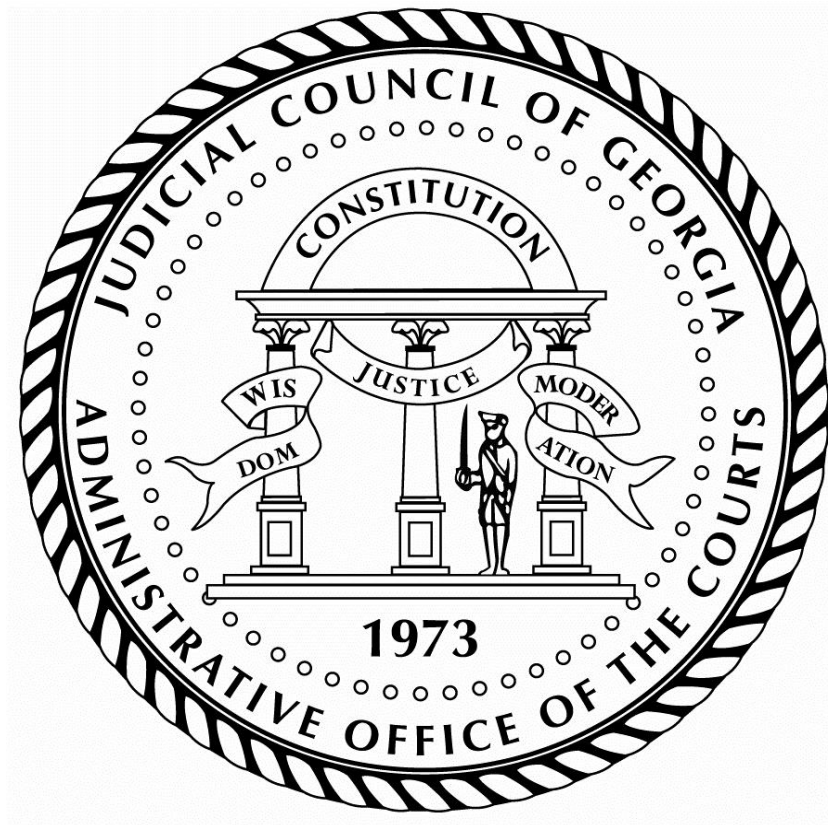


# JUDICIAL COUNCIL OF GEORGIA

## General Session

Friday, December 11, 2020

10:00 a.m. – 12:30 p.m.



By Remote Conferencing

# Judicial Council of Georgia

## General Session

### By Remote Conferencing

Livestream at <https://www.youtube.com/judicialcouncilofgeorgia>

**Friday, December 11, 2020**  
10 a.m. – 12:30 p.m.

- 1. Preliminary Remarks**  
(Chief Justice Harold D. Melton, Est. Time – 5 Min.)
- 2. Roll Call of Judicial Council Members**  
(Cynthia H. Clanton, Est. Time – 2 Min.)
- 3. Approval of Minutes (*Action Item*)** **TAB 1**  
(Chief Justice Harold D. Melton, Est. Time – 2 Min.)
- 4. Georgia Government Transparency and Campaign Finance Commission (Ethics Commission)** **TAB 2**  
(Mr. David Emadi, Est. Time – 10 Min.)
- 5. Judicial Council Committee Reports**
  - A. Judicial COVID-19 Task Force**  
(Judge Shawn LaGrua/ Chief Judge Russell McClelland, Est. Time – 10 Min.)
  - B. Legislation Committee (*Action Item*)** **TAB 3**  
(Presiding Justice David E. Nahmias, Est. Time – 10 Min.)
  - C. Judicial Workload Assessment Committee (*Action Item*)** **TAB 4**  
(Chief Judge David Emerson, Est. Time – 10 Min.)
  - D. Technology Committee (*Written Report*)** **TAB 5**  
(Chief Judge David Emerson, Est. Time – 5 Min.)
  - E. Cybersecurity Insurance Implementation Committee (*Written report*)** **TAB 6**  
(Justice Charles Bethel, Est. Time – 5 Min.)
  - F. Strategic Plan Committee (*Written Report*)** **TAB 7**  
(Judge Sara Doyle, Est. Time – 5 Min.)
  - G. Unified Administrative Services Committee (*Written Report*)** **TAB 8**
- 6. Report from Judicial Council/AOC** **TAB 9**  
(Ms. Cynthia H. Clanton, Est. Time – 10 Min.)

