

Judicial Council of Georgia
Emergency Session

By Conference Call

Monday, July 13, 2020
2:00 p.m.

- 1. Preliminary Remarks**
(Chief Justice Harold D. Melton, Est. Time – 2 Min.)
- 2. Roll Call of Judicial Council Members**
(Cynthia Clanton, Judicial Council Secretary and AOC Director, Est. Time – 2 Min.)
- 3. Adoption of Minutes from Emergency Session on July 6, 2020**
(Chief Justice Harold D. Melton, Est. Time – 2 Min.)
- 4. COVID-19 Update and Discussion of Statewide Judicial Emergency Orders by Judicial Council Members**
(Chief Justice Harold D. Melton, Est. Time – 15 Min.)
 - A. Judicial COVID-19 Task Force Update (Judge Shawn LaGrua)
- 5. Reports from Courts, Councils, State Bar, and AOC (Est. Time – 20 min.)**
 - A. Supreme Court
 - B. Court of Appeals
 - C. Business Court
 - D. Council of Superior Court Judges
 - E. Council of State Court Judges
 - F. Council of Juvenile Court Judges
 - G. Council of Probate Court Judges
 - H. Council of Magistrate Court Judges
 - I. Council of Municipal Court Judges
 - J. State Bar of Georgia
 - K. Administrative Office of the Courts

6. Reports from additional Judicial Branch Agencies (Est. Time – 10 Min.)

- A. Council of Accountability Court Judges**
- B. Georgia Commission on Dispute Resolution**
- C. Council of Superior Court Clerks**
- D. Chief Justice’s Commission on Professionalism**
- E. Georgia Council of Court Administrators**
- F. Institute of Continuing Judicial Education**
- G. Judicial Qualifications Commission**

7. Old/New Business

(Chief Justice Harold D. Melton, Est. Time – 5 Min.)

8. Concluding Remarks and Adjournment

(Chief Justice Harold D. Melton, Est. Time – 5 Min.)

Next Judicial Council Meetings – General Session

Friday, August 14, 2020	10 a.m. – 12:30 p.m.	By Zoom Conferencing
Friday, December 11, 2020	10 a.m. – 12:30 p.m.	The Carter Center/Atlanta, GA

Judicial Council Meeting Calendar – 2021

Friday, February 12, 2021	10 a.m. – 12:30 p.m.	The James H. “Sloppy” Floyd Building/ Atlanta, GA
Friday, April 23, 2021	10 a.m. – 12:30 p.m.	The Classic Center/Athens, GA
Friday, August 13, 2021	10 a.m. – 12:30 p.m.	Location TBD
Friday, December 10, 2021	10 a.m. – 12:30 p.m.	The Carter Center/Atlanta, GA

Please continue to check www.georgiacourts.gov (the Judicial Gateway) for the latest updates and information. Thank you and continue to be safe!

Judicial Council of Georgia
Emergency Session
Conference Call
July 6, 2020 • 2 p.m.

Members Present

Chief Justice Harold D. Melton, Chair
Presiding Justice David Nahmias
Chief Judge Brian Amero
Chief Judge Jeffrey S. Bagley
Judge James G. Blanchard, Jr.
Chief Judge Christopher S. Brasher
Judge Kerri B. Carter
Judge Melanie Cross
Judge Walter W. Davis
Judge Lori B. Duff
Chief Judge T.J. Hudson
Chief Judge Asha Jackson
Ms. Dawn Jones
Judge Lisa C. Jones
Judge Quinn Kasper
Judge Jeffrey H. Kight
Chief Judge Christopher J. McFadden
Judge C. Gregory Price
Vice Chief Judge Brian Rickman
Judge Fletcher Sams
Judge W. James Sizemore, Jr.
Judge Wesley B. Taylor
Judge Ralph Van Pelt, Jr.
Chief Judge Sarah Wall
Chief Judge Willie C. Weaver
Chief Judge Kelli M. Wolk
Judge Alvin T. Wong

