



Georgia Court Guide to Statistical Reporting



Georgia Court Guide to Statistical Reporting

A publication of the Judicial Council of Georgia Administrative Office of the Courts



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Acknowledgments

The *Georgia Court Guide to Statistical Reporting* has existed under various names since the inception of the Judicial Council of Georgia's (JC) Administrative Office of the Courts (AOC). While the JC/AOC oversees the collection of data, the efforts of countless state and local officials contribute to the success of annual caseload data collection. These officials include judges, clerks, court administrators, prosecutors, and many others. The Office of Research and Data Analysis is grateful to all who have helped, and we acknowledge their dedication to improving Georgia's judicial data collection.

The annual caseload collection project would not be possible without the leadership of all past and present Judicial Council and Judicial Workload Assessment Committee members. Their commitment to the project is crucial to improving Georgia's judiciary through careful research and analysis of court data.

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Overview [To the top](#)

The *Georgia Court Guide to Statistical Reporting* (Guide) is a standardized reporting framework for Georgia trial court statistics. The statistics reported through this framework are compiled, analyzed, and published by the Administrative Office of the Courts' Office of Research and Data Analysis (Research).

Since 1976, the JC/AOC has worked with local officials to measure activity in Georgia courts. The ongoing efforts produce statistics for Supreme, Appeals, Superior, State, Juvenile, Probate, Magistrate, Civil, Recorder's, and Municipal courts. Georgia law requires the AOC to "compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which data and information shall be provided by the courts" (O.C.G.A. §15-5-24 (3)). The AOC serves as the state archive of this court statistical information.

The collected data is used to support state and county resource decisions and to assist in policy development. In addition, statewide caseload activity is reported to the National Center for State Courts and other national organizations that inform justice system stakeholders about Georgia's courts. The caseload data serves as an historical description of the courts; the published data are used by judicial branch agencies; state and local executive agencies; project and program managers; and grant applicants to support ongoing process and operational improvements. Superior court data is also used in the assessment of judicial workload that can lead to Judicial Council recommendations to the Governor and General Assembly for additional judgeships.

Due to Georgia's non-centralized court system, each class of court and their respective circuits, counties, and cities vary in their administrative structure. Regardless of their organization, the JC/AOC has set for itself the same task: to map caseload data to the reporting framework in this guide. Without common definitions and a standard format for classification, the goal of the JC/AOC could not be achieved.

The Guide is divided into a section for each class of trial court in Georgia. Within each section, the Guide contains definitions for how cases should be defined, classified, and counted. Court case management systems should be capable of generating reports that meet the requirements of the Guide. Individual vendors can provide guidance on their specific product capabilities. Research personnel are available to discuss the Guide and assist courts, clerks, and vendors with reporting. Submission instructions can be found in Section 9.

Note that all case categories, case types, case status categories, manners of disposition, and case characteristics are defined as they apply to the Guide and therefore categories may vary somewhat from other definitions or common usage in a particular circuit, county, or municipality.

Section 1 - Common Definitions [To the top](#)

Criminal, civil, and traffic caseloads each have their own units of count which remain standard across all classes of court. In addition, caseload data are reported in three ways: Status Categories, Case Characteristics, and Manner of Disposition. Each caseload section and the elements that comprise each section are outlined below.

Unit of Count

Criminal: The unit of count for criminal cases is determined by defendants. This is defined as a count of the number of individuals that have been charged with a criminal offense. Each defendant is categorized based on the most serious offense regardless of the number of charges on the docket.

Civil: The unit of count for civil cases is each complaint/petition that is filed with the clerk of court.

Traffic: The unit of count for traffic cases is each ticket/citation. Each ticket/citation is one case. If a ticket/citation has more than one charge it is still counted as one case and categorized under the most serious offense. For example, a driver charged with both a DUI and speeding charges under the same citation will only count as one serious traffic filing.

Status Categories

Caseload reporting captures information about case status during the calendar year reporting period. These case status categories are consistent for each trial court.

Cases Open: A count of cases that were filed in any previous reporting period and, at the start of the current reporting period, are awaiting disposition.

Cases Filed: A count of cases that have been filed with the court in the current reporting period.

Cases Disposed: A count of cases for which an entry of judgment has been entered during the current reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

Case Characteristics

Introduction

The data on case characteristics captures key information on disposed cases. Data are collected on the number of cases with self-represented litigants and the number of cases with interpreters.

Unit of Count

Count of the number of disposed cases that included self-represented litigants and interpreters at any time during the life of the case. The unit of count is the case, not the litigant(s).

- A case should be counted at the point of disposition
- A case with self-represented litigant(s) or a case with interpreter(s) should be counted as a single case,

whether that case has one or more self-represented litigants or interpreters.

Cases with Self-Represented Litigants:

A self-represented litigant is a person who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as “pro se” or “pro per” litigants if, during the life of the case, one or more parties was self-represented.

For plaintiffs/petitioners, the life of the case is from filing to disposition. For defendants/respondents, the life of the case is from arraignment/answer to disposition. While arraignment procedures may vary, the assumption is that the arraignment is the first opportunity that defendants have to provide the court with their representation status (i.e., to tell the court that an attorney has been retained, to request that the court appoint an attorney, or to inform the court of the defendant’s wish to be self-represented). Therefore, in criminal cases, the arraignment (or an equivalent hearing) is considered to be the start of the case for the defendant.

