



Norman S. Fletcher Sworn in as Georgia's Chief Justice Leah Ward Sears, Presiding Justice

The Supreme Court of Georgia held an investiture ceremony on June 28, 2001, in the House Chambers of the State Capitol for Chief Justice Norman S. Fletcher and Presiding Justice Leah Ward Sears.

Outgoing Chief Justice Robert Benham welcomed an assembly of the Justices of the Supreme Court; Chief Judge G. Alan Blackburn and members of the Court of Appeals; Lt. Governor Mark Taylor; former Governor Joe Frank Harris; and others.

Presiding Justice Sears was introduced by Mr. Bernard Smith; Justice George C. Smith administered the oath of office. In her remarks, Justice Sears reflected on the support of friends, family, and colleagues. The new Presiding Justice spoke of the challenges the Supreme Court of Georgia faces, the principles engendered since childhood that guide her decisions daily, and the opportunity to make a difference in her new capacity.

"If in the course of my time on the court I can help Georgia become

a more just state for everyone... if I can do my fair share to strike a fair balance between the needs of society and the rights of the individual, then I will be proud of my work here."



Presiding Justice Sears



Chief Justice Fletcher

Chief Justice Norman S. Fletcher was introduced by former Chief Justice Willis B. Hunt, Jr. and Mr. Robert M. Brinson. The Honorable Walter J. Matthews administered the oath of office. Chief Justice Fletcher noted goals for his term, "my vision has two primary goals. First to turn the Judicial Council into the strong, unified body that it should be, promulgating policy and speaking with one

voice for the entire judicial branch, as we seek to turn a good court system into an even better system. Secondly, we must overhaul our fragmented system of providing indigent defense."

Chief Justice Fletcher emphasized that during his tenure he would work hard toward these two goals. "I believe they are worthy goals, that attaining these goals is the right thing to do," he said.

A reception honoring Justices Fletcher and Sears was held in the Floyd Building following the investiture. ⚖️

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David L. Ratley Named AOC Director

The Judicial Council of Georgia announced its recommendation of Mr. David L. Ratley as director of the Administrative Office of the Courts at its June 13th meeting at Kiawah Island, South Carolina. A search committee had been working to fill the position formerly held by George Lange, III. The Council voted unanimously to adopt the recommendation. Mr. Ratley assumed his duties in Atlanta on August 16, 2001.

Mr. Ratley served as the District Court Administrator for the Third Judicial Administrative District

since December 1976. In this capacity, he worked closely with judges of the superior courts, clerks of court, and other court

personnel on a wide range of administrative matters. Mr. Ratley is a past president of the Georgia Council of Court Administrators and currently serves on that organization's Executive Committee. He is a



David L. Ratley

graduate of Mercer University and holds a Masters in Public Administration from the University of Georgia. Mr. Ratley is also a Fellow of the Institute of Court Management of the National Center for State Courts. ⚖

People, Places and Events ...

APPOINTMENTS

* In a ceremony held on July 18, 2001, **Tami P. Colston** was sworn in as a Superior Court Judge of the Rome Judicial Circuit. **William O'Neal Dettmering, Jr.** was sworn in as a State Court Judge for Douglas County at the same ceremony.

* **George C. Foster** was appointed State Court Judge for Decatur County.

* **Jackson E. Cox** was sworn in as Solicitor-General of Burke County on July 28, 2001.

DISTRICT ADMINISTRATIVE JUDGE

* **Judge Michael E. Hancock** was elected as District Administrative Judge for the Fourth Judicial Administrative District

GAULT ATTENDS CTC7

* **Judge Stan Gault** of the Bell-Forsyth Judicial Circuit attended the seventh Court Technology Conference sponsored by the National Center for State Courts in Baltimore, Maryland, on August 14-16. The theme of the conference was "Witness the Future." It provided an opportunity for 3,000 judges, attorneys, court administrators, and technology specialists from around the world to share information on the latest developments in court-related technology.

Judge Gault's attendance was supported by a scholarship awarded by the State Justice Institute (SJI), a non-profit organization established by Federal law to improve the quality of justice in state courts nationwide. More information about the Institute is available on the SJI web site (<http://www.statejustice.org>). ⚖

JQC Opinion

JQC Opinion Number 234
Docket Number 01-80

The Judicial Qualifications Commission has been asked for an Advisory Opinion as to whether a non-sworn employee of a city police department, who only performs clerical duties and does not perform any duties of a police officer, can serve as a Magistrate judge in another county.