**7. Reports from the Appellate Courts, Trial Court Councils & State Bar**

**TAB 10**

(Est. Time – 15 Min.)

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

**8. Reports from additional Judicial Branch Agencies**

**TAB 11**

(Est. Time – 10 Min.)

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

**9. Old/New Business**

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

**10. Recognition of Outgoing Members**

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

**11. Presentation of Resolution**

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

## **12. Concluding Remarks and Adjournment**

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

### **Next Judicial Council Meeting**

Friday, February 12, 2021      10 a.m. - 12:30 p.m.      James H. “Sloppy” Floyd Building/Atlanta, GA

### **Judicial Council Meeting Calendar – 2021**

Friday, April 23, 2021	10 a.m. – 12:30 p.m.	The Classic Center/Athens, GA
Friday, August 13, 2021	10 a.m. – 12:30 p.m.	Columbus Convention & Trade Center/ Columbus, GA
Friday, December 10, 2021	10 a.m. – 12:30 p.m.	The Carter Center/Atlanta, GA

## Judicial Council Members As of December 1, 2020

### **Supreme Court**

Chief Justice Harold D. Melton  
Chair, Judicial Council  
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Atlanta, GA 30334  
404-657-3470/F 656-2253  
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Atlanta, GA 30334  
404-656-3474/F 657-6997  
[nahmiasd@gasupreme.us](mailto:nahmiasd@gasupreme.us)

### **Court of Appeals**

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Atlanta, GA 30334  
404-656-3450/ F 651-6187  
[mcfaddenc@gaappeals.us](mailto:mcfaddenc@gaappeals.us)

Vice Chief Judge Brian M. Rickman  
Nathan Deal Judicial Center  
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Atlanta, GA 30334  
404-656-3450/ F 651-6187  
[rickmanb@gaappeals.us](mailto:rickmanb@gaappeals.us)

### **Georgia State-wide Business Court**

Judge Walter W. Davis  
Nathan Deal Judicial Center  
3<sup>rd</sup> Floor, Suite BC320  
330 Capitol Avenue, S.E.  
Atlanta, GA 30334  
[davisw@gsbc.us](mailto:davisw@gsbc.us)

### **Superior Court**

Chief Judge Brian Amero  
President, CSCJ  
Flint Judicial Circuit  
One Courthouse Square  
McDonough, GA 30253  
770-288-7901  
[bamero@co.henry.ga.us](mailto:bamero@co.henry.ga.us)

Judge J. Wade Padgett  
President-Elect  
Augusta Judicial Circuit  
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Evans, GA 30809  
706-821-2835  
[wpadgett@columbiacountyga.gov](mailto:wpadgett@columbiacountyga.gov)

Judge Jeffrey H. Kight  
Waycross Judicial Circuit, 1<sup>st</sup> JAD  
Ware County Courthouse  
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Waycross, GA 31501  
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706-312-7356/ F 706-312-7365  
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#### **State Court**

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President, CStCJ  
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404-613-4497  
[wes.taylor@fultoncountyga.gov](mailto:wes.taylor@fultoncountyga.gov)

Judge Alvin T. Wong  
President-Elect, CStCJ  
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556 N. McDonough St., Suite 2240  
Decatur, GA 30030  
404-371-2591  
[atwong@dekalbcountyga.gov](mailto:atwong@dekalbcountyga.gov)

#### **Juvenile Court**

Judge Lisa C. Jones  
President, CJ CJ  
Southwestern Judicial Circuit  
Sumter County Courthouse  
PO Box 607  
Americus, GA 31709  
229-928-4569  
[judgelisacjones@outlook.com](mailto:judgelisacjones@outlook.com)

Chief Judge C. Gregory Price  
President-Elect, CJ CJ  
Rome Judicial Circuit  
#3 Government Plaza, Suite 202  
Rome, GA 30161  
706-291-5180  
[priceg@floydcountyga.org](mailto:priceg@floydcountyga.org)