Cases in which the defendant appears at arraignment without defense counsel, but requests a court-appointed attorney during the arraignment proceedings should only be included in the self-represented tally if the self-representation continues after arraignment.

Self-represented litigants can take advantage of limited scope legal assistance (also known as limited assistance representation or unbundled legal services) to assist with the preparation of specific documents or to argue certain legal issues in a hearing before a judicial officer. While these self-represented litigants have representation for a specific and limited purpose, they remain

fundamentally self-represented. Thus, cases in which self-represented litigants have obtained limited scope legal assistance are still counted as cases with self-represented litigants.

If a case is disposed by default, do not assume that the non-responding defendant or respondent was self-represented. If the plaintiff/petitioner was self-represented, the case can be correctly counted as one with a self-represented litigant. However, if the plaintiff/petitioner was represented and the defendant/respondent was at default due to a failure to respond at any point during the life of the case, the case is not to be counted as one with self-represented litigants.

Cases with Interpreters:

An interpreter appointed by the court to provide interpretation services in any or all three modes of interpretation (consecutive interpretation, simultaneous interpretation, and sight translation) for a Limited English Proficient (LEP) party from that person’s native language to English and vice versa. Sign Language interpretation is included. Interpreter services can be provided in person, via telephone, or through other audio/visual technologies. The distinction being captured here is between interpretation as ordered by the court and interpretation that may be provided on an ad hoc basis by a family member or friend. Interpretation ordered by the court may be provided by anyone the court deems qualified (e.g., certified interpreter, registered interpreter); the underlying assumption is that the court has formally taken note of the need for interpreter services and provided them.

Manner of Disposition

Introduction

Manner of Disposition classifies disposed cases as trials and non-trial. Understanding trial rates and how they vary by case type and over time is of interest to court management and the legal profession.

Unit of Count

For each case type, count the number of disposed cases that were disposed by the disposition type. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved. When there is more than one type of dispositive action in a case, count as the disposition the action requiring the most judicial involvement. Prioritize actions as follows: jury trials, bench/non-jury trials, non-trial dispositions.

Notes Specific to Manner of Disposition

Cases that are deferred to diversion or accountability court dockets (e.g., Drug Court) are not counted as dispositions until

they return for final adjudication (e.g., imposition of sentence or dismissal).

Definitions for Manner of Disposition

Trial: A count of cases in which a jury is impaneled to determine the issues of fact in a case or in which a judge or judicial officer is assigned to determine both the issues of fact and law in a case. A trial should be counted when the jury has been sworn (jury trial) or the first evidence is introduced (bench trial), regardless of whether a judgment is reached.

Non-Trial:

- Summary judgement
- Settlement
- Alternative Dispute Resolution
- Default judgement
- Dismissal
- Transfer to another court
- Bind Over
- Guilty plea/stipulation
- Nolle Prosequi
- All delinquency and dependency non-trial hearings

Section 2 - Superior Court [To the top](#)

Introduction

Georgia's 159 superior courts are general jurisdiction trial courts exercising both civil and criminal jurisdiction. Superior court judges hear all felony cases, domestic relations cases, equity cases, and other civil matters. Superior courts have jurisdiction to hear appeals from lower courts as provided by the Georgia Constitution, including appeals of judgments from the probate and magistrate courts that are handled as de novo appeals. The superior courts are organized into 49 judicial circuits made up of one or more counties. Superior court judges are constitutional officers who are elected to four-year terms in circuit-wide nonpartisan elections.

For reporting in the Georgia framework, superior court caseload is divided into three major categories: criminal, domestic relations, and general civil. The superior court reporting framework described in the Guide is used for reporting superior court caseload data.

Superior Court Definitions

Criminal

Serious Felony: Any offense that carries a mandatory minimum sentence of ten years or more. See reference list included. Serious felonies also include cases where the district attorney seeks repeat offender status.

Felony: A count of cases where the offense is punishable by incarceration for year or more, excluding cases counted as serious felonies.

Misdemeanor: Any offense punishable by incarceration for less than one year and/or, community service, and/or maximum fine of \$1,000.

Death Penalty: Any offense where the district attorney intends to seek the death penalty.

Probation Revocations: Number of probation revocation petitions filed by either private or public probation officers, including waivers signed by defendants.

Domestic Relations

Paternity/Legitimation: Any case not brought by the Department of Child Support Services that involves a determination of biological offspring.

Adoption: Cases involving a request for the establishment of a new, permanent relationship of parent and child between persons not so biologically related.

Other Domestic: Domestic relations cases that do not adequately fit into any of the other case types.

Family Violence: Any case in which a protective order from a family member or domestic partner is requested.

Divorce/Alimony: Any case involving the dissolution of a marriage or the establishment of alimony.

Unknown: Any case that does not have enough relevant information to assign to a particular case category.

Contempt: Any case brought after an order has already been issued by a judge and the ordered party is non-compliant. The types of contempt cases are:

- **Alimony:** Non-payment of ordered alimony
- **Child Support:** Non-payment of ordered child support
- **Joint Child Support/Alimony:** Non-payment of both ordered child support and alimony.
- **Custody and/or Visitation:** Non-compliance regarding custody and/or visitation orders.
- **Other Domestic Contempt:** Non-compliance with domestic orders that does not fit into the previously defined contempt categories.