In Opinion Number 101, the Commission concluded that any employee of a law enforcement body is disqualified by conflict of interest from serving as a Magistrate.

In the facts presented in this Opinion, the Commission concludes that the mere fact that the employee works for a law enforcement body in a county different from the county in which they would serve as a Magistrate judge will not change the fact that a conflict of interest would exist and therefore the employee would be unable to also serve as a Magistrate.

This 26th day of June, 2001
Judicial Qualifications
Commission

By: Jerry B. Blackstock, Chair

Judicial Council Meetings

At meetings of the Judicial Council of Georgia held during the summer, the following actions were taken:

June 13 Meeting.

- The first order of business was recommendation of Mr. David L. Ratley for the post of Director of the Administrative Office of the Courts (AOC). The Council approved the recommendation.

- From the Council of Superior Court Judges, Judge Carlisle Overstreet introduced two resolutions. The first resolution proposed that a secretary and a treasurer be elected as additional officers of the Judicial Council. The second resolution would require courts and judicial agencies to submit summaries of general legislation that they intend to propose or support to the AOC for preparation of a judicial impact statement. Resolution One passed unanimously. Resolution Two carried with four opposed.

- A proposal to appoint the President and President-Elect of the Council of Municipal Court Judges to the Judicial Council failed.

- Chief Justice Benham recognized the new members attending: Judge William Bartles, Henry County Juvenile Court; Judge Melodie Clayton, State Court of Cobb County; Judge Carlisle Overstreet, Augusta Judicial Circuit; and Judge Darin McCoy, Evans County

Probate Court. Certificates were presented to Judge Robert Mallis and Judge Barrett Whittemore who were completing their terms.

Presiding Justice Fletcher presented Chief Justice Benham with a certificate for eight years of service on the Judicial Council.



Judges of the Judicial Council of Georgia

Standing (l-r): Judge Walter Matthews; Judge Richard Winegarden; Judge Tommy Day Wilcox; Judge John Salter; Judge William Bartles; Judge H. Arthur McLane; Judge James F. Morris; Judge Carlisle Overstreet; Judge Michael Karpf; Judge Michael E. Hancock; Judge Philip Taylor; Judge Robert James; Judge Hal Craig; Judge Jim Thurman; and Judge Del Buttrill.

Seated (l-r): Judge Darin McCoy; Presiding Judge J.D. Smith; Chief Judge G. Alan Blackburn; Judge Melodie Clayton; Chief Justice Norman S. Fletcher; Presiding Justice Leah Ward Sears; Judge Elizabeth Long; Judge T. Penn McWhorter; and Judge W.C. McMillan, Jr. 8/29/01

August 29 Meeting.

- Chief Justice Norman Fletcher recognized the new council members: Presiding Justice Leah Ward Sears, Supreme Court of Georgia; Judge Michael Hancock, Stone Mountain Judicial Circuit; and Judge Philip Taylor, Cobb County Magistrate Court.

- Judgeship Requests. Holly Sparrow reviewed judgeship chart figures for four requesting circuits: Alcovy, Atlanta, Brunswick, and Cherokee Circuits. Only the Alcovy Circuit qualified for an additional judgeship based on the weighted

caseload standard. The Council voted on each judgeship request, approving only the Alcovy Circuit's request.

- Secretary, Treasurer Nominations. Judge Jim Thurman was elected secretary. Presiding Judge J.D. Smith was elected as treasurer.

- The Chief Justice has named a budget committee to work on the annual judicial branch budget. Judge J.D. Smith is Chair; Judge Jim Morris is Vice Chair; members include Judges Clayton, Buttrill, McWhorter, Overstreet, and Thurman.

- Budget Review. Presiding Judge Smith explained the purpose of the Budget committee as 1) making the budget process more inclusive to all courts; 2) developing policies, processes,

and deadlines for budget preparation; 3) determining which items properly belong in the judicial budget.

- As recommended in June, the Administrative Office of the Courts will now develop judicial impact statements on how proposed legislation may affect judges, the courts, and budgets. Legislation will be tracked through an Internet-based system which judges and the public may access. (See related story, page 7)

- Mr. Ratley reported that Mr. Robert Tobin, National Center for

Report of the Blue Ribbon Commission

The Supreme Court of Georgia's Blue Ribbon Commission on the Judiciary issued its report "Georgia Courts in the 21st Century" on May 29, 2001. The Commission was created on March 1, 1999, to consider the "structure and organization of the courts as they relate to efficiency and effectiveness in the dispensation of justice." The Commission consisted of twenty members including current and former judges, lawyers, and private citizens. Former Supreme Court Justice Hardy Gregory, Jr. served as the chair.

