  
Suite 300  
244 Washington Street, S.W.  
Atlanta, Georgia 30334-5900

Re: Alcovy Judicial Circuit



Dear Mr. Ratley:

Thank you for your memorandum of June 29, 2005 and the opportunity to submit comments on Judge Ott's request to initiate a study to determine the need to change the boundaries of the Alcovy Judicial Circuit or create a fifth judgeship. While I enjoy serving both counties and have developed good working relationships in both, an objective viewpoint dictates that changing the boundaries of this circuit would benefit both counties. Alternatively, I support the creation of a fifth judgeship for the Alcovy Judicial Circuit.

I have worked in this circuit since 1988 and have seen the growth that has occurred here over the past 17 years. As you are aware, this area of the state has been one of the fastest growing areas in the country over the past several years. Both Newton County and Walton County have been listed as two counties with extremely rapid population growth. Last year, the U. S. Census Bureau list Newton County as the fastest growing county in the state and the twelfth fastest in the nation. Of course, with growth comes an increased demand for services which can only be met by changing the boundaries or by the addition of a fifth superior court judge.

This explosive rate of growth is not the only reason to change the boundaries of the circuit or add a fifth judge to the Alcovy Judicial Circuit. Changes in the law over the years have added numerous responsibilities to the roles of prosecutors and judges alike. Elected district attorneys must now spend more time in an administrative role and less time in the courtroom,

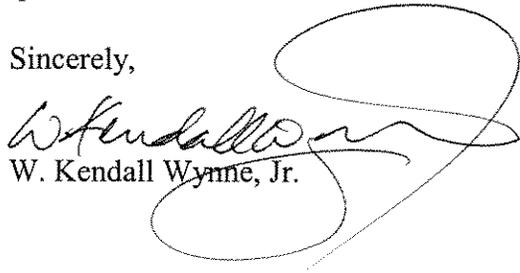
though the preference of the populace and prosecutors is, and should be, the reverse. Judges, likewise, have seen an increase in their duties outside the courtroom. These responsibilities outside of the courtroom require much more time than when I was first sworn in as an assistant district attorney 17 years ago.

Logistically, changing the boundaries of the Alcovy Judicial Circuit would be relatively simple. The circuit already has two fully staffed district attorney's offices and public defender's offices. The elements are already in place to facilitate changing the boundaries at this time.

While I personally would be content to have the boundaries stay where they are, an objective viewpoint dictates that both counties would be better served if each were its own judicial circuit. In lieu of that, adding a fifth superior court judge would greatly enhance the services rendered to the people of the Alcovy Judicial Circuit.

Again, thank you for the opportunity to submit my comments on this matter. If you have any questions, or if further documentation is needed, please do not hesitate to call me.

Sincerely,

  
W. Kendall Wynne, Jr.

# FOSTER & HANKS, LLC

## Attorneys at Law

302 North Broad Street  
P.O. Box 710  
Monroe, GA 30655  
www.fosterhanks.com

JEFFREY L. FOSTER  
MARCY A. HANKS

(770) 267-8988  
(770) 267-8978 (fax)

July 25, 2005

Mr. David L. Ratley  
Administrative Office of the Courts  
244 Washington Street, S.W.  
Suite 300  
Atlanta, GA 30334-5900



**RE: Splitting of the Alcovy Judicial Circuit**

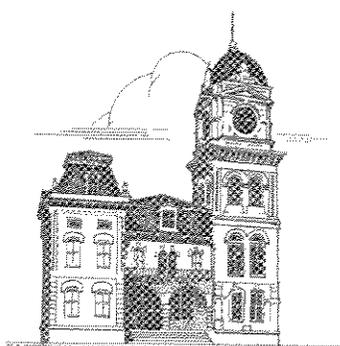
Dear Mr. Ratley:

I am writing this letter on behalf of the Walton County Bar Association. I have spoken to many members of Walton County Bar Association regarding the Alcovy Judicial Circuit being split into two (2) single county circuits. Every person that I have talked to regarding this issue supports such a split. There are numerous reasons to split the circuit. Just last week, both of the judges that are based out of Walton County were in Newton County for court. Therefore there was no judge available for emergency orders in Walton County. That situation would be eliminated if two (2) judges were assigned to Walton County full-time. There are already independent offices in place in both counties for: (1) the District Attorney's office; (2) the Public Defender's office; (3) and the Juvenile Courts. It would be more cost-effective and efficient to split the Alcovy Judicial Circuit into single-county circuits. If you have any questions or I can be of any assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marcy A. Hanks".

Marcy A. Hanks  
President, Walton County Bar Association



NEWTON COUNTY  
BOARD OF COMMISSIONERS

1124 CLARK STREET  
COVINGTON, GEORGIA 30014  
TELEPHONE (678) 625-1200  
FAX (770) 784-2007

AARON VARNER  
CHAIRMAN  
T.M. "MORT" EWING  
DISTRICT 1  
RONNIE DIMSDALE  
DISTRICT 2  
ESTER FLEMING, JR.  
DISTRICT 3  
J.C. HENDERSON  
DISTRICT 4  
MONTY A. LASTER  
DISTRICT 5  
JOHN MIDDLETON  
ADMINISTRATIVE ASSISTANT  
JACKIE SMITH  
COUNTY CLERK

July 25, 2005

Mr. David L. Ratley, Director  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, S.W.  
Atlanta, Georgia 30334-5900

Dear Mr. Ratley:

Both because of its proximity to Atlanta and its southern small town charm, the Alcovy Judicial Circuit, consisting of Newton and Walton Counties, continues to experience explosive population growth. This growth has overwhelmed the recently constructed courthouse in Covington, forcing us to address critically overburdened dockets, courtrooms, and judges. The New County Superior Court is fast approaching the need for a fifth judge, but there is no space within the courthouse to accommodate this need. Our citizens desperately require a solution to this crisis.

The most simple and efficient solution is to allow a circuit split between Newton County and Walton County. This split will allow all cases, both civil and criminal, to be adjudicated quickly by two sitting judges rather than being juggled between four traveling judges.

The infrastructure for this circuit split is already in place. The counties already have independent District Attorneys' offices, Public Defenders' offices, and Juvenile Courts. Each county will be able to better monitor and control costs when they can concern themselves with one in-county system. In addition, the Newton County Courthouse will be relieved of its most pressing overcrowding issues.

The citizens of the Alcovy Judicial Circuit deserve our best efforts to serve them well. In that spirit, we request that the circuit be split for the purpose of better serving the people of Newton and Walton Counties.

Sincerely,

Aaron Varner  
Chairman,  
Newton County Board of Commissioners



303 S. Hammond Drive  
Suite 330  
Monroe, Georgia 30655



(770) 267-1301  
FAX:(770) 267-1400  
www.waltoncountyga.gov

## BOARD OF COMMISSIONERS

July 29, 2005

David L. Ratley  
Director  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, S.W.  
Atlanta, Georgia 30334-5900



Re: Dividing the Alcovy Judicial Circuit into two circuits—Walton and Newton

Dear Mr. Ratley:

I am writing on behalf of the Walton County Board of Commissioners ("WCBOC") to inform you that the WCBOC has considered the splitting of the Alcovy Judicial Circuit into two judicial circuits, one in Walton County and one in Newton County. This correspondence will confirm that the WCBOC is in favor of such a splitting of the present Alcovy Judicial Circuit.

As you may know, the Alcovy Judicial Circuit is in one of the fastest growing areas of the State of Georgia and the United States. Every aspect of the leadership of the WCBOC at this time is directed at managing this tremendous growth, and providing efficient and cost-effective services to the taxpayers of Walton County. This is a continuing challenge for Walton County, and every aspect of government is continually reevaluated to provide the necessary services without overburdening the taxpayer. Our court systems are being overwhelmed by the ever increasing caseloads, and the County is desirous of creating the most efficient system for the public to have cases heard in the most expedient and cost-effective manner.

A more efficient judicial system will be created by splitting the circuit. This allows cases, both criminal and civil, to be heard more rapidly by the two sitting judges in the circuit. Currently, the case load is heard by four judges who circulate between two counties with expanded calendars. By eliminating travel time, the sitting judges in the newly created circuit can bring more emphasis, time and focus on the caseload of Walton County.

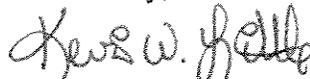
Currently, there exist two completely independent District Attorney and Public Defender offices. There are two independent Juvenile Courts. Walton County can better monitor and control the costs of the entire judicial process by

having a one county circuit which does not require the geographical and political coordination with another governing body.

Logistically, splitting the circuit makes sense. There is more predictability in knowing that judges can have regular calendars, and that judges always can be found in one place in the case of an emergency. Furthermore, a judge that sits only in one Court develops better professional relationships with the bar of that Court, and therefore, it is easier to manage caseload moving cases more efficiently through the system.

I am authorized to forward this letter to you by resolution of the Board of Commissioners of Walton County. Please feel free to call me if you have further questions or require further information.

Sincerely,



Kevin W. Little  
Chairman of the Board of  
Commissioners

Cc: Hon. John Ott  
Hon. Samuel Ozburn  
Hon. Horace Johnson  
Hon. Eugene Benton



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

**David L. Ratley**  
*Director*

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Atlanta Judicial Circuit Summary**  
**Twentieth Judgeship Request Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
March 24, 2005	Chief Judge Doris L. Downs Atlanta Judicial Circuit Fifth Judicial District	Request for a study to assess the need of an additional judgeship
May 23, 2005	Chief Judge Doris L. Downs Atlanta Judicial Circuit Fifth Judicial District	Letter of support for additional judgeship
July 26, 2005	Vernon S. Pitts, Jr. District Public Defender Atlanta Judicial Circuit	Letter of support for additional judgeship
August 1, 2005	Vernon S. Pitts, Jr. District Public Defender Atlanta Judicial Circuit	Letter of support for additional judgeship
August 5, 2005	Chief Judge Doris L. Downs Atlanta Judicial Circuit Fifth Judicial District	Letter of support for additional judgeship

SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT

185 CENTRAL AVENUE, S. W.  
ATLANTA, GA 30303

CHAMBERS OF  
CHIEF JUDGE DORIS L. DOWNS  
SUITE T-7955

TELEPHONE (404) 730-4991



**MEMORANDUM**

**TO:** Gregory W. Arnold, Assistant Director/Research  
Yolanda Lewis, Senior Research Associate

**FROM:** Chief Judge Doris L. Downs   
Fifth Judicial Administrative District

**DATE:** March 21, 2005

**RE:** Request for study for 20<sup>th</sup> Judgeship

In response to your memo, the Superior Court of Fulton County, Atlanta Judicial Circuit, would like to request a judgeship study to determine if there is a need for an additional judgeship.

If you have questions, please contact me at (404) 730-4991. Thanks.

cc: David Ratley, Director, Administrative Office of the Courts  
Marla Moore, Associate Director of Court Services  
Judith A. Cramer, Superior Court Administrator

SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT

185 CENTRAL AVENUE, S. W.  
ATLANTA, GA 30303

CHAMBERS OF  
CHIEF JUDGE DORIS L. DOWNS  
SUITE T-7955

TELEPHONE (404) 730-4991

May 18, 2005

David L. Ratley, Director  
Judicial Council of Georgia  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, S. W.  
Atlanta, Ga. 30334-5900



Dear Mr. Ratley,

Thank you for the reminder about the 2004 Case Count. The Fifth Judicial District, Atlanta Judicial Circuit requests a judgeship study. We appreciate your attention to this important matter.

We believe we have a very unique court which requires a very unique response to our judgeship needs. First of all, the duties of the chief judge are so expansive that it is impossible for that person to carry a full caseload. For the last eight years we have recognized this problem and permitted our chief to manage only a small civil calendar or a drug court calendar. This means that a full case-load is spread to the other already overwhelmed judges, and that there are 18 judges doing the work of 19! Until there is a remedy for this situation, we will continue to request a judgeship study for the 20<sup>th</sup> judgeship.

This year, my attention has necessarily been spent on security matters, political issues involving the city and the county regarding court budgeting, training new judges in our unique criminal case management, and space issues in the court and jail as a result of the Atlanta transfer of their court system to us. These and many other issues require the intervention of the chief judge in this district, allowing less time to manage cases. Please let me know if you need any further information about this matter.

Very sincerely,

A handwritten signature in black ink, appearing to read "Doris L. Downs". The signature is written over a large, faint circular stamp that is mostly obscured by the ink.

Doris L. Downs,  
Chief Judge,  
Fifth Judicial District  
Atlanta Judicial Circuit



Vernon S. Pitts, Jr.  
Circuit Public Defender

*Office of the Public Defender  
Atlanta Judicial Circuit*



July 22, 2005

Mr. David Ratley, Executive Director  
Administrative Office of the Courts  
244 Washington Street, Suite 300  
Atlanta, GA 30334

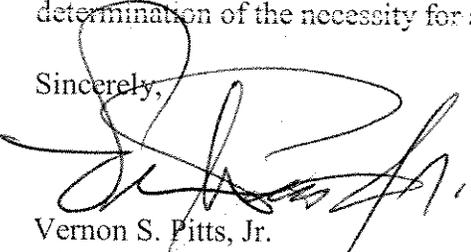
Dear Mr. Ratley:

The purpose of this letter is to provide my support for the 5<sup>th</sup> Judicial Administrative District of Georgia, Fulton County Superior Court, to acquire a 20<sup>th</sup> judgeship. As the District Public Defender, my staff and I see the need for additional judges in this court on a daily basis. We are all working diligently to move cases through the justice system and to help manage the ballooning jail population. It is a difficult task made more difficult by the huge number of very complex serious cases requiring more judge and staff time to conduct trials and to negotiate pleas. The Superior Court's Chief Judge carries only a small drug and civil caseload due to the tremendous demand for managing administrative matters for this large and busy Court. This places an even greater burden on the other 18 judges who handle civil, criminal and domestic cases.

Fulton County Jail has a large indigent population many of the defendants are mentally ill, homeless, and drug addicted. The complexity of these cases is also created by the inordinately large number of multi-defendant cases, which are typical of major metropolitan cities like Atlanta.

I urge that your evaluation team take into consideration these unique circumstances when making your determination of the necessity for another judgeship for Fulton County.

Sincerely,



Vernon S. Pitts, Jr.  
District Public Defender  
Atlanta Judicial Circuit

VSP/gcb

Cc: Judith A. Cramer, Superior Court Administrator



Vernon S. Pitts, Jr.  
Circuit Public Defender

*Office of the Public Defender  
Atlanta Judicial Circuit*

July 27, 2005

Honorable Leah Ward-Sears, Chief Justice  
Supreme Court of Georgia  
244 Washington Street  
Atlanta, GA 30334



Dear Judge Sears:

The purpose of this letter is to provide my support for the 5<sup>th</sup> Judicial Administrative District of Georgia, Fulton County Superior Court, to acquire a 20<sup>th</sup> judgeship. As the District Public Defender, my staff and I see the need for additional judges in this court on a daily basis. We are all working diligently to move cases through the justice system and to help manage the ballooning jail population. It is a difficult task made more difficult by the huge number of very complex serious cases requiring more judge and staff time to conduct trials and to negotiate pleas. The Superior Court's Chief Judge carries only a small drug and civil caseload due to the tremendous demand for managing administrative matters for this large and busy Court. This places an even greater burden on the other 18 judges who handle civil, criminal and domestic cases.

The Fulton County Jail has a large indigent population and results from many of the defendants are mentally ill, homeless, and drug addicted. The complexity of these cases is also created by the inordinately large number of multi-defendant cases, which are typical of major metropolitan cities like Atlanta.

I urge that your evaluation team take into consideration these unique circumstances when making your determination of the necessity for another judgeship for Fulton County.

Sincerely,

Vernon S. Pitts, Jr.  
District Public Defender  
Atlanta Judicial Circuit

VSP/gcb

Cc: Judith A. Cramer, Superior Court Administrator

SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT

185 CENTRAL AVENUE, S. W.  
ATLANTA, GA 30303

CHAMBERS OF  
CHIEF JUDGE DORIS L. DOWNS  
SUITE T-7955

TELEPHONE (404) 730-4991

August 5, 2005



The Honorable Leah Ward Sears, Chief Justice  
Georgia Supreme Court  
244 Washington Street  
Room 572, State Office Building Annex  
Atlanta, Georgia 30334

Re: Fulton County Superior Court's Request for Additional Judgeship

Dear Chief Justice Ward Sears:

It was a delight to see your recent installation as the Chief Justice of the Georgia Supreme Court. I look forward to working with you on the challenges that face trial courts throughout this State.

As you know, I serve as the Chief Judge of the Fulton County Superior Court. Today I write to inform you of some unique problems that face our Court and ask that they be considered when evaluating our request for an additional judgeship. I understand that a particular court's numeric caseload is an important factor in evaluating the need for a new judicial position. While numbers alone reflect our need for another judge, numbers do not always tell the whole story. This is particularly true in Fulton County where we have a singular position among Georgia's superior courts.

By virtue of our location in Atlanta, the State's largest metropolitan area, the Fulton County Superior Court has a very demanding criminal caseload. First, we deal with a large number of serious offenses. Under the current system for evaluating judicial need, all criminal cases (other than murder) are given equal weight. Thus, a drug possession case receives as much caseload credit as a rape, kidnapping or an armed robbery. The inequity of this system is readily apparent. A drug possession case can quickly work its way through a court system and often resolve with a plea, using a minimum of court resources. However, rapes, kidnappings and armed robberies, like many other violent felonies, carry long mandatory minimum sentences. They are usually hard fought cases, they rarely move through the system quickly and they often require significant court intervention – motions hearings, trials, etc. To give these different types of criminal cases equal weight is extremely unfair to urban areas where serious crimes constitute a much larger portion of the criminal docket. Also, because of its location in a metropolitan jurisdiction, Fulton County deals with a significant indigent population with

large numbers of mentally ill, homeless and drug-addicted defendants which adds to the Court's case management difficulties. In addition, the Court devotes a large amount of resources simply to handle inmate correspondence and pro se filings.