#### **Probate Court**

Judge Kelli M. Wolk  
President, CPCJ  
Cobb County  
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770-528-1900/ F 770-528-1996  
[kelli.wolk@cobbcountyga.org](mailto:kelli.wolk@cobbcountyga.org)

Judge Thomas Lakes  
President-Elect, CPCJ  
Harris County  
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Hamilton, GA 31811  
706-628-5038/ F 706-628-7322  
[tlakes@harriscountyga.gov](mailto:tlakes@harriscountyga.gov)

#### **Magistrate Court**

Chief Judge Torri M. "T.J." Hudson  
President, CMCJ  
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\*Judge Quinn M. Kasper  
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#### **Municipal Courts**

Chief Judge Willie C. Weaver, Sr.  
President, CMu CJ  
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December 1 , 2020**

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**State Bar of Georgia**

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## **Administrative Office of the Courts**

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*Cynthia H. Clanton, Director*  
404-656-5171

*As of December 2020*

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# Judicial Council of Georgia

# STRATEGIC PLAN

FY 2020-2022  
Revised

## VISION

To improve justice in all Georgia courts through **collaboration, innovation, and information.**

## MISSION

The Judicial Council and AOC lead collaboration on policy across Georgia's courts to **improve the administration of justice in Georgia.**

## GUIDING PRINCIPLES

Uphold the independence and integrity of the judiciary.

Promote efficient and effective administration of justice.

Use data to lead to data-driven services and programs for the Judicial Branch.

Collaborate and communicate with key stakeholders in judicial, executive, and legislative branches.

### STRATEGIC OBJECTIVE 1

1

## IMPROVE CITIZEN EXPERIENCE WITH GEORGIA COURTS

### KEY INITIATIVES

#### 1.1 Modernize the regulations of Court professionals

Measurable action: Monitor and assist with the update of rules and regulations regarding Court Reporters and Court Interpreters. (MT)

Measurable action: Report back to the Judicial Council. (LT)

#### 1.2 Increase resources for public accessibility

Measurable action: Flesh out what public accessibility means. (ST)

Measurable action: Frame what it would look like to help citizens with public accessibility as defined. (MT)

#### 1.3 Educate citizens on the use of case-related filing technology

Measurable action: Create a toolkit of existing resources citizens can access from one portal which will provide information on Court-related questions. (LT)

#### 1.4 Develop plan for public/self-represented party accessibility to courts during crisis when physical access to courts are limited

Measurable action: Analyze access and response issues of current crisis on each class of court. Collect the data differences between the technology used in urban and rural areas of the State. (ST)

Measurable action: Create a planned response for each class of court according to technology capabilities to address public/self-represented party accessibility during crisis with limited physical access to the courts. (LT)



## STRATEGIC OBJECTIVE 2

2

## IMPROVE COLLABORATION AND PLANNING

### KEY INITIATIVES

#### 2.1 Foster ongoing executive and legislative branch communications and initiatives of mutual interest

Measurable action: Monitor the communication and advocacy done on behalf of the Judiciary. (ongoing)

#### 2.2 Improve the process for data collection and data integrity

Measurable action: Create basic plan for the process of data collection to share with the various councils. (MT)

Measurable action: Share with the councils and stakeholders to obtain buy-in. (LT)

#### 2.3 Pursue flexibility and efficiency in judicial education

Measurable action: Study the possibilities for flexibility and efficiency in judicial education across different classes of court. (MT)

Measurable action: Collaborate with ICJE to offer classes on topics requested by the Judicial Council such as sexual harassment prevention and ethics. (MT)

Measurable action: Compile and maintain a listing of all trainings sponsored or provided by the JC/AOC. (ST)

#### 2.4 Improve technology access, support and training across all classes of courts

Measurable action: Audit/Survey technology access, support and electronic capabilities across all class of courts, including identifying video and telephone conference platforms in use by each class of court. (ST)

Measurable action: Collaborate with AOC and Councils to offer support and solutions to technology issues for courts without support or funding. (LT)

Measurable action: Create resource (bench card) of best practices and options for video and teleconferencing proceedings – Rules of Engagement. (MT)