Modification: Any case brought after an order has been issued by a judge and the terms of the order are being challenged or amended.

- **Alimony:** Modification of alimony payments.
- **Child Support:** Modification of child support payments.
- **Joint Child Support/Alimony:** Modification of joint child support/alimony orders.
- **Custody and/or Visitation:** Modification of custody/visitation orders.

Domestication Custody: Any interstate, whether Uniform Interstate Family Support Act (UIFSA) or other case that is brought to the court by the Division of Child Support Services. This does not include intrastate establishment of support.

Separate Maintenance: Any case where financial support is requested by a legally

married couple prior to any divorce or annulment proceedings.

Support Enforcement: Any intrastate case involving the establishment of child support brought by the Division of Child Support Services or a private party.

General Civil

Habeas Corpus: Any case designed to test the legality of the detention or imprisonment of an individual, not the question of guilt or innocence.

Contract/Account: Any case involving a dispute over an agreement between two or more parties.

Dispossessory/Distress: Any case involving landlord/tenant disputes wherein the landlord removes a tenant and his/her property from the premises or places a lien on tenant property in order to repay debt.

Unknown: Any case that does not have enough relevant information to assign to a particular case category.

Appeals/Review: Any case disputing the finding of a limited jurisdiction trial court, department, or administrative agency.

Post Judgement/Garnishment: Any case where, after a monetary judgment, a third party who has money or other property belonging to the defendant is required to turn over such money or property to the court.

Non-Domestic Contempt: Any case petitioning for a restraining order that does not result from a domestic altercation or is not between parties considered to be in a domestic relationship.

Tort: Any case involving damage, injury, or a wrongful act done willfully, negligently, or

in circumstances involving strict liability, but not involving breach of contract. The different types of torts are:

- **Auto Accident Tort:** Any tort case involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle.
- **Legal Malpractice:** Any tort case that alleges misconduct or negligence by a person in the legal profession acting in a professional capacity, such as lawyers and paralegals.
- **Medical Malpractice:** Any tort case that alleges misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.
- **Other Professional Negligence:** Any tort case that alleges misconduct or negligence by a professional. Use this case type for malpractice cases that are not attributable to one of the other previously defined professional tort case types.
- **Product Liability:** Any tort case that alleges injury is caused to a person by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.
- **Other Tort:** Any tort cases that are not defined or are not attributable to one of the other previously mentioned tort case types.

- **Premise Liability:** Any tort case involving claims brought against the owner of real property, the condition of which is alleged to be the cause of personal injury.
- **Slander:** Any tort case alleging harm to the reputation, community standing, or livelihood of the claimant caused by false or misleading statements made by the defendant.
- **Real Property:** Any case involving disputes over the ownership, use, boundaries, or value of fixed land.

Personal Property: Any case involving dispute of ownership of moveable property, such as livestock, merchandise, stocks, copyrights, etc.

Equity: Any case where, for the protection and relief of parties, the operation of the general rules of law would be deficient in protecting from anticipated wrong or relief for injury.

Wills/Estates: Any case challenging the terms or legality of a will or estate proceedings.

Other General Civil: Any case in which a plaintiff requests the enforcement or protection of a right or the redress or prevention of a wrong, but does not fit into one of the previously defined case categories.

List of Serious Felonies [To the top](#)

- § 16-5-21 (k) Aggravated assault with intent to rape against a child under the age of 14 years
- § 16-5-24 (c) Aggravated battery (upon a peace officer)
- § 16-5-24 (e)(2) Aggravated battery (upon a correctional officer)
- § 16-6-4 (c) Aggravated child molestation
- § 16-6-22.2 (b) Aggravated sexual battery
- § 16-6-2 (a)(2) Aggravated sodomy
- § 16-8-41 (a) Armed Robbery, Robbery by Intimidation
- § 16-10-32 (a)(3) Attempted murder or threatening of witnesses in official proceedings
- § 16-6-4 (b)(2) Child molestation (only upon 2nd or subsequent conviction)
- § 16-4-10 (a) Committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another to commit a violation of the laws of this state or of the United States for the purpose of domestic terrorism
- § 16-6-5 (a) Enticing a child for indecent purposes
- § 16-5-80 (b) Feticide
- § 16-5-44 Hijacking an aircraft
- § 16-5-44.1 (a)(1-2) Hijacking a motor vehicle
- § 16-6-22 (a) Incest
- § 16-5-40 (a) Kidnapping
- § 16-13-31 (e)(1-3) Knowingly selling, delivering, or bringing into this state 28 grams or more of methamphetamine, amphetamine, or any mixture containing methamphetamine or amphetamine
- § 16-13-31 (f)(1-3) Manufacturing methamphetamine, amphetamine, or any mixture containing either methamphetamine or amphetamine
- § 16-13-30 (d) Manufacture, deliver, distribute, dispense, administer, sell, or possess with intent to distribute any Schedule I or II controlled substance.
- § 16-5-1 (a-c) Murder, Malice Murder, Felony Murder
- § 16-13-31.1 (3) Penalty for selling, manufacturing, delivering, bringing into the state, or possessing ecstasy (400 grams or more)
- § 16-10-70 (b) Perjury that was a cause of another's being punished by death
- § 17-10-6.1 (b)(1-2) Punishment for serious violent offenders (7 deadly sins)
- § 17-10-7 (c) Punishment of repeat offenders; punishment and eligibility for parole of persons convicted of fourth felony offense
- § 16-13-30 (l)(2) Purchase, possession, manufacture, distribution, or sale of flunitrazepam (Rohypnol) a Schedule IV drug with intent to distribute (only upon 2nd or subsequent conviction)
- § 16-7-88 (b) Use or attempt to use any destructive device or explosive to kill or injure any individual