As with our criminal caseload, our civil caseload is also unique. First, it is unique based upon its complexity. As you know, Atlanta serves as the seat of Georgia's state government. Accordingly, we are often called to pass upon difficult constitutional and legal challenges involving State officers and agencies. We also deal with complicated bid disputes involving large State contracts. Also, many major corporations have headquarters, offices or registered agents located in Fulton County. Thus, we see a significant amount of complex commercial litigation. For this very reason, the State Bar of Georgia and the legislature have chosen Fulton County to launch the Business Court pilot program. One example of how our vibrant business community contributes to our complex caseload is found in the asbestos area. Because of certain businesses located here, Fulton County has become a magnet in the Southeast for asbestos case filings. At present, we have 743 asbestos cases with 989 plaintiffs pending in the Fulton County Superior Court. Second, because of our location in an urban area with a large population of poor citizens, we have a significant number of pro se civil filings. We also must deal with huge numbers of child support cases. In 2004, we handled approximately 4700 child support pleadings, the majority of which were pro se.

Statistical analysis indicates that our Court's backlog has recently experienced a rapid increase. At the beginning of this year our total caseload was 12,493. At the end of May, the total caseload was 13,801. This represents an 11% increase over a five month period. Focusing solely on our criminal caseload, our largest filing category, the amount of pending cases has increased 15% over that same five-month period.

Our Court has always been unified, even creative, in addressing case management issues and improving our efficiency. Acting together, our bench pioneered a very successful Family Court. In 2004, the Family Division, handled 6358 cases, they helped 9567 pro se litigants in their Family Law Information Center, handled 2000 Domestic Violence Petitions, held 1315 on-site mediations, handled 23,651 telephone inquiries, and held numerous divorce and children seminars. We instituted one of the State's first Drug Courts using 30% of a judges' time for the multiple hearings needed to supervise the drug offenders' process through the drug court. We have long offered a formal Alternative Dispute Resolution Program that recently began offering judicially- hosted settlement conferences supervised by a Senior Judge. When our Court began noticing a trend that delayed indictments (which delayed case assignments and left criminal defendants in jail without an assigned Judge to hear bond requests or other early motions), we instituted an All Purpose Calendar to help insure that our criminal jail cases received early Court review or prompt indictment. In preparation for our First Appearance Hearings and our All-Purpose Calendar, our Pre-Trial Release Program held 16,572 inmate interviews in the jail last year for the purpose of presenting recommendations for Bonds at the First Appearance Calendars within 24 hours of a defendant's entry into the Fulton County Jail. We are earnestly preparing for the start of the Business Court, mentioned above. Moreover, our Judges have agreed to institute a Master Criminal Calendar that is in the

final planning stages. We hope the Master Calendar will revolutionize our criminal case management -- using sophisticated case management techniques as well as alternative sentencing and treatment options to efficiently process non-complex, non-violent criminal cases through the Court system. While I am proud of all our initiatives and the cooperative spirit of our bench in approaching case management concerns, our rapidly increasing backlog demonstrates that our increased efficiencies cannot hide the need for additional judicial resources. Simply put, we need another set of hands actively tending to our caseload.

Finally, the size of our Court is another unique feature that should be considered when evaluating our need for an additional judge. Because it is so large, the administrative needs of the Court reduce the time and people available to actively work on our caseload. At present, the Fulton County Superior Court has 19 active judges, seven senior judges, and six full-time magistrate judges. The staff supporting active judges alone totals 76. Total staff for all programs is approximately 350. We require significant other support services to run a Court of this size. I mentioned some of our initiatives above -- Family Court, Drug Court, All Purpose Calendar, etc. We also have a significant law library, which serviced 11,866 patrons in 2004; 4,293 were attorneys. We handled about 1200 telephone reference requests and managed 2,472 legal references and 4000 information packets in the jail library for over 3000 inmates. The Jury Clerk summonsed 84,210 jurors, approximately 7000 per month and processed approximately 600 hundred jurors weekly.

Also, as you know our Court is in the midst of an important security review and we face an ever present concern about jail overcrowding. Moreover, the Fulton County Superior Court is so large it comprises a sole administrative judicial district, the only such district in the State. Accordingly, not only do I serve as Chief Judge of the Superior Court, I also serve as the Administrative Judge for Georgia's Fifth Judicial Administrative District which has its own duties and responsibilities. Therefore, as the Chief Judge of the District I must create the agenda, chair and follow up on all of the tasks related to the weekly and monthly meetings held with Criminal Justice System officials regarding Jail Management issues, Space and Building Projects, Comprehensive Criminal Justice Information System Management and Design. In addition, I am the Chief Liaison to all of the media, the Board of County Commissioners and the City Officials in the Atlanta Area related to Criminal Justice as well as the new State Indigent Defense Council.

On the Civil Side, I interact with hundreds of lawyers and Bar Associations in the County. In addition to my Judicial Council Duties and Committee responsibilities you can imagine, helping oversee such a large Court is practically a full-time job. As the Chief Judge, I carry a small caseload that leaves me time for my administrative duties. Even that small caseload can be a struggle to handle. So effectively, on our Court, one judge must devote the majority of their time to handling administrative matters, not cases. Thus, while we are credited with 19 judges, only 18 judges are truly available to work on the Court's caseload. This dilemma is unique to a larger court.

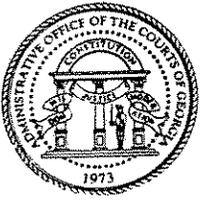
It is not my desire to complain about our situation. I have worked practically my entire career in the Fulton County Superior Court, serving many years as a prosecutor before I became a judge. I am very proud of the services our Court offers and the wonderful job that our judges and staff members perform daily under challenging conditions. I write to merely detail those factors that make our situation unique and to urge that these factors be considered when evaluating our need for a 20<sup>th</sup> judge.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Downs", written in black ink. The signature is fluid and somewhat stylized, with a long horizontal stroke extending to the right.

Doris L. Downs, Chief Judge  
Fulton County Superior Court

cc: David Ratley, Executive Director, AOC  
Judith A. Cramer, Fulton County Superior Court Administrator



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Blue Ridge Judicial Circuit Summary  
Third Judgeship Request Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
June 15, 2005	Chief Judge Frank C. Mills, III Blue Ridge Judicial Circuit Ninth Judicial District	Request for a study to assess the need of an additional judgeship
July 6, 2005	Patty Baker, Clerk Cherokee County Superior Court Blue Ridge Judicial Circuit Ninth Judicial District	Letter of support for additional judgeship



Send to  
David Ratten

## Blue Ridge Judicial Circuit

FRANK C. MILLS, III  
CHIEF JUDGE

SUPERIOR COURT OF  
CHEROKEE COUNTY

June 6, 2005

Hon. Norman S. Fletcher, Chief Justice  
Judicial Council of Georgia  
244 Washington Street, S. W.  
Suite 300  
Atlanta, Georgia 30334-5900

Re: Request for Study to Determine the Need for an Additional Judge

Dear Judge Fletcher:

On behalf of the Blue Ridge Judicial Circuit, I hereby request that the Council approve a study of the circuit's superior court to determine the need for an additional judge. Initial informal counts indicate that we have passed the threshold suggested for an additional judgeship.

I would appreciate the Council's favorable consideration of the foregoing request.

With kindest regards, I am

Yours truly,

Frank C. Mills, III  
Chief Judge, Superior Court  
Blue Ridge Judicial Circuit

FCM:baw

Copy: Hon. N. Jackson Harris  
Cherokee County Board of Commissioners  
Clerk of Court  
District Attorney  
District Court Administrator, Ninth Judicial District





*PATTY BAKER  
CLERK SUPERIOR COURT*

Cherokee County Justice Center  
90 North Street, Suite G-170  
Canton, Georgia 30114  
678-493-6511

June 30, 2005

Mr. David L. Ratley, Director  
Judicial Council of Georgia  
Administrative Office of the Courts  
244 Washington Street, S.W. Suite 300  
Atlanta, GA 30334-5900

Re: Request for Additional Judgeship in the Blue Ridge Judicial Circuit

Dear Mr. Ratley:

Thank you for your memorandum dated June 29, 2005 regarding Chief Judge Frank C. Mills' request for an additional superior court judgeship for the Blue Ridge Judicial Circuit.

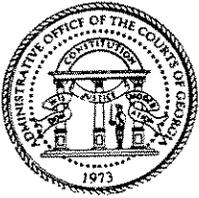
I am responding to your memorandum to offer this office's help in providing any additional information or data which may help in the evaluation process. Based on my observations as the Clerk of the Superior Court of Cherokee County, I adamantly support the creation of a new judgeship since, in my opinion, the current caseload being handled by Judge Mills and Judge Harris, our two superior court judges, is overwhelming and merits expansion of the number of judgeships for the superior court.

If you need additional information from this office, please contact me.

Sincerely,

Patty Baker  
Clerk of Superior Court  
Cherokee County, Georgia

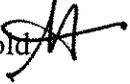




Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Enotah Judicial Circuit Summary**  
**Third Judgeship Request Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 16, 2005	Chief Judge Hugh W. Stone Enotah Judicial Circuit Ninth Judicial District	Request for a study to assess the need of an additional judgeship
July 8, 2005	Lamar Paris County Commissioner Union County	Letter of opposition to the creation of an additional judgeship



## SUPERIOR COURTS

ENOTAH JUDICIAL CIRCUIT OF GEORGIA

**HUGH W. STONE, Judge**

MAILING ADDRESS:  
114 COURTHOUSE ST., BOX 2  
BLAIRSVILLE, GEORGIA 30512

TELEPHONE: (706) 439-6100  
FAX: (706) 439-6099  
EMAIL: HW\_STONE@YAHOO.COM

STREET ADDRESS:  
216 CLEVELAND ST., UNIT 1  
BLAIRSVILLE, GEORGIA 30512

May 13, 2005

Mr. David L. Ratley, Director  
Administrative Office of the Courts  
244 Washington Street, SW  
Suite 300  
Atlanta, GA 30334-5900



RE: Enotah Judicial Circuit

Dear Mr. Ratley:

In response to the letter by the Honorable Norman S. Fletcher, Chief Justice of the Georgia Supreme Court, it is requested that the Administrative Office of the Courts conduct a study to determine the need for an additional judgeship for the Enotah Judicial Circuit.

With best personal regards,

Yours truly,

Hugh W. Stone  
Chief Judge

HWS/pmch

cc: Stephen W. Gooch, Chairperson, Lumpkin County Commission  
Lamar Paris, Union County Commissioner  
Jack Dayton, Towns County Commissioner  
Chris Nonnemaker, Chairperson, White County Commission



*Lamar Paris*

Union County Commissioner  
114 Courthouse Street, Box 1 • Blairsville, Georgia 30512

Fax 706-439-6004

[unioncounty@alltel.net](mailto:unioncounty@alltel.net)

Phone 706-439-6000

July 5, 2005

David L. Ratley, Director  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, S.W.  
Atlanta, GA 30334-5900

Dear Mr. Ratley,

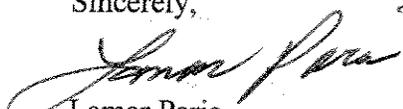
As Sole Commissioner of Union County and responsible for the financial expenditures of my county, I am very concerned at the suggestion of an additional judge in this circuit. While not in a position to determine the actual need, our counties are being bombarded with new cost handed down from the state. The latest of which is the Indigent Defense program. Our county is in the construction process of adding on to our existing courthouse, and even when completed, we will just barely be keeping up with the judges and courts we currently have.

The prospects of our county providing more than two courtrooms for simultaneous court in the near or distant future is very remote. We have two excellent judges in our circuit and I am sure they are both overworked, but so are a lot of other county employees, including me. Unfortunately it is a part of what we do while serving the public. Part time judges as currently utilized would certainly seem to continue to be a very cost effective way of managing judicial backlogs.

Knowing the other elected officials in our circuit and the increased cost we are all experiencing with our criminal justice system, the idea of another judge would be a very hard sell.

Thanks for providing the citizens of Georgia with one of the best judicial systems in the world.

Sincerely,

  
Lamar Paris  
Union County Commissioner





Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold *[Signature]*  
**DATE:** August 5, 2005  
**RE:** **Houston Judicial Circuit Summary  
Third Judgeship Request Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 11, 2005	Larry E. O'Neal, Representative District 146 House of Representatives	Request for a study to assess the need of an additional judgeship
July 27, 2005	Gail C. Robinson County Commissioners Houston County	Letter of support for an additional judgeship
August 1, 2005	Larry E. O'Neal, Representative District 146 House of Representatives	Letter of support for an additional judgeship
August 1, 2005	Johnny W. Floyd, Representative District 147 House of Representatives	Letter of support for an additional judgeship
August 4, 2005	Kelly R. Burke District Attorney Houston Judicial Circuit	Letter of support for an additional judgeship



## House of Representatives

LARRY O'NEAL  
REPRESENTATIVE, DISTRICT 146  
311 MARGIE DRIVE, P.O. DRAWER 730  
WARNER ROBINS, GEORGIA 31099  
(478) 953-4557 (O)  
(478) 953-2860 (H)  
(478) 953-5022 (FAX)  
E-MAIL: loneal@legis.state.ga.us

STATE CAPITOL, ROOM 133  
ATLANTA, GEORGIA 30334  
(404) 656-5103  
(404) 656-6385 (FAX)

May 10, 2005

STANDING COMMITTEES:  
APPROPRIATIONS (EX-OFFICIO)  
GOVERNMENTAL AFFAIRS  
JUDICIARY-CIVIL  
WAYS AND MEANS, CHAIRMAN

Norman S. Fletcher, Chief Justice  
Chairperson, Judicial Council of Georgia  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, SW  
Atlanta GA 30334-5900

RE: *Additional Superior Court Judgeship for  
Houston County, Georgia*



Dear Chief Justice Fletcher:

First let me say how much I appreciate your exemplary service to our state for so many years. I wish you a most deserved enjoyable retirement.

Please accept this writing as a request from the undersigned member of the General Assembly to commission the requisite study to determine the need for an additional judgeship in the Houston County Circuit. I truly believe the Houston County Circuit is unique in many ways and I would appreciate an opportunity during the study and evaluation process to supplement the file.

Thank you again for all you do for the people of our great State.

Sincerely,

Rep. Larry O'Neal  
District 146

LEO: tmh  
cc: David L. Ratley, Director Administrative Office of the Courts  
cc: Hon. Edward Lukemire  
cc: Hon. George Nunn

# YANCEY & ROBINSON, LLC

ATTORNEYS AT LAW  
269 CARL VINSON PARKWAY  
WARNER ROBINS, GEORGIA 31088

WAYNE C. YANCEY  
GAIL C. ROBINSON  
GREG HOWARD BELL

Mailing Address:  
Post Office Box 8579  
Warner Robins, Georgia 31095-8579

Telephone (478) 922-9011  
Fax (478) 922-7106  
E-Mail: yancey269@cox.net

July 25, 2005



David L. Ratley  
Director, Judicial Council of Georgia  
244 Washington Street, S.W., Suite 300  
Atlanta, GA 30334-5900

Re: Additional Judgeship in Houston Judicial Circuit

Dear Mr. Ratley:

I am a practicing attorney in the Houston Judicial Circuit. In addition, I am a Houston County Commissioner. The Houston Judicial Circuit is growing rapidly and we are in great need of an additional judge. I believe the caseload data will indicate the increased numbers.

In the interest of judicial efficiency, I believe the Houston Judicial Circuit warrants a third superior court judgeship.

Please don't hesitate to contact me if you need any further information.

Sincerely,

YANCEY & ROBINSON, LLC

  
Gail C. Robinson

GCR/tc



## House of Representatives

LARRY O'NEAL  
REPRESENTATIVE, DISTRICT 146  
311 MARGIE DRIVE, P.O. DRAWER 730  
WARNER ROBINS, GEORGIA 31099  
(478) 953-4557 (O)  
(478) 953-2860 (H)  
(478) 953-5022 (FAX)  
E-MAIL: loneal@legis.state.ga.us

STATE CAPITOL, ROOM 133  
ATLANTA, GEORGIA 30334  
(404) 656-5103  
(404) 656-6385 (FAX)

STANDING COMMITTEES:  
APPROPRIATIONS (EX-OFFICIO)  
GOVERNMENTAL AFFAIRS  
JUDICIARY-CIVIL  
WAYS AND MEANS, CHAIRMAN

July 29, 2005

Mr. David R. Ratley, Director  
Administrative Office of the Courts  
244 Washington Street, SW  
Suite 300  
Atlanta GA 30334-5900

*RE: Additional Superior Court Judgeship  
Houston Circuit*



Dear Mr. Ratley:

I am encouraged again to hear that Houston County is under consideration for the addition of a new Superior Court judgeship. Houston County continues to be one of Georgia's fastest growing counties.

I acknowledge that many circuits around the state are overwhelmed and under staffed, so priorities will need to be established; however, I honestly believe the Houston Circuit situation is unique due to the presence of Georgia's single largest employer and largest military installation, Robins AFB. Personnel assigned to the Base have access to our courts, yet in many cases are not counted in population numbers. Our military personnel have an acute need for expeditious management of their respective cases for obvious national security reasons, yet, I am told there currently is a three month wait for temporary hearings.

I do not know the exact criteria for establishment of need regarding the granting of additional judgeships. I hope the Houston Circuit will qualify without consideration of unique circumstances, but if not, I would respectfully request you consider national security factors in your evaluation.

Thank you for all you do for our great state. If I can be of any assistance to you, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Larry O'Neal". The signature is written in a cursive, flowing style.

Larry O'Neal  
Representative, District 146

LEO: tmh  
cc: Judge George Nunn  
cc: Judge Edward Lukemire  
cc: Rep. Willie Talton  
cc: Sen. Ross Tolleson  
cc: Rep. Johnny Floyd  
cc: Rep. Robert Ray  
cc: Sen. Cecil Staton  
cc: Sen. Robert Brown



## House of Representatives

JOHNNY FLOYD  
REPRESENTATIVE, DISTRICT 147  
POST OFFICE BOX 5260  
CORDELE, GEORGIA 31010  
(229) 273-5312 (O)  
(229) 273-1760 (H)  
(229) 273-6622 (FAX)

LEGISLATIVE OFFICE BUILDING, ROOM 501  
ATLANTA, GEORGIA 30334  
(404) 656-0177

July 29, 2005

STANDING  
COMMITTEES:

APPROPRIATIONS  
BANKS & BANKING  
TRANSPORTATION

David L. Ratley, Director  
Judicial Council of Georgia  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, SW  
Atlanta, Georgia 30334



Dear Mr. Ratley:

I wish to support the request of representative Larry O'Neal to study the need for a third Superior Court Judgeship in the Houston County Judicial Circuit.

