

JUDICIAL COUNCIL OF GEORGIA

General Session

Thursday, April 23, 2015

9:30 a.m. – 1:00 p.m.



The Sheraton Atlanta Hotel

165 Courtland Street, NE

Atlanta, GA 30303

Judicial Council of Georgia

The Sheraton Atlanta Hotel

165 Courtland Street, N.E.

Atlanta, GA 30303

Thursday, April 23, 2015

9:30 a.m. - 1:00 p.m.

(Lunch will be served at noon)

- 1. Preliminary Remarks and Introductions**
(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)
- 2. Emerging Trends in Addressing Adult Abuse in Georgia** **TAB 1**
(Patricia S. King, Est. time – 5 Min.)
- 3. Domestic Violence Fatality Review Report** **TAB 2**
(Jenny Asman, Est. time – 20 Min.)
- 4. Approval of Minutes, February 27, 2015 (Action Item)** **TAB 3**
(Chief Justice Hugh P. Thompson, Est. time – 2 Min.)
- 5. Judicial Council Committee Reports**
 - A. Policy and Legislative Committee** **TAB 4**
(Presiding Justice P. Harris Hines, Est. Time – 30 Min.)
 - B. Strategic Plan Implementation Committee**
(Presiding Judge Sara Doyle, Est. Time – 5 Min.)
 - C. Judicial Workload Assessment Committee** **TAB 5**
(Judge David Emerson, Est. Time - 10 Min.)
 - D. Access, Fairness, and Public Trust
and Confidence Committee** **TAB 6**
(Judge Gail Tusan, Est. Time – 5 Min.)
 - E. Budget Committee: FY 15 amended, FY 16 and
white papers for FY 16 amended and FY 17** **TAB 7**
(Justice Harold Melton, Est. Time – 15 Min.)
- 6. Statewide Judiciary Civil E-Filing Steering Committee** **TAB 8**
(Justice Harold Melton, Est. Time – 5 Min.)
- 7. Report from AOC**
(Ms. Marla S. Moore, Est. Time – 30 Min.)

8. Written Reports from Appellate Courts and Trial Court Councils
(Est. Time – 30 Min.)

TAB 9

- A. Supreme Court**
- B. Court of Appeals**
- C. Council of Superior Court Judges**
- D. Council of State Court Judges**
- E. Council of Juvenile Court Judges**
- F. Council of Probate Court Judges**
- G. Council of Magistrate Court Judges**
- H. Council of Municipal Court Judges**

9. Council of Superior Court Clerks
(Ms. Cinda Bright, Est. Time – 5 Min)

TAB 10

10. Old/New Business
(Chief Justice Hugh P. Thompson, Est. Time – 2 Min.)

11. Outgoing Members
(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)

12. Concluding Remarks and Adjournment
(Chief Justice Hugh P. Thompson, Est. Time – 2 Min.)

The Judicial Council Meeting Calendar

June 17, 2015:	Noon– 5p.m.	Sloppy Floyd Building, the Empire Room
August 6, 2015:	9:30a.m.–2p.m.	The Loudermilk Center
September 30, 2015:	Noon – 5p.m.	Macon Marriott Center, Macon, GA
December 9, 2015:	9:30a.m.–2p.m.	The Carter Center

Judicial Council Members

As of March, 2015

Supreme Court

Chief Justice Hugh P. Thompson
Chair, Judicial Council
507 State Judicial Building
Atlanta, GA 30334
404-656-3475/F 657-9586
thompsoh@gasupreme.us

Presiding Justice P. Harris Hines
Vice-Chair, Judicial Council
501 State Judicial Building
Atlanta, GA 30334
404-656-3472/F 651-8642
hinesph@gasupreme.us

Court of Appeals

Chief Judge Herbert E. Phipps
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-656-3457/F 657-8945
phippsh@gaappeals.us

Presiding Judge Sara Doyle
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-656-3458/F 657-9764
doyles@gaappeals.us

Superior Court

Judge Mary Staley
President, CSCJ
Cobb Judicial Circuit
70 Haynes Street
Marietta, GA 30090
770-528-1816/ F 528-1821
mary.staley@cobbcounty.org

Chief Judge Brenda Weaver
President-Elect, CSCJ
Appalachian Judicial Circuit
PO Box 545
Jasper, GA 30143
706-253-8729/ F 253-8734
basw54@gmail.com

Judge John E. Morse Jr.
Eastern Judicial Circuit, 1st JAD
213 Chatham County Courthouse
133 Montgomery Street
Savannah, GA 31401
912-652-7236/F 652-7361
jemorse@chathamcounty.org

Chief Judge Harry J. Altman II
Southern Judicial Circuit, 2nd JAD
PO Box 1734
Thomasville, GA 31799
229-228-6278/F 225-4128
thosct@rose.net

Judge Edward D. Lukemire
Houston Judicial Circuit, 3rd JAD
201 Perry Parkway
Perry, GA 31069
478-218-4850/F 218-4855
elukemire@houstoncountyga.org

Chief Judge Tangela M. Barrie
Stone Mountain Judicial Circuit, 4th JAD
5230 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-2338/F 371-3081
tbarrie@dekalbcountyga.gov

Chief Judge Gail S. Tusan
Atlanta Judicial Circuit, 5th JAD
T8955 Justice Center Tower
185 Central Avenue SW
Atlanta, GA 30303
404-612-8520/F 302-8524
gail.tusan@fultoncountyga.gov

Chief Judge Matthew O. Simmons
Clayton Judicial Circuit, 6th JAD
Harold R. Banke Justice Center
9151 Tara Boulevard
Jonesboro, GA 30236
770-477-3484/F 477-3487
matthew.simmons@co.clayton.ga.us

Judge S. Lark Ingram
Cobb Judicial Circuit, 7th JAD
70 Haynes Street
Marietta, GA 30090
770-528-1831/F 528-1834
larkingram@mindspring.com

Chief Judge Kathy Palmer
Middle Judicial Circuit, 8th JAD
PO Box 330
Swainsboro, GA 30401
478-237-3260/F 237-0949
kspalmer@bellsouth.net

Judge Kathlene Gosselin
Northeastern Judicial Circuit, 9th JAD
PO Box 1778
Gainesville, GA 30503-1778
706-253-8729/F 253-8734
kgosselin@hallcounty.org

Chief Judge J. Carlisle Overstreet
Augusta Judicial Circuit, 10th JAD
735 James Brown Blvd., Suite 4203
Augusta, GA 30901
706-821-2347/F 721-4476
joverstreet@augustaga.gov

State Court

Judge Charles Wynne
President, CSCJ
Hall County
PO 737
Gainesville, GA 30503-0737
770-531-7007/F 531-3975
cwynne@hallcounty.org

Judge Wayne M. Purdom
President-Elect, CSCJ
DeKalb County
556 N. McDonough St, Suite 3220
404-687-7180/ F 687-7185
wpurdom@dekalbcountyga.com

Juvenile Court

Judge J. Lane Bearden
President, CJ CJ
Cherokee Judicial Circuit
100 Court Street
Calhoun, GA 30701
706-625-6959/F 602-2337
beardenlaw@aol.com

Judge John Sumner
President-Elect, CJ CJ
Blue Ridge Judicial Circuit
90 North Street, Suite 310
Canton, GA 30114
678-293-6250/F 493-6255
jbsumner@cherokeega.com

Probate Court

Judge Don Wilkes
President, CPCJ
Emanuel County
PO Box 70
124 S. Main Street
Swainsboro, GA 30401
478-237-7091/F 237-2633
judgewilkes@yahoo.com

Judge Alice Padgett
President-Elect, CPCJ
Columbia County
P.O. Box 1520
Evans, GA 30809
706-312-7254/F 312-7251
apadgett@columbiacountyga.gov

Magistrate Court

Judge W. Allen Wigington
President, CMCJ
Pickens County
35 W. Church Street
Jasper, GA 30143
706-253-8747/F 253-8750
awigington@pickenscountyga.gov

Judge Robert "Bob" Turner
First Vice-President, CMCJ
Houston County
89 Cohen Walker Drive
Warner Robins, GA 31088
478-987-4695/F 987-5249
bturmer@houstoncountyga.org

Municipal Courts

Judge E.R Lanier
President, CMCJ
Municipal Court of Monticello
PO Box 269
Monticello, GA 31064
706-468-0129/F 468-0129
erlanier@aol.com

Judge Leslie Spornberger-Jones
President-Elect, CMCJ
PO Box 1705
Athens, GA 30603
706-613-3695/F 613-3696
leslie.jones@athensclarkecounty.com

Driving Directions to The Sheraton Atlanta Hotel

Courtland 165 Street, NE
Atlanta, GA 30303

From Hartsfield Jackson International Airport (South of Downtown Atlanta)

From Hartsfield Jackson International Airport, follow the signs for I-85 North into Downtown Atlanta. Take exit number 248C- Andrew Young International Boulevard, GA Aquarium, Centennial Olympic Park. Go to the second traffic light and turn left onto Andrew Young International Boulevard. Go to the second traffic light. Turn left onto Courtland Street. The hotel entrance will be the second driveway on the left.