- § 16-11-106 (c) Possession of firearm or knife during commission of or attempt to commit certain crimes (only upon 2nd or subsequent conviction)
- § 16-11-133 (c) Possession of a firearm during the commission of certain felonies as a felon who has been convicted of or has entered a guilty plea for certain offenses (only upon 2nd or subsequent conviction)
- § 16-5-72 (a) Reckless abandonment of a child under age 1
- § 16-6-1 (a) Rape
- § 17-10-16 (a) Sentence to imprisonment for life without parole authorized; ineligibility for parole or leave programs.
- § 16-6-5.1 (f)(1) Sexual assault of a child under the age of 16 years by a person who has supervisory or disciplinary authority or practitioner of psychotherapy
- § 16-6-3 (b) Statutory rape (when person convicted is 21 years of age or older)
- § 16-8-41 (c)(1) Taking controlled substance from pharmacy in course of committing armed robbery or robbery by intimidation
- § 16-11-1 (a) Treason
- § 16-13-31 (a)(1)(a-c) Trafficking in cocaine (quantity of more than 28 grams)
- § 16-13-31 (b)(2) Trafficking in illegal drugs (quantity of more than 14 grams, but less than 28 grams)
- § 16-13-31 (b)(3) Trafficking in illegal drugs (quantity of more than 28 grams)
- § 16-13-31 (c)(3) Trafficking in marijuana (quantity of 10,000 pounds or more)
- § 16-13-31 (d)(2) Trafficking in methaqualone (quantity of 400 grams or more)
- § 16-5-46 (c) Trafficking of persons (under age 18) for labor or sexual servitude
- § 16-11-160 (2)(b)(i) Use of machine guns, sawed-off rifles, sawed-off shotguns, or firearms with silencers during commission of certain offenses, enhanced criminal penalties (bulletproof vest)
- § 16-11-160 (c) Use of machine guns, sawed-off rifles, sawed-off shotguns, or firearms with silencers during commission of certain offenses, enhanced criminal penalties (bulletproof vest) (only upon 2nd or subsequent conviction)
- § 16-7-88 (a) Possessing, transporting, or receiving explosives or destructive devices with knowledge or intent that they will be used to kill, injure, or intimidate individuals or destroy public buildings
- § 17-10-7 This code generally defines the criteria for an offender to be defined as a repeat offender based on their previous criminal convictions.

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Introduction

Georgia's 71 State Courts are county-based courts that exercise limited jurisdiction. State court judges have criminal jurisdiction over misdemeanor offenses, felony preliminary hearings, traffic violations, and application and issuance of search and arrest warrants. Civil matters not reserved exclusively to the superior courts can be adjudicated in state courts. Appeals of judgements from the magistrate courts may be sent to the state court and handled as a *de novo* appeal. The General Assembly creates state courts by local legislation establishing the number of judges and their status as full-time or part-time. State court judges are elected to four-year terms in countywide, non-partisan elections.

For reporting in the Georgia framework, state court caseload is divided into two major categories: civil and criminal. The state court reporting framework described in the Guide is used for reporting state court caseload data.

State Court Definitions

Civil

Appeals/Review: Any case disputing the decision and/or finding of a limited jurisdiction trial court, department, or administrative agency.

Contract/Account: Any case involving a dispute over an agreement between two or more parties.

Dispossessory/Distress: Any case involving landlord/tenant disputes wherein the landlord removes a tenant and his/her property from the premises or places a lien on tenant property in order to repay debt.

Non-Domestic Contempt: Any case petitioning for a restraining order that does not result from a domestic altercation or is not between parties considered to be in a domestic relationship.

Post Judgement/Garnishment: Any case where, after a monetary judgment, a third party who has money or other property belonging to the defendant is required to turn over such money or property to the court.

Tort: Any case involving damage, injury, or a wrongful act done willfully, negligently, or in circumstances involving strict liability, but not involving breach of contract. Tort cases can be classified as the following:

- **Auto Accident Tort:** Any tort case involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle.
- **Legal Malpractice:** Any tort case that alleges misconduct or negligence by a person in the legal profession acting in a professional capacity, such as lawyers and paralegals.
- **Medical Malpractice:** Any tort case that alleges misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.
- **Other Professional Negligence:** Any tort case that alleges misconduct or negligence by a professional. Use

this case type for malpractice cases that are not attributable to one of the other previously defined professional tort case types.

- **Premise Liability:** Any tort case involving claims brought against the owner of real property, the condition of which is alleged to be the cause of personal injury.
- **Product Liability:** Any tort case that alleges injury is caused to a person by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.
- **Slander:** Any tort case alleging harm to the reputation, community standing, or livelihood of the claimant caused by false or misleading statements made by the defendant.
- **Other Tort:** Any tort cases that are not defined or are not attributable to one of the other previously mentioned tort case types.