The caseload and severity of the cases before the Houston County Superior Circuit has the current superior court judges stretched and this causes a whiplash or domino effect down the line with all involved.

Thank you for including me for input in this process, as I feel the need is there.

Sincerely,

Johnny Floyd  
State Representative  
District 147

JF/aoi

**Kelly R. Burke**  
**District Attorney**  
**Houston Judicial Circuit**

Katherine K. Lumsden  
*Chief Asst. District Attorney*

Jason E. Ashford  
George H. Hartwig  
*Senior Asst. District Attorneys*

Amy E. Smith  
*Child Support Enforcement*

August 1, 2005

Beverly Robinson  
Investigator

Christine Deane  
D.V. Investigator

David L. Ratley  
Director, Georgia Judicial Council  
Administrative Office of the Courts  
Suite 300  
244 Washington Street, S.W.  
Atlanta, Georgia 30334-5900



RE: Houston Judicial Circuit

Dear David:

In response to your letter about the possibility of creating a third superior court judgeship, I am supportive of that endeavor. For too long Houston County citizens have had to struggle with waiting for their day in court as criminal cases shared judge time with civil and domestic caseloads. Both of the judges here, Judge George F. Nunn, Jr. and Judge Edward D. Lukemire, work hard at moving cases, but the caseload is simply too large to get to cases in as speedy a manner as we should.

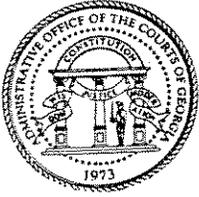
The judges give us at least one trial week per month, sometimes two. But when you add arraignment day, motions day, plea and bond days, child support days, and so forth, it becomes a full time caseload just to handle the criminal caseload. Yet the domestic cases and civil cases are also deserving of attention too.

I've never fully understood why our case count hasn't qualified this circuit for a new judge, but I hope that a re-study of the numbers will confirm what we already know, which is, Houston County deserves another judgeship.

Very truly yours,

Kelly R. Burke

cf: Judge George F. Nunn, Jr.  
Judge Edward D. Lukemire



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold *GA*  
**DATE:** August 5, 2005  
**RE:** Paulding Judicial Circuit Summary  
Third Judgeship Request Summary

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 19, 2005	Chief Judge Tonny S. Beavers Paulding Judicial Circuit Seventh Judicial District	Request for a study to assess the need of an additional judgeship
July 27, 2005	Treva W. Shelton Clerk of the Superior Court Paulding County	Letter of support for an additional judgeship
July 28, 2005	*Anonymous*, Attorney Paulding Judicial Circuit Seventh Judicial District	Letter not supporting the creation of an additional judgeship



**TONNY S. BEAVERS**  
JUDGE SUPERIOR COURT  
PAULDING JUDICIAL CIRCUIT

**MEMORANDUM**

**TO:** Norman S. Fletcher, Chief Justice  
Supreme Court of Georgia

David L. Ratley, Director  
Judicial Council of Georgia  
Administrative Office of the Court

Jody Overcash, Court Administrator  
Seventh Judicial Administrative District

**FROM:** Tonny S. Beavers, Chief Judge  
Paulding Judicial Circuit

**DATE:** May 19, 2005

**RE:** New Judgeship for Paulding Judicial Circuit



The Paulding Judicial Circuit does hereby ask for a new judgeship for next year.  
I further ask that a manual case count be initiated in furtherance of this request.

TSB/kw



TREVA W. SHELTON  
PAULDING COUNTY CLERK OF SUPERIOR COURT

11 Courthouse Square • Room G-2 • Dallas, GA 30132  
Telephone (770) 443-7527  
Email: TShelton@paulding.gov

July 25, 2005

Mr. David L. Ratley, Director  
Administrative Office of the Courts  
244 Washington Street, S.W.  
Suite 300  
Atlanta, GA 30334-5900

Re: Request for additional judgeship

Dear Mr. Ratley:

I understand that Chief Judge Tonny Beavers has requested a study as to the need for an additional judgeship in our circuit. I am sure you are aware that Paulding County is one of the fastest growing counties in Georgia. Growth brings with it an increase in litigation and criminal matters to be handled by the Court.

Our judges work long hours and are often here late in order to try and keep the case load moving. We hold jury trials one week a month, motion court two days a week and the grand jury meets one day a month and still have cases to be heard. Please accept this as my endorsement for the request for an additional judge.

If you have any questions concerning this matter, please do not hesitate to contact me at the number shown above.

Sincerely,

  
Treva Shelton

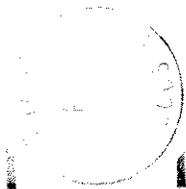


JULY 26, 2005

There is no need for additional judges in Paulding County. There is only two ~~days~~<sup>days</sup> of trials per week as it is now set up. THE TRIAL WEEKS ONLY LAST ~~LAST~~ THREE DAYS ONCE A MONTH.

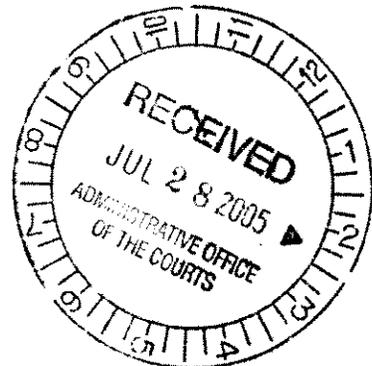
I am an attorney in the area and will not give my ~~name~~ name as they will not like this letter.

Hope you read this....



DAVID RATLWY  
JUDICIAL COUNCIL OF GA  
SUITE #))#))300  
244 WASHINGTON STREET  
ATLANTA, GEORGIA 30334 5900

Administrative Office of the Courts





Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Cobb Judicial Circuit Summary**  
**Tenth Judgeship Carryover Recommendation Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 23, 2005	Chief Judge James G. Bodiford Cobb Judicial Circuit Seventh Judicial District	Request for a study to assess the need of an additional judgeship
June 3, 2005	Rich Golick, Representative District 34, Post 3 House of Representative	Request for a study to assess the need of an additional judgeship



**JAMES G. BODIFORD**  
CHIEF JUDGE  
SUPERIOR COURT OF COBB COUNTY  
COBB JUDICIAL CIRCUIT

SUPERIOR COURT BUILDING  
30 WADDELL STREET  
MARIETTA, GEORGIA 30090-9642  
(770) 528-1822  
FAX (770) 528-8141

STAFF:  
JAN PORTER  
LEGAL ADMINISTRATIVE  
ASSISTANT

LEANNE E. DOLIN  
LAW CLERK  
(770) 528-1857

MARILYN ROE  
COURT REPORTER  
(770) 528-1856



May 19, 2005

Chief Justice Norman S. Fletcher  
State Judicial Building  
Room 507  
40 Capitol Square  
Atlanta, Ga. 30334

RE: Tenth Judgeship for the Cobb Judicial Circuit

Dear Chief Justice Fletcher,

The Cobb Judicial Circuit will again be seeking the creation of a tenth Judgeship.

It is my understanding that because we were approved in 2005, we will automatically be approved for the year 2006. However, if I need to do any additional work on this matter, please let me know. I am

With Best Regards,

James G. Bodiford  
Chief Judge, Cobb Superior Court  
Cobb Judicial Circuit

cc: David L. Ratley, Director  
Administrative Office of the Courts



# House of Representatives

**RICH GOLICK**  
REPRESENTATIVE  
DISTRICT 34, POST 3  
2372 SIMPSON FARM WAY  
SMYRNA, GEORGIA 30080  
(770) 319-7200 (O)  
(770) 319-0970 (FAX)  
E-MAIL: rgolick@legis.state.ga.us

STATE CAPITOL, ROOM 109  
ATLANTA, GEORGIA 30334  
(404) 651-7737 (O)  
(404) 651-5795 (FAX)

ADMINISTRATION FLOOR LEADER

STANDING COMMITTEES:

INSURANCE  
REGULATED BEVERAGES  
STATE INSTITUTIONS & PROPERTY

June 2, 2005

Honorable Norman Fletcher  
Chief Justice of the Supreme Court of Georgia  
State Judicial Building, Room 507  
Atlanta, Georgia 30334

Dear Chief Justice Fletcher:

Pursuant to your correspondence of May 3 of this year, please let this correspondence serve as my formal request for the appropriate empirical study to be conducted (to the extent it is necessary) in order to ascertain the necessity for the creation of an additional Superior Court judgeship in the Cobb Judicial Circuit.

My understanding is that such a study resulted in the recommendation of such an additional judgeship last year, that circumstances have not changed and that such a recommendation would again occur this year. In the interest of caution and due diligence, however, I thought a formal request would be constructive.

Thank you for your attention to this matter, and let me take this opportunity to thank you for your years of service on behalf of the citizens of Georgia, and to wish you all the best in your retirement.

Sincerely,

Rich Golick  
State Representative  
District 34  
Cobb County

Cc: Hon. Jim Bodiford  
Chief Judge, Superior Court of Cobb County

Mr. David Ratley  
Director, Administrative Office of the Courts





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

**David L. Ratley**  
*Director*

**MEMORANDUM**

**TO:** Each Member of the Judicial Council

**FROM:** Gregory W. Arnold 

**DATE:** August 5, 2005

**RE:** **Coweta Judicial Circuit Summary**  
**Sixth Judgeship Carryover Recommendation Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 5, 2005	Chief Judge William F. Lee, Jr. Coweta Judicial Circuit Sixth Judicial District	Request for a study to assess the need of an additional judgeship
July 14, 2005	Chief Judge William F. Lee, Jr. Coweta Judicial Circuit Sixth Judicial District	Letter of support for a judgeship



THE SUPERIOR COURTS  
OF THE STATE OF GEORGIA  
COWETA JUDICIAL CIRCUIT

TELEPHONE  
770 / 253-8175

WILLIAM F. LEE, JR.  
JUDGE OF SUPERIOR COURT  
21 SPRING STREET - P.O. BOX 8  
NEWNAN, GEORGIA 30264

COUNTIES:  
COWETA  
CARROLL  
HEARD  
MERIWETHER  
TROUP

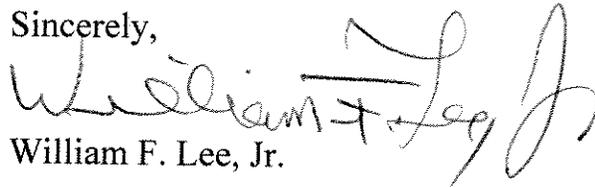
May 4, 2005

The Honorable Norman S. Fletcher  
Chief Justice of Supreme Court of Georgia  
507 State Judicial Building  
Atlanta, Georgia 30334

Dear Chief Justice Fletcher:

In response to your letter dated May 3, 2005, as chief judge of this circuit, I am requesting that the Administrative Office of the Courts conduct a study to determine the need for an additional superior court judgeship in the Coweta Judicial Circuit.

Sincerely,



William F. Lee, Jr.

WFLJr:jsh

cc: David L. Ratley





THE SUPERIOR COURTS  
OF THE STATE OF GEORGIA  
COWETA JUDICIAL CIRCUIT

TELEPHONE  
770 / 253-8175

WILLIAM F. LEE, JR.  
JUDGE OF SUPERIOR COURT  
21 SPRING STREET - P.O. BOX 8  
NEWNAN, GEORGIA 30264

COUNTIES:  
COWETA  
CARROLL  
HEARD  
MERIWETHER  
TROUP

July 13, 2005

Mr. David L. Ratley, Director  
Judicial Council of Georgia  
Suite 300, 244 Washington Street, S.W.  
Atlanta, Georgia 30334-5900



Dear David:

I am writing in response to your letter to me dated June 29, 2005.

Both last year and two years ago the Judicial Council recommended a sixth judgeship for the Coweta Judicial Circuit. Two years ago no new judgeships were created by the legislature, and last year our circuit was not one of the circuits in which a new judgeship was created.

This year we are once again requesting an additional judgeship for our circuit. Since the Judicial Council has for both of the last two years recommended an additional judgeship for our circuit, I cannot imagine how we would not again qualify for this judgeship.

With the increase in population and in the increase in the caseload in our circuit, we need this judgeship to administer justice properly.

The other superior court judges and I, as chief judge, ask the Judicial Council to recommend to the General Assembly and the Governor that an additional judgeship be created for the Coweta Judicial Circuit.

Sincerely,

William F. Lee, Jr.

WFLJr:jsh



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Dublin Judicial Circuit Summary**  
**Third Judgeship Carryover Recommendation Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 9, 2005	Chief Judge H. Gibbs Flanders, Jr. Dublin Judicial Circuit Eighth Judicial District	Request for a study to assess the need of an additional judgeship
July 14, 2005	Allen Thomas Clerk of Courts, Laurens County Dublin Judicial Circuit Eighth Judicial District	Letter of support for an additional judgeship
August 5, 2005	W.A. Harrell Sheriff Laurens County Dublin Judicial Circuit	Letter of support for an additional judgeship

Superior Courts  
Dublin Judicial Circuit

LAURENS COUNTY COURTHOUSE  
DUBLIN, GEORGIA 31021

H. GIBBS FLANDERS, JR., CHIEF JUDGE  
P. O. BOX 2100  
DUBLIN, GEORGIA 31040  
TELEPHONE (478) 272-0061  
FAX (478) 275-9180

J. STANLEY SMITH, JUDGE  
P. O. BOX 2069  
DUBLIN, GEORGIA 31040  
TELEPHONE (478) 272-4131  
FAX (478) 272-1639

May 4, 2005

Chief Justice Norman S. Fletcher  
Chairperson, Judicial Council of Georgia  
Supreme Court of Georgia  
507 State Judicial Building  
Atlanta, Georgia 30334

Subject: Request for Study to Determine the Need for a Third Judge

Dear Chief Justice Fletcher:

In August 2004 the Judicial Council recommended that a third superior court judgeship be created in the Dublin Judicial Circuit. Of the ten judgeships recommended the Dublin Circuit was ranked sixth in order of priority. Thanks to your support the Legislature did approve the creation of the first five recommended superior court judgeships. I am writing to request that the Administrative Office of the Courts conduct a case count study for the Dublin Judicial Circuit for the purpose of renewing the request for the third judgeship in the 2006 Legislative Session.

On a personal note, it has been a pleasure working with you during the past several years, and I wish you the very best as you prepare for retirement.

Sincerely yours,



H. Gibbs Flanders, Jr.

PC: Judge J. Stanley Smith  
Mr. David L. Ratley, Director of AOC ✓  
Mr. Nolan Martin, District Court Administrator  
Chairman, Johnson County Board of Commissioners  
Chairman, Laurens County Board of Commissioners  
Chairman, Treutlen County Board of Commissioners  
Chairman, Twiggs County Board of Commissioners



ALLEN THOMAS, Clerk

# Laurens Superior Court

P. O. BOX 2028

Dublin, Georgia 31040

912-272-3210

July 13, 2005



The Honorable Leah Ward Sears  
Chairperson, Judicial Council of Georgia  
Administrative Office of the Courts  
Suite 300, 244 Washington St., S.W.  
Atlanta, GA 30334-5900

Dear Chief Justice Sears,

I am in my twenty-first year as the Clerk of Courts of Laurens County, Georgia. In 1985, revenues generated by the Superior Court and remitted to Laurens County slightly exceeded \$210,000.00. In 2004, these revenues had increased to \$728,000.00, a 340% increase over 1985 figures.

While I am aware that our Justice System may not be best analyzed by revenue produced, especially since some fees have increased, I do feel that they are worthy of some consideration. Certainly, those who use the Justice System should foot the bill for a major portion of its costs.

During the same period of time, the case count and corresponding work load have increased dramatically. All of this activity has been handled by two capable Superior Court Judges, first by William M. Towson and Dubignion Douglas and now by Gibbs Flanders and Stanley Smith.

At some point in time, it takes more people to handle a growing work load. The A O C has determined, based on 2003 case filings, that the Dublin Judicial Circuit needs 3.2324 judges to efficiently manage the case load.

Please be advised that I support the addition of a third judge in the Dublin Judicial Circuit. Laurens County is a vibrant, growing community and is deserving of sufficient judgeships to manage its increasing judicial needs.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Allen Thomas". The signature is written in black ink and is positioned above a horizontal line.

Allen Thomas

AT:mwc

Laurens County Sheriff's Office  
511 Southern Pines Road  
Dublin, Georgia 31021



Phone (478) 272-1522  
Fax (478) 277-2913



**W. A. Harrell**  
**Sheriff**

August 3, 2005

Chairperson, Judicial Council of Georgia  
Administrative Office of the Courts  
Suite 300, 244 Washington St., S.W.  
Atlanta, Ga. 30334-5900

Dear Honorable Leah Ward Sears:

I am writing you in regards to the need for a third superior court judge for the Dublin Judicial Circuit. Our county growth and the increase in crime rate here is continuing on the up rise. It is impossible for the current two judges to keep up with the demand on cases requiring hearings. The population of our jail is at an all time high. Our maximum capacity for housing is only 270 inmates. We are barely staying under this quota for the past several months.

With the amount of cases continuing to climb, our current judges are doing their best to try to meet the demands for timely consideration of cases, but there is just a limit to the number of days available for scheduling court. In order for the demands to be met in the counties they represent a third judge is the only solution.

I ask that you please consider this request and appreciate any assistance you could provide us with in helping to make this happen.

Sincerely,

A handwritten signature in cursive script that reads "W.A. Harrell".

W.A. Harrell  
Sheriff

WAH/jf



Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** **Gwinnett Judicial Circuit Summary**  
**Tenth Judgeship Carryover Recommendation Summary**

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
June 15, 2005	Chief Judge K. Dawson Jackson Gwinnett Judicial Circuit Ninth Judicial District	Request for a study to assess the need of an additional judgeship
July 29, 2005	Clay Cox, Representative District 102 House of Representatives	Letter of support for additional judgeship



## THE SUPERIOR COURT

GWINNETT JUDICIAL CIRCUIT  
75 LANGLEY DRIVE  
LAWRENCEVILLE, GEORGIA 30045-6900

CHAMBERS OF K. DAWSON JACKSON, CHIEF JUDGE

(770) 822-8619

June 14, 2005



Chief Justice Norman Fletcher  
Chairman, Judicial Council of Georgia  
c/o Georgia Administrative Office of the Courts  
Suite 550, 244 Washington Street, SW  
Atlanta, Georgia 30334-5900

SUBJECT: Request for Study to Determine the Need for a Tenth Judge

Dear Chief Justice Fletcher:

On behalf of the Superior Court Judges of the Gwinnett Judicial Circuit, I hereby request that the Judicial Council of Georgia approve a study by the Georgia Administrative Office of the Courts to determine the need for a tenth judge for the Gwinnett County Superior Court. The circuit presently has eight superior court judges and was approved for a ninth Superior Court during the 2005 legislative session. The Gwinnett Judicial Circuit was ranked number two last year by the Judicial Council for a ninth judge and ranked number ten for a tenth judge.

