



Georgia Court Guide to Statistical Reporting



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



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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

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 and other information on the judicial work of the courts and on the work of other offices related to and serving the courts," (OCGA §15-5-24 (3)) and so, 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 serve 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 for additional judgeships to the Governor and General Assembly.

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 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

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 by defendants. This is defined as a count of the number of unique individuals that have been charged with a criminal offense. Each defendant is categorized based on the most serious offense listed on the docket on which the defendant appears regardless of the offense level any one individual on the docket is charged with.

Civil: The unit of count for civil cases is each complaint/petition which is filed with the clerk of court as the beginning of a civil case.

Traffic: The unit of count for traffic cases is by tickets/citations. 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 DUI and speeding charges under the same citation number will only count as one serious traffic filing.

Status Categories

Caseload reporting captures detailed 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, at the start of the reporting period, are awaiting disposition.

Cases Filed: A count of cases that have been filed with the court for the first time during the reporting period.

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

Case Characteristics

Introduction

Case Characteristics data capture information of key policy interest regarding the cases decided by a trial court during the reporting period. These case characteristic data provide additional details about cases that have already been counted in the court's disposed caseload. Two characteristics are of continued policy interest:

- Case with self-represented litigant(s)

- Case with interpreter(s).

Unit of Count

Count the number of disposed cases that included the case characteristic 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 of the case.
- 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, two, or more self-represented litigants or interpreters.

Notes Specific to Case Characteristics

Case with Self-Represented Litigants: Cases counted in this category must conform to the definition of a case with self-represented litigants, as defined below.

A case should be counted as a case with self-represented litigants if one or more parties were self-represented at any time during the life of the case. 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 and subsequently obtains representation do not count as cases with self-represented litigants.

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 considered cases with self-represented litigants and counted as such.

If a case is disposed by default, do not assume that the non-responding defendant/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.

Case with Interpreters: Cases counted in this category must conform to use of an interpreter, as defined below. 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 for them.

Case Characteristics Definitions

Interpreter: 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.

Self-Represented Litigant: 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.

Case with Self-Represented Litigants: A count of disposed cases in which at any point

during the life of the case one or more parties was self-represented.

Case with Interpreters: A count of disposed cases in which at any point during the life of the case one or more parties had a sign language or spoken language interpreter assigned by the court.

Manner of Disposition

Introduction

Manner of Disposition reporting provides a means to report two distinct disposition types: trials and non-trial dispositions. Understanding trial rates and how they vary by case type and over time is of policy 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).

Manner of Disposition Definitions

Trial: A count of cases in which a jury is impaneled to determine the issues of fact in the case or in which a judge or judicial officer is assigned to determine both the issues of fact and law in the 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 Disposition: A count of cases in which disposition does not involve either a jury or a bench trial. The following disposition types would all be categorized as Non-Trial Dispositions.

- Summary judgment
- Settlement
- Alternative Dispute Resolution
- Default judgment
- Dismissal
- Transfer to another court
- Bindover
- Guilty plea/Stipulation
- Nolle prosequi
- All delinquency and dependency nontrial hearings

Section 2 – Superior Court

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 to be used for reporting superior court caseload data.

Superior Court Definitions

Criminal

Serious Felony: A count of cases that carry a mandatory minimum sentence of ten years or more or where the district attorney is seeking repeated offender status as defined by O.C.G.A §17-10-1. See below for a list of serious felonies.

Felony: A count of cases where the offense is punishable by incarceration for a 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: Any case regarding the terms or legality of an adoption.

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

Family Violence: Any case where 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.

Alimony: Non-payment of ordered alimony.

Child Support: Non-payment of ordered child support.

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: Reserved for 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.

Child Support/Alimony: Modification of joint child support/alimony orders.

Custody and/or Visitation: Modification of custody/visitation orders.

Domestication Custody: Any interstate (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 Judgment/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.

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

- § 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.

Section 3 – State Court

Introduction

Georgia’s 70 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 are also adjudicated in state courts. Appeals of judgments 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, nonpartisan 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 to be used for reporting state court caseload data.

State Court Definitions

Civil

Appeals/Review: Any case disputing the 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 Judgment/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.

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. Use this case type for cases of unknown specificity, when motor vehicle cases are not attributable to one of the other previously defined motor vehicle case types, or when all motor vehicle cases are reported as a single case type.

