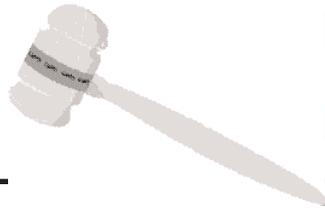


# THE



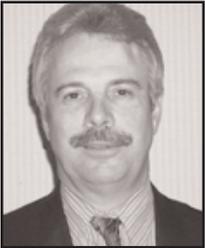
# GAVEL

*The Official Newsletter  
of the Georgia Council of Probate Court Judges*

Volume 9, Number 2

April 2001

## MESSAGE FROM THE PRESIDENT



WHAT A YEAR! Is it really almost over? By the time this issue of *The Gavel* is published and mailed to you, we will be approaching the Spring Conference in Athens, and my year as President will be over. The truth is that I have mixed emotions over that fact. It seems that the year has flown by me so fast, and I realize, painfully, that there was so much more that could have been done if only I had had the time. Yet, those times when the duties of the position have consumed much of my time cause to me to want to shout with joy that the time has come for me to "hand over the crown." Time, at least as we measure it, is but a creation of man.

In his most famous and beloved book, *The Prophet*, poet and philosopher Kahlil Gibran includes the following passage:

*And an astronomer said, Master, what of Time?*

*And he answered:*

*You would measure time the measureless and immeasurable. You would adjust your conduct and even direct the course of your spirit according to hours and seasons. Of time you would make a stream upon whose bank you sit and watch its flowing. Yet the timeless in you is aware of life's timelessness, And knows that yesterday is but today's memory and tomorrow is but today's dream. And that that which sings and contemplates in you is still dwelling within the bounds of that first moment which scattered the stars into space.*

*Who among you does not feel that his power to love is boundless? And yet who does not feel that very love, though boundless, encompassed within the centre of his being, and moving not from love thought to love thought, nor from love deeds to other love deeds? And is not time even as love is, undivided and spaceless?*

*But if in your thought you must measure time into seasons, let each season encircle all the other seasons, And let today embrace the past with remembrance and the future with longing.*

As we and the Council move forward in this year and into the future, may we be increasingly dedicated to the success, the influence, and the importance of our Council and each individual member. We are developing a strategic plan (a work in progress) to direct the course of our future. The success of the plan, as it is developed over time, is, of absolute necessity, first dependent upon the dedication and willingness of the members of the Council to give their time in support of the leadership. As I leave the helm of leadership, I embrace that future with longing, praying that the remembrances of the past embraced by you concerning my efforts as your President are favorable.

As I end my year of service, I would be unforgivably remiss if I did not express my deepest appreciation to Marla Moore, LaShawn Murphy, and Elizabeth Purdom at the Administrative Office of the Courts, to Rich Reaves and Sherry Carson at the Institute of Continuing Judicial Education, to Judge Del Buttrill, President-elect, and to all the fine committee chairs and other dedicated probate judges who have worked so hard to make this a good and successful year for the Council. Thanks!

May God bless each of you richly. Though my year as President will soon be over, please know that I remain available, and do call on me if I may be of any assistance to any of you. I consider it a privilege to have served you as President of the Council.

*Bill*

# Council of Probate Court Judges Calendar Year 2000

## Who We Are

The Council of Probate Court Judges (OCGA §15-9-15) was created to further the improvement of the probate courts and the administration of justice. The Council is composed of judges and senior judges of the probate courts. Council policy is set by an executive committee comprised of the president, president-elect, first vice president, secretary-treasurer and chairs of the standing committees. The committee carries out the administrative duties of the council. The Administrative Office of the Courts provides staff assistance to the Council and its committees.

## The Year's Activities

The council met four times during the year 2000. Three of the four annual meetings were in conjunction with County Officer's Association of Georgia. Judicial training at each meeting was planned by the Probate Judges Training Council. Topics included Estate Management, Temporary

and Permanent Guardianship of Minors, Responding to Pro Se Litigants, Legal Notice and Service in Georgia Probate Court Actions, Setting and Forfeiting Bonds, and Traffic Legislation Updates.

The Gavel, the Probate Council newsletter, was produced and sent to all probate judges four times this year. The council also completed and distributed a revision to the Probate Judges Benchbook.