From Interstate 75 South Bound (From North of Atlanta)

Following I-75 going south from the north, follow into Downtown Atlanta. Take exit number 249A to Courtland Street. You will merge onto Courtland Street going one way. The hotel will be on the left just after the third traffic light on Andrew Young International Boulevard. The hotel entrance will be the second driveway on the left.

From Georgia 400 (GA 400) going south bound (North of Atlanta)

Following GA 400 South, merge onto I-85 South. Continue traveling south into Downtown Atlanta. You will merge again with I-75 South. Continue south on I-75/85. Take exit number 249A, to Courtland Street. You will merge onto Courtland Street going one way. The hotel will be on the left just after the third traffic light on Andrew Young International Boulevard. The hotel entrance will be the second driveway on the left.

From Interstate 20 East going westbound (east of Atlanta)

Following I-20 westbound toward Downtown Atlanta, exit to I 75/85 Northbound toward Chattanooga/ Greenville. Following I 75/85 north, take exit 248C- Andrew Young International Boulevard, GA Aquarium, Centennial Olympic Park. Go to the second traffic light and turn left onto Andrew Young International Boulevard. At Courtland Street, turn left. The hotel entrance will be the second driveway on the left.

From Interstate 20 West going east bound (west of Atlanta)

Following I-20 westbound towards Downtown Atlanta, exit I 75/85 Northbound toward Chattanooga/ Greenville. Following I 75/85 north, take exit 248C- Andrew Young International Boulevard, GA Aquarium, Centennial Olympic Park. Go to the second traffic light and turn left onto Andrew Young International Boulevard. At Courtland Street, turn left. The hotel entrance will be the second driveway on the left.

Should you need further assistance, please contact the Concierge Desk at (678) 686-6479

Traveling via Marta (the underground rail system)

Take Airport Station red or gold line (Head Northbound) to Peachtree Center Station, exactly 8 stops. Exit Peachtree Center station by following the exit signs leading you to Peachtree Center Avenue, NE. Once above ground on Peachtree Avenue NE, head north. Take your next right onto John Portman Blvd., NE. Once you come to Courtland Street, NE (about 2 blocks), take a right. Sheraton Atlanta Hotel will be .2 miles down on Courtland Street NE on your left. Destination is 165 Courtland Street NE Atlanta, GA 30303

Should you need further assistance, please contact the Concierge Desk at 678-686-6479

Administrative Office of the Courts

244 Washington St. SW, Suite 300 Atlanta, GA 30334

Marla S. Moore, Director
404-656-5171

Director's Office

Betty Daniels
404-463-3820

Yolanda Mashburn
404-657-6269

Bianca Bennett
404-656-5169

Budget

Ashley Garner
404-656-6404

Communications

Ashley G. Stollar
404-656-6783

Derrick Bryant
404-656-6784

Governmental & Trial Court Liaison

Michael Cuccaro
404-651-7616

Christopher Causey
404-463-6296

Erin Oakley
404-656-5453

Tracy Mason
404-463-0559

LaShawn Murphy
404-651- 6325

Human Resources

Stephanie Hines
404-657-7469

Jacqueline Booker
404-463-0638

General Counsel

Cynthia H. Clanton
404-656-6692

Jessica Farah
404-463-3805

Court Services

Molly J. M. Perry
Division Director
404-463-5420

Accountability Courts & Grants Management

Lateefah Thomas
404-463-1906

Joshua Becker
404-463-6298

Rachel Gage
404-463-1453

Stacey Seldon
404-463-0043

Certification and Licensing

Shinji Morokuma
404-463-3785

Shawn DeVaney
404-463-3927

Shevondah Fields
(404) 656-6447

Herbert Gordon
404-232-1409

Mary Interiano
404-463-5001

Matthew Kloiber
404-463-1319

Tynesha Manuel
404-463-3785

Linda Smith
404-657-4219

Aquaria R. Smith
404-651-8707

LaDonna Varner
404-463-4266

Children, Families, & the Courts

Michelle Barclay
404-657-9219

Patricia Buonodono
404-463-0044

Araceli Jacobs
404-656-6703

Elaine Johnson
404-463-6383

Paula Myrick
404-463-6480

Bruce Shaw
404-463- 6106

Jennifer Thomas
404-463-1662

Jenny Aszman
404-232-1830

Jameelah Ferrell
404-656-5586

Alexis Champion
404-463-3178

***Research, Planning, &
Data Analysis***

Christopher Hansard
404-463-1871

Kimberly Miller
404-463-6887

Wendy Hosch
404-656-6413

Financial Administration

Randy Dennis
Division Director
404-651-7613

Kim Burley
404-463-3816

Roxanne Harkcom
404-463-9016

Monte Harris
404-656-6691

Nancy Nevels
404-463-1907

Tanya Osby
404-463-0237

Andrew Theus
404-463-5177

Information Technology

Jorge Basto
Division Director
404-657-9673

***Network Administration/
Desktop***

Tony Mazza
404-657-4006

Gilberto Alcantara
404-463-0016

Bradley Allen
404-657-1770

Carl Carey
404-656-7694

Application/ Web Development

Christina Liu
404-651-8180

Angela He
404-651-8169

Software Maintenance/ Support

Michael Neuron
404-657-4218

Wanda Paul
404-538-0849

Kriste Pope
404-731-1358

Pete Tyo
404-731-1357

Georgia Judicial Exchange

Tajsha Dekine
404-656-3479

Kevin Kirk
404-275-8372

Rory Parker
404-656-3478

Arnold Schoenberg
404-463-6343

Council of State Court

Judges

Bob Bray
404-651-6204

Annette Williams
404-463-2982

Council of Magistrate Court

Judges

Sharon Reiss
404-463-4171

Pat S. King
Georgia Department of Human Services
Division of Aging Services

Pat S. King, R.N., a POST certified forensic nurse, is the Team Leader of the Forensic Special Investigations Unit (FSIU) in the Georgia Department of Human Services (DHS), Division of Aging Services (DAS). She was introduced to adult abuse 15 years ago while working as an investigator in the Gwinnett County Solicitor's office. Since that time, she has authored several articles related to the training needs of primary responders and on financial exploitation.

Pat is a frequent presenter at state and national conferences on the topic of abuse of older adults and adults with disabilities. Pat has co-authored several articles on various aspects of at-risk adult abuse including suspicious deaths. FSIU took the lead along with other state agencies representing the criminal justice system to develop the two-day course, *At-Risk Adult Crime Tactics (ACT)*. Pat is one of the primary instructors providing ACT training and technical assistance to professionals who are primary and secondary responders to crimes against at-risk adults.

Additionally, Pat facilitates a multi-departmental forum of non-law enforcement state agencies addressing issues related to abuse of at-risk adults. Pat is a charter member of the At-Risk Adult Abuse, Neglect and Exploitation Work Group lead by the GBI. The GBI-lead work group is comprised of state, local and federal agencies tasked with investigations involving allegations of abuse, neglect & exploitation of at-risk adults. The GBI-lead work group has been instrumental in changing laws, policy and practices specific to adult abuse in Georgia.

Pat is a member of the International Association of Forensic Nurses, the Committee for the Prevention of Elder Abuse and she is currently working on her Masters in Nursing.

Press Contact:
Jennifer Thomas
Office: 404.463.1662
Cell: 404.683.9101
Jennifer.thomas@georgiacourts.gov

PRESS RELEASE

March 18, 2015

Georgia Domestic Violence Deaths Examined, Recommendations Addressed

Atlanta, GA — Today, the Georgia Commission on Family Violence and the Georgia Coalition Against Domestic Violence issued Georgia's *2014 Domestic Violence Fatality Review Report*. These statewide agencies have coordinated the Fatality Review Project since it began in 2004. They work with local teams to review domestic violence-related deaths to learn how Georgia can respond more effectively and prevent more fatalities from occurring. The *Report* analyzes domestic violence homicides in the state and provides recommendations that hold tremendous potential to significantly impact the lives of victims of domestic violence with the objective of lowering homicide rates. Over the past 11 years, the Project has reviewed over 100 domestic violence-related deaths.

The *2014 Domestic Violence Fatality Review Report* showcases innovative work being done in our state to address recommendations made in previous years. In the *Report*, highlighted communities, partnerships and programs share their process of designing and implementing programs and initiatives and how they overcame hardships. The *Report* is divided into the following 10 areas and are supported by key findings from reviewed cases: Children Exposed to Domestic Violence; Teen Dating Violence; Economic Abuse; the Role of the Criminal Legal System; Civil Protective Orders and the Courts; Firearms and Domestic Violence Fatalities; Family, Friends, and the Faith Community; Detachment, Separation, and the Risks of Leaving; the Suicide-Homicide Connection; and Barriers to Accessing Services.