Personal Property: Any case involving dispute of ownership of moveable property such as livestock, merchandise, stocks, copyrights, etc.

Other General Civil: Any case in which a plaintiff requests the enforcement or protection of a right or the redress or

prevention of a wrong, but does not fit into one of the previously defined case categories.

Criminal

Serious Traffic: Cases including misdemeanor DUI, reckless driving, homicide by vehicle, aggressive driving and fleeing, or attempting to elude a police officer.

Non-Traffic Misdemeanor: Cases involving an offense punishable by incarceration for less than a year and/or fines. Use this case type for misdemeanor cases that are not attributable to one of the other previously defined misdemeanor case types, or when all misdemeanor cases are reported as a single case type.

Other Traffic: Criminal cases involving a violation of statutes and local ordinances governing traffic and parking, as well as a violation of other local ordinances. Use this category for all criminal cases involving the operation of a motor vehicle and for cases of unknown specificity, when motor vehicle cases are not attributable to one of the other previously defined motor vehicle case types.

Probation Revocation: Number of probation revocation petitions filed by either private or public probation officers, including waivers signed by defendants.

Section 4 – Juvenile Court [To the top](#)

Introduction

Jurisdiction of the juvenile courts extends to dependent children under 17 years of age. This jurisdiction also extends to delinquent children and children in need of services (CHINS) under 17 years of age. Juvenile court judges have jurisdiction over minors who commit traffic violations, request consent to marry, petition the court for emancipation, files a minor abortion petition, or petitions the court to enlist in the armed forces. Juvenile courts have concurrent jurisdiction with superior courts in child custody and child support cases and in proceedings to terminate parental rights. Certain violent felonies committed by juveniles may be tried in superior court. Juvenile court judges are appointed by the superior court judges of their respective circuit to four-year terms.

For reporting in the Georgia framework, juvenile court caseload is divided into seven major categories: CHINS, delinquency, dependency, emancipation, special proceedings, traffic, and termination of parental rights. As required by Georgia law, detailed information regarding minor abortion petitions is also collected. The juvenile court reporting framework described in the Guide is used for reporting juvenile court caseload data.

Juvenile Court Definitions

Unit of Count

- For delinquency, CHINS, emancipation, traffic, and special proceeding cases count the juvenile and all allegations involved in a single incident as a single case. If the filing document contains multiple juveniles involved in a single incident, count each juvenile as a single and separate case
- For dependency cases and termination of parental rights, count the petition as a single case. A dependency case that contains multiple parties (e.g., children/siblings) or multiple causes of action is counted as one case.

Children in Need of Services (CHINS): A child who commits a status offense (an act that would not be a crime if committed by an adult); is habitually truant, ungovernable, incorrigible, a runaway; loiters in a public place after midnight; patronizes bars where

alcohol is sold or possesses alcohol; or violates the terms of supervision or probation if the original offense was unruly.

Delinquency

Delinquency Class A Felony: A delinquent act committed by a child 13 years of age or older, which if committed by an adult, would be one of the following crimes:

- Aggravated Battery
- Armed Robbery (not involving a firearm)
- Arson (first degree)
- Attempted Murder
- Escape
- Hijacking a motor vehicle
- Kidnapping
- Participating in criminal gang activity
- Trafficking of substances

Delinquency Class B: A delinquent act committed by a child 13 years of age or older,

which if committed by an adult, would be one or more of the following crimes:

- Aggravated Assault or Assault with a deadly weapon (or object, device) which when used offensively against a person would be likely to result in bodily injury, but did not.
- Arson (second degree)
- Attempted Kidnapping
- Battery of a teacher or other school personnel
- Racketeering
- Robbery
- Smash & Grab Burglary
- Possessing, manufacturing, transporting, distributing, or possessing with intent to distribute a destructive device

Delinquency Not Designated: A count of cases not designated as either Class A or Class B felonies.

Dependency: Dependency cases are a subcategory of juvenile cases in which it is alleged that a child has been abused or neglected or is otherwise without proper parental care and/or supervision.

Emancipation: The release of a minor from his or her parents, which entails a complete relinquishment of the right to the care, control, custody, services, and earnings of such child and a repudiation of parental obligations.

Special Proceedings: A child who is the subject of a filing or disposition that does not fall within any of the above case types, e.g. request for permission to marry or join the armed services, minor abortion petitions, proceedings relating to mental illness and superior court referrals for custody investigations.

Traffic: A child under the age of 17 who violates any motor vehicle law, excluding those conserved delinquent offenses as described by O.C.G.A. §15-11-73(c).

Termination of Parental Rights: An action on behalf of a child to end the rights and obligations of a parent on the grounds listed in O.C.G.A. §15-11-310.

Minor Abortion Petitions

Pursuant to O.C.G.A. §15-11-682, each clerk of juvenile court is to provide case counts related to minor abortion petitions no later than March 15 of each year for the previous calendar year. The case counts submitted to the AOC shall be held confidential, not disclosed and destroyed six months after submission by the juvenile court clerks. The AOC will provide aggregated statistics of the counts to the Department of Public Health in accordance with O.C.C.G.A. §16-12-141.1(g).

Total Petitions Filed: A count of the minor abortion petitions filed with the juvenile court.