Members Absent

Judge J. Wade Padgett

Staff Present

Ms. Cynthia Clanton, Director
Ms. Michelle Barclay
Mr. Jorge Basto
Ms. Jessica Farah
Mr. Christopher Hansard
Ms. Stephanie Hines
Ms. Cheryl Karounos
Ms. Tynesha Manuel
Ms. Tracy Mason
Ms. Lashawn Murphy
Ms. Tiffanie Robinson

(Guests Appended)

Call to Order and Welcome

The meeting of the Judicial Council of Georgia (Council) was called to order at 2:00 p.m. by Chief Justice Harold Melton. Chief Justice Melton recognized the late Judge Horace Johnson, Jr., asking the Council to observe a moment of silence in reflection. The Chief Justice administered the oath to Judge Melanie Cross, Judge Fletcher Sams, Chief Judge Sarah Wall, Judge James Blanchard, Judge Alvin T. Wong, Chief Judge T.J. Hudson, and Judge Quinn Kasper (as designee for Judge

Bobby Harrison Smith) as the newest Council members. Ms. Clanton called roll for Council members; staff and guests were instructed to submit their attendance for the purposes of the minutes.

Adoption of Minutes – June 29, 2020

Chief Justice Melton directed the Council's attention to the minutes of the Emergency Session held on June 29, 2020. A motion to approve the minutes was offered by Chief Judge Jackson, with a second from Chief Judge Weaver. No discussion was offered, and the motion was approved without opposition.

COVID-19 Update and Discussion of Statewide Judicial Emergency Order by Judicial Council Members

Chief Justice Melton reported receiving several reports concerning the lack of adherence to the Georgia Department of Public Health (DPH) guidelines in courts. He stressed the importance of adhering to those guidelines as the number of infected persons in Georgia has greatly increased. Council members were asked to remind their councils of the need to accommodate the strict compliance of the guidelines.

Chief Justice Melton reported the Fourth Extension of Statewide Judicial Emergency will be issued on or about Sunday, July 12, with an expiration date of Tuesday, August 11. The draft order will be circulated for comment this week. The order will continue the prohibition for jury proceedings and most grand jury proceedings. He further encouraged judges to resolve cases as appropriate when other resolution methods are available. Deadlines not related to jury trials will be reimposed for litigants on July 14; deadlines that drive court actions will continue to be tolled. The order will also address the tolling of uncontested divorce and adoption case deadlines. The order will expressly prohibit requiring attendance if a court is not in compliance with public health guidance, as well as address COVID-19 notification and exposure procedures. The Supreme Court is working with the Judicial Qualifications Commission (JQC) to identify the JQC's authority during judicial emergencies, intending to provide clarity and strengthen the requirements to comply with public health guidelines. Presiding Justice Nahmias reported the order will emphasize the need to comply with applicable public health guidance, and all operating guidelines are required to comply with DPH guidance for all personnel within the court and court-connected operations. The Council discussed other matters facing the court, including limiting services and appearances when personnel is exposed to COVID-19, noting each judge has the discretion to prioritize the workload as deemed appropriate for the court.

Chief Justice Melton recognized Judge Shawn LaGrua, Chair of the Judicial COVID-19 Task Force, to provide an update on its work. Judge LaGrua reported draft guidance documents have been circulated to the Council. The Chairs of the Task Force Subcommittees provided brief updates highlighting the work of each subcommittee. Ms. Jimmonique Rodgers and Judge Ken Hodges provided an update on the work of the Criminal Committee, recommending the creation of local committees throughout the state to determine the best practices that must include the mandatory language identified by Presiding Justice Nahmias, and additionally the creation of a questionnaire to aid in the screening of jurors. Judge Melanie Bell reported on the Grand Jury Subcommittee work, including the requiring of masks for grand jury proceedings, social distancing adherence, staggering of witnesses, concurrent grand juries, and increased summons to allow for an increase in expected exemptions. Chief Judge Russ McClelland reported on Civil Subcommittee work, highlighting the calculation of deadlines, rule updates, increased flexibility for virtual hearings, remote alternative dispute resolution sessions, remote depositions, court scheduling, and addressing access to justice challenges. Judge Norman Cuadra provided an update on the work of the Interpreters and Court Reporters Subcommittee, highlighting the use of remote, in person, and hybrid proceedings. The work of the subcommittee included the creation of memos and checklists to aid in the use of interpreters and identify the type of proceedings. Judge LaGrua reported other focuses of the subcommittee include the reduction of mass calendar calls and securing remote proceedings.