The Probate Council was an active presence at the legislative session. The General Assembly passed many bills affecting the probate courts, including bills that created the position of senior probate judge and that imposed a 20 year cap on the number of years probate judges pay into the retirement system.

The council developed a uniform marriage application form for the probate courts. The marriage form is not one of the required standard forms, but it has been approved for use. The standard forms are available on-line (<https://gaprobate.gtri.gatech.edu>),

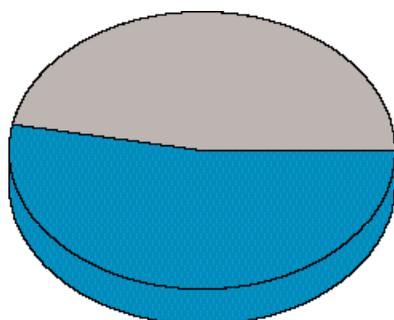
and some forms can be filled out online.

The Probate Council sought and obtained a grant from the Georgia Records Association Board to develop a records management handbook. The council is now planning to apply for a grant to produce a probate orientation video for pro se litigants. If produced, the video would be shown to all pro se litigants in contested cases and explain the procedures of court litigation in probate court.

In September the officers of the council met in a strategic planning session to structure a future-oriented vision for the council. As a result of the meeting, the council created strategies for boosting participation in the council, increasing training standards, improving public awareness of the probate court, and providing officer training. The results of the planning session will focus the actions of the Probate Council in the up coming year.

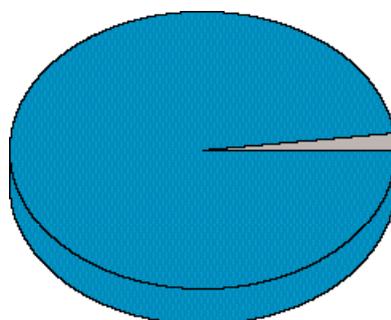
## Basic Make-up of Probate Court Judges

Male/Female Ratio



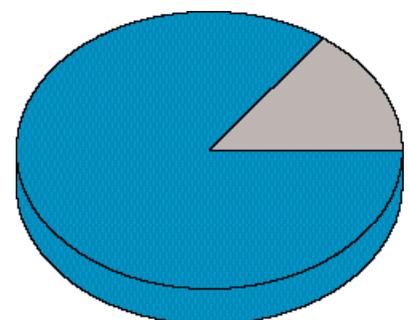
Female Male

Racial Background



White Black

Attorney-Non Attorney Ratio



Non-Attorney Attorney

## Council Committees Meet In Greensboro

On March 8 and 9 committees of the council met in Greensboro at Port Armor's Inn on the Green. On Thursday the Probate Judges Training Council met to finalize plans for the Annual Spring meeting this year to be held in Augusta, as well as begin planning for the Summer and Fall COAG programs. We are hoping to have a stress management program, as well as go over any new forms at the summer program in Hiawassee at the Brasstown Valley Resort. (July 31-August 2). In November we will be in Savannah at the Hyatt focusing on ethics, automation, and community involvement.

Three of our strategic planning committees met. The first was Membership and Increased Participation. This committee has recommended the creation of district directors elected by the judges in a judicial district who will be responsible for the district meeting at least four times a year, and seeing that the district elects its member to the training council and its representative to the nominating committee. District directors will serve for two year terms and not succeed themselves unless they have been out a term. The fourth and fifth districts are exempt from this rule and will be allowed to meet with other districts if they choose. Initial terms will be staggered. The district directors will also make up the membership committee and the president of the council will appoint a chair. They further recommended that this proposal be made a part of the bylaws of the council, and until they are adopted as part of the bylaws that they be adopted as guidelines. The executive committee approved this recommendation. The committee will also be providing ribbons to identify new judges, their mentors, and the

executive committee. A membership pin is being designed for all council members, and information about the council will be prepared to give to new members.

The Public Relations and Public Awareness Committee is looking at putting together informational packets about the work of the probate courts. They will develop in-house service training guides, speech outlines for judges to use, and will develop press releases from the council. At the Augusta meeting they will be soliciting information on successful programs that courts are using.

The Leadership Training Committee will prepare a manual which defines the duties of the officers and the committee chairs. A training program will be held yearly to instruct judges on the duties of serving in the leadership and to encourage more participation.