Measurable action: Collaborate with ICJE to offer classes or online training on video conferencing particular to each class of court, including instructions on the use of video conferencing applications such as Web Ex, Zoom, Microsoft Teams. (LT)

#### 2.5 Support all classes of Court in crisis management response taking into consideration both rural and urban areas and socio-economic factors for courts

Measurable action: Assist and support Councils for each class of court in identifying emergency functions and prioritizing other court functions that may be performed even during certain crisis situations. (LT)

Measurable action: Assist and support Councils for each class of court to create a well-defined emergency response plan. (MT)

Measurable action: Create reference guide to Pandemic issues in the Courts. (ST–MT)

## STRATEGIC OBJECTIVE 3

3

## PROMOTE THE WELLBEING, HEALTH, AND INTEGRITY OF THE JUDICIARY

### KEY INITIATIVES

#### 3.1 Develop a toolkit of wellness resources

Measurable action: Create a definition for “wellness” to be used when deciding which items belong in the toolkit. (ST)

Measurable action: Create the toolkit, which will be a compilation of resources to support “wellness”, possibly including State Bar resources among others. (LT)

#### 3.2 Communicate and promote the toolkit

Measurable action: Leverage relationships with ICJE and each Council to offer training on the toolkit to each Council for one year. (LT)

Measurable action: Develop feedback survey for the trainings. (LT)

Measurable action: Encourage a “wellness” event at each Judicial Council and court meeting. (LT)

## STRATEGIC OBJECTIVE 4

4

## ENHANCE THE PROFESSIONAL AND ETHICAL IMAGE OF THE JUDICIARY

### KEY INITIATIVES

#### 4.1 Support judges in community engagement

Measurable action: Continue to create and gather positive stories about the judiciary. (ongoing)

Measurable action: Develop practical rules for social media engagement. (ST)

#### 4.2 Develop a clearinghouse of resources for community engagement

Measurable action: Create the clearinghouse, which will be a compilation of existing resources members of the Judiciary can access when participating in community-facing programs. (MT)

#### 4.3 Communicate and promote the clearinghouse

Measurable action: Set a schedule for communicating the clearinghouse; set a calendar with events to support community engagement. (LT)

TAB 1

**Judicial Council of Georgia**  
**Emergency Session**  
**Conference Call**  
**November 23, 2020 • 2 p.m.**

**Members Present**

Chief Justice Harold D. Melton, Chair  
Presiding Justice David E. Nahmias  
Chief Judge Brian Amero  
Chief Judge Jeffrey S. Bagley  
Judge James G. Blanchard, Jr.  
Judge Walter W. Davis  
Chief Judge Lori B. Duff  
Ms. Dawn Jones  
Judge Lisa C. Jones  
Judge Quinn M. Kasper  
Judge Thomas Lakes  
Chief Judge Christopher J. McFadden  
Judge Ralph Van Pelt, Jr.  
Chief Judge C. Gregory Price  
Judge W. James Sizemore, Jr.  
Chief Judge Sarah Wall  
Chief Judge Willie C. Weaver, Sr.  
Chief Judge Kelli L. Wolk

**Members Absent**

Chief Judge Christopher S. Brasher  
Judge Melanie Cross  
Chief Judge T.J. Hudson  
Chief Judge Asha Jackson  
Judge Jeffrey H. Kight  
Judge J. Wade Padgett  
Vice Chief Judge Brian K. Rickman  
Judge Fletcher Sams  
Judge Alvin T. Wong

**Staff Present**

Ms. Cynthia Clanton, Director  
Ms. Jessica Farah  
Mr. Christopher Hansard  
Ms. Janice Harkins  
Ms. Stephanie Hines  
Ms. Cheryl Karounos  
Mr. Ben Luke  
Ms. Tracy Mason  
Ms. Lashawn Murphy  
Ms. Tiffanie Robinson  
Mr. Bruce Shaw  
Ms. Maleia Wilson

**(Guests Appended)**

**Call to Order and Welcome**

The meeting of the Judicial Council of Georgia (Council) was called to order at 2:00 p.m. by Chief Justice Melton. He informed the Council that the meeting will be recorded, livestreamed, and open to the press and public. Ms. Clanton called roll for Council members; staff and guests were instructed to submit their attendance for the purpose of the minutes.