Based upon the 2003 case count conducted by the Georgia Administrative Office of the Courts, this court's required judicial resource factor was 10.49, indicating a need for ten superior court judges. The preliminary findings of the 2004 case count show a required judicial resource factor of 10.70.

Our court system must be prepared to meet the ever increasing demands of criminal, civil, and domestic litigation in the county. Assuming that an additional judge is approved for the circuit by the General Assembly and the governor, it would be January, 2007, before the tenth judge would take office. Should economic circumstances permit and the data supports the need, we would then seek favorable consideration of a tenth judgeship.

I would appreciate the Council's review of the foregoing request.

Sincerely,

K. Dawson Jackson  
Chief Judge  
Gwinnett Judicial Circuit

-2-

KDJ:pab

c: Judges, Gwinnett Judicial Circuit  
Gwinnett County Legislative Delegation  
Gwinnett County Board of Commissioners  
District Attorney  
Clerk of Court  
District Court Administrator, Ninth Judicial District



## House of Representatives

CLAY COX  
REPRESENTATIVE, DISTRICT 102  
P.O. BOX 834  
LILBURN, GEORGIA 30048-0834

LEGISLATIVE OFFICE BUILDING, ROOM 504  
18 CAPITOL SQUARE  
ATLANTA, GEORGIA 30334  
(404) 656-0188  
(404) 651-8086 (FAX)

STANDING COMMITTEES:

INDUSTRIAL RELATIONS  
PUBLIC SAFETY  
STATE INSTITUTIONS  
& PROPERTY, SECRETARY

July 25, 2005

David L. Ratley, Director  
244 Washington Street, SW  
Atlanta, GA 30334-5900

Mr. Ratley:

Working with the court firsthand everyday, I am strongly supportive of the Gwinnett Judicial Circuit receiving an additional superior court judgeship. There is not a more deserving courtroom work group in the state.

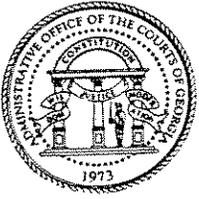
If I can be of service to you in any way, please feel free to contact me.

Sincerely,

  
Rep. Clay Cox  
District 102

Cc: The Honorable Dawson Jackson  
Chief Judge, Gwinnett Judicial Circuit





Judicial Council of Georgia  
Administrative Office of the Courts

David L. Ratley  
Director

**MEMORANDUM**

**TO:** Each Member of the Judicial Council  
**FROM:** Gregory W. Arnold   
**DATE:** August 5, 2005  
**RE:** Southern Judicial Circuit Summary  
Sixth Judgeship Carryover Recommendation Summary

<b>Date Received</b>	<b>Authored by</b>	<b>Content</b>
May 16, 2005	Chief Judge H. Arthur McLane Southern Judicial Circuit Second Judicial District	Request for a study to assess the need of an additional judgeship
July 19, 2005	Chief Judge H. Arthur McLane Southern Judicial Circuit Second Judicial District	Letter of support for additional judgeship

**H. ARTHUR McLANE**  
CHIEF JUDGE  
POST OFFICE BOX 1349  
VALDOSTA, GEORGIA 31603-1349  
TELEPHONE: 229/333-5130  
FACSIMILE: 229/245-5223

**HARRY JAY ALTMAN, II**  
JUDGE  
POST OFFICE BOX 1734  
THOMASVILLE, GEORGIA 31799-1734  
TELEPHONE: 229/228-6276  
FACSIMILE: 229/225-4128

**FRANK D. HORKAN**  
JUDGE  
POST OFFICE BOX 2227  
MOULTRIE, GEORGIA 31776-2227  
TELEPHONE: 229/616-7445  
FACSIMILE: 229/616-7447

**RICHARD M. COWART**  
JUDGE  
POST OFFICE BOX 806  
VALDOSTA, GEORGIA 31603-0806  
TELEPHONE: 229/333-7620  
FACSIMILE: 229/245-5308



**State of Georgia  
Superior Courts  
Southern Judicial Circuit**

May 9, 2005

**GEORGE A. HORKAN, JR.**  
SENIOR JUDGE  
POST OFFICE BOX 682  
MOULTRIE, GEORGIA 31776-0682  
TELEPHONE: 229/616-7445  
FACSIMILE: 229/616-7447

**ROY M. LILLY**  
SENIOR JUDGE  
POST OFFICE BOX 71  
THOMASVILLE, GEORGIA 31799-0071  
TELEPHONE: 229/226-8668  
FACSIMILE: 229/226-0411

**TIM C. HENDRICK**  
COURT ADMINISTRATOR  
POST OFFICE BOX 2227  
MOULTRIE, GEORGIA 31776-2227  
TELEPHONE: 229/616-7474  
FACSIMILE: 229/616-7447

**BROOKS, COLQUITT, ECHOLS,  
LOWNDES & THOMAS COUNTIES**

Chief Justice Norman Fletcher  
Chairman, Judicial Council of Georgia  
507 State Judicial Building  
Atlanta, Ga 30334

Re: Additional Judgeship  
Southern Judicial Circuit



Dear Mr. Chief Justice Fletcher:

Thank you very much for your letter of May 3, 2005, in regard to additional judgeships to be considered by the Judicial Council and the General Assembly.

The judges of the Southern Judicial Circuit respectfully request that, if possible, our earlier request for a sixth judge be continue for consideration for this year. If time has expired for consideration or our earlier request, this letter will request that a sixth judge be considered for the Southern Judicial Circuit.

I have no looked at figures recently, but the last figures I saw indicated that the Southern Circuit should, under the current formula, be utilizing eight judges. You will recall that last year, the needs of the Southern Circuit were such that the circuit was listed as both number one and number nine in the top ten needs of the state. Assuming that the Governor signs the legislation that was passed this year establishing new judgeships, the Southern Circuit would still be in the top five for an additional judgeship to be established next year. The Southern Circuit is utilizing all available resources to lessen the need for an additional Superior Court Judgeship. The circuit has a very extensive mediation program in operation. Four of the five counties have state courts. Four of the five counties have juvenile courts and all five counties are utilizing magistrate and/or probate courts for disposition of traffic and other permitted cases whenever possible. Finally, you may also recall that Judge George Horkan died early this year and that Senior Judge Roy Lilly is now eighty-six years old, so we cannot continue rely on him for any extended period of time for additional help.

Chief Justice Norman S. Fletcher  
May 9, 2005  
Page two

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The other judges and I appreciate any favorable consideration that can be given to us.  
Should you need any further information, please contact me.

Thank you very much.

Sincerely yours,



H. Arthur McLane

HAMc:bh

xc: Mr. David Ratley, Director  
Southern Circuit Judges



**H. Arthur McLane**  
Chief Judge Superior Courts  
Southern Judicial Circuit

P. O. BOX 1349  
VALDOSTA, GA 31603-1349  
TELEPHONE: 229/333-5130  
FACSIMILE: 229/245-5223

July 15, 2005

BROOKS, COLQUITT, ECHOLS  
LOWNDES & THOMAS  
COUNTIES

Mr. David L. Ratley, Director  
Administrative Office of the Courts  
244 Washington Street, S.W., Suite 300  
Atlanta, Ga 30334

Re: Additional Judgeship  
Southern Judicial Circuit



Dear David:

Thank you very much for your letter of June 29, 2005, acknowledging our request for consideration of a sixth superior court judge. I understand that our request will carry over from last year.

As you recall, last August the Southern Judicial Circuit was ranked both first and ninth in the top ten needs, as determined by the Judicial Council, for the state. The legislature did, of course, establish and fund our fifth judgeship. However, we still need additional assistance.

The Southern Circuit is utilizing all possible judicial resources. Four of the five counties have state courts, and all of the five counties either have a resident juvenile court judge or, in the case of Echols County, the availability of a juvenile court judge when needed. All of the counties in the circuit have magistrate courts, and Echols County hears certain other cases by virtue of local legislation. Since last year, Senior Judge George Horkan has died. Senior Judge Roy Lilly is still providing assistance, but, as you may know, he is now eighty-six years old.

If you believe that it will be helpful for me to attend the meeting in Atlanta on August 24, 2005, I will be happy to do so. I would not want my absence to be interpreted as a lack of true need for a sixth judge.

If there is anything further I need to provide you regarding this request, please let me know. Thank you very much and I hope you are having a good summer.

Sincerely,

H. Arthur McLane

HAMc:bb  
xc: Circuit Judges  
Mr. Tim Hendrick, C.C.A.  
Mr. John E. Cowart, D.C.A.

**FY 2006 SUPPLEMENTAL**

**and**

**FY 2007 GENERAL APPROPRIATIONS  
AND ENHANCEMENTS**

**WILL BE PROVIDED AS HANDOUTS  
AT THE JUDICIAL COUNCIL MEETING**



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

**David L. Ratley**  
*Director*

August 8, 2005

MEMORANDUM

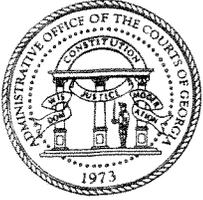
TO: Each Member of the Judicial Council

FROM: Judge William T. Boyett, Chairperson  
Court Reporting Matters Committee of the Judicial Council

RE: Report on Appeal

Joining me in this committee report are Judge Herbert E. Phipps, Chief Judge William "Hal" Craig, and Judge John F. Salter, Sr. This committee has reviewed one issue on behalf of the full Judicial Council membership.

The Board of Court Reporting decided to suspend a license after a complaint hearing, docket #2005-02 Moore v. Clayton. Ms. Clayton appealed the decision to the Judicial Council. In accordance with the rules of the Board, the committee has reviewed the entire record. At the conclusion of our review process, the committee affirmed the Board's decision. A copy of the committee's reply to Ms. Clayton is enclosed for your information.



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

**David L. Ratley**  
*Director*

August 8, 2005

Ms. Kim Clayton  
4153 Eagles Nest Drive  
Evans, GA 30809

Dear Ms. Clayton:

The Judicial Council of Georgia has a statutory duty to review any Board of Court Reporting disciplinary decisions that are appealed. Your appeal in the matter of Moore v. Clayton docket #2005-02 was filed on May 23, 2005 and was forwarded to the Judicial Council Committee on Court Reporting Matters.

According to the review procedures, the Committee has authority to make a finding in lieu of the entire Judicial Council. The Committee has not only reviewed your complaint and supporting documentation, but also has reviewed the Board's decision as well as the appeal and the brief of appellant. By unanimous vote, the Committee has affirmed the Board's decision to suspend your license.

This matter is officially closed.

Sincerely,

David L. Ratley

CR:DLR/tec

cc: Sam Dennis, Chairperson of the Board of Court Reporting



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

**David L. Ratley**  
*Director*

Memorandum

TO: Each Member of the Judicial Council

FROM: Cynthia Hinrichs Clanton *CHC*  
General Counsel

RE: Legal Assistance to Victims of Domestic Violence

DATE: July 19, 2005

I am pleased to report that the Georgia General Assembly appropriated over two million dollars for legal services to victims of domestic violence for FY 2006. These state funds were awarded to eight nonprofit agencies during the June 3, 2005 meeting of the Judicial Council Domestic Violence Committee.

Committee member Judge Barrett Whittemore and advisors Nolan Martin and Rebecca Bukant have ended their service on the Committee. I am very appreciative of their service to the Committee over the years.

The report of the Committee Chair, the Honorable William T. Boyett, is attached.

Judge Boyett plans to attend the Judicial Council meeting and will be available for questions about this grant. I will also be available to answer questions.

Attachments

**Judicial Council Committee on Domestic Violence**  
**Report to the Judicial Council of Georgia**  
**June 3, 2005**

The Georgia General Assembly appropriated to the Judicial Council of Georgia \$2,097,081 for fiscal year 2006. This money is managed by the Administrative Office of the Courts of Georgia and disbursed to non-profit agencies that provide victims of domestic violence with civil legal services. The amount of \$2,011,277 was available for non-profit agencies after deduction of the approved AOC administrative fee.

The Domestic Violence Committee of the Judicial Council of Georgia reviewed nine applications for grant funds from around the state in a competitive process. Grant recipients were required to be non-profit agencies with at least two years of experience in providing civil legal services to victims. Funds were awarded to the agencies for legal services in the areas of child custody, contested temporary protective orders, family support, housing and employment. Funds also could be used for assistance to victims who experienced problems with access to education and healthcare. Services eligible for state funds did not include divorce, juvenile delinquency, or obtaining an initial temporary protective order.

On June 3, 2005, the Domestic Violence Committee awarded a total of \$2,011,277 to eight non-profit agencies located in Georgia. These agencies had a statewide focus on assisting family violence victims or addressed special needs areas. The agencies receiving grant funds were:

<u>Non-Profit Organization</u>	<u>Amount Requested</u>	<u>Amount Received</u>
Amity House	\$11,500	\$7,500
Gateway House	\$31,376	\$31,376
Cherokee Family Violence Center	\$25,000	\$20,000
Georgia Coalition Against Domestic Violence	\$72,912	\$33,000
Georgia Law Center for the Homeless	\$62,000	\$22,137
Support in Abusive Family Emergencies, Inc.	\$216,250	\$41,483
Atlanta Legal Aid	\$468,000	\$468,000
Georgia Legal Services	\$1,387,781	\$1,387,781

Each agency signs an accountability contract prior to receiving the grant funds. In addition, a site visit to each grant recipient is conducted each year. The Domestic Violence Committee members awarding the grant funds for FY 2006 were as follows:

Committee Members	Judge William T. Boyett, Chair Judge Anne E. Barnes Judge William P. Bartles Dr. Louise Bill Judge Melodie Clayton Judge Divida Gude Judge Cliff Jolliff Linda A. Klein Judge Edward D. Lukemire Judge J. Carlisle Overstreet Judge Barrett Whittemore
Advisors	Rebecca Bukant Nolan Martin David Ratley
Liaison	Cynthia Clanton

The Honorable Barrett W. Whittemore will be unable to complete his three-year term. Judge Whittemore has served as a committee member for six years. The entire Committee appreciates his attention to detail and insight into making sound grant decisions. The Honorable Thomas C. Bobbitt, III has been appointed to serve on the Committee in Judge Whittemore's absence.

Nolan E. Martin served as an advisor on the Committee since 1999. He was the District Court Administrator representative. Mr. Martin served conscientiously and his opinion carried a lot of weight with the Committee. As Mr. Martin has resigned as the District Court Administrator for the 8<sup>th</sup> Judicial District, Ms. Jody Overcash, District Court Administrator for the 7<sup>th</sup> Judicial District, has been appointed as his replacement.

In addition, Ms. Rebecca Bukant, the Director of the Georgia Commission on Family Violence, has resigned from her position. She served as an advisor to the Committee. The Committee appreciates her past service and looks forward to working with her replacement.

Respectfully submitted,

  
The Honorable William T. Boyett *by CAC*  
Chair



# **GEORGIA COURTS AUTOMATION COMMISSION**

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244 Washington Street, SW, Suite 300  
Atlanta, Georgia 30334

**August 2005**  
**Summary of Projects**

**Georgia Courts Automation Commission  
Report to the Judicial Council of Georgia  
August 2005**

**Commission Membership Activities**

Using the Strategic Plan adopted by the Commission in August 2004 as the official guide for future decisions and actions and to aide with making reasonable, logical, reliable decisions in addressing its legislative directives, new initiatives of the commission are based on the use of its collaborative make-up and expertise in the facilitation of information sharing among all courts and other government agencies, as well as the establishment of statewide court standards. The GCAC Strategic Plan is available from the GCAC web site at [www.gcacommission.org](http://www.gcacommission.org).

**GCAC and AOC Memorandum of Understanding**

The Commission continues to rely on the approved Memorandum of Understanding (MOU) between the GCAC and the AOC to address the relationship between the two agencies and govern the specifics involved in the delivery of automation products and services.

**Project Activities**

**Strategic Planning Assistance for Judges Councils and Courts**

Just prior to and immediately following the Commission's June 8, 2005 report to the Judicial Council on its commitment to continue use of its Strategic Plan as a guide to elevate the importance of Data Sharing and the Integration of Justice in Georgia, individual presentations were given to the Executive Committees of each of the Judges Councils offering assistance with the development of individual court level strategic plans. The Commission proposed the providing of funding for facilitated work sessions to assist the various levels of courts with identifying the data elements that they can share with other courts and with the development of their individual Strategic Plans. The proposal by the commission also included active participation by the commission office in the scheduling and actual work process required to develop the plans for the councils.

The Council of Juvenile, Magistrate, Probate, and Municipal Court Judges have all accepted the commission's offer of assistance. The Council of State and Superior Court Judges are expected to accept the offer as well.

The development of the templates, tools, and facilitation agendas to conduct the initial facilitated Data Definition and Information Exchange Requirements and Strategic Planning sessions is complete and ready for use. Efforts are currently on-going to coordinated and scheduled session dates for the Councils that have accepted the offer for assistance. This project is in keeping with the commission mission to facilitate and collaborate with the courts and government agencies for the benefit of the citizens of this state.

**Georgia Courts Automation Commission  
Report to the Judicial Council of Georgia  
August 2005**

**Traffic Court Certification Program**

Columbus State University continues development of the software certification program for the Georgia Traffic Courts. The University completed interviews of interns for the project during June and has these individuals in place and working on the project. As part of the development program process Columbus State has visited with some of the traffic courts to observe installed vendor software in their operational environments. Official roll out the program is scheduled for September 30, 2005. Extension of the certification program to other trial courts will be addressed after successful implementation in the Traffic Courts. This project is in keeping with the commission mission to facilitate and collaborate with the courts and government agencies for the benefit of the citizens of this state.