The Automation Committee met and discussed development of a questionnaire to be distributed before the meeting at Augusta to determine what programs people are using, how they are using them, and to find out what kinds of program our judges need. This will be used by the training council to put together a program on automation in November. The committee proposed that in the future the chair of the Automation Committee be different from the person serving as the Georgia Courts Automation Commission representative.

The legislative committee met and discussed pending legislation. A full report from the legislative intern and the committee chairs will be made in April.

The executive committee met and approved the actions of the committees. They also moved to create a caseload reporting committee to work with the AOC to design a

more meaningful caseload reporting system as well as uniform reporting rules. They voted to purchase copies of two books, *Judicial Outreach on a Shoestring* and *The Handbook for Georgia Legislators*. These will be handed out at the April meeting and mailed to those unable to attend.

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### From the Probate Judges Training Council

*All judges need to be aware that the law changed in 1998 concerning the sanction for a probate judge who is delinquent in meeting the training requirements. Please review O.C.G.A. 15-9-1.1(d) which states:*

Any judge who fails to become a certified judge within one year after taking office as a judge of the probate court or to earn the required cumulative annual minimal credit hours of training during any one-year period after the initial year of training may be given a six-month administrative extension by the Probate Judges Training Council during which to fulfill this requirement. Individual requests for extensions beyond the initial six-month extension for reasons of disability, hardship, or extenuating circumstance may be approved on a case-by-case basis by the Probate Judges Training Council. Upon failure to earn the required hours within the six-month extension period or additional extension period or periods granted, the Probate Judges Training Council shall promptly notify the Judicial Qualifications Commission which shall recommend to the Supreme Court removal of the probate judge from office unless the Judicial Qualifications Commission finds that the failure was caused by facts beyond the control of the probate judge.

## Probate Courts As Courts of Record

The Council of Probate Court Judges have included in their legislative agenda a proposal to amend Title 15, Chapter 9 of the Official Code of Georgia to specifically and clearly provide that probate courts are “courts of record” in Georgia. At the Judicial Council meeting in December, the Probate Council joined in sharing its legislative agenda with the other courts. Some members of the Judicial Council were concerned about this part of the Probate Council’s agenda, especially if such a provision might change the current law on *de novo* appeals from probate courts to superior courts (in non-Article 6 counties).

In response, Judge William Self, President of the Council of Probate Court Judges, wrote a letter to Chief Justice Benham and sent a copy to all Judicial Council members, to explain how Probate courts are already courts of record. This article is based on his letter, and hopefully will help probate judges in finding the case law necessary to show that they are courts of record, when the need arises.

There is no statutory or Constitutional definition of a “court of record.” However, the Supreme Court, in the case of *DeKalb County v. Deason*, 221 Ga. 237 (1965), has defined “courts of record” in Georgia, relying on common law principles.

Probate courts have already been held to be courts of record in the State of Georgia. The Supreme Court, in *Cochran v. McCallum*, 233 Ga. 104 (1974), held, unequivocally, that “[t]he court of ordinary is a court of record,” cit-

ing also *Wofford v. Vandiver*, 72 Ga.App. 623. As recently as 1994, the Court of Appeals has held, specifically and in accord with the holding of the Supreme Court, that probate courts are “courts of record.” Also, In the Interests of TAW, 214 Ga.App. 1 (1994), the court cites OCGA §§ 15-9-39, 40 and 41 as the statutory requirements which make the probate courts “courts of record.” See also, *Johnson v. Hamilton*, 211 Ga.App. 268 (1993) and *Greene v. Woodard*, 198 Ga.App. 427 (1991).

At the same time, the statutory law in Georgia clearly provides that, except as provided under Article 6 of Chapter 9 of Title 15, appeals from the probate courts lie to the superior courts for *de novo* investigation. OCGA §§ 5-3-2 and 29. In fact, Section 29 clearly states that such an appeal “brings up the whole record from the court below.” [Emphasis added.]

Given that probate courts are “courts of record” under current Georgia law, why, then, does the Probate Council seek this statutory provision? Plainly and simply, a provision applicable to the probate courts, similar to the existing code section for state courts (OCGA § 15-7-41), gives probate courts a citation to a statutory provision designating probate courts as “courts of record.” Many probate judges, most of whom are lay judges, are simply more comfortable citing a statutory provision, especially when addressing other statutory matters.