Appointed Guardian Ad Litem: A count of the number of petitions filed in which the court appointed a guardian ad litem.

Court Appointed Counsel: A count of the number of petitions filed in which the court appointed an attorney.

Without Notification: Cases in which the petitioners were granted the right to an abortion and a parent or legal guardian of the minor could not be located.

Denied: Cases in which the court denied the request by a minor to pursue an abortion without legal consent of a parent or legal guardian.

Appealed: Cases in which the judge denied the petitioner's request to seek an abortion and the petitioner subsequently filed an appeal to reverse the original order of the court.

Affirmed: Cases in which the court conducts a review of its original order in the appeals process and upholds the original decision to deny the request of the minor to seek an abortion.

Reversed: Cases in which the court conducts a review of its original order in the appeals process and subsequently grants the petitioner's request to seek an abortion.

Section 5 – Probate Court [To the top](#)

Introduction

Probate courts exercise exclusive, original jurisdiction in the probate of wills, administration of estates, appointment of guardians, and involuntary hospitalization of incapacitated adults and other individuals. Probate court judges are constitutional officers who are elected to four-year terms. All probate court judges administer oaths of office and issue marriage licenses. In some counties probate judges may hold habeas corpus hearings or preside over criminal preliminary hearings. Unless a jury trial is requested, a probate court judge may also hear certain misdemeanors, traffic cases, and violation of state game and fish law in counties where there is no state court. In counties with a population of 90,000 or greater, the probate judges must be an attorney meeting the qualifications of a superior court judge. In those counties, jurisdiction is expanded or enhanced to include the right to a jury trial, with appeals directly to the court of appeals or supreme courts. When authorized by local statute, probate judges serve as election supervisors and make appointments to certain local public offices.

For reporting in the Georgia framework, probate court caseload is divided into four major categories: general probate, mental health, criminal, and administrative actions. The probate court reporting framework described in the Guide is to be used for reporting probate court caseload data.

Unit of Count

The unit of count for general probate cases is by petitions. General probate petitions are categorized by case and filing status.

Trusts: Cases that create a legal entity that allows one person to hold legal title to property for the benefit of another person.

Other Filings: Any case that does not fall within the previous categories.

Probate Court Definitions

General Probate Case Categories

Estates: Cases that deal with managing the assets, liabilities, and property of decedents.

Guardianship Minor: Cases that involve establishing a temporary or permanent legal guardian for a child.

Conservatorship Minor: Cases that appoint a person to manage a minor's property.

Guardianship/Conservatorship Adult: Cases that involve either the establishment of a guardian for an adult ward or for a manager/conservator of an adult ward's property.

General Probate Filing Categories

Initial Petition: The petition or other document that creates an entirely new case. All initial petitions must be disposed before other petitions can be filed.

Secondary Petition: Any subsequent petition that is filed in the same case created by an initial petition.

Motion: A written application for an order.

Objection/Caveat: Pleading to the court and petitioners opposing the performance of certain acts requested in a petition (may be in response to an initial or secondary petition).

Discharge (Uncontested): A petition that seeks final closure of a case and is not contested by any relevant party.

Discharge (Contested): Any discharge that is contested by a relevant party and requires adjudication.

Other General Probate Actions

Inventory and Asset Management Plan: A description of all assets and liabilities of the decedent, including a list of all personal and real property owned by the decedent at the time of death that is subject to administration of an estate's personal representative or in the event of a conservatorship of a minor or adult, a list of personal and real property owned by the ward and subject to management by a conservator, which includes a plan to manage the property and income for the following year.

Personal Status: A report pertaining to the status of an adult ward or a minor child.

Annual/Final Return: Accounting, under oath, of the receipts and expenditures on behalf of a decedent's estate or adult or minor conservatorship during the year preceding the anniversary date of appointment, together with a statement of all other assets or transfers of assets which are necessary to show the true condition of the estate. The final return is due with a petition for discharge or petition for dismissal.

Bond: A count of the number of surety bonds issued.

Guardian ad Litem (GAL): A count of the number of times a court has to appoint someone to investigate and represent the best interest of a minor child, alleged incapacitated adult or missing or unknown heirs at law with regard to a particular matter pending before the court.

Indigent Affidavit: A count of the number of times an affidavit of indigence is filled in which a court waives filing fees for citizens unable to afford the fees.

Mental Health

Involuntary Treatment: Petitions that order a person suffering from mental illness or drug addiction to be committed into a treatment facility. This category includes both inpatient and outpatient treatment orders.

Order to Apprehend: A legal order allowing law enforcement officers to apprehend a person who is suffering from mental illness or drug addiction.

Other Mental Health: Any mental health petitions or orders that are not included in the previous two categories.

Criminal

Unit of Count: The unit of count for criminal cases heard by the probate court is by defendant.

Serious Traffic: The following cases are considered misdemeanor serious traffic offenses: driving under the influence, reckless driving, aggressive driving, and evading a police officer.

Non-Serious Traffic: All traffic cases other than those included in the serious traffic category.

Other Criminal Citations: All non-traffic misdemeanor cases handled by the probate courts.

Manner of Disposition

Transfer: A case disposed by sending it to a higher court.

Bench Trial: A trial held in front of a judge without a jury.

Non-Trial: Any form of disposition that does not involve a formal trial.