The Commission reviewed previous reports from Georgia and from other states that have undertaken similar studies. Also in assessing the condition of the state's judiciary, the Commission made a determined effort to involve those Georgians most associated with the day-to-day working of the state's courts.

Letters were sent to members of the judiciary, clerks of court, court administrators, district attorneys,

solicitors-general, and public defenders. Three questions were posed in the letters sent by the Blue Ribbon Commission:

- How can courts ensure ready access and quality treatment and service in all aspects of the judicial process?
- How can courts create an effective response to societal violence?
- How can a coherent state-wide system be established to keep pace with technology's impact on society and the courts?

Though the responses varied in their particulars, eight central themes emerged for consideration:

1. Trial court structure and process;
2. Appellate court structure and process;
3. Impact and potential of technology on and in the judiciary;
4. Means of enhancing the effectiveness and efficiency of juries;
5. New tools for judges in the administration of justice;
6. Ways to attract and retain

excellent personnel in judicial service;

7. Methods of making courts more user-friendly to litigants, witnesses, juries, and the public;
8. Greater financial resources for the judicial branch.

While the Blue Ribbon Commission report recommends a variety of ways the judiciary can be improved, as Justice Gregory put it, "...the Commission has become convinced that the judicial needs of Georgians are being well served. Although each recommendation of the Commission is submitted in the belief that its implementation will result in the incremental enhancement of our judicial system, the Commission has concluded that there is no need for sweeping revision of the structures and processes of our courts." ☞

For the full text of the Blue Ribbon Commission's report "Georgia Courts in the 21st Century," go to www2.state.ga.us/Courts/Supreme/Blueribbon.htm

Court Technology Conference Attendees

Among those attending the Court Technology Conference in Baltimore on August 13-16 were David L. Ratley, Jay B. Martin, Holly Sparrow, Marla Moore, Vince Harris, Greg Arnold, and Ashley Stollar, all of the Administrative Office of the Courts;

Sherie Welch, Supreme Court Clerk; John Ruggeri, Court of Appeals; Jerry Garland, George Nolan, Michael Neuren, all of GCAC; Richard Reaves, ICJE;

Molly Perry and Michael Cuccarro, Council of Superior Court Judges;

Superior Court Judges: Judge Harry Jay Altman, Judge David Emerson, Judge Stan Gault, Judge Michael Karpf, Judge Samuel Ozburn, and Judge John C. Pridgen; Stephan Frank, Council of State Court Judges; State Court Judge Harold Benefield;

Judge M.T. Walker, Robert E. Bray, Mattie Thompson, Chester Lawrence, Nancy Tucker, and Preston Stephens, all of the City Court of Atlanta;

District Court Administrators: John Cowart, Judy Cramer, Danny DeLoach, Jody Overcash;

Court Administrators: Barry Champion, Mike Rary;

Court Clerks: Frank Abbott, Joanne Caldwell, Juanita Hicks, Tom Lawler, Jean Rogers, Brenda Smith, and Barry Wilkes;

Website Consortium Members: Professor Rebecca Davis and Ms. Nakisha Paul of Georgia Southern University; Professor David Gibbon, Valdosta State University; Mr. Ken Honea, Kennesaw State University. ☞

Council of Court Administrators Presents 2001 Awards of Excellence

A ceremony held in the courtroom of the Supreme Court of Georgia on July 26, 2001, recognized selected metropolitan Atlanta courts for their efforts at providing better access to, increased effectiveness of, and greater efficiency within their courts.

Chief Justice Norman S. Fletcher welcomed those attending the ceremony. Robert E. Bray, President of the Georgia Council of Court Administrators, presented the awards.

Awards of Excellence

• **Superior Court of Fulton County/Municipal Court of Atlanta** — developed the first inter-governmental collaborative program for use of technology to improve the reporting of case dispositions.

• **Fulton County Superior Court** — the court's Alternative Dispute Resolution Office currently provides seminars and videos in Spanish for those involved in the court's domestic and family law program; a self-help center provides information to citizens who cannot afford an attorney. Services include: legal packets and forms, attorney consultations,

reference materials, referrals to legal and community services.

• **Clayton County Superior Court** — Lack of adequate court facilities lead to the design of a new justice center for the Clayton County judicial community. The Harold R. Banke Justice Center opened in September 2000 and provides the community with a state-of-the-art courthouse that features comfortable, effective, and efficient access for all citizens.