Judge Self counted over 82 statutory references to “court of record” or “courts of record.” Many, of course, would have no

application to probate courts. Many, however, do apply in proceedings in probate courts. Chapter 5 of Title 15 is entitled “Administration of Courts of Record” and established and defines the Judicial Council and the Administrative Office of the Courts. Probate Courts are part of both. There are several references to “courts of record” in Title 9, the Civil Practice Act, which applies to probate courts. Title 17, Criminal Procedure, contains references to “courts of record,” and probate courts handling traffic and game and fish cases often must apply the rules of criminal procedure. There are references to “courts of record” in the Evidence Code (Title 24), the guardianship code (Title 29), and even in the probate code (Title 53), all of which apply to probate courts. When proving that these apply in probate courts, it would be most helpful to have a clear statutory provision to cite similar to that applicable to the state courts of counties.

Thus, this proposed legislative change is one solely for clarification of the existing law in Georgia, rather than a change in the law.



# Open Records in Georgia for Courts and Court Clerks

*On January 31, Tom Lawler, Clerk of the Superior Court in Gwinnett County, made a presentation to the probate judges concerning open records in Georgia. With his permission we have printed here the introduction and first section of the handout materials that he prepared for the group. If you would like to request a copy of the complete handout, please contact LaShawn Murphy at 404-651-6325.*

## I. INTRODUCTION TO OPEN RECORDS

Open and public records are not anything new or unusual to the State of Georgia. The first statute concerning open records was passed by the Georgia Legislature in 1959. The Georgia courts have decided cases on open record issues for over 30 years. The demand for open governmental meetings and records is part of the American heritage. In Georgia, the courts have always favored open hearings and open records. Uniform Superior Court Rule No.21 (USCR 21) guarantees open records in Superior Courts in Georgia. Likewise, the Uniform Probate Court Rule No.17 (UPCR 17) operates in a similar manner in the Probate Courts of Georgia. Court files and other records of the Courts in Georgia, with the exception of Juvenile Court, are made readily available to the public during every business day. To review the majority of court records, no formal request is necessary, and citizens are often seen reviewing court files and other records, even after hours. The Open Records Act became a prominent issue in courts and

court clerks offices with the introduction of the computerization of court records. Civil suits against court records custodians for denying access to electronic data became a reality. The custodian of court records in today's environment needs to know and understand his or her responsibilities.

## II. OPEN RECORDS ACT REQUIREMENTS FOR ALL RECORD CUSTODIANS

There are six basic rules that a record custodian of public records should remember. Court personnel, as custodian of court records, must understand the Open Records Act and remember its impact on their office. The six rules are designed to assist court personnel in handling open record requests and they are as follows:

**Rule Number One** — All public records are open for inspection by citizens of the State of Georgia, unless they are exempted by a specific law, or court order.

**Rule Number Two** — All public records are to be available for copying, in whole or in part for a fee of .25 cents per page, unless a specific law directs otherwise.

**Rule Number Three** — The custodian of public records who receives a request under the Open Records Act has three (3) business days to respond in writing to the request.

**Rule Number Four** — If administrative costs for retrieval of public records or other services are

authorized, they must be reasonable.

**Rule Number Five** — A public record custodian is never required to create a new document or computer program to satisfy a request for open records.

**Rule Number Six** — A custodian of public records who is not sure of how to respond to an Open Records request should contact his or her legal advisor immediately.

The entire Open Records Act is found in the Code of Georgia at OCGA §§ 50-18- 70 through 50-18-77... To understand the Act fully requires individual study of the statutes, the case law and Attorney General's opinions which have resulted from conflicts between individuals and companies requesting records and public record custodians.

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## GA Probate and Rules Annotated Needed

***Do you have extra copies of the Georgia Probate and Rules Annotated sitting around your office?***

The Council of Probate Court Judges are trying to distribute extra copies to judges without one. If you have an extra copy you could donate contact the Council at (404) 656-5171.