Administrative Actions

Firearms: A count of all the weapons carry permits filed in a probate court along with a count of all the permit denials and revocations.

Vital Records: Certificates or reports of birth, death, and data related thereto.

- Birth Certificates- A count of all the birth certificates issued by a probate court
- Death Certificate- A count of all the death certificates issued by a probate court.

Marriage: A count of all marriage licenses issued by a probate court.

- License Issued- A count of all original marriage licenses issued by the probate court.

- Certified Copies-All certified copies of marriage licenses issued by the probate court.

Passports: A count of all passport applications processed by a probate court.

Elections: First, indicate whether or not the court oversees elections by selected “yes” or “no”. If a court does handle elections, it will then show the number of voting precincts found within the county along with the number of election cycles handled in that calendar year. An election cycle refers to the number of election rounds not the number of candidates or offices being voted upon. For example, a county that experiences a primary, general, and runoff election in a single calendar year would be considered to have three election cycles regardless of the number of candidates or offices involved.

Miscellaneous Administrative: All other administrative actions that do not fall within one of the previous categories.

Section 6 – Magistrate Court [To the top](#)

Introduction

Magistrate court jurisdiction includes: civil claims of \$15,000 or less, certain minor criminal offenses, distress warrants and dispossessory writs, county ordinance violations, deposit account fraud, preliminary hearings, summonses, arrest, and search warrants. A chief magistrate, who may be assisted by one or more magistrates, presides over each of Georgia’s 159 magistrate courts. Chief magistrates are elected in partisan and non-partisan, countywide elections to four-year terms. Terms for other magistrate judges run concurrently with that of the chief magistrate.

For reporting in the Georgia framework, magistrate court caseload is divided into four major categories: criminal, civil, warrants, and hearings. The Magistrate court reporting framework described in the Guide is to be used for reporting magistrate court caseload data.

Magistrate Court Definitions

Criminal

Ordinance Violations: A count of violations of local regulations passed by county, city, or other local governing bodies.

Misdemeanors: A count of violations of state laws that include: Possession of Less Than One Ounce of Marijuana (O.C.G.A. §16-13-2), Theft by Shoplifting (O.C.G.A. §16-13-2), Furnishing Alcoholic Beverages to and Purchase and Possession of Alcoholic Beverages by a Person Under 21 Years of Age (O.C.G.A. §3-3- 23.1), Criminal Trespass (O.C.G.A. §16-7-21), Deposit Account Fraud/Issuance of Bad Checks (O.C.G.A. §16-9-20).

Civil

Claims: Cases in which the amount demanded or the value of property claim does not exceed \$15,000.

Dispossessory and Distress Warrants: Proceedings involving landlords and tenants either for removal of the tenant from the property or for seizure of the property for non-payment of rent.

Garnishments: A proceeding in which the property or money in possession or control of another person are applied to pay a debt or judgment to a third person. This is most commonly an action in which a creditor garnishes a person’s wages from the employer.

Foreclosures and Attachments: A means of enforcing payment of a debt by selling the property upon which the debt is owed. Attachment is a process in which the court is asked to have property seized in order to satisfy a debt (to satisfy the court judgment in post-judgment actions).

Warrants

Felony Arrest: A type of arrest warrant that authorizes the arrest of a person suspected of committing a felony crime.

Misdemeanor Arrest: A type of arrest warrant that authorizes the arrest of a person suspected of committing a misdemeanor crime.

Good Behavior: A type of warrant against a person whose conduct indicates that the safety of another person may be at risk.

Search: A type of warrant that authorizes law enforcement officers to conduct a search of a person, location, or vehicle for evidence of a crime and to confiscate evidence if it is found.

Hearings

Warrant Application: This is a hearing to determine if there is probable cause for issuance of an arrest warrant when application has been made by a person other than a peace officer or law enforcement officer and for commission of an offense against the penal laws.

First Appearance: The purpose of this hearing is to inform the defendant of the charges, the defendant's rights, and to set a bond to guarantee the defendant's appearance at court for the next proceeding.

Commitment: This is a pre-trial or preliminary hearing to determine if there is sufficient evidence (probable cause) for the case to proceed to trial.

Good Behavior: The purpose of this proceeding is to determine if there is sufficient cause to require the defendant to post a good behavior bond and to set the amount of the bond.

Section 7 – Municipal Court [To the top](#)

Introduction

Georgia’s Municipal Courts hear traffic and ordinance violation cases in towns and cities. Municipal court judges hear municipal ordinance violations, issue criminal warrants, conduct preliminary hearings, and sometimes have concurrent jurisdiction over shoplifting cases and cases involving possession of one ounce or less of marijuana.

For reporting in the Georgia framework, municipal court caseload is divided into six major criminal categories: traffic, local ordinances, serious traffic, drugs/marijuana, misdemeanors, and felony bindovers. The municipal court reporting framework described in the Guide is used for reporting municipal court caseload data.

Municipal Court Definitions

Criminal

Traffic (Not DUI): Any non-criminal misdemeanor traffic violations punishable by a maximum fine of \$1,000 or 12 months confinement. Examples: speeding, failure to obey stop sign, failure to use turn signal, and seat belt violations.

Ordinances: Violations of local regulations passed by county, city, or other local governing bodies. Examples: animal control violations, solid waste violations, solicitation without a permit, and zoning violations.