Reports from Courts, Councils, State Bar, and AOC

Supreme Court. No report was provided.

Court of Appeals. No report was provided.

Business Court. No report was provided.

Council of Superior Court Judges. Judge Amero recognized Judge Horace Johnson, Jr., and thanked the Chief for the moment of silence in remembrance of Judge Johnson. Judge Amero also requested additional research be completed on possible virtual jury trial selections.

Council of State Court Judges. No report was provided.

Council of Juvenile Court Judges. No report was provided.

Council of Probate Court Judges. No report was provided.

Council of Magistrate Court Judges. No report was provided.

Council of Municipal Court Judges. No report was provided.

State Bar of Georgia. Ms. Dawn Jones reported the State Bar office is functioning, and the staggered building reopening plan is set to start July 13.

Administrative Office of the Courts. Director Clanton reported the AOC is preparing for the next regularly scheduled Judicial Council General Session, scheduled for August 14, 2020; it is important that voting members participate via Zoom. AOC staff will set up a time to allow for Council members to practice on the platform before the August 14 meeting.

Reports from additional Judicial Branch Agencies

Council of Accountability Court Judges. No report was provided.

Georgia Commission on Dispute Resolution. No report was provided.

Chief Justice's Commission on Professionalism. Ms. Karlise Grier reported the Commission is working on the law school orientation. She requested information on the tribute service for Judge Johnson and alternative ways to share courtesies and tributes.

Georgia Council of Court Administrators. No report was provided.

Institute of Continuing Judicial Education. No report was provided.

Judicial Qualifications Commission. No report was provided.

Old Business

No old business was offered.

New Business

No new business was offered.

Concluding Remarks

Chief Justice Melton announced that the next Emergency Council meeting is scheduled for Monday, July 13, 2020. The next General Session will be Friday, August 14, 2020.

Adjournment

Hearing no further business, Chief Justice Melton adjourned the meeting at 3:06 p.m.

Respectfully submitted:

Tynesha Manuel
Assistant Director, Judicial Council/AOC
For Cynthia H. Clanton, Director and Secretary

Signature on the next page.

The above and foregoing minutes
were approved on the ____ day of
_____, 2020.

Harold D. Melton
Chief Justice

Judicial Council of Georgia
Emergency Session
Conference Call
July 6, 2020 • 2 p.m.