Some of the main findings include:

- Children are often the silent victims of domestic violence, a fact which can perpetuate the cycle of violence in families and communities. In 47% of reviewed cases, the victim and perpetrator had at least one minor child together at the time of the homicide and children witnessed the homicide in 29% of the cases.
- Many relationships ending in homicide started when the victim was in their teens. In reviewed cases, 25% of victims began their relationship with the person who eventually killed them when they were between the ages of 13 and 19.
- Limited financial resources can be the single greatest barrier to leaving an abusive relationship. Seventy-seven percent of victims were employed at the time of their death but many felt unable to support themselves outside the abusive relationship. For victims who were employed, they were usually not allowed to be in control of their finances.
- Victims are in contact with law enforcement at much higher rates than domestic violence programs. In reviewed cases, 79% of victims were in contact with law enforcement in the five years before the homicide.

Georgia Domestic Violence Deaths Examined, Recommendations Addressed continued

- Firearms are the leading cause of death in domestic violence fatalities in Georgia, greater than all other methods combined. In 2014, 65% of domestic violence related fatalities in Georgia were due to firearms.
- When a domestic violence victim is leaving an abusive relationship, she is at a significantly higher risk for serious injury or death – even before she takes obvious actions to leave. In almost every reviewed case, the victim was either contemplating ending the relationship, making preparations to leave the relationship, or had already taken clear steps signaling a desire to end the relationship.
- Faith communities are often a leading source of support in the lives of victims. In reviewed cases, 31% of victims were involved in their faith community in the five years before the homicide.
- Most victims, their families and their friends do not know about local domestic violence programs in their community, or that they can call 1-800-33-HAVEN for support and resources 24 hours a day.

Georgia holds the unfortunate distinction of ranking 9th in the nation for men killing women in single-victim homicides, most of which are domestic violence murders, according to a study conducted by the Violence Policy Center. Over the past 11 years, the Project has recorded the deaths of over 1,400 Georgians due to domestic violence. In 2014, 117 deaths of Georgians due to domestic violence were recorded. Already, at least 30 people in Georgia have lost their lives in 2015 due to domestic violence.

In response to these numbers, Holly Tuchman, Chair of the Georgia Commission on Family Violence, stated, “We have a lot to be proud of in our state, but there is still a lot of progress to be made. We hope communities are encouraged by the initiatives highlighted in the *Report* and are inspired to get involved. Everyone – judges, prosecutors, law enforcement agencies, state legislators, private attorneys, advocates, faith leaders, employers, and all citizens in Georgia – has a role to play in ending domestic violence.”

Jan Christiansen, Executive Director of the Georgia Coalition Against Domestic Violence, urges readers to view the *Report* as a call to action, “The findings from fatality reviews over the last 11 years are compelling, as is the innovative work being done in our communities. We must work together to address the issue of domestic violence and we must do things differently to reach victims of domestic violence and their families.”

To access the report for free online, please go to www.georgiafatalityreview.com. For more information about the Georgia Coalition Against Domestic Violence, visit www.gcadv.org, and the Georgia Commission on Family Violence, visit www.gcfv.org.

If you or someone you know is being abused, there are community and statewide resources available to you. Call 1-800-33-HAVEN (voice/TTY), the toll-free, statewide, 24-hour hotline, for a confidential place to get help or find resources. Se habla Español.

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Judicial Council of Georgia
General Session
Georgia Freight Depot Atlanta, GA
February 27, 2015 • 1:00 p.m.

Members Present

Chief Justice Hugh P. Thompson, Chair
Judge Harry J. Altman
Judge Tangela Barrie
Judge L. Chase Daughtrey
Judge Sara L. Doyle
Judge Kathlene Gosselin
Justice P. Harris Hines
Judge S. Lark Ingram
Judge E.R. Lanier
Judge Katherine Lumsden (for Judge Edward D. Lukemire)
Judge J. Carlisle Overstreet
Judge Kathy Palmer
Judge Wendy Shoob (for Judge Gail Tusan)
Judge Matthew O. Simmons
Judge Leslie Spornberger-Jones
Judge Mary Staley
Judge Robert Turner
Judge Brenda S. Weaver
Judge W. Allen Wigington
Judge Charles Wynne

Ms. Betty Daniels
Mr. Randy Dennis
Ms. Ashley Garner
Mr. Christopher Hansard
Ms. Stephanie Hines
Ms. Wendy Hosch
Ms. Tracy Mason
Mr. Tony Mazza
Ms. Erin Oakley
Ms. Valerie Ogonor
Ms. Molly Perry
Ms. Aquaria R. Smith
Ms. Ashley Stollar
Ms. Jennifer Thomas
Ms. Lateefah Thomas

Members Absent

Judge J. Lane Bearden
Judge Edward D. Lukemire
Judge John E. Morse, Jr.
Chief Judge Herbert E. Phipps
Judge Wayne M. Purdom
Judge John Sumner
Judge Gail Tusan
Judge Don Wilkes

Non-Member Committee Chairs Present

Justice Harold Melton, Budget Committee

Staff Present

Ms. Marla S. Moore, Director
Mr. Jorge Basto
Mr. Derrick Bryant
Ms. Cynthia Clanton

Guests Present

Sheriff Terry Arnold, Cook County
Mr. Joe Baden, Third Judicial Administrative District
Ms. Tee Barnes, Supreme Court of Georgia
Mr. Tracy J. BeMent, Tenth Judicial Administrative District
Mr. Bob Bray, Council of State Court Judges
Ms. Cinda Bright, Council of Superior Court Clerks
Mr. Phil Boudewyns, Gwinnett Judicial Circuit
Ms. Jacqueline Bunn, Criminal Justice Coordinating Council
Ms. Lisa Dawson, Georgia Department of Public Health
Mr. Richard F. Denney, First Judicial Administrative District
Judge Stephen Dillard, Court of Appeals of Georgia
Mr. Steven Ferrell, Ninth Judicial Administrative District
Mr. John Fleisch, Governor's Office of Planning and Budget
Mr. Dominic Giordano, Municipal Court of Athens-Clarke County
Ms. Elizabeth Head, Georgia Department of Public Health
Mr. Mike Holiman, Council of Superior Court Clerks
Mr. Eric John, Council of Juvenile Court Judges
Judge Gary Jackson, Municipal Court of Atlanta
Judge Horace Johnson, Superior Courts, Augusta Judicial Circuit
Ms. Kathleen Joyner, Fulton County Daily Report
Ms. Sandy Lee, Council of Superior Court Judges
Ms. Yolanda Lewis, Fifth Judicial Administrative District
Trooper Moses Little, Georgia State Patrol
Ms. Cathy McCumber, Fourth Judicial Administrative District
Mr. Charles Miller, Council of Superior Court Judges
Ms. Tia Milton, Supreme Court of Georgia
Mr. David Mixon, Second Judicial Administrative District
Mr. Bob Nadekow, Eighth Judicial Administrative District
Ms. Debra Nesbit, Association County Commissioners of Georgia
Ms. Jody Overcash, Seventh Judicial Administrative District
Ms. Sharon Reiss, Council of Magistrate Court Judges
Mr. William Simmons, Sixth Judicial Administrative District
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Mr. Shannon Weathers, Council of Superior Court Judges
Mr. Thomas Worthy, State Bar of Georgia

Call to Order and Welcome

The meeting of the Judicial Council of Georgia (Council) was called to order at 1:00 p.m. by Chief Justice Thompson. Chief Justice Thompson recognized the Council's newest member, Judge Barrie, and administered the Council's oath. Chief Justice Thompson thanked members for attending and asked guests to sign in.

Older Drivers Safety: Resources and Training

Ms. Elizabeth Head, Georgia Department of Public Health Injury Prevention Program, gave an overview of the Georgia Older Driver Safety Program; reference to several online resources was given. She encouraged the Council to review the resources, as the information may be helpful in their courts.

Adoption of Minutes, December 16, 2014

Chief Justice Thompson directed the Council's attention to the minutes of the December 16, 2014 meeting. A motion to approve was offered by Judge Wigington, followed by a second from Judge Daughtrey. The motion passed unanimously. Council members introduced themselves.

Committee Reports

Policy and Legislative Committee. Justice Hines stated the Committee's report required no action and was for informational purposes only. He referred to the document entitled *Judicial Council of Georgia 2015 Legislative Positions and Budget Requests*, provided in the materials, and reviewed the status of each item. Justice Hines noted that following the start of the legislative session, the Council of Magistrate Court Judges (CMCJ) voted not to pursue video warrant legislation. Judge Wigington explained the CMCJ's sentiment that the legislation would not be fruitful this year. Judge Lanier explained that the Council of Municipal Court Judges (CMuCJ) removal for cause proposal had failed to gain traction and so the CMuCJ has informally considered pulling this for the year. Justice Hines also reported the status of work on misdemeanor probation and jurisdiction of traffic cases involving 17-year-old drivers. The Council has taken a position on both issues. Justice Hines also advised the Council of other legislation of interest.