Clockwise from left: Mr. Bob Bray presented the Awards of Excellence and 2001 GCCA Program of the Year; Judge Michael P. Baird, Clayton County Magistrate Court, accepts the Program of the Year Award; the Harold R. Banke Justice Center in Clayton County.

• **State Court of Fulton County** — The court's E-filing process uses information technology to effectively manage the overwhelming number of documents it must work with. Attorneys are able to file court documents 24 hours a day, seven days a week.

GCCA Program of the Year

• **Magistrate Court of Clayton County** — This court's streamlining project combined the resources of the magistrate court, the Solicitor-General, Special Assistant Attorney General, Department of Family and Children Services, the Child Support Recovery Unit, and the Office of District Attorney to expedite compliance with child support orders. The children of Clayton County are primary beneficiaries of this program.

Judge Michael P. Baird accepted the award on behalf of the court and county and recognized staff of the various offices who participated in the project. ⚖️

Please Recycle

Judicial Council Meetings continued

State Courts, will be consulting with the AOC as will Dr. Hugh Collins, Louisiana State Court Administrator. The programs to be reviewed are: Child Placement Project, Equality Commission, Commission on Substance Abuse and the Courts, Courts Automation Commission,

Commission on Public Trust and Confidence, Commission on Family Violence, Indigent Defense Commission, Office of Commission and Programs, Office of Dispute Resolution, and Commission on Professionalism. The study will determine how these groups func-

tion and address how they might be best organized to benefit the entire court system.

• The next Judicial Council meeting will take place on December 14, 2001 at the Westin Peachtree Plaza in Atlanta. ⚖️

2001-2002 Georgia Courts Directory Corrections

*Some information ran incorrectly or was inadvertently left out of the 2001-2002 Georgia Courts Directory.
Please note these corrections.*

SUPERIOR COURTS

Southwestern Circuit
Chief Judge R. Rucker Smith
229-928-4554/F 928-4552

STATE COURTS

Dougherty County
Judge John Salter
salterjohnsalter@netscape.net

Hall County
Chief Judge Charles S. Wynne

Henry County
Judge Ben Studdard, III
b.studdard@co.henry.us

Liberty County
Judge Leon M. Braun, Jr.
FAX 912-876-8088
Lbraun@clds.net

Lowndes County
Judge Kelly D. Turner
229-671-2600/F 671-3441

Washington County
Judge Robert Wommack, Jr.
114 Myrtle Way

JUVENILE COURTS

Atlanta Circuit
Judge David Getachew-Smith
404-335-2739

Blue Ridge Circuit:
Municipal Court of Woodstock
Judge John B. Sumner
90 North Street, Suite 230
Canton, GA 30114
770-479-2198/F 479-2870

Cordele Circuit
Judge T. Chris Hughes
Judgechughes@home.com

Lookout Mountain Circuit
Judge J. Michael Giglio
PO Box 1600
Ringgold, GA 30736
706-935-4901/F 935-4909

Piedmont Circuit
Judge Kevin J. Guidry
PO Box 628
Winder, GA 30680-0628
770-307-0048/F 307-4522

Southwestern Circuit
Judge Lisa C. Jones
229-928-4569/F 924-3312

Tallapoosa Circuit
Delete Assoc. Judge Jason T. Shwiller

PROBATE COURTS

Sumter County
Judge Judy Reeves
229-928-4551

MAGISTRATE COURTS

DeKalb County
Add: Judge Joan F. Roach
134 Lamont Drive
Decatur, GA 30030
404-370-1691

Evans County
Judge Alvin N. Lewis
Judge JoAnna E. Purvis
912-739-3745/ F 739-8856

Fulton County
Judge Ronald J. Freeman
FAX 404-873-2311
Attyrjf@aol.com

Judge R. David Ware
230 Peachtree Street, Suite 2400
Atlanta, GA 30303-1515
404-525-8622

Rabun County
Delete: Judge Frank Sutton
Add: Judge Randal McDonald
PO Box 1226
Clayton, GA 30525-1226
706-782-5280/F 782-1391

Sumter County
Judge Shirley S. Duke
Judge Connie W. Johnson
229-928-4524/F 928-4527

Wilkes County
Delete: Judge Phyllis B. Scarborough

MUNICIPAL COURTS

Abbeville
Judge Alec Glenn Dorsey
215 S. Depot Street
Abbeville, GA 31001
229-467-3201/F 467-3202

Dalton
Delete: Judge Steven Fain
Add:
Judge Pro Tem. Philip F. Woodward
PO Box 6009
Dalton, GA 30722-6009
706-270-8870/F 270-8873

Ivey, McIntyre
Judge Jon Philip Carr

Marshallville
Add: Judge Randy E. Wynn
PO Box 8812
Warner Robins, GA 31095
912-923-7017/F 923-1371

Sparta
Delete: Judge Edith Ingram
Add: Judge Jon Philip Carr

DISTRICT COURT ADMINISTRATORS

District 3
Add: Greg Jones

New Judicial Council Policy — Legislative Tracking

In response to requests by made the Legislative and Executive branches, the Judicial Council adopted a resolution at its meeting on June 13 to create a single point of contact for court-related legislation.