Guest Present

Judge Cynthia Adams, Douglas County Judicial Circuit
Chief Judge Beryll Anderson, Dekalb County Court Judges
Ms. Anna Arceneaux, Georgia Resource Center
Mr. Doug Ashworth, Institute of Continuing Judicial Education
Mr. Rafe Banks, III., Banks Stubbs & McFarland, LLP
Mr. Josh Becker, Council of Accountability Court Judges
Ms. Amy Bell, Office of the Circuit Public Defender, Macon Judicial Circuit
Mr. Tracy J. BeMent, Tenth District Court Administrator
Mr. Charles "Chuck" Boring, Judicial Qualifications Commission
Mr. Bob Bray, Council of State Court Judges
Ms. Samantha Cannon, Chattahoochee Judicial Circuit
Chief Judge Geronda V. Carter, Clayton County Superior Court
Ms. Mazie Lynn Causey, Georgia Association of Criminal Defense Lawyers
Judge Norman H. Cuadra, Stone Mountain Judicial Circuit
Ms. Mary Eakin, Barrow County Public Defender
Mr. Kevin Fisher, Law Office of Kevin R. Fisher
Ms. Elizabeth Fite, State Bar of Georgia
Ms. Kathlene F. Gosselin, Northeastern Judicial Circuit
Ms. Karlise Grier, Chief Justice's Commission on Professionalism
Mr. Steven Hatfield, Criminal Justice Coordinating Council
Ms. Christine Hayes, State Bar of Georgia
Ms. Stephanie Hines, Georgia Council of Court Administrators
Judge Kenneth B. Hodges, III, Georgia Court of Appeals
Mr. Franklin J. Hogue, Hogue & Hogue, LLP
Mr. Kevin Holder, Council of Probate Court Judges
Ms. Tracey Hood, Flint Circuit Public Defender
Mr. Eric John, Council of Juvenile Court Judges
Ms. Tracy Johnson, Georgia Commission on Dispute Resolution
Ms. Taylor Jones, Council of Accountability Court Judges
Judge Shawn LaGrua, Superior Court of Fulton County
Mr. Adam S. Levin, Northeast Georgia Regional Capital Defender
Ms. Juliet K. Lovelace, J Kristi Lovelace and Associates, LLC
Ms. Jennifer A. Magruder, The Law Office of Jennifer A. Magruder, LLC
Mr. Rosser A. Malone, Malone Law Office
Ms. R. Robin McDonald, Daily Report
Ms. Ashleigh B. Merchant, The Merchant Law Firm, P.C
Chief Judge T. Russell McClelland, Bell-Forsyth Judicial Circuit
Ms. Cathy McCumber, Fourth Judicial Administrative District
Mr. Matthew T. McNally, Law Office of Matthew T. McNally
Ms. Susan A. Miller, Miller & Key, PA

Ms. Kendra Mitchell, Kendra Mitchell Law, LLC
Mr. David Mixon, Second District Court Administrator
Mr. Bob Nadekow, Eighth District Court Administrator
Mr. Zachary North, Miller & Key Law Office
Ms. Jody Overcash, Seventh Judicial Administrative District
Ms. Pandora E. Palmer, Henry County State Court
Ms. Anna W. Pearce, Law Office of Anna W. Pearce
Ms. Wendy Powlas, Bibb County Public Defender's Office
Mr. Michael L. Randolph, Macon Circuit Public Defender's Office
Ms. Sharon Reiss, Council of Magistrate Court Judges
Mr. Andrew J. Richman, Richman Law Firm, LLC
Judge Tara Riddle, Cobb County Judicial Circuit
Ms. Danielle P. Roberts, Henry County Magistrate Court
Ms. Jimmonique Rodgers, Georgia Public Defender Council
Ms. Claudia Saari, State Court of DeKalb County
Judge Dale "Bubba" Samuels, Municipal Court of Monroe
Chief Presiding Judge Juliette Scales, Atlanta Judicial Circuit
Judge J. Stephen Schuster, Superior Court of Cobb County
Ms. Lauren Shubow, Fulton County Public Defender's Office
Ms. Kate Skeehan, The Sonoda Law Firm
Judge Arthur Lee Smith, Chattahoochee Judicial Circuit
Ms. Christina Cooley Smith, Court of Appeals
Mr. Robert W. Smith, Jr., Prosecuting Attorneys' Council of Georgia
Mr. Jason Stephenson, Northeastern Judicial Circuit
Ms. Jill Travis, Georgia Association of Criminal Defense Lawyers
Ms. Catherine C. Vandenberg, Atlanta Legal Aid Society
Ms. Courtney Veal, Judicial Qualifications Commission
Mr. Nathan J. Wade, Wade & Bradley Firm
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Chief Judge Brenda Weaver, Appalachian Circuit
Ms. Karen Wilkes, GPDSC Rome Conflict Defender Office
Mr. Lawrence Zimmerman, Georgia Association of Criminal Defense Lawyers