Judge Overstreet spoke to the compensation increases being sought in HB 279 (as originally introduced) for superior court judges and asked for the Council's support; Judge Gosselin added that the bill includes compensation increases for the justices of the Supreme

Court and the judges of the Court of Appeals, as well. The Chief Justice encouraged the Council to support the legislation. Judge Overstreet clarified his request as a motion; a second was offered by Judge Wigington. The motion was approved with no opposition. Chief Justice Thompson noted that under normal procedures those judges serving as proxy to Council members would not have voting privileges, but those privileges would be granted for this meeting. Judge Lumsden indicated she voted in favor of the motion.

Strategic Plan Implementation Committee. Judge Doyle reported that the Committee is in the second year of implementing the three year plan, and that work on Priority Initiative #1 (baseline evaluation of current customer experience) has largely been completed, as has Priority Initiative #2 (encourage Georgia courts to assess performance) and Priority Initiative #4 (preparation for legislative session). The Committee has dedicated significant attention to Priority Initiative #6 (bylaws, committee structure, and leadership continuity); draft bylaws were provided in the materials and members were asked to review and submit any comments to Ms. Clanton by March 30.

Court Reporting Matters Committee. At the request of the Committee, the Court Reporters Training Council is collecting information regarding the issue of realtime reporting and will bring recommendations to the Council once complete. Judge Doyle spoke to the communications challenges faced by the Committee following the adoption of the *Judicial Council Policies and Fees for Court Reporting Services in Criminal Cases* in September and stressed that the policies pertain only to criminal, not civil, cases.

Judge Doyle presented an amendment to Policy 2.1 to include no contest pleas; this served as a motion. Following brief discussion, the amendment was adopted with no opposition. Judge Doyle presented an amendment to Policy 2.4 (serving as a motion) to clarify the intention of the Business Continuity policy to be a best practice recommendation, not a mandate. Judge Staley made a motion on behalf of the Council of Superior Court Judges to repeal Policy 2.4 in its entirety; this was deemed out of order by the Chief Justice since a motion was already on the table. Following further discussion, the amendment was adopted with no opposition. Judge Doyle urged the Council members to continue sending feedback to the Committee as the policies will continue to be refined.

Accountability Court Committee. Judge Weaver presented for the Council's approval a proposed list of metrics and performance measures for accountability courts, developed in

collaboration with the Accountability Courts Funding Committee. This will be an ongoing project which will be reviewed regularly for updates or amendments. The motion passed with no opposition.

Access, Fairness and Public Trust and Confidence Committee. Ms. Moore referred to the written report provided in the materials, summarizing the Committee's first meeting. The Committee has assigned three subcommittees focusing on: human trafficking and immigration; revision of *A Meaningful Opportunity to Participate: A Handbook for Georgia Court Officials on Courtroom Accessibility for Individuals with Disabilities*; and, the National Association of Women Judges 2017 Conference planning.

Institute of Continuing Judicial Education (ICJE) Implementation of Recommendations of Next Generation Courts Commission (NGCC)

Ms. Moore reported that the ICJE Board has reviewed the recommendations made by the NGCC and have formulated proposals on how to implement those regarding judicial education. Ms. Moore briefly reviewed the proposals, which were provided in the materials for the Council's information. It is anticipated ICJE will adopt these recommendations at its meeting in April.

Report from Judicial Council/AOC Director

Ms. Moore introduced Mr. Hansard to present the results of the baseline evaluation of current customer experience with Georgia courts (Strategic Plan Priority Initiative #1). Mr. Hansard summarized the project and its findings, which was administered in conjunction with the A.L. Burruss Institute at Kennesaw State University and consisted of surveys in 109 counties with a total of 3,868 respondents. He indicated the data will be delivered to individual courts for their review and use. He concluded by expressing appreciation to all who participated in the project.

Ms. Moore referred to the written financial report included in the materials, reflecting Judicial Council budget unit accounts as of January 31, 2015. She spoke to the progress of the Tax Refund Intercept Program and the collaborative partnership with the Department of Revenue, Association County Commissioners of Georgia and the Georgia Municipal Association.

Ms. Moore reported on the progress of the Georgia Courts Registrar, and referred to the metrics provided in the materials. She highlighted the growth of the newest groups in the system

(magistrates, municipal judges and municipal clerks) provided on page 3. She referred to the Lawyers for Equal Justice Incubator Report, and noted that a request of the State Bar to provide office space at no charge is pending. She reported that a new electronic filing system is being used for the annual caseload reporting process and the response rate so far has been positive.

Ms. Moore concluded her report by bringing to the Council's attention a new project, which is a collaboration between the Department of Juvenile Justice, the Council of Juvenile Court Judges and the JC/AOC to create the Juvenile Justice Case Management Repository. The project consists of defining a data dictionary for juvenile court cases, and developing exchanges to allow information from disparate case management system to feed into a data repository that will be housed at the JC/AOC. The project will be funded through the Department of Juvenile Justice.

Chief Justice Thompson thanked Ms. Moore and AOC staff for their work and support of the Council.

Reports from Appellate Courts and Trial Court Councils

Supreme Court. Chief Justice Thompson referred members to the written report provided in the materials.

Court of Appeals. Judge Doyle referred members to the written report provided in the materials.

Council of Superior Court Judges. Judge Staley referred members to the written report provided in the materials.

Council of State Court Judges. Judge Wynne referred members to the written report provided in the materials.

Council of Juvenile Court Judges. A written report was provided in the materials.

Council of Probate Court Judges. Judge Daughtrey referred members to the written report provided in the materials. The Council held a meeting earlier in the week to discuss the issue of same-sex marriage, ahead of the United States Supreme Court's expected decision this summer.

Council of Magistrate Court Judges. Judge Wigington reported that the Council had just completed a new judges' training, which was attended by 22 new magistrates.

Council of Municipal Court Judges. Judge Lanier referred members to the written report in the materials and recognized the service of Judge Nelly Withers who, due to the re-designation of the DeKalb County Recorder's Court by legislation, is no longer a member of the Council.

Council of Superior Court Clerks. Ms. Cinda Bright referred members to the written report provided in the materials.

Chief Justice Thompson commended the councils for their work.

Adjournment

There being no further business, Chief Justice Thompson recognized Judge Daughtrey for his service to the Council as his term ends. The next Council meeting will take place on April 23. The meeting was adjourned at 3:00 p.m.

Respectfully submitted:

Tracy Mason
Program Administrator, AOC

The above and foregoing minutes
were approved on the _____ day of
_____, 2015.

Hugh P. Thompson
Chief Justice



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Presiding Justice P. Harris Hines *P. Hines*
Chair, Policy and Legislative Committee

RE: Report – 2015 Legislative Session

DATE: April 13, 2015

The Georgia General Assembly adjourned *sine die* on Thursday, April 2. The following is a report of the items on which the Council took a position.

I. Fish and Game law

Bill: SB 62 - Probate Courts; remove certain limitations on the jurisdiction of the probate courts over game and fish violations (O.C.G.A. § 15-9-30.3)

Sponsor: Sen. Tyler Harper (R – Ocilla)

SB 62 amends O.C.G.A. § 15-9-30.3 to remove certain limitations on the jurisdiction of the probate courts over game and fish violations, including first violations of hunting deer at night with the aid of a light.

Position: Support

Final Status: Passed House and Senate; Final Passage 3/23/15

II. Order to Apprehend law; eliminate waiver requirement

Bill: HB 119 - AIDS; disclosure of such information under certain circumstances; change provisions (O.C.G.A. § 24-12-21)

Sponsor: Rep. Bert Reeves (R – Marietta)

HB 119 amends O.C.G.A. § 24-12-21, related to the disclosure of AIDS confidential information. It authorizes probate judges to disclose otherwise confidential AIDS information of mentally ill persons who are to be apprehended by law enforcement officers who execute such orders.

Position: Support

Final Status: Attached to HB 72; Final Passage 4/2/15

III. Increased contempt penalties in Magistrate Court

Bill: HB 154 - Magistrate courts; fine amount for contempt of court; increase (O.C.G.A. § 15-10-2)

Sponsor: Rep. Tom Weldon (R – Ringgold)

HB 154 increases the maximum monetary penalty for contempt in magistrate courts from \$200 to \$500.

Position: Support

Final Status: House Judiciary Committee favorably reported, 2/11/15; House vote lost, 3/11/15

IV. Video applications for search warrants

This proposal would amend O.C.G.A. § 17-5-21.1 to eliminate the requirement that a video recording be made of an application for a search warrant made by video conference.

Position: Support

Final Status: No legislation filed.

V. Municipal court; removal for cause

Bill: HB 691 - Municipal courts; removal of appointed judges under certain circumstances; provide (O.C.G.A. § 36-32-2)

Sponsor: Rep. Kevin Tanner (R – Dawsonville)

HB 691 amends O.C.G.A § 36-32-2, and adds a new Code Section 36-32-2.2, to provide defined procedures for removal (“removal for cause” provisions) of municipal court judges.

Position: Support

Final Status: Assigned to House Judiciary Committee, 3/31/15

VI. Municipal court; “court of record” designation

Bill: SB 205 - Municipal Courts; make municipal courts a court of record (O.C.G.A. § 36-32-1)

Sponsor: Sen. Charlie Bethel (R – Dalton)

SB 205 amends O.C.G.A. § 36-32-1 to designate the municipal courts of Georgia as “courts of record.”

Position: Support

Final Status: Assigned to Senate Judiciary Committee, 3/5/15

**VII. Prosecuting attorneys in municipal courts
(O.C.G.A. § 15-18-91 & O.C.G.A. § 15-18-95)**

Bill: HB 480 - Municipal courts; creation of office of prosecuting attorney and name of prosecuting attorney to be served on Administrative Office of the Courts; require notice (O.C.G.A. § 15-18-91 & O.C.G.A. § 15-18-95)

Sponsor: Rep. Bert Reeves (R – Marietta)

HB 480 amends O.C.G.A. § 15-18-91 & 15-18-95 to require a municipality to appoint an attorney to serve as the prosecuting attorney of the municipal court. The AOC would receive the names of municipal prosecutors, which is currently handled by the Prosecuting Attorneys’ Council.

Position: Support

Final Status: Assigned to House Judiciary Committee, 2/26/15

VIII. Judicial Disqualification Based on Degrees of Relationship with Parties

Bill: HB 207 - Courts; judge, judicial officer, grand juror, or trial lawyer may be disqualified for presiding or serving due to being related by consanguinity or affinity to a party; change provisions (O.C.G.A. § 15-1-8)

Sponsor: Rep. Beth Beskin (R – Atlanta)

HB 207 amends O.C.G.A. § 15-1-8(a)(2) to restore the third-degree standard for judicial disqualification based on degrees of relationship with parties.

Position: Support

Final Status: Senate Judiciary Committee Favorably Reported, 3/25/15; attached to SB 64, failed to receive final passage from House, 4/2/15

IX. Misdemeanor Probation Sentencing

The Judicial Council voted to work with the Criminal Justice Reform Council involving the matter of misdemeanor probation, including the issue of tolling. HB 310 includes the recommendations of the Criminal Justice Reform Council with respect to probation. The bill provides statutory authority for tolling sentences where the probationer has been provided notice and an opportunity to be heard.

HB 310 creates the Department of Community Supervision, and transfers the functions and appropriations of the County and Municipal Probation Advisory Council and the Georgia Commission on Family Violence to this new agency.

Final Status: Passed House and Senate; Final Passage 3/27/15

**X. Traffic cases involving 17-year-old drivers
(O.C.G.A. § 15-11-10 & O.C.G.A. § 15-11-630)**

The Judicial Council voted to work with the Criminal Justice Reform Council to undo last year's change in jurisdiction and return 17-year-old traffic offenders to the adult traffic courts. HB 361 includes language to clarify that 17-year-old drivers will be treated as adults for traffic offenses.

Final Status: Passed House and Senate; Final Passage 4/2/15

XI. Judicial pay raise

Bill: HB 279 - Public officers and employees; annual salaries of Supreme Court Justices, Court of Appeals, superior court judges and district attorneys; repeal provisions (O.C.G.A. § 45-7-4)
Sponsor: Rep. Jay Powell (R – Camilla)

HB 279 provides for a state salary increase for justices of the Supreme Court, judges of the Court of Appeals, and judges of the Superior Courts. An additional state supplement is provided for each superior court judge in a circuit with an accountability court. A daily expense allowance is authorized for up to 30 days per term of court for justices of the Supreme Court and judges of the Court of Appeals who live 50 miles or more from the state judicial building. HB 279 creates an additional superior court judgeship in the Western Judicial Circuit and provides for three more judgeships on the Court of Appeals. The bill creates the Judicial, District Attorney and Circuit Public Defender Compensation Commission. In addition to studying the compensation structure of judges, district attorneys and circuit public defenders, the Commission is charged with evaluating caseload and the distribution/allocation of such officers and jurisdictions.

Position: Support (as originally introduced)

Final Status: Passed House and Senate; Final Passage 4/2/15

XII. Other items of interest

A. HB 328 - Adult offenders; enact reforms recommended by Georgia Council on Criminal Justice Reform

Sponsor: Rep. Chuck Efstrotation (R – Dacula)

HB 328 provides for the recommendations of the Criminal Justice Reform Council involving adult offender reforms. The bill creates the Council of Accountability Court Judges and transfers statutory responsibility of drug court divisions, mental health court divisions, and veterans court divisions from the Judicial Council to the Council of Accountability Court Judges. HB 328 permits a local governing authority, with the recommendation of the court, to contract with any person doing business within or outside the state for the collection of delinquent fines and fees.

Final Status: Passed House and Senate; Final Passage 3/31/15

B. HB 492 - Crimes and offenses; carrying in unauthorized locations; revise provisions

Sponsor: Rep. Rick Jasperse (R – Jasper)

HB 492 is a clean-up bill to HB 60 (2014), the Safe Carry Protection Act. The bill clarifies that HB 60 was not intended to affect the exemptions contained in O.C.G.A. § 16-11-130, and provides definitions of key terms. The bill also clarifies the procedures that probate judges must follow in issuing and renewing weapons carry licenses. It corrects contradictory language about fingerprinting requirements for renewal licenses by stating only a non-fingerprint based criminal history records check is required for license renewals. It requires superior and state court judges who become aware of a conviction that makes the maintenance of a weapons carry license unlawful to notify the issuing probate judge. The Council of Superior Court Judges and the Council of State Court Judges are required to provide by rule procedures to carry out this requirement.

Final Status: Passed House and Senate; Final Passage 3/31/15

C. SB 99 - Conduct of Proceedings; reversal on appeal; judge expresses an opinion regarding proof in a criminal case; change provisions

Sponsor: Sen. John Kennedy (R – Macon)

SB 99 amends O.C.G.A. § 17-8-57, relating to conduct of proceedings. Current law requires a new trial after a judge, during a criminal case, expresses an opinion as to whether a fact at issue has or has not been proved, or as to the guilt of the accused. This bill requires a party who alleges that a judge expressed an opinion regarding whether a fact has been proved make a timely objection, outside of the jury's presence, and inform the court of the specific objection and the grounds for such objection. If the objection is sustained, the court may give a curative instruction to the jury or declare a mistrial. Failure to make a timely objection shall preclude appellate review, unless such violation constitutes plain error which affects substantial rights of the parties. Where the judge expressed an opinion as to the guilt of the accused, this law requires a new trial to be granted.

Final Status: Passed House and Senate; Final Passage 4/2/15

Judicial Council of Georgia
Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Judge David Emerson, Chair
Judicial Workload Assessment Committee

RE: Georgia Model Time Standards

DATE: April 23, 2015

Introduction

The Judicial Workload Assessment Committee determines the methodology for the Judicial Council’s annual superior court workload assessment that serves as the basis for recommendations for additional judgeships or circuit boundary adjustments to the Governor and General Assembly. The Committee also guides discussion and activity related to improvements in caseload data collection and analysis.

The Judicial Workload Assessment Committee membership is composed of the Chief Justice, nine superior court judges, and one judge from each class of limited jurisdiction court. Two court clerks and three court administrators serve as advisory members.

On September 23, 2013, the Chief Justice charged the Judicial Workload Assessment Committee with four items. One of those items was to “develop statewide performance standards for all classes of courts to aid in their court management.” The Committee has reached a significant milestone in its work towards completing this charge and is now presenting its work to the Council for approval. Also attached are unapproved minutes from the Committee’s most recent meeting (Attachment B).

Georgia Model Time Standards

The Judicial Council’s strategic plan identifies court performance assessment and improvement plans as priority initiatives. To aid courts in these initiatives, the Judicial Council charged its Judicial Workload Assessment Committee (JWAC) with developing statewide performance standards for all classes of courts. Performance standards for courts take the form of case processing time standards, which are time values measuring duration between the date of case filing and disposition. The purpose of these standards is to set achievable goals for Georgia’s

courts, establish a framework for lawyers to conduct their advocacy, and to define for the public what can be expected of their courts.

Statewide standards exist in either appellate or trial courts in forty states, including all southeastern states except Georgia and Tennessee. Additionally, the National Center for State Courts (NCSC), jointly with the Conference of State Court Administrators, the Conference of Chief Justices, the National Association for Court Management, and the American Bar Association, has adopted *Model Time Standards* for each state to use as a basis for establishing its own standards.

Over the past year, the Committee has studied the NCSC *Model Time Standards* and sought input from stakeholders, including judge councils, clerks, prosecuting attorneys, public defenders, and the bar. Based on this research, the Committee developed the *Georgia Model Time Standards* (Attachment A). These standards contain three main sections.

- The first paragraph explains that the standards are to be used as voluntary goals and management tools.
- The second paragraph details when the time standards begin and end and provides reasons a court would suspend the running of time on a standard due to circumstances beyond its control.
- The table contains the standards themselves, broken down into case categories and types with individual standards for each.

The standards offered here reflect a recognition that there normally is a large proportion of cases that are disposed with little court involvement; a second proportion that dispose after one or two issues are resolved; and the smallest proportion that require a trial to resolve. Based on this understanding, the standards provide two or three tiers for each standard. The 98 percent tier is key to establishing a backlog measure and setting the expectation of the maximum time within which a case should be decided or resolved. The other two tiers are intended as points of measurement for effective management of pending cases. A 98 percent level is used rather than 100 percent in recognition that there will be a very small number of cases that will require more time to resolve.

The intent of standards is to encourage the fair disposition of cases at the earliest possible time. Assuming a court has appropriate resources, including staffing and operations of all court stakeholders and taking into account statutes, uniform rules, and various jurisdictional demographic and geographic factors, the Committee believes these standards represent reasonable goals to which courts can aspire.

Finally, though other classes of courts could use these standards, the Committee felt they were best suited to be used by superior courts. The Committee will continue to work on recommendations for standards for the limited jurisdiction courts and bring those to the Council when appropriate.

Recommendation

The Committee is recommending the Council adopt the attached *Georgia Model Time Standards* as voluntary goals to which superior courts can aspire and use as analysis tools in their caseload management strategy.

I want to thank the Committee members for their hard work on this issue. Their dedication continues to ensure that the Council improves its ability to assess judicial workload.

Georgia Model Time Standards

The following are Georgia’s *Model Time Standards*. The standards are designed for use by courts as voluntary goals to which courts can aspire as well as management tools that are part of a caseflow management strategy. The standard should not be considered as a rule governing individual cases or creating right for individual litigants. The intent is to encourage the fair disposition of cases at the earliest possible time.

In criminal cases, the standards run for the date of filing of the indictment or accusation to the date of disposition by entry of judgment. In civil and domestic relations cases, the standards run from the date of perfection of service to the date of disposition by entry of judgment, with the exception of protection orders, which run from the date of filing. The running of time is suspended under any of these standards by such occurrences as the following.

1. The filing of an interlocutory appeal.
2. A stay is issued from a higher court (Federal or state) or from a court of equal standing in another county, district, or state.
3. Federal bankruptcy proceedings during pendency of a civil matter.
4. A stay is issued due to military duty or incarceration of one of the parties.
5. Failure to appear and issuance of a bench warrant for a criminal defendant.
6. Treatment to restore the competency of a criminal defendant found not to be competent to stand trial.
7. The case is subject to mandated arbitration that is not under the court’s control (e.g., attorney fee arbitration or contractually required private arbitration).
8. Parties in a divorce case indicate a desire to reconcile and the court suspends activity pending the outcome of the reconciliation process.

Case Category	Case Type	Standard (percent of cases disposed)
Criminal	Serious Felony ¹	95% within 540 days 98% within 730 days
	Felony	95% within 420 days 98% within 540 days
	Misdemeanor	90% within 180 days 98% within 365 days
Civil	General Civil	50% within 180 days 90% within 365 days 98% within 540 days
Domestic Relations	Divorce	50% within 120 days 75% within 240 days 98% within 540 days
	Protection Order	98% within 30 days 100% within 60 days
	Custody Modification	75% within 240 days 98% within 540 days

¹ A serious felony is defined as a case with a mandatory minimum ten year or greater sentence or any case involving a repeat offender as defined by O.C.G.A. 17-10-7. It does not include Unified Appeal cases.

Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Judicial Workload Assessment Committee

Judicial Conference Room
244 Washington Street SW
Atlanta, GA 30334
March 6, 2015 • 10AM

Members Present

Judge David Emerson
Chief Judge William Boyett
Ms. Cinda Bright (*via telephone*)
Judge LeRoy Burke, III
Judge Michael Cielinski
Judge Doris Downs
Judge Sheryl B. Jolly
Judge Stephen D. Kelley
Chief Judge Kathy S. Palmer
Judge Joe Bishop (*via telephone*)

Guests Present

Mr. Todd Ashley
Judge Jason Harper

Staff Present

Mr. Christopher Hansard
Ms. Wendy Hosch
Ms. Kimberly Miller
Ms. Valerie Ogonor
Ms. Molly Perry

Call to Order

Judge Emerson called the meeting to order at 10:10 a.m.

Approval of November 21, 2014 Minutes

Once a quorum was reached, the Committee unanimously approved the minutes without amendment at 11:16 a.m.

2014 Caseload Reporting Update

Ms. Wendy Hosch provided an update and map detailing the number of courts that have reported as of March 2, 2015. Ms. Hosch told the Committee that a two week extension was provided to courts due to many courts being unable to operate due to winter weather. She explained that the 2014 caseload reporting includes updated reporting forms for all classes of courts, except probate courts, and data on self-represented litigants and limited English proficient litigants.

Ms. Hosch also updated the Committee on staff's work with the Council of Probate Court Judges to update their caseload reporting forms. She discussed the project's timeline and staff's

plan to offer training to courts once work is complete. Staff believes new reporting forms will be available for caseload reporting in January 2017.

Draft Georgia Model Time Standards

Judge Emerson discussed the proposed superior court case processing time standards. He urged all other classes of court to propose their own time standards. He presented the Committee with resource standards that should also be considered to ensure judges have appropriate resources to meet time standards. The Committee discussed the resource standards and their application across Georgia's diverse courts. Ms. Perry asked if the National Center for State Courts has recommendations for minimal judicial resources. Mr. Christopher Hansard knew the National Center has done staffing studies but was unaware of general applicable judicial resource standards. The Committee agreed that a document outlining minimum judicial resource standards should be created but that work on case processing time standards should not be delayed.

Judge Jolly moved to approved the Georgia Model Time Standards with the amendment that all standards referencing 100 percent, except protection orders, be changed to 98 percent. The Committee approved the Georgia Model Time Standards as amended.

Reporting Requirements in Statute and Uniform Rule

Ms. Kimberly Miller provided an overview of statutes and uniform rules. Ms. Miller discussed barriers to reporting compliance and outlined the current reporting process. Judge Emerson discussed options for streamlining all caseload reporting forms to collect only the data required by statute or uniform rule. The Committee discussed which data was important for the Committee to continue to receive and what could be removed. Judge Emerson requested staff provide more information on legal reporting requirements at the Committee's next meeting.

Defining a "Case" in Trial Courts

Mr. Hansard presented the National Center for State Court's standard for defining a case for purposes of caseload reporting. The standard provides a case is one defendant and all charges involved in a single incident. Mr. Hansard explained that using this standard would allow staff to remove the docket count on superior court caseload reports and the charge count on juvenile court reports. Judge Emerson moved to adopt this standard for superior court caseload reporting. The motion was approved unanimously. Judge Emerson motioned to adopt this standard for juvenile court caseload reporting. The motion was approved unanimously.

Weighted Caseload Thresholds

Mr. Hansard presented four weighted caseload models. Judge Downs asked staff how the thresholds were created and if they barred a circuit from requesting a new judgeship. Judge Emerson explained that the thresholds do not prevent circuits from requesting new judgeships but does require them to successfully appeal to the Committee and receive a two-thirds majority before the Judicial Council. The Committee declined to make any changes to current thresholds.

Data Element Definition Work Groups

Judge Emerson encouraged staff to reach out to committee members to assist them in better defining data elements on current caseload reports.

Next Meeting

The committee decided that the next scheduled meeting date of July 24 would need to be rescheduled. Judge Emerson requested staff send an email to members proposing alternative dates.

Adjournment

Judge Emerson adjourned the meeting at 12:26 p.m.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Members of the Judicial Council

FROM: Justice Carol W. Hunstein, Co-Chair
Justice Robert Benham, Co-Chair
Access, Fairness, and Public Trust and Confidence Committee

RE: Access, Fairness, and Public Trust and Confidence Committee Update

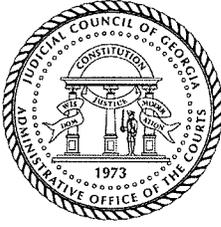
DATE: April 10, 2015

The Judicial Council Access, Fairness, and Public Trust and Confidence Committee met on April 9, 2015. The goal of this Committee is to improve the public's trust by focusing on access and fairness through the elimination of systemic barriers related to gender, race, ethnicity, disability, and language.

The Committee heard a report from the JC/AOC Office of Research, Planning, and Data Analysis. Along with the Kennesaw State Burruss Institute of Public Service and Research, staff completed a statewide Baseline Customer Experience Survey, examining access and fairness measures within Georgia courts. This report, presented to the Judicial Council at its February meeting, reveals that court customers express generally positive opinions about the ways they were treated in the courts. Committee members and staff discussed the details of the survey and considered steps that will be taken to further examine data and recommend changes to participating courts.

Additionally, the Committee heard reports from staff about the progress of: a comprehensive revision of the ADA Handbook for courts; planning for the 2017 Conference of the National Association of Women Judges (to be held in Georgia); a proposed law school incubator project titled Lawyers for Equal Justice; and, development of human trafficking pilot courts in Georgia. Three subcommittees have been created and members assigned to each. The ADA Handbook Revision Subcommittee, the NAWJ Conference Planning Subcommittee, and the Subcommittee on Human Trafficking and Immigration will meet individually to set and achieve the goals of the Committee. The Committee will meet next on September 17, 2015.

Please contact Erin Oakley (erin.oakley@georgiacourts.gov; 404-656-5453) for additional information about the work of the committee.



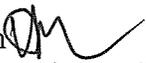
Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Judicial Council Members

FROM: Justice Harold D. Melton 
Chair, Statewide Judiciary Civil E-filing Steering Committee

RE: Committee report

DATE: April 7, 2015

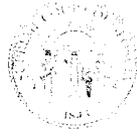
The Statewide Judiciary Civil E-filing Steering Committee will meet on Friday, May 1, 2015, to discuss next steps as a result of the funding provided in the FY 2016 General Budget for the implementation of a statewide e-filing portal.

The Council of Superior Court Judges gave its final approval to Proposed Uniform Superior Court Rule 36.16 (Electronic Filing) and Rule 36.17 (Sensitive Information) on January 22, 2015. These proposed amendments have been forwarded to the Supreme Court and as of April 7 they are awaiting final approval and publication.



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5. Council of Juvenile Court Judges
6. Council of Probate Court Judges
7. Council of Magistrate Court Judges
8. Council of Municipal Court Judges



SUPREME COURT OF GEORGIA
STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

HUGH P. THOMPSON
CHIEF JUSTICE

(404) 656-3472

April 8, 2015

SUPREME COURT REPORT

The most noteworthy event since our last meeting was the end of the 2015 legislative session. Through our collaborative efforts, many judges in this state will receive their first pay raise in 15 years. This is something I have advocated for in both of my State of the Judiciary addresses, and I look forward to continuing to collaborate with the Legislature on this matter when the Compensation Committee is formed.

In light of the addition of the new Court of Appeals panel to assist with its caseload, I have asked members of my Court to continue discussions with the Court of Appeals Judges to determine a jurisdictional scheme for both courts that makes sense.

In the meantime, filings continue to increase in just about every category of the 20 types of cases filed in the Court - but especially in direct appeals sent to us from the trial courts. The Legislature approved funding to hire another docket clerk to help carry out the commitments of the Court. Although the addition of this clerk does not bring the Court's personnel numbers back to where they were 10 years ago, the Court is very appreciative of this funding as the added employee will help with the workload.

The Court is doing everything it can to be a responsive and transparent court and the constantly evolving technology has been helpful to our efforts:

Network: The Court replaced the outdated Novell operating system with Microsoft. Later this month, all Court data will be migrated to a new network. The upgrade enhances security and storage capacity and will allow for central management of all computers, enhanced back-up and the ability to detect system vulnerabilities earlier.

Electronic Filing/Electronic Records: We are approaching our 5th year of electronic filing for attorneys. We are about 6 months into electronic records being transmitted from the trial court, and we are pleased with the amount of clerks who have been utilizing the electronic record submission process. The ability to transmit

the appellate record electronically was most advantageous during the 5 execution matters scheduled between the latter part of 2014 and the beginning of 2015. The Clerk's office continues the multi-year process of digitizing closed records and converting microfilmed records to a digital version.

I briefly would like to note some of the projected initiatives for 2015 in a continuing effort by the Court to make the Court's processes more transparent and to increase public access to the Court's operations. We hope to institute a Twitter account to promptly publicize Court news; create a downloadable app for the most popular features of the Court's website; and continue to hear off-site arguments in communities around the state. We are scheduled to be in Gilmer County in the fall and we have an invitation to hold oral arguments in the new Georgia State Law School facility after it opens. We will continue to expand the e-records initiative to include even more counties and we are reviewing opening up the e-filing process to pro se litigants.



*The Court of Appeals
of the
State of Georgia
Atlanta, Georgia 30334*

CHAMBERS OF
CHIEF JUDGE HERBERT E. PHIPPS

(404) 656-3457
FAX (404) 657-8945

**Court of Appeals of Georgia
Report to Judicial Council
April 2015**

The Fiscal Year 2016 legislative session's budget will result in the addition of three new Court of Appeals judges. This is a momentous time for our Court as we expand from twelve to fifteen judges. The Court is now addressing the growing pains of finding space for the new judges and their staffs, dealing with myriad logistical issues, and considering the policy implications of having fifteen judges on the Court. It is an exciting time to be part of the Court and we certainly welcome these additions. The new judges are expected to take office on January 1, 2016.

Judge Dillard is heading up a final review of our Court rules. Numerous changes have occurred over the past eighteen months. This review is intended as a comprehensive overview to deal with many of the issues that continue to arise as the Court continues moving to full electronic processing of various actions and records.

We continue to make incremental improvements to our docket. On January 1, 2015, the Court began requiring electronic filing of applications. Many of our recent technology improvements relate to making the process more user friendly to practitioners and our staff.


Chief Judge Herbert E. Phipps



*The Court of Appeals of Georgia
requests the honor of your presence at the investiture
of Presiding Judge Sara L. Doyle
as the twenty-ninth
Chief Judge of the Court
Wednesday, the Twenty-Fourth of June
Two Thousand Fifteen at 10:00 a.m.
Court of Appeals Courtroom
617 State Judicial Building
Capitol Square, Atlanta, Georgia
r.s.v.p. to RSVP@gaappeals.us*



Council of Superior Court Judges of Georgia

Suite 104, 18 Capitol Square, Atlanta, Georgia 30334
(404) 656-4964 Fax (404) 651-8626

Council of Superior Court Judges Report to Judicial Council April 2015

Superior Court Judges were pleased with the final passage of HB 279, which provides a 5 percent across-the-board salary increase for all judges, plus an additional \$6,000 state supplement for every judge in every circuit that includes an accountability court. This state supplement will cover 180 judges in 38 circuits and will incentivize other judges to take steps to begin accountability courts in their circuits. The effective date for the judicial salary increase is January 2016. Sufficient funding for this initiative was also provided in the FY 2016 budget for Superior Courts.

HB 279 also included provisions to add a fourth judgeship to the Western Judicial Circuit, comprised of Clarke and Oconee counties. The effective date for the new judgeship is April 1, 2016. Funds were also provided for this judgeship in the FY 2016 state budget.

CSCJ recently welcomed two newly appointed judges: Judge J. Kelly Brooks of the Waycross Judicial Circuit, who was appointed to fill a newly created judgeship in that circuit; and Judge R. Chris Phelps of the Northern Judicial Circuit, who was appointed to fill the seat of retired Judge John Bailey, who has now become a senior judge.

One additional vacancy remains to be filled. The Judicial Nominating Commission has recommended a list of eight names to fill two vacancies in the Stone Mountain Judicial Circuit, one of which is in state court, and another of which in superior court was created by the retirement of Judge Cynthia Becker, who retired effective March 1, 2015.

As of July 2014, Superior Courts had 84 accountability courts, an increase of 38 courts since July 1, 2011. More courts continue to be added throughout 2015. Felony accountability courts saved Georgia taxpayers \$23 million in 2013. The Department of Corrections has estimated they saved \$30 million in 2014.



Council of State Court Judges
Impartial Courts • Judicial Excellence • Accessible and Efficient Justice

244 Washington Street, S.W.
Suite 300
Atlanta, GA 30334
404-651-6204 • FAX 404-463-5173

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Executive Director

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Report of the Council of State Court Judges
Judicial Council Meeting
April 23, 2015

The Council of State Court Judges continues to be proud of the work of our judges in the effective handling of the criminal and civil cases that are filed in our State Courts.

On February 20, 2015, the State Court of Cobb County recognized its 50th anniversary with a public ceremony at the Strand Theater in Marietta, Georgia. Cobb State Court Chief Judge David Darden presided over this ceremony, which featured a nostalgic review of the distinguished history of this Court and those judges, past and present, who have so capably served. Chief Justice Hugh Thompson of the Supreme Court of Georgia was a featured speaker at this notable occasion, with many other members of Georgia's judiciary being present. The Council of State Court Judges extends our congratulations and appreciation to the State Court of Cobb County on its first 50 years of distinguished judicial service.

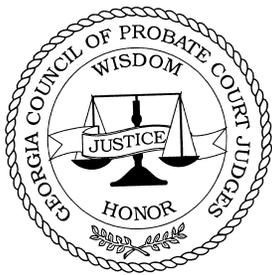
Judge Linda S. Cowen, State Court of Clayton County, was presented the Ogden Doremus/Kent Lawrence Award at the Fall Conference of the Council of State Court Judges, in recognition of her outstanding service to the Council of State Court Judges and to the judiciary and community. Judge Cowen is immediate Past President of the Council of State Court Judges, has served on the Judicial Council of Georgia and on the Judicial Council for Court Reporting Matters, and for many years has been an active supporter of Georgia's Mock Trial program. The Council of State Court Judges commends Judge Cowen for this most deserved recognition.

The recently concluded 2015 legislative session included the passage of House Bill 674, creating the State Court of Catoosa County. (At the time of the submission of this report, said bill was awaiting the signature of Governor Deal.) Our State Court Council looks forward to the creation of this new court, and to the judicial service that this new court will provide to Catoosa County and to the State of Georgia.

The Spring Conference of the Council of State Court Judges will take place at The Georgia Center in Athens, from May 12 – 15, 2015. Chief Justice Thompson will be our featured speaker on Wednesday evening, May 13th, with Mr. Robert J. Kauffman, President – Elect of the State Bar of Georgia, speaking to our Council on Thursday, May 14th. We look forward to this Spring Conference and, in particular, hearing from both of these distinguished leaders of Georgia's judiciary and legal profession.

Respectfully submitted,

Charles S. Wynne
President, Council of State Court Judges



Council of Probate Court Judges

Judge Don Wilkes
President (Emanuel)

Judge Alice W. Padgett
President Elect (Columbia)

Judge Rooney Bowen, III
First Vice President (Dooly)

Judge Darin McCoy
Secretary- Treasurer (Evans)

Judge L. Chase Daughtrey
Immediate Past President (Cook)

Memorandum

To: Judicial Council Members

From: Judge Don Wilkes, CPCJ President

Re: Council of Probate Court Judges Report

Date: April 9, 2015

The Council of Probate Court Judges held its spring training March 23-26 at the University of Georgia Center for Continuing Education. Those judges who began our four year certification program through the Institute of Continuing Education and the Carl Vinson Institute of Government will complete the program very soon. Secretary of State Brian P. Kemp swore in the new slate of officers at our annual banquet on Wednesday, March 25: Judge Don Wilkes of Emanuel County was sworn in as President, Judge Alice Padgett of Columbia County as President Elect, Judge Rooney Bowen, III of Dooly County as First Vice President, and Judge Darin McCoy as Secretary Treasurer. Judge Padgett, Columbia County Probate Judge, now serves with me as a member of the Judicial Council. We honored our outgoing president, Judge Chase Daughtrey for his leadership during the last year.

The Council saw the successful passage of SB 62 (Fish and Game law) and HB 119 (Order to apprehend law; attached to HB 72) during the legislative session. We are grateful to our legislative committee, Mark Middleton, and the JC/AOC legislative teams for their efforts in helping the Council realize its legislative priorities. The Council continues working with the Governor's Office to be sure that there is collections language with regards to failures to appear added to the Criminal Justice Reform Council Bill. The probates judges welcome the cleanup of House Bill 60 that was passed last session with ambiguities. With regards to HB 144 all the court councils worked together to remove a House Rules Amendment that would have required Certified Mail and remove the second hearing requirement.

The Council hosted a roundtable discussion in Atlanta in February with JC/AOC Legal Counsel, Judicial Qualifications Commission Director Ronnie Joe Lane, and Vital Records Director Donna Moore to discuss potential changes and challenges if the U.S. Supreme Court rules that same sex marriage is legal. We are working on talking points for the Council as well as a new application form if needed. We have

asked the JC/AOC General Counsel to look into any law that may create any obstacles for issuing such licenses.

A working group of judges has convened to assist the JC/AOC Office of Research, Planning, and Data Analysis in revising the probate judges caseload reporting process. The intent of the workgroup is to accurately capture the duties of probate courts and the diversity of daily tasks that occur in our courts. We will begin reporting the data in 2016.



Judge E.R. Lanier, President
City of Monticello
267 College Street
Monticello, GA 31064
706-468-0129/ erlanier@aol.com

Judge Leslie Spornberger-Jones
President-Elect
City of Athens
Leslie.Jones@athensclarkecounty.com

Judge Gary E. Jackson
Vice President
City of Atlanta
gejackson@Atlantaga.gov

Judge LaTisha Dear Jackson, Secretary
Recorders Court of DeKalb Co.
ldjackson1@dekalbcountyga.gov

Judge John Clayton Davis Treasurer
City of Stockbridge
claydavis@claydavislaw.com

Judge James Anderson, III Immediate Past President
City of Norcross
jma@jmalawfirm.com

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Judge Timothy McCreary
Judge Roger Rozen

District Eight
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Judge E.R. Lanier

District Nine
Judge William F. Brogdon
Judge Margaret Gettle Washburn

District Ten
Judge Lori Duff
Judge Dale Samuels

Report to the Judicial Council of Georgia April 23, 2015

Among the current initiatives and projects of the Council of Municipal Court Judges are:

Legislation

For the 2015 session of the General Assembly, there were three legislative items being sought by the Municipal Court Council. A major legislative initiative of the Council was to amend OCGA § 36-32-1, 2 regarding removal for cause of Municipal Court Judges. Municipal courts are the only class of court for which almost all of the judges are appointed officials serving at the pleasure of the political branches of government.

Additionally, the Council pursued legislation to designate Municipal Courts as courts “of record.” The last legislative initiative dealt with the matter of mandatory prosecutors in Municipal Courts. In 2012, a statute was enacted allowing the governing authority of a municipality to create the office of prosecuting attorney for Municipal Courts. O.C.G.A. § 15-18-91(a). That statute does not however mandate the creation of such office.

The three Council bills will be held over until next year’s session and worked on over the summer with the Georgia Municipal Association, the sponsors, and other interested parties. There is draft legislation for each bill.

The link to municipal court bills will take you directly to the drafted legislation.

HB 480, Prosecutors in Municipal Courts. Sponsor: Rep. Bert Reeves
HB 691, Removal of Municipal Judges for Cause. Sponsor: Rep. Kevin Tanner
SB 205, The Municipal Court as a Court of Record. Sponsor: Sen. Charlie Bethel

The Council also lent its support and efforts in the passing of several bills that were of concern to its membership.

Training Initiative and Strengthening the Council

The Council of Municipal Court Judges in conjunction with the Municipal Judges Training Council are conducting a series of “Lunch 'n' Learn” programs throughout the judicial districts to educate members regarding the function of the Executive Committee, that of the District Representatives, and the role of a Judge. The two hour class, which was approved for MCJE Credit, includes the following topics:

1. Recusals-When you should recuse; How to recuse; and How District Representatives should handle making appointments when they receive a recusal from a judge, per the Uniform Municipal Court Rules. (40 minutes)
2. About the Council of Municipal Court Judges, the Council's Executive Committee and District Representatives Responsibilities (20 minutes)

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

3. The Role of a Judge: Balancing Being a Judge and an Attorney (30 minutes)
4. Discussion, Questions and Answers (30 minutes)

With a successful meeting in the City of Decatur in March, several training sessions are scheduled to take place within the next few months. Additional meetings will be planned for the latter half of the year. Forums are scheduled for May 8th in Albany, Georgia and May 29th in Brunswick, Georgia.

Information Technology (IT) Strategic Planning

In recent years a technology plan was developed to enable the Municipal Council to continue to prioritize and deliver the IT services that would best support the courts across the judicial system of Georgia. As a critical component to the yearly development of the CMuniCJ and the services and representation it provides its membership, contributors will meet to re-examine those strategic goals, assess their progress in implementing them and set goals for accomplishing those parts of the plan which have not yet been implemented and derive new initiatives. Additionally, as a part of this process, participants will seek alignment of the Strategic IT Plan with the Council's current Strategic Business Plan.

The planning session is tentatively scheduled to be held May 21-22, 2015 in Columbus, Georgia.

Next Meeting

The Municipal Judges Executive Committee is scheduled to meet April 16, 2015 in Warner Robins, Georgia and June 22nd in Jekyll Island, Georgia, in conjunction with the Summer Law and Practice Update Seminar.



1231 COLLIER RD. NW, STE. J • ATLANTA, GA 30318
PHONE • 678-222-4232 • FAX 404-249-8831

COUNCIL OF SUPERIOR COURT CLERKS OF GEORGIA

Report to Judicial Council
April 23, 2015

From our civil efilings project to criminal transcripts, we have instituted several mechanisms for receiving electronic data. The Council's portal for civil efilings has 42 counties currently accepting efilings from any filer. These counties are all with a single case management vendor. When our second largest vendor comes online later this month, we expect the number of counties accepting efilings to reach 138 total by September 2015.

Our secure FTP portal for receiving criminal transcripts has been very well received by those court reporters who have used it and 104 counties are using that portal to receive eTranscripts. After some initial reluctance, court reporters are embracing the ease and simplicity of this mechanism for filing their transcripts.

Our council is initiating discussions with our case management vendors about the possibility of moving to searchable pdf's as their default file type. This is in response to discussions with T. Barnes and her staff at the Supreme Court.

Finally, clerks are working with the JWAC to add pro se and interpreter fields in our case management systems so that we can report on that data.

Thank you for the opportunity to update you on our work.

Cinda Bright President
Council of Superior Court Clerks
and
Clerk of Superior Court
Wilkinson County.

Mike Holiman
Executive Director
Council of Superior Court Clerks
1231 Collier Road, NW
Suite J
Atlanta, GA 30318