Serious Traffic: Any finger printable traffic violation. Examples: DUI, reckless driving, and operating a commercial vehicle without a CDL.

Drug/Marijuana (Less than one ounce):

Any drug-related misdemeanor criminal filings. Examples: possession of marijuana.

Misdemeanors (Not otherwise listed): Any criminal violations punishable by maximum fine of \$1,000 or 12 months confinement. Also includes any violations that do not fit within any aforementioned categories. Examples: vandalism and shoplifting at value less than \$300.

Bindovers: Transfers (of a case or defendant) to a trial court after a finding of probable cause at a preliminary hearing. Note: include all bindovers, even if the offense is not a felony.

Section 8 – Civil Court and Recorder’s Court [To the top](#)

Introduction

For reporting in the Georgia framework, civil court and recorder’s court caseloads are divided into criminal and civil categories. The civil court and recorder’s court reporting framework described in the Guide is used for reporting civil court and recorder’s court caseload data.

Civil Court and Recorder’s Court

Definitions

Criminal

Traffic (Not DUI): Any non-criminal misdemeanor traffic violations punishable by a maximum fine of \$1,000 or twelve months confinement. Examples: speeding, failure to obey stop sign, failure to use turn signal, and seat belt violations.

Ordinances: Violations of local regulations passed by county, city, or other local governing bodies. Examples: animal control violations, solid waste violations, solicitation without a permit, and zoning violations.

Serious Traffic: Any finger printable traffic violation. Examples: DUI, reckless driving, and operating a commercial vehicle without a CDL.

Drugs/ Marijuana (Less than an ounce): Any drug-related misdemeanor criminal filings. Examples: possession of marijuana.

Misdemeanors (Not otherwise listed): Any criminal violations punishable by maximum fine of \$1,000 or twelve months confinement. Also includes any violations that do not fit within any aforementioned categories. Examples: vandalism and shoplifting at value less than \$300.

Bindovers: Transfers (of a case or defendant) to a trial court after a finding of probable cause at a preliminary hearing. Note: include all bindovers, even if the offense is not a felony.

Civil

Claims: Cases up to \$15,000, which is most common in contract and account actions.

Dispossessory and Distress Warrants: Proceedings involving landlords and tenants either for removal of the tenant from the property or for seizure of the property for non-payment of rent.

Garnishments: A proceeding in which the property or money in possession or control of another person are applied to pay a debt or judgment to a third person. This is most commonly an action in which a creditor garnishes a person’s wages from the employer.

Foreclosures and Attachments: A means of enforcing payment of a debt by seizing and selling the property upon which the debt is owed. Attachment is a process in which the court is asked to have property seized in order to satisfy a debt (to satisfy the court judgment in post-judgment actions).

Section 9 – Data Submission and Verification [To the top](#)

Data Submission

Efforts to simplify the reporting of caseload data led to the development of the online forms available at <https://myaocportal.georgiacourts.gov/login.html>. Clerks of all courts may access the forms by registering at the website and logging in to submit or edit their data. At the portal site, users can register as a first-time user or log in as a previously registered user. If you have not previously registered as a MyAOCportal user, follow the instructions below.

1. Enter www.georgiacourts.gov into your web browser.
2. Find the “Username & Password Sites” in the navigation bar on the main page.
3. Select “Caseload Reporting” to enter the portal.
4. Click “Create Account”
5. Enter the email address you have previously given to the JC/AOC as your contact information, and click “Register.” Doing this will prompt MyAOC portal to send you an email with directions for creating a user name and password to complete registration

Once you have registered or if you have previously registered, follow the instructions below.

1. Navigate to MyAOCportal (<https://myaocportal.georgiacourts.gov/login.html>), and login using the user name and password you created. Once inside MyAOCportal, you may now select the appropriate court and enter your caseload data.

If you do not know the email address you previously registered with the JC/AOC or if you experience any technical issues with the portal, please contact the Office of Research and Data Analysis at 404-232-1857 or email casecount@georgiacourts.gov.

Please note: Mailed, emailed, and faxed forms will no longer be accepted.

Data Verification

The Research staff will review all data submitted through MyAOCportal for completeness and compare it with data from prior years to identify potential questions and issues addressing data reliability. Clerks are notified of any questions or concerns to allow editing or additional verifications before data is certified as final. It is important that data is submitted during the collection period to ensure the integrity of the data published.

Section 10 – Reporting Timeline [To the top](#)

Below are dates of various events in the caseload reporting process. Please be mindful of these dates in order to allow ample time for verification and subsequent analysis.

All dates are in 2017.

February 1 – Caseload reporting initiated.

April 10th – 15 day reminder sent to courts that have not submitted.

April 17th – 10 day reminder sent to courts that have not submitted.

April 24th – 5 day reminder sent to courts that have not submitted.

April 27th – 2 day reminder sent to courts that have not submitted.

May 1st – Portal closes to external users

May 2nd – Caseload data are past due. First late notice is sent to courts that have not submitted.

May 15th – Second late notice sent to unresponsive courts.

May 22nd – Final reports sent to council presidents, judges, court administrators, and clerks.

June 1st – MyAOCportal closes, and all submitted data are final.

Section 11 – Contact Information [To the top](#)

If you have comments, questions, or concerns, please contact the Research Manager or a Research Analyst below.

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