This resolution requires that courts who are members of the Council or agencies seeking funding whose budget is administered through the Council must submit a summary of all general legislation the group will seek to have introduced or will support in the upcoming legislative session. The Administrative Office of the Courts will develop a Judicial Impact Statement on designated court-related measures. Prior to each legislative session, the Judicial Council will discuss specific proposals and make recommendations to the Executive and Legislative Branches.

Ms. Debra Nesbit, Special Assistant to the Director for

Legislative and Governmental Affairs, demonstrated the new legislative tracking procedure, and discussed its implementation, at the Judicial Council's August meeting. Chief Justice Fletcher noted that in this first year of legislative tracking, ideas and procedures will be developing. Evaluation and improvement of the legislative tracking project will be ongoing, and the Council and AOC welcome any suggestions from those using the system.

Judicial Impact Statements

Ms. Nesbit will be responsible for responding to requests for information and gathering input from the various councils and groups represented on the Judicial Council. Judicial Impact Statements will identify fiscal impact as well as potential effect on the court system.

Bills may be studied at the request of a judge, council member, or legislator. A general analysis of

each bill will be compiled from responses of a Legislative Action Group, which will include representatives from the appellate courts, trial courts, judges' council staff, court administrators, jury commissioners, clerks, and others.

Information on the Web

The AOC will introduce an Internet-based tracking system which will include daily reports of events at the legislature; a subject matter index of bills carried over from the preceding year; First Reader information; and brief analysis of each bill.

See www.georgiacourts.org for a preview of the legislative tracking system.

For more information, contact Debra Nesbit at 244 Washington Street, SW; Suite 300; Atlanta, GA 30034; 404-651-7616; nesbitd@aoc.courts.state.ga.us ☎

Directory Corrections cont.

COURT ADMINISTRATORS

Southwestern Circuit — Superior

Pamela T. Woodard
PO Box 784
Americus, GA 31709
229-928-4553/F 924-3312
pamwoodardcca@yahoo.com

Muscookee County — Juvenile Court

Mona Boutwell
PO Box 2145
Columbus, GA 31902-2145
706-653-4370/F 653-4355

DISTRICT ATTORNEYS

Western Circuit

Ken Mauldin
kenmauldin@co.clarke.ga.us

SOLICITORS-GENERAL

Bryan County

Ray Smith
10153 Ford Avenue
Richmond Hill, GA 31324-3915

Burke County

Jackson E. Cox
540 Liberty Street
Waynesboro, GA 30830
706-437-0464

Cherokee County

770-720-6329/F 720-6362

SUPERIOR COURT CLERKS

Colquitt County

229-616-7420/F 616-7029

Sumter County

229-928-4537/F 928-4539

Turner County

229-567-2011

Union County

706-439-6022/F 439-6026

JUVENILE COURT CLERK

Lowndes County

229-242-2211

Lee, Macon, Schley, Stewart,

Sumter & Webster Counties

Delete: Mary M. Crawford
Add: Jill M. Lamb
PO Box 784
Americus, GA 31709
229-928-4569/F 924-3312

400 Attend Family Violence Conference

The Georgia Commission on Family Violence hosted its 9th annual conference on August 23 & 24 at Callaway Gardens in Pine Mountain:

“Safety for Women or Children: We Shouldn’t Have to Choose.” Over 400 participants from various disciplines attended the conference. Mr. David Berns, director of El Paso County Human Services, delivered the keynote speech. Guest speakers included Justice Robert Benham, Supreme Court of Georgia; Judge Duncan Wheale, Augusta Judicial Circuit; and Cathey Steinberg, Statewide Insurance Advocate. The 3rd Gender Justice Award was presented to Dr. Julia Perilla of TAPESTRI and Georgia State University.

Composite Photograph: Justice Robert Benham spoke at the August 23 luncheon (upper right); Cathey Steinberg, Julianna Koob, and Judge Clarence Seeliger, (bottom); Attendees listen to the keynote speech by Mr. David Berns (background).



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