# Georgia Courts Automation Commission

Report by Don Forbes  
March 5, 2001

The Georgia Courts Automation Commission was created by the Georgia General Assembly in 1991 for the purpose of defining, implementing, and administering a state-wide courts automation system including data collection, networking, data storage, processing, and distribution. OCGA § 15-5-82 additionally provides for the commission to offer advisory services to county and local governments to assist in guiding their efforts toward automating their court procedures and operations. The commission members include judges from each class of court and a clerk of superior court. Superior Court Judge Hilton Fuller is the Chairperson, Magistrate Judge Joe Iannazzone is the Vice-Chair, and Probate Judge Laverne Ogletree is the Secretary. Donald C. Forbes is the Executive Director of the commission, and manages staff located in Atlanta and strategically throughout the state.

To accomplish this broad mission, the commission has developed systems for use by the courts, has entered into various contracts and agreements for networking, and has developed a staff of trained personnel to install and trouble shoot computers, networks, and systems in the courts. The commission provides for training on all systems installed. GCAC services are provided at no charge to the courts.

The Georgia Courts Automation Commission (GCAC) can provide services to the Probate Courts of Georgia in the following areas:

**GAJIS - Georgia Justice Information System**, based on the Sustain Technology Incorporated Case Management System, has been installed in over 80 courts of all classes in addition to separate prosecutor's offices, and individual judge's offices in Georgia. Several of these courts are Probate Courts. This system is available at no charge to the court. The court must provide the base equipment to operate the system. GAJIS provides for case management, docketing, calendaring, and accounting. The system has been tailored to process all types of cases currently applicable to the probate courts. This includes traffic court (including automated transmission to DPS), marriage

licenses, and pistol permits. The commission provides installation services, a help desk (1-800 number), and on-site training and support. GCAC has regional representatives who provide services either by dial-up to the site, or on-site service, if required.

**PCIS - The Probate Court Information system**, has been developed by GCAC to provide an alternative to GAJIS. A magistrate court system was developed specifically for those courts, and this was then adapted to serve those courts that were both magistrate and probate. The system was expanded to include traffic (including automated transmis-

**continued on page 9**

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## The County and Municipal Probation Advisory Council Update

The County and Municipal Probation and Advisory Council, a committee that oversees and regulates private probation in Georgia, met in Covington on February 22, 2001.

Various reports show that 70 probate courts in Georgia who exercise traffic jurisdiction now contract with private companies for probation services. In the first two quarters of this fiscal year, these companies supervised over 13,000 misdemeanor offenders and collected over \$2,900,000.00 in assessed fines. Offenders from these courts have worked a total of 85,263 hours of community service.

Georgia now has 33 companies offering probation services. If you want a list of these companies, contact:

Judge Greg Adams  
Walton County Probate Court  
P.O. Box 629  
Monroe, GA 30655

If you are having any problems with your contracting company and wish some intervention, or if you have any questions whatsoever concerning private probation, contact:

Debra Nesbit, Director, CMPAC  
244 Washington St. SW, Suite 300; Atlanta, GA 30330  
(404) 651-7616.

## Can You Pass This Test?

***Judge Henry Baker prepared the following test for probate judges and elicited some lively discussion during our training session on January 31. How well can you do? Check your answers on page 10.***

### **PROBATE JUDGE'S TEST**

*All answers are True or False*

1. A person who commits involuntary manslaughter may not inherit from the decedent's estate. 53-1-5
2. A child born out of wedlock, may inherit from the father if a de facto parent-child relationship existed or would have existed if father had survived birth of the child. 53-2-3
3. The spouse of a deceased person is guaranteed to receive one-third of the estate. 53-2-1 (a)
4. Decedent's parents inherit equally with brothers and sisters if there is no surviving spouse or descendants. 53-2-1 (a)
5. Escheat may occur after four years from the date Letters of Administration are granted. 53-2-5053-2- 51
6. The time period for applying for Year's Support is 24 months from the date of decedent's death.
7. The birth of another child automatically revokes the parent's previous will. 53-4-48
8. A divorce does not revoke the testator's will. 53-4-49
9. If no Petition for Administration, No Administration Necessary or Year's Support are filed, a five year statute of limitations applies to a will being probated. 53-5-3
10. A person may serve as an administrator of a Georgia decedent's estate even though that person is a non-resident of Georgia. 53-6-1
11. When a person dies intestate as a resident of another state but owns real property in Georgia, the intestacy laws of Georgia shall govern the distribution of the real property located in Georgia. 53-5-38
12. A nominated executor has 90 days, from date of order admitting will to probate, to qualify as executor. 53-6-11
13. If there is not a unanimous selection by heirs, the judge must appoint the surviving spouse as administrator of decedent's estate, if no divorce action has been filed. 53-6-20
14. The personal representative is required to mail a copy of the annual return to all heirs and/or beneficiaries.