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 of unknown specificity, when Misdemeanor cases 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: Cases involving a violation of statutes and local ordinances governing traffic and parking, as well as a violation of other local ordinances. Criminal cases involving the operation of a motor vehicle. Use this case type 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

Introduction

Jurisdiction of the juvenile courts extends to delinquent and children in need of services under 17 years of age and dependent children under 18 years of age. Juvenile court judges have jurisdiction over minors who commit traffic violations, request consent to marry, or 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 serious violent felonies committed by juveniles may be tried in superior court. Juvenile court judges are appointed by the superior court judges of the circuit to four-year terms.

For reporting in the Georgia framework, juvenile court caseload is divided into seven major categories: children in need of services (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 to be used for reporting juvenile court caseload data.

Juvenile Court Definitions

These definitions reference the O.C.G.A at the time of publishing. The purpose is to outline areas of interest and assist in clarifying updated data elements and the potential areas contained within them. Please review the references that have been included.

Unit of Count

For juvenile courts, the unit of count is each child regardless of the number of the number of associated charges.

Definitions

Children in Need of Services (CHINS): A count of cases meeting the definition in the O.C.G.A. 15-11-2(11).

Delinquency Class A Felony: A count of cases meeting the definition in the O.C.G.A. 15-11-2(12).

Delinquency Class B Felony: A count of cases meeting the definition in the O.C.G.A. 15-11-2(13).

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

Dependency: A child who is without proper parental care or control, subsistence or education as required by law or as necessary for physical, mental or emotional health or morals, or who is abandoned, neglected or abused.

Emancipation: The release of a minor by his or her parents, which entails a complete relinquishment of the right to the care,

custody, 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, notification of abortion, 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 considered delinquent offenses.

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

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 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 where 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 accepts the petitioner's request to seek an abortion.

Section 5 – Probate Court

Introduction

County 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 violations of state game and fish laws 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 Court. 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 three major categories: civil, license applications, and criminal. The probate court reporting framework described in the *Guide* is to be used for reporting probate court caseload data.

Probate Court Definitions

Civil

Total Petitions Filed: Cases that have been added to the court’s caseload during the reporting period.

Administration of Decedent’s Estate: Cases that petition for temporary letters of administration and petition for letters of administration.

Will Probate Proceedings: Cases that petitioned to probate will in common form, when filing a petition to probate will in solemn form, when filing a combined petition or probate will in solemn form and letters of administration with the will, or in connection with a petition for letters of administration

with the will annexed when the will has been previously probated.

No Administration Necessary: Cases that petition for an order declaring no administration necessary, only to be used when the decedent died intestate (without a will).

Year’s Support: Cases that petition to obtain the necessary expenses of administration and to be preferred before all other debts, except as specifically provided otherwise.

Guardianship Proceedings: Cases that file a petition for the appointment of guardian and/or conservator for a proposed ward; petition for the appointment of an emergency guardian and/or conservator for a proposed ward; petition for temporary letters of guardianship of a minor, petition for letters of

guardianship of a minor by a person when the minor has no natural guardian, testamentary guardian or permanent guardian; or petition for letters of conservatorship of minor with bond.

Petitions for Leave to Sell or Encumber: Cases that petition for leave to sell real or personal property; when a conservator requests leave to sell, rent, lease, or otherwise dispose of real or personal property at public or private sale; petition to sell property which is perishable, liable to deteriorate from keeping, or expensive to keep; or petition for leave to convey or encumber property set aside as year's support.

Custodial Accounts Accepted: Cases that petition the court for authority to establish a custodial account for a minor or incapacitated adult.

Citations Issued Against Personal Representatives or Guardian: Cases that issue citations to personal representatives of the decedent's estate citing all persons concerned to show cause by a certain day why the petition for year's support should not be granted.

Miscellaneous Estate/Guardianship Proceedings: Cases that petition for accounting or settlement, petition to resign as guardian or personal representative, petition to remove guardian or personal representative, and other petitions or proceedings in estate/guardianship not listed.

Inventories, Returns and Personal Status Reports Filed: Cases that provide an inventory of the ward's property and a plan for managing, expending, and distributing the property, a report of every receipt and every expenditure of case, and a personal status report concerning the ward.

Mental Health Proceedings: Cases that request the court to make a legal determination as to whether an individual is mentally ill or incompetent and should be placed, or should remain, under care, in custody, and/or in treatment.