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

Chief Justice Melton advised the judiciary to continue to practice safety protocols to prevent the spread of COVID-19. He stated that the default should be for everyone to wear a mask, unless a person is otherwise engaged in something that would justify not wearing one, such as

speaking or testifying. He noted the progression of the current 30-day Statewide Judicial Emergency Order. There are discussions on lifting the 90-day bond rule, now that grand juries are meeting. Chief Justice Melton also noted work continues on legislation concerning statutory speedy trials. The concern is that there may be a need to continue the suspension of statutory speedy trials after the authority of declaring judicial emergencies no longer exists. Chief Justice Melton acknowledged Jennifer Dalton, with the Department of Public Health (DPH), for her response concerning benchmarks. DPH has agreed to 1) provide weekly news releases to the Administrative Office of the Courts, which will be forwarded to the Council; 2) examine the COVID-19 Task Force report and guidelines; and, 3) will convene the District Health Directors and District Epidemiologists to discuss ways to assist the courts. He expressed his gratitude to DPH for assisting the judiciary.

Chief Justice Melton recognized Judge LaGrua for an update from the Judicial COVID-19 Task Force. She reported the Civil subcommittee is currently working on guidance for virtual jury selection and virtual civil trials. The Criminal subcommittee is presently working on the 90-day bond issue, arraignment issue, and charging documents in conjunction with the Supreme Court.

Chief Justice Melton recognized Presiding Justice Nahmias for additional comments. He noted the discussion about lifting the 90-day rule is not meant to imply it will be immediately imposed in the next order, but may potentially be imposed 30 days after that.

#### **Reports from Courts, Councils, State Bar, and AOC**

Supreme Court. No report was provided.

Court of Appeals. No report was provided.

Business Court. No report was provided.

Council of Superior Court Judges. No report was provided.

Council of State Court Judges. No report was provided.

Council of Juvenile Court Judges. No report was provided.

Council of Probate Court Judges. No report was provided.

Council of Magistrate Court Judges. No report was provided.

Council of Municipal Court Judges. No report was provided.

State Bar of Georgia. Ms. Jones reported the Board of Governors mid-year meeting will be held virtually on January 9. The State Bar continues to communicate directly with the Court

regarding specific concerns from the members of the Bar on COVID-19 related safety with the courts.

Administrative Office of the Courts. Director Clanton reported the AOC remains fully functional. She recognized the Task Force and the Judicial Council members for their dedicated service. She also recognized the Judicial Council members who have volunteered to assist with the Zoom panel discussion in honor of Bill of Rights Day on December 15. The volunteers are Chief Judge McFadden, Vice Chief Judge Rickman, Judge Davis, Chief Judge Bagley, and Chief Judge Jackson. Ms. Clanton also noted that Presiding Justice Nahmias and Chief Judge Amero are on standby for this event and expressed her gratitude.

### **Reports from additional Judicial Branch Agencies**

Council of Accountability Court Judges. No report was provided.

Georgia Commission on Dispute Resolution. No report was provided.

Council of Superior Court Clerks. No report was provided.

Chief Justice's Commission on Professionalism. Ms. Grier reported the Commission met on November 13 to review and decide on grants. The Commission awarded two grants: to the COVID-19 Task Force for the “Justice needs Jurors” public service announcements, in the amount of \$50,000, and, to a coalition of partners which includes the Judicial Council’s Access to Justice Committee, Georgia Legal Services Program, the Pro Bono Resource Center, and the Georgia Justice Project for records restriction expungement clinics throughout the state, with a minimum amount of \$15,000. This amount has the potential to increase to \$38,000 based upon the number of expungement clinics offered throughout next year. She acknowledged Judge Susan Edlein for her leadership as Chair of the Grants Committee for the Commission and their hard work. The Commission will be host a CLE on December 17, which will be led by Chief Judge Russ McClelland as the program chair. The confirmed speakers are Judge LaGrua, Judge Stephen Dillard, and Judge Shondeana Crews-Morris. The focus will be professionalism and technology from jury trials to social media. The CLE scheduled for January 7 has been postponed until March, and more details will be forthcoming. The first confirmed speaker is Justice Carla McMillian. She acknowledged Mr. