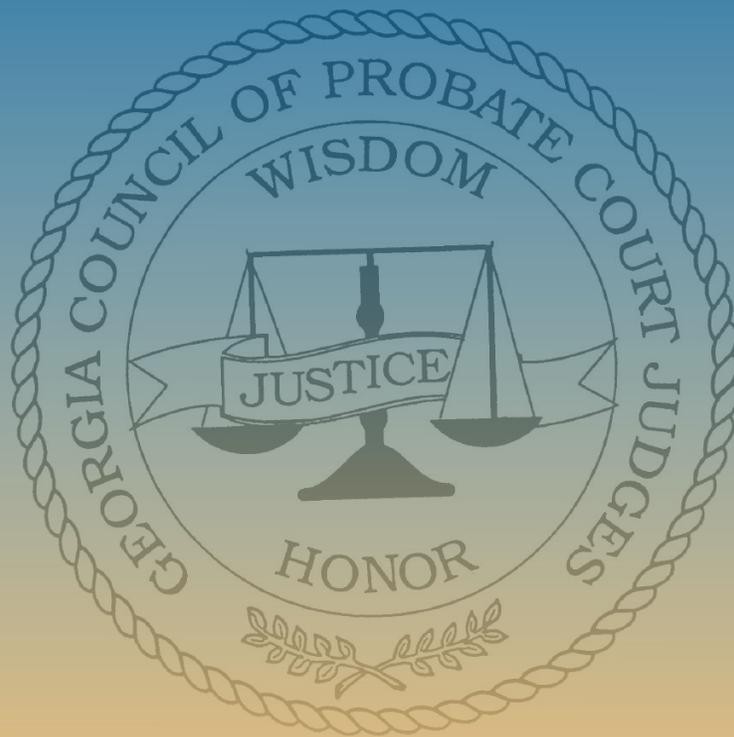


The Official Newsletter
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of Probate Court Judges

Volume 21, Number 2

The *Spring* Gavel

Probate News



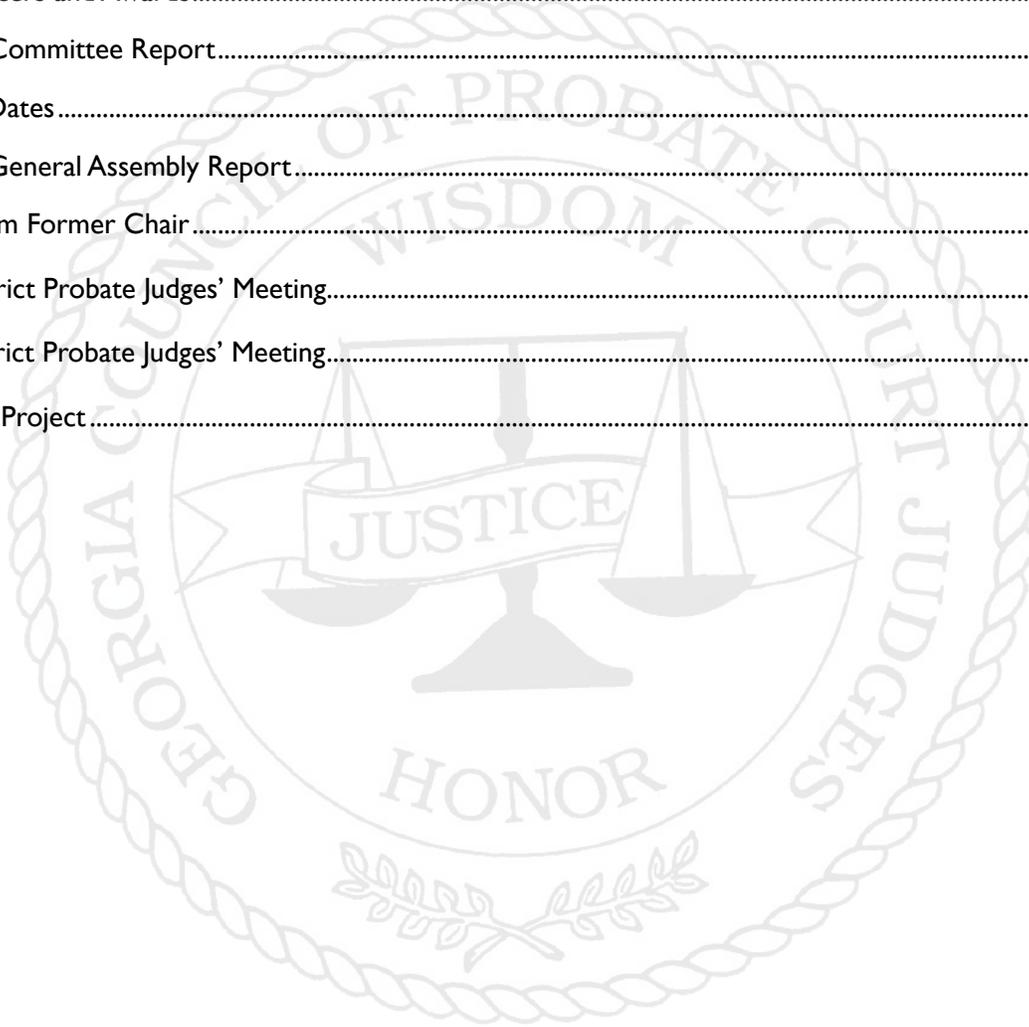
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Message from the President

Greetings Everyone,

This is my first article in The Gavel and I look forward to this and future opportunities to address you as President of the Council of Probate Judges for Georgia. It is a true honor to serve in this capacity. God has placed me in this position for a reason and I truly hope I can uphold this office as He would lead me to do. I appreciate your confidence and I will work hard to live up to your expectations. I am blessed to be serving alongside President-Elect Judge Alice Padgett, First Vice-President Judge Rooney Bowen III, Treasurer Darin McCoy and Immediate Past-President Chase Daughtrey.

It was great to see everyone in Athens at the annual ICJE Spring Seminar. Many judges are now only one class away from being the first Certified Probate Judges of Georgia! What an accomplishment.

Our previous past presidents have worked hard to pave the road for our continued success.

They have set the bar high and I would like to continue this tradition with the help of all CPCJ members. We will need everyone to actively contribute their strengths in order to move our council to the next level.

I have served as the Emanuel County Probate Judge for over twelve years and I truly love my job and the people I serve. The reason I wanted to become a probate judge is the same reason I believe I should support our probate council... to help others improve the quality of their lives and to find better ways to serve the public. As probate judges, we are all very blessed to have the jobs we are entrusted with and the responsibilities the people of our local communities elect us to do.

As your president, I request that you remember that the president is only one person, while our Council is 159 strong with committed committee chairs and very capable members. I want our committees to be creative in pursuit of new ways to do things. I believe that if we combine our efforts we can make the right things happen for the people we serve.

Since we just received updates at the Spring Seminar from Judge Daughtrey, I would like to take this opportunity to share my personal thoughts and vision for the Council. Spending

many years in the private sector as a small business owner and corporate sales representative prior to becoming probate judge, my mindset is often one of remaining competitive in the marketplace while providing quality customer service. I recognize this is not always applicable to our courts but I do believe it applies to our administrative roles and duties. As we strategically plan and develop goals, I challenge our Council to look ahead to where we want our courts and services to be ten years from now. To remain headed in the right direction, personally I would like to see the following four accomplishments this year:

- Update Handbook with limited supplements;
- Kickoff of the Authority with an online Probate Court repository for record retention and public access operated by the CPCJ to be followed up by many self-sustaining projects;
- Detect legislation that might impact Probate Court negatively and defeat it while also pursuing positive legislation that allows Probate Courts to operate more effectively;
- Promote committee participation so the Council pursues initiatives directed by our committees.

Although we will face our challenges in the upcoming year, I do firmly believe that we have an opportunity to make a difference. We will continue to rely on the quality staff at the JC/AOC and ICJE to help manage our endeavors as we work together to do our part to improve the service we provide the well-deserving citizens of Georgia.

Judge Don Wilkes
President, CPCJ



Letter from the Editor

I trust the Spring season has been a good one for you and that your year is off and running. The training in Athens was enjoyable once again. The chance to fellowship and share insights is always the highlight of the meeting for me. I particularly enjoy time to visit with our retired judges. It is a tribute to them that they take the time to come and share their unique perspectives and wealth of experience.

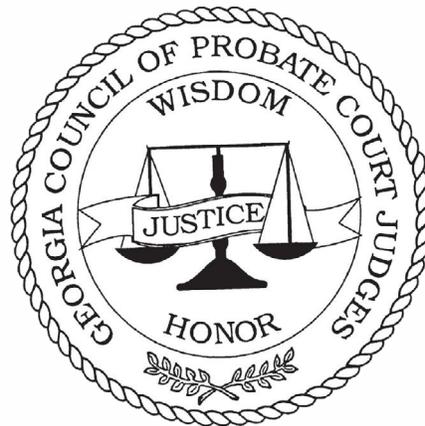
I look forward to seeing many of you this summer as our training continues. Until then...

Best Regards,
Judge Tony Thompson
Candler County Probate Court



Candler County Court House

From The Gavel Archives



Seal of the Council of Probate Court Judges of Georgia

In the June 1997 edition of *The Gavel*, Judge Laverne Ogletree of Green County Probate Court and the Editor of *The Gavel* reported that she was notified by letter dated May 30, 1997 that the application for registration of the copyright of the Seal of The Council of Probate Court Judges of Georgia was accepted by the United States Copyright Office, Library of Congress.

Secretary Kemp Swears in New Officers- Judges Wood and Ferguson Honored

Outgoing President Judge Chase Daughtrey gave his final address to the Council of Probate Court Judges of Georgia on March 25, 2015, at the Council's Annual Awards Ceremony and Installation of New Officers.

Judge Daughtrey welcomed several guests including Secretary of State Brian Kemp who was on hand to swear in the new officers.

Judge Keith Wood of Cherokee County was the winner of the Outstanding Probate Judge Award and was lauded for his tireless efforts including his work on the Training Council and the certification process. Judge Pam Ferguson of Clayton County was given a Special Recognition Award and was cheered for her work especially on the Forms Committee. Others receiving recognition from the outgoing president included Erin Oakley and LaShawn Murphy of the JC/AOC, Rich Reeves of the ICJE, Judge Larry Threlkeld of Toombs County, Judge Mike Greene of Jones County, Judge Sarah Harris of Bibb County, Judge Mary Jo Buxton of Johnson County, Judge Rooney Bowen III of Dooly County, and Judge Kelli Wolk of Cobb County.

Judge Daughtrey also thanked the committee chairs and the entire Council for their work and cooperation during the past year. Secretary of State Brian Kemp then administered the oaths to the incoming officers Secretary/Treasurer Judge Darin McCoy of Evans County, First Vice President Judge Rooney Bowen III of Dooly County, President Elect Alice Padgett of Evans County, and President Judge Don Wilkes of Emanuel County.

Incoming President Don Wilkes then addressed the Council and laid out his vision for the coming year. He highlighted several ongoing projects and issues that will be focal points in the coming year. He closed his remarks by praising the work of outgoing president Judge Daughtrey and presented him with a gift for his work this past year.



Brian Kemp (L), administering the oath to Judge Don Wilkes (R) of Emanuel County.



Judge Keith Wood (L), presented by Judge Chase Daughtrey with the Outstanding Probate Judge Award.



Brian Kemp (L) administering the oaths to Judge Alice Padgett, Judge Rooney Bowen III, and Judge Darin McCoy.



Judge Pam Ferguson (L), presented by Judge Chase Daughtrey with the Special Recognition Award.

ELECTION COMMITTEE REPORT

There are several key dates to remember.

Financial Disclosure Reports are due from all elected officials June 30, 2015.

Campaign Contribution Reports due by July 1, 2015. There is a 5 day grace period.

Qualifying Date for 2016 for the Primary (Democratic, Republican & Nonpartisan will be March 7, 2016 thru March 11, 2016 ending at 12:00 p.m. (This was the latest info available at press time per committee report and web postings.)

Democratic, Republican and Nonpartisan Primary set for May 24, 2016.

Run-off will be July 26, 2016

General Election: November 8, 2016

Judge Judy B. Mullis, Lanier County
Chairman of Elections Committee

Training Dates

Election training scheduled for May 4-6 in Savannah.

Traffic Judges Training is May 28-29 (Lake Lanier)

Probate Clerk Training is July 21 (Kennesaw), August 4 (Tifton) and August 18 (Macon)

Traffic Clerk Training is July 22 (Kennesaw), August 5 (Tifton) and August 19 (Macon)

CVI certification classes are July 30 (Tifton), and August 11 (Athens)

COAG is October 5-8 (Savannah)



2015 Georgia General Assembly Report

SB 62 - Clears up the jurisdiction of probate courts with regards to high and aggravated fish and game offenses along with hunting deer at night with aid of light. It has passed both chambers and has been transmitted to the Governor.

HB 328 - Includes language to provide for courts and governing authorities to contract with collection agencies for the purpose of collecting failure to appear fines. This language was included in the Governor's Criminal Justice Reform Bill. It has been transmitted to the Governor.

HB 492 - This bill cleans up last year's HB 60 as it related to the issuance of Weapons Carry License. This bill addresses most of the issues that we found in HB 60 and Rep. Jasperse chose to include other items such as reporting revocations of WCL to GCIC. It has passed both chambers and has been transmitted to the Governor.