Petitions for Writs of Habeas Corpus: Cases that are designed to test the legality of the detention or imprisonment of an individual, not the question of guilt or innocence.

License Applications

Marriage: Cases that submit a written application for a marriage license.

Firearm: Cases that submit an application for weapons carry license or renewal license.

Criminal

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

Traffic Cases: Criminal cases involving the operation of a motor vehicle. Use this case type for cases of unknown specificity, when motor vehicle cases are not attributable to one

of the other previously defined motor vehicle case types, or when all motor vehicle cases are reported as a single case type.

Filed: Count the defendant and all charges involved in a single incident as a single case. If the charging document contains multiple defendants involved in a single incident, count each defendant as a single case.

Guilty or Nolo Plea: Number of cases disposed by a final judgment of conviction entered upon a verdict or finding of guilty of a crime or upon a plea of guilty.

Cash Bond Forfeiture: Number of cases when a cash bond is forfeited due to failure to appear for trial.

Nol Pros, Dismissed, or Other Non-Trial: Number of cases disposed by a prosecutor either before or during a trial, dismissal by the court, or other non-trial methods.

Bench Trial: A trial held before a judge without a jury.

Acquitted: Number of cases disposed when a judgment acquits the defendant of one or more of the offenses charged when the evidence is insufficient to sustain a conviction.

Convicted: Number of cases disposed by a plea of guilty or a finding of guilt by a court of competent jurisdiction or the acceptance of a plea of nolo contendere, irrespective of the pendency or availability of an appeal or an application for collateral relief.

Section 6 – Magistrate Court

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; and 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. Most chief magistrates are elected in 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: warrants, hearings, criminal, and civil. The magistrate court reporting framework described in the *Guide* is to be used for reporting magistrate court caseload data.

Magistrate Court Definitions

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. The provisions for this type of hearing were enacted in 2000.

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.

Criminal

Ordinance Violations: Includes ordinances of county government and state authorities.

Misdemeanors: Includes violations of state laws that include: Possession of less than one ounce of marijuana (OCGA §16-13-2), theft by shoplifting (OCGA §16-13-2), furnishing

alcoholic beverages to and purchase and possession of alcoholic beverages by a person under 21 years of age (OCGA §3-3-23.1), criminal trespass (OCGA §16-7-21), deposit account fraud/issuance of bad checks (OCGA §16-9-20).

Civil

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

Dispossessories 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 taking 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 7 – Municipal Court

Introduction

Georgia’s municipal courts hear traffic and ordinance violation cases in over 300 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, ordinances, serious traffic, drugs/marijuana, misdemeanors, and felony bindovers. The municipal court reporting framework described in the *Guide* is to be used for reporting municipal court caseload data.

Municipal Court Definitions

Unit of Count

Court Sessions per Month: A court session is any event that requires direct judge involvement such as arraignments and bond hearings.

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 fingerprintable traffic violation. Examples: DUI, reckless driving,

and operating a commercial vehicle without a CDL.

Drugs/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 twelve months confinement. Also includes any violations that do not fit 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 and Recorder’s Court

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

Civil and Recorder’s Court Definitions

Unit of Count

Court Sessions per Month: A court session is any event that requires direct judge involvement such as arraignments and bond hearings.

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 fingerprintable traffic violation. Examples: DUI, reckless driving, and operating a commercial vehicle without a CDL.

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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 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.

Dispossessories 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 taking 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

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 MyAOCportal 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 as described above, and login using the user name and password you created. Once inside MyAOCportal, you may 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 MyAOCportal, please contact the Office of Research and Data Analysis at 404-656-0371 or email casecount@georgiacourts.gov.

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

Data Verification

Staff 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 permit editing or additional verification before data is certified as final.

Section 10 – Reporting Timeline

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 2016.

February 1 – Caseload reporting initiated.

February 15 – 15 day reminder sent to courts that have not submitted.

February 22 – 10 day reminder sent to courts that have not submitted.

February 25 – 5 day reminder sent to courts that have not submitted.

March 2 – 2 day reminder sent to courts that have not submitted.

March 4 – Caseload data are due.

March 7 – Caseload data are now late. First late notice sent to nonresponsive courts.

March 14 – Second late notice sent to nonresponsive courts.

May 6 – MyAOCportal closes, and all submitted data are final.

Section 11 – Contact Information

If you have comments, questions, or concerns, please contact one of the staff liaisons below.

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