**Office Relocation**

The GCAC Office relocated during the month of July, along with the offices of the offices of the AOC Information Technology, and is now housed in the building immediately adjacent to the Administrative Office of the Courts at 254 Washington Street in Atlanta. The mailing address, phone, and fax numbers remain unchanged.

A significant event of this move for the GCAC Office is the correct handling of the 15 years of historical records of the commission. A great deal of follow up time and effort will be required to sort through these documents, binders, flip charts, etc. to prepare them for scanning and archiving. The history of the commission is not found just within the minutes of the meetings, which are all in paper files in filing cabinets and must also be scanned and archived, but also in other valuable documents such as the 1990 Automation Needs Assessment Research findings that were used to convince the 1991 Georgia Legislature that the GCAC was needed, and the documents from the 1991 & 92 facilitated sessions that yielded the Data Dictionary and the Request For Proposal for the SUSTAIN software system. These documents need to be preserved as the history of the Commission. This project will require several months to complete.



# State Court Annual Report Data Calendar Year 2004

Print Date 8/5/2005

County Name	Serious Traffic			Misdemeanor Non-Traffic			Probation Revocations			Other Traffic			Landlord/Tenant Disp			Other Civil			County Totals		
	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp
Appling	0	0	0	0	151	0	0	0	0	0	0	0	0	0	0	0	85	0	0	236	0
Bacon	0	0	0	0	96	0	0	0	0	762	0	0	0	0	0	7	21	15	7	879	15
Baldwin	3,194	1,436	3,192	2,309	3,205	2,873	0	0	0	0	0	0	3	1	4	0	0	0	5,506	4,642	6,069
Bibb	334	402	397	2,100	2,380	2,325	0	247	247	1,385	9,986	9,665	142	43	64	3,214	2,297	2,354	7,175	15,355	15,052
Brooks	100	2,632	2,532	161	271	110	49	74	25	0	0	0	0	0	0	31	66	35	341	3,043	2,702
Bryan	0	528	0	0	23	0	0	0	0	0	2,991	0	0	0	0	0	105	0	0	3,647	0
Bulloch	0	341	0	0	1,434	0	0	112	0	0	7,425	0	0	0	0	0	329	0	0	9,641	0
Burke	13	114	74	75	886	1,143	26	34	1	132	1,671	1,745	9	80	66	49	139	62	304	2,924	3,091
Carroll	229	390	346	103	835	900	130	989	454	2,009	4,696	4,523	0	0	0	1,151	1,159	814	3,622	8,069	7,037
Charlton	0	80	0	0	189	0	0	0	0	0	1,109	0	0	0	0	0	0	0	0	1,378	0
Chatham	2,944	2,732	2,953	2,018	1,940	1,835	973	1,074	514	112	442	312	69	260	257	2,925	3,112	3,465	9,041	9,560	9,336
Chattooga	0	60	0	0	586	0	0	0	0	0	2,732	0	0	0	0	0	243	0	0	3,621	0
Cherokee	0	14,114	0	0	1,124	0	0	0	0	0	0	0	0	0	0	0	2,051	0	0	17,289	0
Clarke	121	354	308	1,199	2,307	2,107	183	889	821	0	0	0	2	6	4	687	888	815	2,192	4,444	4,055
Clayton	0	1,125	984	0	8,564	9,227	0	3,648	0	0	26,610	27,055	0	17	26	0	6,879	7,161	0	46,843	44,453
Clinch	0	35	33	0	373	341	0	0	0	0	596	583	0	0	0	0	46	17	0	1,050	974
Cobb	0	3,826	0	0	6,919	6,790	0	6,220	0	0	123,392	124,824	0	16,245	16,148	0	15,598	7,842	0	172,200	155,604
Coffee	0	0	0	0	0	0	0	0	0	0	4,669	0	0	0	0	0	0	0	0	4,669	0
Colquitt	16	53	66	167	1,211	960	13	124	137	1,105	1,831	1,518	0	0	0	133	166	132	1,434	3,385	2,813
Coweta	186	375	375	1,456	1,741	1,664	284	330	235	4,003	11,781	11,584	1	3	3	362	1,069	445	6,292	15,299	14,306
Decatur	57	103	85	134	441	494	0	36	36	1,002	1,545	1,622	0	0	0	0	0	0	1,193	2,125	2,237
Dekalb	4,753	3,083	2,694	3,452	8,746	9,711	0	2,306	2,306	0	0	0	63,688	34,882	21,921	63,688	17,801	14,597	135,581	66,818	51,229
Dougherty	0	204	285	2,683	3,177	4,317	0	131	131	0	4,754	3,917	1	10	11	82	949	822	2,766	9,225	9,483
Douglas	292	1,137	1,155	696	1,185	1,140	5,211	1,967	1,302	5,761	9,312	8,741	3	10	9	435	712	571	12,398	14,323	12,918
Early	0	61	53	3	202	170	0	0	0	21	1,364	1,245	0	0	0	3	40	27	27	1,657	1,495
Effingham	0	1,814	1,622	0	667	438	0	0	0	0	2,039	1,524	0	171	79	0	19	15	0	4,710	3,678

County Name	Serious Traffic			Misdemeanor Non-Traffic			Probation Revocations			Other Traffic			Landlord/Tenant Disp			Other Civil			County Totals		
	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp
Elbert	1	0	1	173	745	718	0	0	0	12	8	0	0	0	3	3	0	0	186	756	722
Emanuel	268	1,853	1,585	18	85	67	0	0	0	0	0	0	0	0	0	0	111	91	326	2,049	1,743
Evans	0	85	0	0	148	0	0	0	0	0	320	0	0	0	0	0	0	36	0	608	36
Fayette	80	220	192	610	1,315	1,205	27	4	3	1,870	3,180	3,270	0	0	0	0	0	0	2,587	4,719	4,670
Forsyth	889	1,084	771	2,086	3,130	2,266	32	149	55	5,044	5,191	4,039	837	33	3,248	5,097	93	43,426	13,985	9,680	53,805
Fullon	0	839	0	0	11,456	0	0	1,112	0	0	63,117	0	0	0	45,722	0	0	46,480	0	168,726	0
Glynn	0	0	0	1,520	10,131	8,611	15	720	705	0	0	0	0	48	48	262	559	297	1,797	11,458	9,661
Grady	9	79	53	157	174	195	0	66	57	1,139	2,441	2,356	0	0	0	0	0	0	1,305	2,760	2,661
Gwinnett	3,878	9,174	9,250	29	124	117	83	507	500	0	0	0	18	85	94	6,490	14,866	14,715	10,498	24,756	24,676
Habersham	783	254	3,657	549	417	270	0	16	16	249	3,198	2,260	0	0	0	251	269	171	1,832	4,154	6,374
Hall	360	1,016	725	2,266	11,101	7,804	0	0	0	76	10,050	9,974	4	32	33	810	1,640	2,592	3,516	23,839	21,128
Henry	1,361	519	379	405	959	610	0	491	491	2,201	13,355	11,154	5	14	9	69	1,447	1,013	4,041	16,785	13,656
Houston	354	638	509	149	2,257	2,278	0	305	305	448	11,971	12,378	0	9	11	838	1,083	1,225	1,789	16,263	16,706
Jackson	11	255	11	830	0	0	0	1,095	0	0	2,589	0	0	0	0	0	409	0	841	4,348	11
Jeff Davis	23	140	87	29	134	80	4	58	53	0	0	0	0	0	0	21	63	38	77	395	258
Jefferson	6	6	2	270	847	733	0	0	0	1,818	1,650	0	18	30	30	0	0	0	2,112	2,533	765
Jenkins	49	130	84	15	218	193	0	3	3	80	1,829	1,754	3	6	4	8	34	24	155	2,220	2,062
Liberty	264	399	182	1,050	541	247	0	160	0	0	0	0	1	5	5	27	270	207	1,342	1,375	641
Long	0	0	0	0	414	0	0	0	0	0	2,042	0	0	0	0	0	22	0	0	2,478	0
Lowndes	143	481	377	549	3,492	2,960	83	728	435	5,111	18,531	16,455	0	0	0	550	1,514	517	6,436	24,746	20,744
McIntosh	0	0	0	0	486	0	0	0	0	0	4,175	0	0	0	0	0	27	0	0	4,698	0
Miller	6	23	17	29	119	90	0	0	0	155	991	836	0	0	0	7	17	10	197	1,150	953
Mitchell	0	1,519	1,309	0	341	283	0	0	0	0	0	0	0	0	0	0	149	85	0	2,009	1,677
Muscogee	265	2,295	2,030	587	3,993	3,406	0	0	0	0	0	0	0	0	0	0	0	0	852	6,288	5,436
Pierce	9	128	119	41	217	176	0	52	52	67	855	788	0	0	0	7	54	47	124	1,306	1,182
Putnam	654	169	110	216	713	517	0	0	0	2,674	2,865	2,241	0	0	0	0	0	0	3,544	3,747	2,868
Richmond	407	2,080	1,673	819	4,632	3,813	0	0	2,480	6,160	28,923	22,763	0	0	0	817	1,843	1,026	8,203	37,478	31,755
Rockdale	62	346	333	408	787	762	5	209	261	685	6,749	6,920	14	11	9	1,058	1,077	1,271	2,232	9,179	9,556
Screven	0	102	0	0	305	0	0	1,172	0	0	1,687	0	4	12	9	41	96	33	45	3,374	42
Spalding	0	425	255	0	3,003	3,311	0	1,613	1,613	0	3,864	4,089	0	1	1	0	593	414	0	9,499	9,683
Stephens	30	88	65	247	486	373	0	15	15	17	602	530	0	0	0	44	359	236	338	1,550	1,219

County Name	Serious Traffic			Misdemeanor Non-Traffic			Probation Revocations			Other Traffic			Landlord/Tenant Disp			Other Civil			County Totals		
	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp	Open	Filings	Disp
Sumter	31	140	136	822	1,041	1,131	0	0	0	619	2,218	2,070	0	0	0	88	255	144	1,560	3,654	3,481
Talnal	33	140	121	24	515	527	0	0	0	13	1,560	1,516	0	0	0	8	132	74	78	2,347	2,238
Thomas	290	258	245	1,001	2,224	1,953	0	102	102	27	4,648	4,233	1	2	2	123	355	144	1,442	7,589	6,679
Tift	97	349	252	0	0	0	0	0	0	3,728	14,553	10,825	2	10	8	52	176	124	3,879	15,088	11,209
Toombs	163	153	488	4,291	618	605	0	0	0	2,442	2,128	0	1	0	0	0	0	0	6,897	2,899	1,093
Treutlen	0	0	0	0	152	0	0	0	0	0	4,446	0	0	0	0	0	37	0	0	4,635	0
Troup	24	242	251	709	1,442	1,446	0	0	0	1,764	6,790	5,527	0	0	0	528	499	394	3,025	8,973	7,618
Turner	0	0	0	0	5	0	0	0	0	0	3,223	0	0	0	0	0	1	0	0	3,229	0
Walker	3,303	4,479	3,509	1,857	1,360	734	0	0	0	1,914	2,286	1,778	1	1	0	0	0	0	7,075	8,126	6,021
Ware	20	277	247	65	748	702	0	496	496	207	2,555	2,741	0	0	0	67	184	162	359	4,260	4,348
Washington	1,740	1,562	614	441	536	493	0	0	0	0	0	0	1	1	0	0	0	0	2,182	2,099	1,107
Wayne	0	93	0	0	792	0	0	0	0	0	2,027	0	0	0	0	0	142	0	0	3,054	0
Worth	97	120	139	316	467	436	0	0	0	1,987	4,198	4,351	1	2	2	0	0	0	2,401	4,787	4,928
<b>Totals</b>	<b>27,949</b>	<b>67,159</b>	<b>46,932</b>	<b>39,134</b>	<b>121,333</b>	<b>95,657</b>	<b>7,118</b>	<b>27,254</b>	<b>13,851</b>	<b>56,037</b>	<b>460,512</b>	<b>333,706</b>	<b>64,829</b>	<b>97,755</b>	<b>42,108</b>	<b>90,070</b>	<b>128,685</b>	<b>107,705</b>	<b>285,137</b>	<b>902,698</b>	<b>639,959</b>

\* This Report contains only the courts who have reported.

Juvenile Court Caseload  
Calendar Year 2004

County	Delinquent			Unruly			Termination			Deprived			Traffic			Special Proceedings			Total		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
1 Appling	82	0	0	49	0	0	2	0	0	62	0	0	6	0	0	10	0	0	211	0	0
2 Atkinson	38	34	4	19	19	0	0	0	0	1	1	1	11	10	0	0	0	0	69	64	5
3 Bacon	43	18	25	12	1	11	2	1	1	20	3	3	3	2	2	1	0	0	80	25	55
4 Baker	1	0	3	2	2	1	2	1	0	12	9	4	2	2	0	0	0	0	20	13	8
5 Baldwin	289	0	0	57	0	0	240	0	0	0	0	0	94	0	0	29	0	0	709	0	0
6 Banks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	145	0	0
7 Barrow	373	403	153	161	141	29	5	28	38	208	194	111	54	46	5	12	10	11	813	822	347
8 Bartow	618	585	427	369	359	253	52	35	34	643	541	338	233	212	292	37	37	0	1,952	1,769	1,344
9 Ben Hill	262	250	69	23	21	5	0	0	3	45	16	118	18	17	5	0	1	1	348	305	201
10 Berrien	140	97	41	41	32	7	0	0	0	35	0	0	17	14	2	0	0	0	233	145	50
11 Bibb	2,183	1,829	820	398	359	69	69	60	11	1,695	1,581	182	219	200	31	37	34	81	4,601	4,063	1,194
12 Bleckley	52	40	12	56	49	7	1	2	2	7	5	2	14	12	2	1	0	1	131	107	24
13 Brantley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	169	0	0
14 Brooks	76	83	1	43	43	1	4	4	0	55	55	0	18	18	0	6	6	0	202	209	2
15 Bryan	102	94	38	34	18	28	0	0	0	0	0	0	54	39	15	0	0	0	190	151	81
16 Bulloch	180	171	9	18	18	0	0	0	0	0	0	0	92	92	0	0	0	0	290	281	9
17 Burke	187	155	23	118	97	25	0	0	0	30	10	20	28	26	2	81	74	7	444	372	77
18 Butts	346	122	224	78	23	55	5	0	5	340	26	314	40	19	21	0	0	0	809	190	619
19 Calhoun	39	31	8	3	3	0	0	0	0	1	1	0	5	5	0	0	0	0	48	40	8
20 Camden	355	328	349	165	159	114	9	9	7	42	37	42	32	22	43	59	46	75	684	601	630
21 Candler	49	41	12	50	38	16	0	0	0	37	38	0	9	9	1	2	0	2	147	126	31
22 Carroll	1,136	986	140	299	259	40	8	8	0	175	94	81	133	125	8	84	75	9	1,835	1,557	278
23 Catoosa	437	404	122	183	192	40	11	8	11	1,014	120	206	178	189	46	8	5	4	1,014	931	451
24 Charlton	86	71	84	44	29	27	2	0	2	36	42	26	2	6	29	0	0	0	170	148	168
25 Chatham	2,405	2,323	2,089	510	503	740	32	24	57	713	612	1,782	657	590	883	121	95	322	4,438	4,147	5,873
26 Chattahoochee	15	13	2	3	3	0	0	0	0	10	10	10	14	8	6	0	0	0	42	24	18
27 Chattooga	92	76	16	46	36	10	10	2	8	98	43	55	52	45	7	58	18	40	356	220	136
28 Cherokee	627	625	460	343	339	196	13	8	15	560	523	211	548	536	188	68	47	66	2,159	2,078	1,136
29 Clarke	1,261	784	613	636	398	297	87	38	36	770	400	276	189	187	136	153	47	30	1,854	1,388	3,106
30 Clay	14	14	0	2	2	0	0	0	0	0	13	7	4	4	0	3	0	0	43	36	7
31 Clayton	4,240	4,449	997	431	393	230	25	27	5	1,359	1,331	350	318	352	258	210	167	81	6,583	6,719	1,921
32 Clinch	78	53	25	21	17	4	2	2	0	9	9	0	10	8	2	36	32	4	156	121	35
33 Cobb	3,998	3,350	548	833	747	86	88	39	49	1,550	1,106	444	1,510	1,210	300	121	95	26	8,000	6,547	1,453
34 Coffee	263	216	67	79	56	23	1	1	0	33	3	30	120	73	47	3	1	2	519	350	169
35 Colquitt	325	227	48	89	89	0	15	0	0	130	121	9	86	86	0	0	0	0	645	452	57
36 Columbia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,210	0	0
37 Cook	28	14	14	92	45	47	19	1	18	45	37	8	68	35	33	135	57	78	437	210	227
38 Coweta	788	865	1,020	130	130	200	19	38	27	397	376	564	438	396	366	11	8	149	1,783	1,813	2,326
39 Crawford	35	33	2	5	5	0	1	1	0	139	124	15	4	4	0	8	8	0	192	175	17
40 Crisp	292	305	16	115	121	0	9	8	5	178	188	51	35	33	4	2	0	0	631	655	76
41 Dade	79	31	48	60	27	23	1	0	1	38	6	32	48	24	24	7	1	6	233	89	144
42 Dawson	130	123	80	43	38	26	1	2	1	40	38	32	52	56	15	3	6	8	289	263	162
43 Decatur	161	150	4	6	6	150	4	4	2	101	76	18	32	30	1	1	1	1	305	264	25
44 DeKalb	4,800	4,721	79	1,975	1,709	266	60	52	8	1,891	1,687	204	584	441	153	273	205	68	9,583	8,815	778
45 DeKalb	87	78	9	59	56	3	0	0	0	54	8	46	9	9	0	1	0	1	210	151	59
46 DeKalb	1,116	1,398	289	268	239	73	20	26	15	226	264	47	114	111	15	52	49	13	1,796	2,087	452
47 Dougherty	1,333	1,215	1,508	449	433	1,249	40	32	37	547	441	1,205	143	131	19,010	19	12	93	2,531	2,284	23,102
48 Douglas	157	152	5	11	11	0	1	1	0	38	29	9	11	11	0	4	2	2	222	206	16
49 Early	7	3	4	4	4	0	0	0	0	11	11	11	19	5	14	0	0	0	41	8	3
50 Echols	132	136	60	39	36	29	0	0	0	11	11	11	86	61	19	0	0	0	257	244	119
51 Effingham	288	274	143	0	0	0	0	0	0	53	46	38	22	29	7	3	3	6	346	352	194
52 Elbert	102	29	457	45	20	156	0	0	0	50	9	187	0	0	3	1	0	4	198	58	807
53 Emanuel	81	70	10	24	22	3	0	0	0	54	34	44	12	13	0	0	0	0	171	139	57
54 Evans	27	0	0	59	0	0	0	0	0	90	0	0	34	0	0	0	0	0	210	0	0
55 Fannin	809	772	208	242	245	55	13	5	11	426	428	71	439	420	57	19	17	11	1,948	1,887	413
56 Fayette	806	858	12	543	565	18	30	36	14	815	783	31	324	345	6	147	133	15	2,665	2,703	96
57 Floyd	306	228	78	210	165	45	33	13	20	190	136	54	247	220	27	0	0	0	986	762	224
58 Forsyth	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	247	0	0
59 Franklin	5,773	3,560	2,193	1,083	730	353	219	110	109	4,064	3,164	920	847	664	183	444	313	131	12,450	8,561	3,889
60 Fulton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Juvenile Court Caseload  
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County	Delinquent			Unruly			Termination			Deprived			Traffic			Special Proceedings			Total			
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	
61 Gilmer	197	113	84	36	5	3	2	79	24	55	19	35	16	3	3	400	204	186				
62 Glascock	2	0	0	0	0	0	0	8	8	0	1	0	0	0	0	0	0	11	0	0	0	
63 Glynn	518	471	95	142	154	22	1	155	184	78	233	207	47	21	14	1,070	1,031	251				
64 Gordon	357	330	27	221	219	2	11	392	359	34	137	136	1	0	0	1,118	1,049	69				
65 Grady	122	56	38	29	12	19	5	57	31	24	35	18	19	11	5	6	259	124	110			
66 Greene	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
67 Gwinnett	5,552	5,380	1,555	1,541	1,479	525	43	2,167	1,881	804	1,494	1,433	437	249	255	157	11,063	10,478	3,647			
68 Habersham	249	231	18	72	61	11	2	38	30	8	28	28	0	0	0	0	389	352	37			
69 Hall	1,522	1,692	580	491	493	74	26	52	50	10	659	670	149	273	317	91	3,023	3,247	917			
70 Hancock	16	13	3	10	8	2	0	14	11	3	0	0	0	0	0	2	68	58	10			
71 Haralson	152	138	14	238	218	20	0	79	47	28	49	47	2	7	6	525	460	65				
72 Harris	115	95	19	53	44	9	2	81	65	13	49	43	5	15	10	315	258	52				
73 Hart	162	5	366	3	0	11	0	55	0	134	2	0	11	25	16	46	247	21	568			
74 Heard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
75 Henry	1,755	1,976	1,820	509	375	752	22	813	849	956	420	384	495	509	375	752	3,521	3,619	4,122			
76 Houston	1,899	1,610	268	1,024	909	113	0	889	780	104	326	320	5	20	11	8	4,148	3,630	498			
77 Irwin	36	33	3	5	3	2	0	26	16	10	28	21	7	1	0	96	74	22				
78 Jackson*	68	68	0	58	58	4	4	36	29	7	16	16	0	13	12	1	195	187	8			
79 Jasper	108	79	29	27	17	10	2	36	22	14	17	17	0	2	2	0	13	12	53			
80 Jeff Davis	48	48	0	40	33	7	2	17	14	3	38	28	10	7	4	3	152	128	124			
81 Jefferson	163	151	12	79	48	31	4	88	76	12	6	6	0	0	0	0	340	283	57			
82 Jenkins	25	25	8	46	46	0	6	45	40	5	8	8	0	0	0	130	124	6				
83 Johnson	32	20	16	11	5	5	5	36	22	17	8	6	3	0	0	0	97	59	46			
84 Jones	95	153	22	48	45	45	8	91	138	92	46	62	34	18	23	0	306	432	201			
85 Lamar	166	80	86	42	9	33	6	161	107	54	26	11	15	5	3	2	409	216	193			
86 Lanier	35	8	27	25	15	10	1	33	0	33	10	5	5	0	0	0	104	29	75			
87 Laurens	585	585	0	68	68	15	15	233	233	124	124	124	0	0	0	1,025	1,025	0				
88 Lee	159	155	4	24	24	0	0	20	15	5	66	66	0	3	3	0	272	263	9			
89 Liberty	403	196	207	271	157	114	10	117	23	94	154	80	70	225	150	75	1,180	606	560			
90 Lincoln	54	48	23	0	0	0	0	16	12	4	22	21	14	0	0	0	92	81	41			
91 Long	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
92 Lowndes	128	73	55	971	568	403	12	167	84	83	185	141	44	227	85	142	1,690	957	733			
93 Lumpkin	82	73	9	125	107	18	4	106	87	20	21	20	1	33	25	8	371	313	58			
94 Macon	129	4	5	27	27	0	1	14	11	3	8	8	0	5	5	0	184	176	6			
95 Madison	89	95	39	42	39	29	0	50	58	25	24	25	4	4	0	4	209	217	101			
96 Marion	6	6	0	8	8	0	0	3	1	2	6	6	0	0	0	0	24	22	2			
97 McDuffie	122	112	24	40	41	0	4	43	32	24	41	42	2	2	3	0	252	238	51			
98 McIntosh	110	86	111	22	21	14	0	141	88	80	9	9	3	14	33	10	296	237	218			
99 Meriwether	169	149	16	50	48	2	11	101	101	0	28	27	1	104	101	3	463	432	27			
40 Miller	65	62	3	10	10	0	0	10	10	0	25	24	1	4	4	0	114	110	4			
41 Mitchell	155	117	38	179	167	12	0	136	57	79	21	8	13	0	0	0	491	349	142			
42 Monroe	175	152	29	162	158	9	1	105	83	19	46	42	3	1	0	1	489	436	61			
43 Montgomery	22	17	5	9	8	1	0	7	3	4	3	3	0	0	0	0	41	31	10			
44 Morgan	113	106	7	22	19	3	5	60	53	7	30	25	5	4	3	1	234	208	26			
45 Murray	251	223	28	167	133	34	41	468	414	44	56	45	11	26	23	3	999	873	126			
46 Muscogee	2,306	2,428	600	937	911	599	15	1,133	1,067	350	226	229	102	127	122	81	4,744	4,778	1,740			
47 Newton	862	1,059	243	242	300	58	4	353	355	62	72	85	9	67	68	6	1,601	1,867	377			
48 Oconee	154	143	11	53	51	2	3	103	68	35	49	49	0	7	5	2	369	316	53			
49 Oglethorpe	108	82	26	8	4	4	2	28	10	18	9	8	1	0	0	0	155	106	49			
50 Paulding	545	419	253	205	184	41	14	401	144	190	222	202	40	3	2	1	1,390	1,169	530			
51 Peach	39	27	18	15	3	9	5	46	46	24	22	53	0	125	61	64	317	197	120			
52 Pickens	133	108	12	84	68	35	6	162	124	85	82	77	2	11	4	5	478	384	142			
53 Pierce	78	27	51	63	43	20	0	25	0	3	22	20	16	4	7	1	193	90	103			
54 Piko	66	46	369	5	1	6	9	87	8	421	41	19	86	9	4	20	237	79	913			
55 Polk	333	300	33	113	110	3	17	533	302	231	183	181	2	0	0	0	1,179	896	283			
56 Pulaski	27	26	1	5	5	0	0	22	13	8	4	4	4	11	9	3	69	57	12			
57 Putnam	118	60	58	45	26	19	0	88	1	87	30	17	13	0	0	0	283	104	179			
58 Quitman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
59 Rabun	51	34	21	34	47	8	0	128	29	100	15	12	3	4	1	3	232	123	135			

Juvenile Court Caseload  
Calendar Year 2004

County	Delinquent			Unruly			Termination			Deprived			Traffic			Special Proceedings			Total			
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	
60 Randolph	39	35	4	1	1	1	0	0	0	11	10	0	1	7	4	3	0	0	0	59	51	8
61 Richmond	3,272	3,050	182	1,420	1,255	165	35	32	3	2,570	2,245	325	540	478	62	2,570	2,245	325	7,894	7,150	744	
62 Rockdale	466	381	85	133	88	45	34	27	7	119	87	33	140	122	20	24	20	6	916	725	198	
63 Schley	37	37	0	8	8	0	1	1	1	2	1	1	1	6	6	0	1	1	0	55	54	1
64 Screven	122	92	111	39	34	12	0	0	0	0	0	0	0	38	16	20	1	43	0	200	185	143
65 Seminole	104	14	83	44	6	75	1	1	1	112	0	130	24	0	28	0	6	4	291	20	321	
66 Spalding	363	335	28	57	44	13	41	19	22	868	818	50	70	65	5	3	2	1	1,402	1,283	119	
67 Stephens	308	292	16	80	67	13	0	0	0	62	48	14	17	17	0	0	0	0	467	424	43	
68 Stewart	48	48	0	3	3	0	0	0	0	5	2	3	4	4	0	0	4	0	64	61	3	
69 Sumter	444	433	11	192	192	0	6	6	0	20	11	9	69	69	0	17	17	0	748	728	20	
64 Talbot	34	30	4	5	5	0	0	0	0	26	26	0	6	4	2	0	0	0	71	65	6	
65 Taliaferro	8	5	3	0	0	0	0	0	0	9	3	6	3	3	0	0	0	0	20	11	9	
66 Tattnall	100	81	22	82	67	31	0	1	1	52	16	57	34	26	10	1	0	7	269	191	128	
67 Taylor	12	12	0	16	16	0	4	4	0	25	25	0	14	14	0	2	2	0	73	71	0	
68 Telfair	42	42	0	24	24	0	3	3	0	7	7	0	5	5	0	1	1	0	0	0	0	
69 Terrell	58	57	1	27	25	2	1	1	0	37	30	7	14	14	0	14	14	0	151	141	10	
70 Thomas	344	308	36	64	48	16	8	8	0	144	135	9	123	122	1	5	5	0	688	626	62	
71 Tift	369	297	72	47	28	19	1	1	0	52	1	51	143	125	22	2	2	0	618	452	166	
72 Toombs	268	197	71	45	36	9	7	3	4	140	138	2	12	12	0	2	2	0	474	388	86	
73 Towns	26	16	10	14	5	9	0	0	0	39	2	37	11	4	7	0	0	0	90	27	63	
74 Treutlen	54	0	0	7	0	0	0	0	0	22	0	0	0	35	0	0	0	0	118	0	0	
75 Troup	1,403	1,361	1,637	361	237	621	22	26	90	7	5	19	302	327	479	206	194	470	2,307	2,170	3,316	
76 Turner	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
77 Twiggs	102	95	7	21	21	0	2	2	0	22	13	9	6	6	0	0	0	0	153	135	18	
78 Union	0	0	0	1	1	0	2	2	0	35	0	0	8	8	0	143	0	0	194	0	0	
79 Upson	257	218	39	26	24	2	6	5	1	127	74	53	77	71	6	0	0	0	493	382	101	
80 Walker	381	354	27	260	210	50	10	8	2	179	184	5	142	171	41	3	3	0	975	930	125	
81 Walton	1,188	1,137	234	295	296	45	13	13	9	241	245	26	140	137	38	21	24	15	1,998	1,852	377	
82 Ware	347	358	397	192	186	231	3	4	39	12	9	5	34	27	54	154	148	209	742	732	0	
83 Warren	43	41	2	9	9	0	5	0	0	41	28	13	8	8	0	1	0	1	107	86	21	
84 Washington	175	140	82	137	114	40	3	3	0	44	27	97	25	23	11	0	0	0	384	307	230	
85 Wayne	1	0	1	47	56	11	0	0	0	78	73	54	0	0	0	0	951	699	342	1,077	828	408
86 Webster	4	4	0	8	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
87 Wheeler	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
88 White	146	191	73	33	47	10	1	0	1	49	23	86	18	19	11	11	11	4	258	291	185	
89 Whitfield	813	792	21	415	371	44	35	35	0	462	407	55	408	399	9	456	387	69	2,569	2,391	198	
90 Wilcox	55	51	4	14	12	2	1	0	1	16	10	6	7	7	0	0	0	0	93	80	13	
91 Wilkes	24	20	4	7	7	0	1	1	1	71	54	17	13	13	0	0	0	0	116	95	21	
92 Wilkinson	91	99	15	24	18	35	13	6	4	55	62	27	8	12	0	2	2	0	193	199	0	
93 Worth	98	98	186	47	47	60	0	0	0	61	61	102	70	70	63	0	0	3	276	276	0	
<b>Total</b>	<b>70,348</b>	<b>63,525</b>	<b>24,682</b>	<b>23,689</b>	<b>20,330</b>	<b>9,695</b>	<b>1,769</b>	<b>1,108</b>	<b>952</b>	<b>34,503</b>	<b>27,998</b>	<b>14,164</b>	<b>16,478</b>	<b>14,756</b>	<b>24,860</b>	<b>6,591</b>	<b>5,030</b>	<b>4,015</b>	<b>154,250</b>	<b>131,960</b>	<b>77,962</b>	

Fannin: Delinquent and Unruly data are combined and shown under Delinquent  
Baldwin: Termination of parental rights and deprived data are combined and are shown under deprived.  
Houston: Termination of parental rights and deprived data are combined and are shown under deprived.



**STATE BAR OF GEORGIA**  
and the  
**COMMISSION ON CONTINUING LAWYER**  
**COMPETENCY**

**TRANSITION INTO LAW PRACTICE PROGRAM**

**EXECUTIVE SUMMARY**

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March 15, 2005

**COMMITTEE ON THE STANDARDS OF THE PROFESSION**  
**MANDATORY TRANSITION INTO PRACTICE PROGRAM**  
**PROGRAM OVERVIEW**

On August 19, 2004, the Board of Governors of the State Bar of Georgia approved the Implementation Plan for A Mandatory Transition Into Law Practice Program (the “Plan”) developed by the Committee on the Standards of the Profession of the State Bar. The Plan calls for the establishment of the Transition Into Law Practice Program (the “Program”) and the commencement of operations during calendar year 2005.

The goal of the one-year Transition Into Law Practice Program is to afford every beginning lawyer newly admitted to the State Bar of Georgia with meaningful access to an experienced lawyer equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values necessary to practice law in a highly competent manner. A Pilot Project for the Program, conducted from 2000 through 2001, supported the conclusion that the Program can be effective in helping to make more competent, professional lawyers.

The core of the Program, commonly known as the “Mentoring Program,” is to assign every beginning lawyer to a mentor for the first year after admission to the Bar.<sup>1</sup> The Program is essentially an educational program that combines a Mentoring component with a Continuing Legal Education (CLE) component. The purpose of the guidance furnished by the mentors is to

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<sup>1</sup>Lawyers who enter the practice of law as federal, state, local, or other governmental employees may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the government office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

The following lawyers are not covered by the mandatory program:

1. Lawyers admitted to practice in this state who have principal practices in another state;
2. Lawyers who have been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to practice in this state; and
3. Lawyers serving as judicial law clerks. These lawyers will not be subject to the mandatory program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in this state.

continue the legal education of the beginning lawyers during the first year of practice by assisting them in acquiring practical skills and in deepening understanding of ethical and professional values expected of lawyers practicing in Georgia.

The first class of beginning lawyers who will be required to participate in the mandatory Program will be those who are admitted after June 30, 2005. The Program does not call for conditional licensure; beginning lawyers will be admitted to practice as now without restriction. However, they will be required to complete the Program in the year of admission or in the next calendar year. Failure to complete the Program by this time would expose the beginning lawyer to license suspension in the same manner as a lawyer who fails to meet the CLE requirements pursuant to the mandatory CLE Rules of the Commission on Continuing Lawyer Competency.

Based on historical averages of bar admissions and attendance at Bridge-the-Gap, the Program must be set up to accommodate about 1,200 beginning lawyers each year. Most beginning lawyers will be paired with an experienced lawyer in the same law firm, office, or practice setting who will serve as the beginning lawyer's mentor ("inside mentor"). However, roughly 150 to 200 newly admitted lawyers each year will enter practice on their own and not in association with a lawyer who has at least five years of experience and who is qualified to serve as a mentor. These beginning lawyers will be matched through the Program with an outside mentor or assigned to a Mentoring Group as part of a group of beginning lawyers and mentors arranged on a regional basis.

The CLE component of the Program that lays the groundwork for and supports the mentoring component is provided by the Institute of Continuing Legal Education in Georgia ("ICLE"). Most beginning lawyers will attend an Enhanced Bridge-the-Gap Program that combines a day of introduction to law practice with a second day of instruction focusing on the roles of attorneys in working with and counseling clients, dealing with others as representatives of clients, and negotiating for clients.

An alternative continuing legal education program, called the Fundamentals of Law Practice, will also be offered. While the length and content of the instruction in this program will be substantially the same as the Enhanced Bridge-the-Gap Program, the format and setting will differ. Attendance at the Fundamentals of Law Practice Program will be limited to about 100

beginning lawyers each session. Most instruction will be offered in small groups of 12-15 persons to permit close, hands-on guidance and interaction between the corps of experienced lawyer-instructors and the beginning lawyers. Priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer. This priority is based on the effort to replicate, as far as possible in this setting, the kind of interaction between a new attorney and an experienced attorney that occurs naturally in an office setting where new attorneys practice in association with experienced attorneys.

All beginning lawyers except those described in footnote one on page one will participate in the Transition Into Law Practice Program, although relevant differences in law practice settings and types of practice will differentiate precisely how that participation occurs. Each beginning lawyer and his or her mentor should devise and develop, formally commit to and sign, and submit a Mentoring Plan of Activities and Experiences for the one-year period of the mentorship. The Mentoring Plan can be adjusted to individual needs and interests yet must conform to certain minimum standards. At the conclusion of twelve months, the mentor will be expected to sign a certificate evidencing whether or not the beginning lawyer has satisfactorily completed the Mentoring Plan to which they committed.

Mentors will be appointed by the Supreme Court of Georgia for one-year terms and may serve for more than one term. They must meet minimum qualifications, including being a member in good standing with at least five (5) years practice experience with a reputation in the local legal community for competence and ethical and professional conduct. An orientation for new mentors will be offered by ICLE each year, live and over the internet. The first program will be held in the late fall of 2005. Mentors will receive three hours of CLE credit and will not be charged for the Mentor Orientations. The State Bar will give special recognition to mentors for each year of service.

The Program will be operated under the auspices of the Commission on Continuing Lawyer Competency (“CCLC”) pursuant to its general supervisory authority to administer the continuing legal education rules. The Standards of the Profession Committee is a committee of

the CCLC with responsibilities for devising and recommending policy to the CCLC as to the operation of the program, serving as a Mentor Advisory Board, serving as faculty in the CLE courses, overseeing and supporting Mentoring Groups, and introducing the Program to law students, law firms, and other employers. The Program will be staffed by a Program director and administrative assistant, who will work under the direct supervision of the office of the Chief Justice's Commission on Professionalism.

The Program will be funded by the State Bar of Georgia and the payment of the same CLE fees currently charged newly admitted lawyers for the existing Bridge-the-Gap Program. At the same time that the Board of Governors approved the Implementation Plan, it approved an increase in State Bar of Georgia membership dues equal to ten dollars (\$10.00) per member, effective for the Bar year beginning on July 1, 2005. This ten-dollar per member dues increase will provide funding for the Program's anticipated annual budget.

Pursuant to State Bar policy, all new programs are subject to a Sunset Provision under which the program is allowed to operate for three years. In the third year, the program must be evaluated for effectiveness. If the evaluation shows that the program is effective, it will be allowed to continue. The Program will run for four full cycles of mentorships: January 1, 2006 to December 31, 2006; July 1, 2006 to June 30, 2007; January 1, 2007 to December 31, 2007; July 1, 2007 to June 30, 2008. In January 2008, the Standards Committee will begin an evaluation of the Program's effectiveness. The evaluation will be presented to the Executive Committee and Board of Governors of the State Bar in June 2008.

A review of this Executive Summary may prompt a number of questions about how the Mentoring Program will work. Attached are four sets of Questions and Answers. One list contains Frequently Asked Questions about the Program in general. The other three sets pose and answer questions that are of particular interest to:

- Law Students and Beginning Lawyers;
- Inside Mentors, Law Firms, and Other Employers; and
- Outside Mentors.

# Standards of the Profession Committee

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William G. Scrantom Jr., Vice Chair  
Lawrence F. Jones, Executive Director,  
Institute of Continuing Legal Education  
C. Ronald Ellington, Reporter

Hulett H. Askew, Director of Bar Admissions  
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Chief Justice's Commission on Professionalism  
Douglas G. Ashworth, Director,  
Transition Into Law Practice Program

### Committee Members

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James A. Bishop Jr., Brunswick  
Timothy J. Buckley III, Atlanta  
Marcus B. Calhoun Jr., Columbus  
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University School of Law, Atlanta  
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### Executive Committee Liaison

George R. Reinhardt Jr., Tifton

### Advisors

Cliff Brashier, Executive Director, State Bar of  
Georgia, Atlanta

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<sup>2</sup> The Committee acknowledges with gratitude the contributions of the late Honorable Ross J. Adams as liaison from the Young Lawyers Division of the State Bar.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS**  
**about**  
**STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**  
**IN GENERAL**

**1. What is the goal of the Program?**

The goal of the Program is to provide professional guidance and counsel to assist beginning lawyers who are newly admitted to the State Bar of Georgia in acquiring the practical skills, judgment and professional values necessary to practice law in a highly competent manner. To carry out this goal, the Program will afford every beginning lawyer with meaningful access to an experienced lawyer equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values that represent the best traditions and highest aspirations of the legal profession. The Program is essentially an educational program that combines a Mentoring component with a Continuing Legal Education (CLE) component.

**2. How are mentors selected?**

Mentors must meet the following minimum qualifications:

1. Be an active member of the State Bar of Georgia, in good standing;
2. Be admitted to practice for not less than five (5) years;
3. Have a reputation among judges and peers in the local legal community for competence and ethical and professional conduct.
4. Never have been sanctioned, suspended or disbarred in any state from the practice of law; and
5. Certify that he or she has professional liability insurance with minimum limits of \$250,000.00/\$500,000.00, or its equivalent.

The qualifications of prospective mentors will be screened by a subcommittee of the Standards of the Profession Committee known as the Mentor Subcommittee. This subcommittee will recommend mentors for appointment. Mentors are appointed by the Supreme Court of Georgia for one-year terms. The mentor must agree in writing to serve as mentor.

**3. Is a beginning lawyer allowed to choose his or her mentor?**

The assignment of mentors within a firm, office or practice group will be based on the recommendation of the firm or other employer itself, subject to the stated qualifications for appointment as a mentor and compliance with the other requirements of the Program.

A beginning lawyer who does not practice in association with a lawyer eligible to be appointed as a mentor will be asked to nominate his or her own mentor. The nomination must be approved by the Mentor Subcommittee.

**4. How are a mentor and a beginning lawyer (mentee) in the same firm matched?**

The assignment of a mentor to a beginning lawyer within a firm, office or practice group will be based on the recommendation of the firm or other employer itself, subject to the stated qualifications for appointment as a mentor and compliance with the other requirements of the Program.

**5. What criteria are used in matching a mentor and a beginning lawyer who are not in the same firm?**

The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations. Beyond geographic proximity, the Program will attempt, but cannot guarantee, to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

**6. What are the responsibilities of a mentor in the Program?**

The mentor has responsibilities to guide and to teach the beginning lawyer practical skills, seasoned judgment, and sensitivity to ethical and professionalism values and to devote the time required for this assignment. Using the Model Plan of Mentoring Activities and Experiences as a guide, the mentor and the beginning lawyer should jointly devise a Mentoring Plan for the coming twelve months and complete it. The Plan will include experiences and topics for discussion that follow up on the CLE component. At the end of the twelve months, the mentor will be expected to sign a certificate evidencing whether or not the beginning lawyer has satisfactorily completed the Mentoring Plan. (Please see Question 20.)

**7. What are responsibilities of a beginning lawyer (mentee) in the Program?**

A beginning lawyer has the responsibilities to make himself or herself available to the guidance and teaching of their mentors, to devise jointly with the mentor a Mentoring Plan, to complete the Plan, and to complete the CLE component of the Program. (Please see Question 20.)

**8. Does the mentor initiate contacts with the beginning lawyer (mentee) or should the beginning lawyer initiate contacts?**

This is a matter to be addressed and worked out between the mentor and the beginning lawyer.

**9. How much time is the mentor expected to spend with the beginning lawyer (mentee)?**

The mentor and beginning lawyer are expected to spend sufficient time to carry out the Mentoring Plan mutually agreed upon. While regular meetings are suggested, the Program does not specify the number or length of meetings. For an inside mentorship, the number and length of meetings between the mentor and beginning lawyer will depend upon the firm's or office's policies and workload. For an outside mentorship, one personal meeting a month, in addition to frequent telephone and email contact, is suggested to maintain the mentorship.

**10. Are communications between the mentor and the beginning lawyer (mentee) confidential?**

For an inside the firm or office mentorship, the confidentiality of communications between the mentor and beginning lawyer will depend on the firm's or office's policies. For an outside mentorship, the beginning lawyer shall not reveal to the mentor any confidential communications between the beginning lawyer and the beginning lawyer's client, according to the terms of the Transition Into Law Practice Program Continuing Legal Education Agreement (CLE Agreement) that outside mentors and beginning lawyers will be required to sign. (Please see Question 3 under Questions and Answers for Outside Mentors.)

**11. How long does a beginning lawyer have to complete the Program?**

A newly admitted active lawyer is required to complete the CLE component of the Program in the year of admission to the State Bar of Georgia or in the next calendar year.

A newly admitted active lawyer is required to complete the Mentoring component within twelve months of the filing of the Mentoring Plan. (Please see Question 20.)

**12. Will the mentor supervise the beginning lawyer's (mentee's) work?**

For an inside firm or office mentorship, supervision of the beginning lawyer's work is a matter to be determined by the firm's or office's policy. For an outside mentorship, the mentor cannot be expected to supervise the practice of law by the beginning lawyer. The role of an outside mentor is to offer the beginning lawyer extended education in learning the ways of law practice. An outside mentor is expected to provide instruction in practical skills, as well as ethical and professional issues frequently encountered by lawyers in practice. Neither the Program nor the outside mentor assumes any responsibility to the beginning lawyer's clients for legal services performed by the beginning lawyer, in accordance with the CLE Agreement.

**13. What is the mentor's role in evaluation of the beginning lawyer (mentee) within the firm or office?**

The role of the mentor in evaluating the work and professional development of the beginning lawyer within the firm or office is a matter to be determined by the firm's or office's policy. The mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship and assessing whether the beginning lawyer has satisfactorily completed the Program.

**14. What is the mentor's role in evaluation of the beginning lawyer (mentee) who does not work in the same firm?**

The outside mentor assumes no responsibility for evaluating the work of the beginning lawyer. The role of the outside mentor is to assist the beginning lawyer in developing practical skills, good legal decision-making and sensitivity to ethical and professionalism values. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship and assessing whether the beginning lawyer has satisfactorily completed the Program.

**15. What happens if the mentor resigns from the firm or office or otherwise becomes unavailable to serve as mentor?**

As soon as possible after the mentor's resignation from the firm or office or the mentor's otherwise becoming unavailable to serve as mentor, the mentor shall notify the Program director of the situation. In the event the mentor is unable to do so, the beginning lawyer shall notify the Program director of the situation. In all situations of migration and turnover, completion of a full year of mentoring is strongly to be preferred. Decisions regarding how and whether to reconstitute a mentorship because of migration and turnover will be made by the Program Director, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and what has or has not been achieved during the original mentorship. The Mentor Subcommittee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

**16. What happens if the beginning lawyer resigns from the firm or office or otherwise becomes unavailable to continue to be mentored by the originally assigned mentor?**

As soon as possible after the beginning lawyer's resignation from the firm or office or the beginning lawyer's otherwise becoming unavailable to continue to be mentored by the originally assigned mentor, the beginning lawyer shall notify the Program director of the situation. In the event the beginning lawyer is unable to do so, the original mentor shall notify the Program director of the situation. As explained above, in all situations of migration and turnover, completion of a full year of mentoring is strongly to be preferred. Decisions regarding how and whether to reconstitute a mentorship because of migration and turnover will be made by the Program Director, using a rule of reason. The decision will be made on a case-by-case basis, taking into consideration individual circumstances and what has or has not been achieved during

the original mentorship. The Mentor Subcommittee will have the ultimate authority and responsibility for policies and procedures for situations where a mentorship ends prematurely.

**17. Who pays for the Program?**

The costs of administration of the Mentoring component and subsidization of the CLE component of the Program are funded by the State Bar of Georgia. For the entire Transition Into Law Practice Program, each beginning lawyer will pay only the regular CLE fee for the twelve-hour CLE component.

**18. How is the Program administered?**

The Program will be operated under the auspices of the Commission on Continuing Lawyer Competency (“CCLC”) pursuant to its general supervisory authority to administer the continuing legal education rules. The Standards of the Profession Committee is a committee of the CCLC with responsibilities for devising and recommending policy to the CCLC as to the operation of the program, serving as a Mentor Advisory Board, serving as faculty in the CLE courses, overseeing and supporting Mentoring Groups, and introducing the Program to law students, law firms, and other employers. The Program will be staffed by a Program director and administrative assistant, who will work under the direct supervision of the office of the Chief Justice’s Commission on Professionalism.

**19. How will the Program deal with problems that arise in the mentoring relationship?**

A mentor or beginning lawyer with a concern about the Program should convey it to the Program Director who will seek the assistance of the Standards Committee if necessary to resolve the issue. Appeals from decisions of the Standards committee will be made to the Commission on Continuing Lawyer Competency.

**20. What is the Model Plan of Mentoring Activities and Experiences?**

The intent of the Program is to create a synergy between the CLE component and the mentoring component. To assist mentors and to help insure some structure and uniformity, a Model Plan of Mentoring Activities and Experiences will be provided to all mentors and beginning lawyers. This Model Plan features a list of suggested experiences and topical questions that the mentor and beginning lawyer can draw on to customize a Mentoring Plan that fits their particular needs and circumstances. With the exception of the Mandatory Advocacy Experiences for those beginning lawyers who appear as sole or lead counsel in the Superior or State Courts of Georgia in any contested civil case or in the trial of a criminal case, the other experiences listed in the Model Plan are not mandatory. They are illustrative of the types of experiences deemed useful in helping a beginning lawyer acclimate to practice and grow into a competent practitioner.

Using the Model Plan as a guide, the mentor and beginning lawyer should jointly devise a Mentoring Plan for the coming twelve months, sign it, and submit it to the Program Director. Although great flexibility in designing each particular plan is warranted, the plan should foster

discussion and implementation of professional skills and values. For inside mentorships, mere supervision of a new lawyer's substantive work for clients, without more, is not sufficient. At a minimum, the Mentoring Plan must include the following key elements:

1. Regular contact and meetings between the mentor and beginning lawyer.
2. Continuing discussions between the mentor and beginning lawyer on at least the following topics:
  - (a) Ethics and professionalism.
  - (b) Relationships with clients, other lawyers (both in and outside the firm), the judiciary and the public, including unrepresented parties.
  - (c) Professional work habits, organizational skills and practice management.
  - (d) Economics of practicing law in the relevant practice setting.
  - (e) Responsibility and opportunities for pro bono work, bar activities, and community service.
3. Introduction to the local legal community.
4. Specific planning for professional development and continuing legal education in and outside the firm.
5. Periodic evaluation of the mentor-beginning lawyer relationship.

**21. What does “lead counsel” mean for purposes of the Mandatory Advocacy Experiences requirement?**

“Lead counsel” is defined as “the attorney who has primary responsibility for making all professional decisions in the handling of the case. Regulation (1) under Rule 8-104(D), Bar Rules and Regulations.

**22. How is the Mentoring Plan monitored?**

Monitoring of the Mentoring Plan is a joint responsibility of the mentor and beginning lawyer that continues throughout the mentorship so that at the end of the twelve months, the mentor and beginning lawyer are able to sign the Certificate of Satisfactory Completion.

**23. What is included in the curriculum for beginning lawyers (mentees)?**

The CLE component of the Program that lays the groundwork for and supports the mentoring component is provided by the Institute of Continuing Legal Education in Georgia (“ICLE”). The Program inaugurates two new CLE programs for beginning lawyers: the

Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program. Both programs are two-day programs that cover the same topics. The first day is an introduction to law practice. The second day of instruction focuses on the roles of attorneys in working with and counseling clients, dealing with others as representatives of clients, and negotiating for clients.

**24. What is the difference in the Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program?**

While the length and content of the instruction in the Fundamentals of Law practice Program will be substantially the same as the Enhanced Bridge-the-Gap Program, the format and setting will differ. Attendance at the Fundamentals of Law Practice Program will be limited to about 100 beginning lawyers each session. Most instruction will be offered in small groups of 12-15 persons to permit close, hands-on guidance and interaction between the corps of experienced lawyer-instructors and the beginning lawyers. Priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer. This priority is based on the effort to replicate, as far as possible in this setting, the kind of interaction between a new attorney and an experienced attorney that occurs naturally in an office setting where new attorneys practice in association with experienced attorneys.

**25. What happens if the beginning lawyer does not complete the CLE in the required time period?**

The procedure for penalizing the failure to complete the Program will be the same as used currently for failure to complete mandatory CLE; i.e., through the procedures in place with the Commission on Continuing Lawyer Competency. The penalty for failure to complete the CLE component of the Program (Enhanced Bridge-the-Gap or Fundamentals of Law Practice) will be to make up the missed session or sessions at the next available session. If, following the required procedural safeguards, a beginning lawyer remains in non-compliance, the Supreme Court of Georgia will be notified so that it may enter any order it deems appropriate, including suspension from the practice of law.

**26. What happens if the beginning lawyer does not complete the Mentoring Plan in the required time period?**

The penalty for failure to complete the Mentoring Plan agreed upon by the mentor or mentor team and beginning lawyer will be to complete a Rehabilitation Plan approved by the Program Director and the Commission or to attend one session of the State Bar's Ethics School, offered twice yearly, once in Atlanta and once in Tifton at the Bar offices.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS  
FOR LAW STUDENTS AND BEGINNING LAWYERS  
about  
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

**1. How do I enter the Transition Into Law Practice Program?**

With the notification of passage of the Bar Examination from the Office of Bar Admissions in October 2005, you will receive information about membership in the State Bar of Georgia and instructions for entering the Program following being sworn-in as a member of the State Bar.

**2. If I am a judicial clerk, does the Program apply to me?**

Judicial law clerks are not subject to the Program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in Georgia.

**3. If I am not employed as a lawyer, does the Program apply to me?**

The Program applies to “any newly admitted active member admitted [to the State Bar of Georgia] after June 30, 2005,” subject to specified exceptions. Rule 8-104(B)(1) of the Rules and Regulations for the Organization and Government of the State Bar of Georgia (“Bar Rules and Regulations”). A “newly admitted active member” is one who becomes an active member of the State Bar of Georgia for the first time, according to the Bar Rules and Regulations. If you choose to become an inactive member of the State Bar of Georgia upon passing the Bar Examination, the Program would not apply to you so long as you remain an inactive member. Once you become an active member of the State Bar of Georgia, the Program would apply to you.

**4. If I am employed as a lawyer by a government agency, in a public interest law setting, or as in-house counsel, does the Program apply to me?**

Yes. A lawyer who enters the practice of law as federal, state, local, or other governmental employee or in-house counsel may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

**5. I plan to take the Georgia Bar Examination but intend to practice in another state. Does the Program apply to me if I pass the Georgia Bar Exam?**

The Program does not apply to a lawyer admitted to practice in Georgia who has his or her principal practice in another state or to a lawyer who has been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to

practice in Georgia.. Rule 8-104(B)(a), Bar Rules and Regulations. If, after two or more years of practice in another state, you decide to practice in Georgia, you would not be subject to the Program. If however, you decide to leave the other state and establish your principal practice in Georgia within the first two years of admission to the State Bar of Georgia, you would be subject to the Program.

**6. If I am not employed by the time I am notified that I have passed the Bar exam, how do I get a mentor?**

A beginning lawyer, who, for whatever reason, is unable to identify a mentor shall so notify the Program Director who, in turn, will refer the matter to the Mentor Subcommittee. The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

**7. If I work for an employer who provides a mentor, may I attend the Fundamentals of Law Practice Program?**

You may apply for the Fundamentals of Law Practice Program, but priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer.