HB 310 - This bill addresses issues that related to private probation from the Supreme Court ruling and the Governor's veto of the legislation last year. It clears up the tolling issue and would require a rule nisi being sent to the probationer before the issuance of a warrant. This bill also creates the Department of Community Supervision which will have an advisory board similar to that of CMPAC; the advisory board will have a probate court judge that serves on it.

HB 62 - Includes our language from HB 119 that eliminates a three day bureaucracy that burdens probate judges if two affiants note in their request for an order to apprehend the patient is HIV positive or has AIDS.

HB 114 - Is a DDS bill but an amendment was added in the House Rules Committee that would have required all traffic courts to send a certified letter to violators who failed to appear and give them another 30 days to appear. The Senate Public Safety Committee stripped that amendment. We are unaware if the bill was attached to another vehicle to gain final passage on Day 40.

HB 86 - Transfers the Division of Aging to the newly created Georgia Adult and Aging Services Agency. Adult Protective Services will now fall under the newly created state agency.

HB 635 - Allows for an increase in the number of years of mandatory contribution to the Probate Judges Retirement Fund from 20 years to 30 years. This legislation will be addressed in the 2016 Session.

A detailed report will be provided this summer after the Governor reviews all passed legislation.

Judge Chase Daughtrey, Cook County

A Quick Note from the Former Chair of Training Council

For the last two years, I have been honored to serve my fellow judges as Chair of the Training Council. For those of you who have served in this role, you know that, while rewarding, it can be quite a challenge. Fortunately for me I have had a LOT of help. So as I bow out, I wanted to give a “shout out” to some folks who made my job a lot easier.

First, I want to thank the Training Council. This group of judges has taken time out of their regular jobs with the goal of making sure that the training we propose and develop will make us all better Probate Judges. I especially appreciate Judge T.J. Hudson for being willing to assume the Chair, for Judge Tony Thompson for stepping in as Vice-Chair, and for Judge Sylvia Stone continuing her role as Secretary.

Second, I want to thank Rich Reaves and the staff at ICJE for their ongoing support in planning our training, securing instructors, and just generally making sure the trains run on time. Many people do not know the essential work they do for us and I can honestly say that without them, the job of being Chair would be impossible.

Third, I want to thank Anna Boling and the staff at the Carl Vinson Institute of Government for their ongoing work with us in putting together our certification training. This program has, I believe, made our training the top judicial training in the state. As part of this, I also want to thank Judges Tammy Brown, Kelley Powell, Woody Jordan, Vickie Burnette, and Mike Greene for their work on the Accreditation Committee, a job that apparently will never end.

Fourth, I want to thank all of you judges out there who have been willing to step forward and shoulder some of the burden of developing and teaching materials for any of the training we offer. I read the comments from the reviews and I know that all of your work is appreciated by your fellow judges.

Finally, I want to thank Judge Kip McVay. She hired me as her Chief Clerk and Hearing Officer in 2004 when I was at a pretty low point in my life and has not only helped me develop as a (hopefully competent) judge, but also gave me the push necessary to get out of my comfort zone and be involved. That, I can assure you, was no easy task.

I hope all of you will continue to support the work of your Training Council and will also continue to share your ideas on the training you would like to see. Your input is invaluable in meeting the goal of having training that is meaningful and timely.

As for me, I am so glad I now get to be a foot soldier and not a general.

Judge Keith Wood,
Cherokee County Probate Court



First District Probate Judges' meeting

The First District Probate Judges' meeting was held on January 23, 2015, and hosted by Judge Deborah Andersen at the Paulding County Probate Court. In attendance were: Judge Mitchell Scoggins, Judge Jeff Hullender, Judge Kerri Carter, Judge Ritchie Parker, Judge Eddie Hulsey, Judge Linda Smith, Judge Christy Anderson, Judge Jon Payne, Judge Sheri Blevins, Judge Alice Padgett, retired Judges Jan Ellison and Ray Broadrick, Clerks Shawna Cooper, Tracy Teague, Samantha Splawn, Ashley Dodd, Rhonda Bone and Debbie Hendrix. Our guests were Gwen Duffin, Deputy Director for Record Retention for the State Office of Vital Records; Donna Thomas, Regional Consultant for the State Office of Vital Records; and Frank Baker, Paulding County Judicial Circuit Court Administrator.

Mr. Baker spoke on the Judicial Council Policies and Fees for Court Reporting Services. He suggested that judges delegate inspections of court reporting invoices to ensure their correctness. He explained all of the new signage that has to be posted to notify all parties that proceedings may be electronically recorded. Our district discussed the policy of a mechanical recording of the takedown of misdemeanor pleas.

Ms. Duffin spoke about training for probate courts. The marriage module for GAVERS will come out in the spring and the State Office of Vital Records will be providing training. She stated that her office is in the process of scanning over thousands of vital records to make them available to all custodial offices.

Ms. Thomas is the regional consultant for our district. She works with probate judges, coroners, health departments and any custodial office that handles vital records. She stated that if we come across any flagged records, we are to notify the state immediately and should not call the custodial county. She discussed the change regarding long form death certificates effective January 1, 2015.

The meeting was opened for general discussion on probate matters.

Lunch was served in the historic Ragsdale Inn in downtown Dallas, GA.

Have a wonderful day!

Deborah Andersen
Judge, Paulding County Probate Court



Fifth District Probate Judge's Meeting

Northeast Georgia Probate Judges Enjoy Seminar Here Monday



Front row, left to right: LaVerne Ogletree, Susan Tate, Clarke County; Betty Thomas, Banks County; Stephanie Hewell, Elbert County. Middle row, left to right: Tammy Brown, Barrow County; Beverly Nation, Oglethorpe County; Sherry Moore, Jackson County; Merry Kirk, Hart County. Standing: David Anglin, Oconee County; Thomas Charping, Wilkes County; Ken Eavenson, Franklin County; Cody Cross, Madison County.

On Monday, February 23, 2015, twenty Probate Judges from all over northeast Georgia gathered for a training session hosted Judge LaVerne Ogletree. After a morning of training, they enjoyed lunch at the Yesterday Cafe.



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Marla S. Moore
Director

Memorandum

TO: Executive Committee, Council of Probate Court Judges
Erin Oakley, Trial Court Liaison

FROM: Wendy Hosch, Research and Statistical Analyst

RE: Probate Caseload Proposed Project -- Update

DATE: February 20, 2015

Workgroup Meeting Summary

On February 4, 2015, the workgroup judges and JC / AOC staff met to begin the process of updating the caseload reporting for Probate Courts. The goals were adjusted slightly to include the ability to disseminate information to funding bodies as well as the overall workload of these unique courts and their duties, which can include trials, election oversight, various permit issuances, and vital records maintenance.

Additionally, JC / AOC staff has reached out to schedule some time to visit with Judge Woods in Cherokee County. We look forward to the valuable educational opportunity.

At the first meeting, it came to the attention of JC / AOC staff that GCAC did some work to identify court processes within the probate courts several years ago. The Data Definitions Summary Report was read and some items within the report are valuable in assisting with the planned work.

Research findings will be presented on Monday, February 23 to the workgroup and discussion will continue to move toward a common language and understanding. This will assist JC / AOC in developing caseload reports in a language common with current practices used day-to-day at the local level.

Research is on target to have training materials ready for late summer or early fall. Some outreach may prove useful as we continue to share the information gained and look for additional training opportunities. It is our joint intention to have updated caseload reports for gathering data in CY 2016 with reporting done for the first time on them in January 2017.

Goals

1. Update probate court reporting to reflect open, filed, and disposed cases in conformance with national and state standard.
2. Reflect the workload of the diverse courts, identifying differences and similarities within the different types of probate courts, including Article 6 courts.
3. Identify and report vital record responsibilities for applicable courts.
4. Create common definitions and understanding for caseload reporting.
5. Improve understanding and data standardization, facilitating better comparisons between state and national level data on court statistics.
6. Engage probate judges around the state in educating JC/AOC staff and policy makers on the diverse nature of the case and jurisdictional responsibilities.
7. Deliver documents and standards that can be shared with judges, staff, and policymakers to enhance discussions from an informed position.
8. **Share workload with funding committees at various levels across the state.**

Proposed Initial Timeline

1. January – March 2015
 - a. Train JC/AOC staff – begin discussion and preparatory work on variables in structure, authority, and work
2. February 4 and February 24
 - a. Broad discussions with Council of Probate Court Judges Executive Committee
 - b. Create work charge and groups
 - c. Discuss and model probate court structure and responsibilities
3. April – May 2015
 - a. Define data elements that reflect all areas of probate court responsibilities
4. June – July 2015
 - a. Submit data elements and definitions to Executive Committee for final approval
5. July – September 2015
 - a. Prepare documentation and training materials
6. October 2015
 - a. Prepare for presentation at Fall Conference

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