**continued on page 8**

## **PROBATE JUDGE'S TEST (continued)**

15. First priority for claims against an estate is unpaid taxes and administration fees. 53-7-40
16. A person must be 18 years of age to make a valid will. 53-4-11
17. A subscribing witness will not be called to testify if a caveat is filed to a self-proving will. 53-4-24
18. Probate in common form may be taken and the order admitting the will to record may be granted by the Probate Judge at any time. 53-5-18
19. A will probated in common form becomes conclusive upon all parties after four years from date of order admitting will to record. 53-5-19
20. If there are unknown heirs to a solemn form probate, the Probate Judge may appoint a guardian-ad- litem to represent these unknown heirs. This guardian-ad-litem may consent to the immediate probate of the will. 53-11-2
21. A person, who has a will in his or her possession, must offer it for probate.
22. When a probate of a will is contested, then appealed to appellate court, the rules of evidence require that the original will be transmitted to the appellate court. 222 GA 520
23. Under a Year's Support, a Probate Judge cannot set aside property for a spouse or minors in any state other than Georgia. 53-3-7
24. No Administration Necessary may be ordered by Probate Judge even if there are minor children as heirs of decedent. 53-2-40
25. Junk dealers are required to register with the Judge of Probate Court of the county in which they intend to do business. 43-22-2
26. The Judge of the Probate Court selects the newspaper which is to be the official county organ. 9-13- 142
27. Law library fees must be charged on marriage applications and firearm permit applications. 36-15-19
28. First cousins may not be issued a marriage license by Probate Court. 1965 OP ATT GEN 65-107
29. A person properly licensed with firearms permit may carry a loaded pistol into a bank. 16-1,.1-127
30. A firearms permit may be issued to any person 18 years of age or older, who has no criminal record or no mental health problems. 16-11-129

## GCAC (continued)

sion to DPS) as well as marriage licenses and gun permits. PCIS is more limited in scope, more restricted in application, and more likely applicable to small courts rather than those with more extensive caseloads. The same installation and support services are available for this system as are available to users of GAJIS. The same criteria exists for the court to provide their own equipment to operate this system.

GCAC provides, through a state Code Revision Commission agreement, the Michie law on disk to any judge in the state. This provides the OCGA annotated, court decisions, and Attorney General opinions.

GCAC can provide the court access to the Internet. This will provide for querying state databases, transmitting required reports, and for filing applicable forms with the state. Internet access also provides for electronic mail communication between the courts and other judicial branch agencies. The court must provide the computer equipment for this con-

nectivity. Access is through equipment already installed for the Clerk of Superior Court. If the court is not co-located with the clerk, or if a county Information Technology department, or private contractor provides computer services to the court, then an analysis and special arrangement may be necessary.

If the court doesn't desire a case management system, GCAC has a Uniform Traffic Citation program for processing traffic cases. This is a personal computer program for small courts that only want to record, process, and transmit traffic citation information. There is an accounting module with this program that allows for receipt and proper disbursement of citation money. (The UTC program will eventually be phased out as the Probate Case Information System is installed, but can be used by small courts in the interim).

Under contract to GCAC the Georgia Tech Research Institute developed a web page for the probate court forms. This site is

[www.gaprobate.org](http://www.gaprobate.org) Judge Propst of Fulton County has been the primary lead and contact for this service.

The commission can provide other services to the courts such as assisting with system configurations, pricing hardware/software through state contracts, and ordering and installing equipment for the court. This consulting service is available for all courts in Georgia at no charge.

GCAC has provided consultation and installation assistance with evidence presentation technology (currently installed in some 17 different courtrooms around the state). We are presently working with the Supreme Court and others for videoconferencing capabilities between the court and attorneys. By using the state network backbone, this can become available throughout the state.

All services of GCAC are available by calling 1-800-298-8203 or 404-651-6328 locally in Atlanta.

## Using Private Probation Services?

The County and Municipal Probation Advisory Council would like to request the cooperation of all judges utilizing private probation services to assist in assuring the quality of services and providers. Georgia law, as well as the newly adopted Rules and Regulations, require that any private entity providing probation services must apply for registration and be approved by the Council **prior** to entering into

any agreement or contract, or providing any services. Before you enter into a contract or agreement with a provider, please contact the Council and make sure the company you have chosen is in good standing and properly registered with the Council. For more information please contact Debra Nesbit, Staff Director, County and Municipal Probation Advisory Council at 404-651-7616 or [nesbitd@aoc.courts.state.ga.us](mailto:nesbitd@aoc.courts.state.ga.us)

**Please  
Recycle**



# Georgia Historical Records Advisory Board

## Historical Records Grant Project

The Georgia Historical Records Advisory Board is pleased to announce the deadline for the next cycle of its on-going Historical Records Grant Program will be July 15, 2001. The program is supported by funding from the Georgia Legislature. The grant program is designed to promote preservation of and access to historical documents and the use of technology in Georgia's repositories and local government offices. The basic components of the program are:

**ELIGIBLE ORGANIZATIONS:**

Organizations that care for historical records and provide public access to those records on a regu-

larly scheduled basis. This may include local government offices, historical societies, libraries, museums, and similar organizations.

**GRANT PERIODS:** Grant periods 12 months. Application deadlines are: July 15th for grants beginning October 1 or January 15th for grants beginning April 1.

**GRANT AMOUNTS:** Grants will be awarded up to \$5,000 for one organization, up to \$10,000 for a cooperative project. Grants of \$10,000 or more may be considered depending on fund availability. Applicants must provide a 25% cash or in-kind match of the grant request. Grant requests over

\$5,000 will require a portion of the match to be cash.

**TYPES OF PROJECTS:** Projects may include but are not limited to inventories of collections, establishing records management programs, arrangement and description of materials, microfilming or using information technology to provide for the management and long-term accessibility of records.

**APPLICATION PROCESS:**

Request and complete an application (required), schedule a site visit (required) and attend an application seminar (recommended).

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## Grant Application Seminar Schedule

Applicants for a GHRAB grant are strongly encouraged to attend a grant application seminar. During the seminar, we discuss the application process, types of projects, and tips for developing competitive grant applications. These seminars are free but registration is required. To register, please contact Anne Smith at 404 657-4530 or [asmith@sos.state.ga.us](mailto:asmith@sos.state.ga.us)

**MARCH 19, 2001 — COLUMBUS**

Columbus/Muscogee Records Center  
602 11th Avenue

**APRIL 9, 2001 — THOMASVILLE**

Thomas County Public Library  
201 North Madison Street

**MAY 7, 2001 — ATLANTA**

Georgia Division of Archives & History  
330 Capitol Avenue, SE

For additional information about the grant program or to schedule a site visit:

Historical Repositories— please contact Anne Smith (404 657-4530, [asmith@sos.state.ga.us](mailto:asmith@sos.state.ga.us))

Local Governments — contact Amelia Winstead (404 657-3849, [awinstea@sos.state.ga.us](mailto:awinstea@sos.state.ga.us))

All seminars are held from 1 p.m. to 3 p.m.

### Answers to Probate Judge's Test

1-F; 2-T; 3-T; 4-T; 5-F; 6-T; 7-F; 8-T; 9-F; 10-T; 11-T; 12-T; 13-F; 14-T; 15-F; 16-F; 17-F; 18-T; 19-F; 20-T; 21-F; 22-F; 23-T; 24-T; 25-T; 26-F; 27-F; 28-F; 29-T; 30-F

# PROBATE COURT JUDGES SPRING 2001 SEMINAR

## APRIL 18 - 20, 2001

### RADISSON RIVERFRONT, AUGUSTA

*Please note that the spring seminar has been relocated from Athens to the Radisson Riverfront in Augusta.*

**DAY/DATE: Wednesday, April 18**  
**( 3 Hours ) ( 4 Optional Hours )**

7:30 - 8:00 1st Registration ONLY for those attending Optional GCIC Session

8:00 - 12:00 GCIC REQUIRED TRAINING  
Personnel from GCIC - TBA

12:00 - 1:00 2nd Registration

1:00 - 1:50 ☛ NEW LEGISLATION (.8 CLE Hr.)  
Co-Chairs of the  
Probate Judges Legislative Committee

1:50 - 2:00 Stretch Break

2:00 - 2:50 DISCUSSION GROUPS:  
SOLVING 2 PROBLEMS (.8 CLE Hr.)