**8. If I work for an employer that does not provide a mentor or work on my own, do I have to attend the Fundamentals of Law Practice Program?**

Because of the limited attendance and small break-out groups, you are strongly encouraged to attend the Fundamentals Program; however, if your schedule does not permit this, you may attend the Enhanced Bridge-the-Gap Program to fulfill your CLE requirement.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS  
FOR INSIDE MENTORS, LAW FIRMS, AND OTHER EMPLOYERS  
about  
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

**1. Is the Mentor Orientation required?**

The Mentor Orientation is not required, but mentors are strongly urged to attend the live course or take it on-line at their convenience. The Mentor Orientation is a three-hour program created by ICLE offered live once a year at the State Bar Building in Atlanta and available on-line through the ICLE website. Each mentor who takes the Mentor Orientation will receive three (3) hours of complimentary CLE credit, including one (1) hour of Ethics, and one (1) hour of Professionalism. Mentors who have attended the Mentor Orientation in one year are not required to repeat it if they serve as mentors in subsequent years.

**2. What is included in the Mentor Orientation?**

The Mentor Orientation presents information that mentors need to know about the operation of the Program, including an overview of the CLE for beginning lawyers and topical questions to assist the mentor in taking the lessons presented in the classroom back into the practice setting. The lessons from the CLE for beginning lawyers form the basis of the discussions for the mentors and beginning lawyers. Mentoring skills are also covered in the Mentor Orientation.

**3. Is a law firm or other employer allowed to conduct its own Mentor Orientation?**

Firms or other employers are free to conduct their own Mentor Orientations, provided that the content includes the materials and topics covered in the ICLE Mentor Orientation to insure uniformity of coverage.

**4. I am the Professional Development Director of a law firm. We already have a New Associate Training Program that includes mentors. We want to collaborate, not duplicate, the Bar's Program. How do we weave our in-firm training program in with the Bar's Program?**

The State Bar's Program is composed of both the Mentoring component and the CLE component that lays the groundwork for and supports the Mentoring component. Each beginning lawyer will be required to attend one of the two new CLE programs created by ICLE: the Enhanced Bridge-the-Gap Program and the Fundamentals of Law Practice Program. (See Questions for descriptions of these programs.) The Mentoring component, based on the model Mentoring Plan (see Question [re: Model Mentoring Plan]) takes place within the firm or office and is to be tailored to the particular practice setting. The Program does not intend to dictate to law firms and other practice settings what kind of training and mentoring programs they should have; rather, it asks them to reevaluate their programs and measure them by the model Mentoring

Plan. Firms and other practice settings may keep the parts of the Mentoring Plan that work for them and tailor the model to their situations.

**5. May a beginning lawyer who has a mentor within the law firm or office attend the Fundamentals of Law Practice Program?**

The beginning lawyer may apply for the Fundamentals of Law Practice Program, but priority in attending the Fundamentals of Law Practice Program will be given to beginning lawyers who are not practicing in association with an experienced lawyer.

**6. How does the Program work for beginning lawyers working in prosecutors' offices, governmental agencies, public interest law settings, in-house positions, and other special practice settings?**

A lawyer who enters the practice of law as federal, state, local or other governmental employee or in-house counsel may satisfy the requirements of the Program by participating for twelve months in an approved new lawyer mentoring program specially designed for the office or agency under policies and procedures established by the Standards of the Profession Committee and the Commission on Continuing Lawyer Competency.

**7. How does the Program work for judicial law clerks?**

Judicial law clerks are not subject to the Program during the period of the judicial clerkship but will be covered once the clerkship ends for the first year thereafter that they engage in the practice of law in Georgia.

**8. Does the Program apply to out-of-state members of the State Bar of Georgia?**

The Program does not apply to lawyers admitted to practice in Georgia who have their principal practices in another state.

**9. Does the Program apply to new members (admitted by examination or by motion) of the State Bar of Georgia who have practiced for several years in another jurisdiction?**

The Program does not apply to lawyers who have been admitted to the practice of law in another United States jurisdiction outside of Georgia for two or more years prior to admission to practice in this state.

**FREQUENTLY ASKED QUESTIONS AND ANSWERS  
FOR OUTSIDE MENTORS  
about  
STATE BAR OF GEORGIA TRANSITION INTO LAW PRACTICE PROGRAM**

**1. How is an outside mentor selected?**

A beginning lawyer who does not practice in association with a lawyer eligible to be appointed as a mentor will be asked to nominate his or her own mentor. The nomination must be approved by the Mentor Subcommittee.

A beginning lawyer who, for whatever reason, is unable to identify a mentor shall so notify the Program Director who, in turn, will refer the matter to the Mentor Subcommittee. The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations.

In the event no mentor can be found for a beginning lawyer to act in a one-on-one basis, then the Mentor Subcommittee will assign the beginning lawyer to a Mentoring Group in that vicinity or region of the state. A Mentoring Group will consist of an approved mentor or group of approved mentors who work with a small group of beginning lawyers through periodic group mentoring meetings in accordance with criteria established by the Mentor Subcommittee.

**2. What criteria are used in matching a mentor and a beginning lawyer who are not in the same firm?**

The Mentor Subcommittee will draw upon its own knowledge of potential mentors in proximity to the beginning lawyer as well as seek assistance from superior and state court judges and local, circuit, or voluntary bar associations. Beyond geographic proximity, the Program will attempt, but cannot guarantee, to match beginning lawyers and mentors based on other criteria, such as similarities of practice area.

**3. If I agree to serve as mentor to a beginning lawyer not in an employment relationship with me, what kind of advice am I allowed to offer?**

All outside mentors and beginning lawyers are required to sign the Transition Into Law Practice Program Continuing Legal Education Agreement (CLE Agreement). According to the terms of the CLE Agreement, the mentor is an educational resource for the beginning lawyer, and the purpose of the Mentoring component of the Program is to provide opportunities for the discussion of general issues confronted by the beginning lawyer in the practice of law. Moreover, the beginning lawyer agrees not to ask the mentor for case specific advice nor to give to the mentor actual names of clients. The mentor and beginning lawyer further agree to deal with any problems the beginning lawyer has in only a general, hypothetical manner.

**4. How much time is a mentor expected to spend with the beginning lawyer (mentee)?**

The mentor and beginning lawyer are expected to spend sufficient time to carry out the Mentoring Plan mutually agreed upon. While regular meetings are suggested, the Program does not specify the number or length of meetings. For an outside mentorship, one personal meeting a month, in addition to frequent telephone and email contact, is suggested to maintain the mentorship.

**5. Is the Mentor Orientation required?**

The Mentor Orientation is not required, but mentors are strongly urged to attend the live course or take it on-line at their convenience. The Mentor Orientation is a three-hour program created by ICLE offered live once a year at the State Bar Building in Atlanta and available on-line through the ICLE website. Each mentor who takes the Mentor Orientation will receive three (3) hours of complimentary CLE credit, including one (1) hour of Ethics, and one (1) hour of Professionalism. Mentors who have attended the Mentor Orientation in one year are not required to repeat it if they serve as mentors in subsequent years.

**6. What is included in the Mentor Orientation?**

The Mentor Orientation presents information that mentors need to know about the operation of the Program, including an overview of the CLE for beginning lawyers and topical questions to assist the mentor in taking the lessons presented in the classroom back into the practice setting. The lessons from the CLE for beginning lawyers form the basis of the discussions for the mentors and beginning lawyers. Mentoring skills are also covered in the Mentor Orientation.

**7. Are communications between the outside mentor and the beginning lawyer (mentee) confidential?**

No. The beginning lawyer shall not reveal to the outside mentor any confidential communications between the beginning lawyer and the beginning lawyers's client, according to the terms of the CLE Agreement that outside mentors and beginning lawyers are required to sign.

**8. What is the outside mentor's role in supervision of the beginning lawyer (mentee)?**

For an outside mentorship, the mentor cannot be expected to supervise the practice of law by the beginning lawyer. The role of the outside mentor is to offer the beginning lawyer extended education in learning the ways of law practice. An outside mentor is expected to provide instruction in practical skills, as well as ethical and professional issues frequently encountered by lawyers in practice. Neither the Program nor the outside mentor assumes any responsibility to the beginning lawyer's clients for legal services performed by the beginning lawyer, according to the CLE Agreement.

**9. What is the outside mentor's role in evaluation of the beginning lawyer (mentee)?**

The outside mentor assumes no responsibility for evaluating the work of the beginning lawyer. The role of the outside mentor is to assist the beginning lawyer in developing practical skills, good legal decision-making and sensitivity to ethical and professionalism values. The outside mentor and the beginning lawyer both have responsibility for evaluating the mentoring relationship. The mentor is responsible for assessing whether the beginning lawyer has satisfactorily completed the Program.

**10. Does a beginning lawyer who has an outside mentor have to attend the Fundamentals of Law Practice Program?**

Because of the limited attendance and small break-out groups, the beginning lawyer who has an outside mentor is strongly encouraged to attend the Fundamentals Program; however, if the beginning lawyer's schedule does not permit this, the beginning lawyer may attend the Enhanced Bridge-the Gap Program to fulfill his or her CLE requirement.

**State Bar of Georgia  
Standards of the Profession Committee**

**Transition Into Law Practice Program**

**MODEL MENTORING PLAN OF ACTIVITIES AND EXPERIENCES**

Name of Beginning Lawyer: \_\_\_\_\_

Name of Mentor: \_\_\_\_\_

**MODEL MENTORING PLAN OF ACTIVITIES AND EXPERIENCES**

The following activities and experiences are intended to serve as a guide to assist the Mentor and Beginning Lawyer in jointly developing a specific plan of activities to be completed over the course of the twelve months of mentoring. The particular Mentoring Plan should incorporate as many of these activities and experiences as feasible while being adjusted to the particular practice setting and individual needs.

Using this Model Mentoring Plan as a checklist, the Mentor and Beginning Lawyer should jointly develop a Mentoring Plan for the coming year and sign and submit this plan to the Program Administrator within thirty (30) days after the start of the mentoring year.

At the end of the mentoring year, the Mentoring Plan will serve as the Mentor's evaluative tool to determine if the Beginning Lawyer has satisfactorily completed the mentoring program. A Mentor whose area of practice is other than litigation and trial work may choose to call on another experienced lawyer who practices in this area to assist in mentoring the Beginning Lawyer in the area of the Advocacy Experiences Requirement. (Section E below)

ACTIVITY OR EXPERIENCE	DATE COMPLETED
<b>A. Introduction to the Legal Community</b>	
1. The Mentor should contact the Beginning Lawyer as soon as practicable after receipt of the notice of assignment and arrange to meet at the Mentor's office to get acquainted. At that time or another, the Mentor should introduce the Beginning Lawyer to other lawyers and staff members at the Mentor's office or, in the case of in-firm mentoring, ascertain that such introductions have already occurred.	
2. Invite the Beginning Lawyer to attend a meeting of the local bar association and discuss local, state and national bar association opportunities.	
3. Introduce as feasible the Beginning Lawyer to other lawyers in the community through attendance at local bar association meetings or otherwise.	
4. Escort the Beginning Lawyer on a tour of the local courthouse(s) and, to the extent practicable, introduce him or her to members of the judiciary, court personnel and clerks of court.	
5. Discuss any "unwritten" customary rules of civility or etiquette among lawyers and judges in the community.	
6. Acquaint the Beginning Lawyer with Legal Aid, Georgia Legal Services, and opportunities for lawyers in private practice to engage in pro bono activities.	
<b>B. Introduction to the Community at Large</b>	
1. Invite the Beginning Lawyer to attend a civic club of which the Mentor is a member or some other community service activity in which the Mentor participates.	
2. Discuss civic, charitable, and service opportunities in the community.	

<b>C. Introduction to Law Office Management</b>	
1. The Mentor should take the Beginning Lawyer on a tour of the Mentor's office and demonstrate and explain how the following items of law practice management are used and handled in the Mentor's office, if applicable.	
(a) Time Records	
(b) Records of client-related expenses	
(c) Billing system	
(d) Escrow or Trust Account and handling of funds belong to client	
(e) Filing System	
(f) Document Retention Plan	
(g) Calendar and "Tickler" or Reminder System	
(h) Information Technology Systems	
(i) Library and Research Systems	
(j) Other resources (publications, seminars, equipment, etc.) that a Beginning Lawyer might find particularly helpful in his or her work	
(k) Discuss good time management skills and techniques	
(l) Discuss practices to maintain client confidentiality	
(m) Discuss role and responsibilities of paralegals, secretaries and other office personnel and how to establish good working relationships with others in same office who are support staff, colleagues or senior	

<b>D. Working With Your Client</b>	
1. Discuss Topical Questions and cover items of Practical Guidance set out in <b>Appendix D, Working With Your Client</b> , including responsibilities of the attorney and the client in decision making.	
2. Discuss how to gather information about a legal matter and appraise credibility and trust.	
3. Discuss how to screen for, recognize and avoid conflicts of interest.	
4. Discuss how to decide whether to accept a proffered representation.	
5. Discuss the use of retainer or engagement letters and defining the scope of the representation.	
6. Discuss how to talk about and set the fee for legal services.	
7. Discuss how to deal with a “difficult” client.	
8. Discuss “DO’s and DON’TS” of maintaining good ongoing client relations such as returning telephone calls and keeping client informed about matters.	
9. Discuss terminating the lawyer-client relationship and necessary documentation.	
* 10. Participate in or observe at least one client interview or client counseling session.	
* <b>For same firm Mentors and Beginning Lawyers <u>only</u>.</b>	

<b>E.** Mandatory Advocacy Experiences</b>	
<p>For Beginning Lawyers subject to the mandatory Advocacy Experiences requirement, the Mentor should monitor and facilitate the progress of the Beginning Lawyer in observing the following Advocacy Experiences and by discussing, or arranging for another experienced lawyer to discuss, the context and assess the event observed:</p>	
<p>1. An actual or simulated*** deposition of a witness or adverse party in a civil action.</p>	
<p>2. An actual or simulated*** jury trial in a civil or criminal case in either a state or federal court.</p>	
<p>3. An actual or simulated*** non-jury trial or evidentiary hearing, in state or federal court.</p>	
<p>4. An actual or webcast of an appellate argument in the Supreme Court of Georgia, the Court of Appeals of Georgia, or a United States Circuit Court of Appeals.</p>	
<p>5. An actual or simulated*** mediation.</p>	
<b>F. Optional Advocacy Experiences</b>	
<p>1. Arrange for the Beginning Lawyer to observe an actual or simulated*** arbitration and discuss or arrange for an experienced lawyer to discuss the arbitration observed and provide relevant background context and evaluate what is observed.</p>	
<p>2. Arrange for the Beginning Lawyer to observe a judicial-type hearing conducted by a state or local administrative body (e.g., local zoning board; tax equalization board hearing; state licensing or regulatory board) and provide relevant background context and evaluate what is observed.</p>	
<p><b>** Mandatory Advocacy Experiences are required for certain Beginning Lawyers under Rule 8-104(D) of the Rules and Regulations for the Organization and Government of the State Bar of Georgia. Rule 8-104(D) provides that “Prior to appearing as sole or lead counsel in the Superior or State Courts of Georgia in any contested civil case or in the trial of a criminal case, any newly admitted active member admitted to practice after June 30, 2005, shall complete the mandatory Advocacy Experiences of the Transition into Law Practice Program . . . .”</b></p> <p><b>Up to three (3) of the five (5) Mandatory Advocacy Experience may be obtained prior to admission to practice, under certain conditions. See Rule 8-104(D).</b></p> <p><b>*** Simulated advocacy experiences are available on videotape from ICLE.</b></p>	

<b>G. Closings and Transactional Work</b>	
Arrange for Beginning Lawyer to observe a real estate or other business transaction or financial closing and explain relevant background.	
<b>H. The Obligations of Attorneys to Others</b>	
1. Discuss Topical Questions and cover items of Practical Guidance set out in <b>Appendix D, Acting For Your Client.</b>	
2. Discuss "A Lawyer's Creed" (attached) and how one as a lawyer can use the law and legal process as "instruments for the common good."	
<b>I. Negotiation</b>	
1. Discuss pertinent questions raised by the Topical Questions and Practical Guidance in <b>Appendix D, Negotiating for Your Client</b> , such as:	
(a) How to prepare for the negotiation of a legal matter (e.g., release of a personal injury claim, lease agreement, etc.)	
(b) When and how negotiation should be initiated	
(c) How to involve the client in negotiation	
(d) How to negotiate with an attorney with years of experience, a friend, etc.	
(e) Ethical and professionalism obligations of negotiators.	
(f) Skills needed to be an effective negotiator and how to acquire them	
2. Arrange for Beginning Lawyer to observe an actual or simulated*** negotiation and explain relevant background context and then evaluate what is observed.	
<b>*** Simulated advocacy experiences are available on videotape from ICLE.</b>	

**Mentoring Plan Pledge**

The undersigned Mentor and Beginning Lawyer hereby agree upon the Mentoring Plan (“Plan”) of activities and experiences set out above. They pledge that they will use their best efforts to carry out the Plan in a manner that fulfills the purpose of the Transition Into Law Practice Program in assisting the Beginning Lawyer to acquire the practical skills, judgment and professional values to practice law in a highly competent manner.

By signing this Pledge, the undersigned Mentor and Beginning Lawyer pledge that they will devote the time and effort necessary to achieve these goals.

\_\_\_\_\_  
Print Name of Mentor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Print Name of Beginning Lawyer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sign

**The Mentoring Plan Pledge should be signed by both the Mentor and the Beginning Lawyer and returned to the Program Administrator within thirty (30) days after the start of the mentoring year.**



TRANSITION INTO LAW PRACTICE PROGRAM

CERTIFICATE

The undersigned hereby certifies that \_\_\_\_\_  
(Beginning Lawyer)

\_\_\_\_\_ satisfactorily completed the Mentoring Plan of Activities and  
(has or has not)

Experiences filed with the Transition Into Law Practice Program of the Commission on  
Continuing Lawyer Competency.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mentor's Name (Please print.)

\_\_\_\_\_  
Mentor's Signature

**At the end of twelve months from the start of the mentoring year, the mentor is expected to sign this certification evidencing whether or not the beginning lawyer satisfactorily completed the Mentoring Plan to which they committed.**