2:50 - 3:10 Refreshment Break

3:10 - 4:00 DISCUSSION GROUPS:  
SOLVING 2 PROBLEMS (.8 CLE Hr.)

4:00 - 4:10 Stretch Break

4:10 - 5:00 COUNCIL BUSINESS MEETING

7:00 Annual Awards Dinner & Dance

2:20 - 2:30 Refreshment Break

2:30 - 3:20 CASE LAW UPDATE, cont. (.8 CLE Hr.)  
3:20 - 3:40 Break

3:40 - 4:30 RULES OF PROFESSIONAL CONDUCT  
FOR LAWYERS  
(1 Lawyer ETHICS Hr.)  
Attorney Paula Frederick,  
State Bar of Georgia

**DAY/DATE: Friday, April 20 ( 4 Hours )**

9:00 - 9:50 REPORTING OF SOLUTIONS TO  
PROBLEMS SOLVED (.8 CLE Hr.)

9:50 - 10:10 Refreshment Break

10:10 - 11:00 RECORDS MANAGEMENT (.8 CLE Hr.)  
Ms. Holly Sparrow,  
Administrative Office of the Courts

11:00 - 11:10 Stretch Break

11:10 - 12:00 RECORDS MANAGEMENT, continued

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NOTE: ☛ Indicates credit towards continued mandatory New Judge Orientation

**DAY/DATE: Thursday, April 19 ( 6 Hours )**

8:30 - 11:30 ☛ TBA (2.5 CLE Hr.)  
Speaker TBA

9:50 - 10:10 Refreshment Break

11:30 - 12:00 GROUP PHOTO - ACROSS THE STREET

12:00 - 1:30 GROUP LUNCHEON

1:30 - 2:20 ☛ CASE LAW UPDATE (.8 CLE Hr.)  
Professor Sarajane Love, UGA,  
School of Law

9 CLE Hours (including 1 Lawyer ETHICS Hour) are available for this program. If you wish to claim these hours you must pay for these hours at the seminar. The cost is \$3.00 per CLE Hour. The total cost would be \$27.00. No CLE money will be taken after the program is over. Please make your check payable to ICJE, and be sure to put your Bar number on the check.

# Nominations Sought for Treat Award

Each year at its annual meeting in November, the National College of Probate Judges honors the recipient of its prestigious Treat Award for Excellence. The award was created and named in honor of Judge William W. Treat, founder and President Emeritus of NCPJ.

The College annually selects an individual who has made a significant contribution to the improvement of the law or judicial administration in probate or related fields.

Previous recipients have been members of the judiciary, attorneys, and law school deans or pro-

fessors.

You are invited to submit nominations of qualified individuals to: Treat Award for Excellence  
National College of Probate Judges  
c/o Hon. Mary Sheffield  
Phelps County Courthouse  
Probate Division, 3rd & Main  
Rolla, MO 65401

This committee includes three NCPJ members, the President of the American College of Trust and Estate Counsel, and the chair of the ABA Section on Real Property, Probate and Trust Law.

Nominations should include a Résumé of activities, letters of recommendation, awards received,

achievements in probate and related fields of law and any other relevant material.

Nominations received by July 1, 2001 will be considered by the Committee for selection of the recipient to be introduced at our meeting in Maui, Hawaii on November 9, 2001.

For a copy of the brochure concerning this award, please call LaShawn Murphy at 404-651-6325.

Both Judge Floyd Propst (1995) and Judge Marion Guess (1999) are past recipients of this prestigious award.

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## The Gavel

Georgia Council of Probate Court Judges  
244 Washington Street, SW, Suite 300  
Atlanta, GA 30334

*JUDGE DARIN MCCOY*  
Editor

*MARLA MOORE*  
Assistant Director,  
Judicial Liaison

*ASHLEY G. STOLLAR*  
Graphic Design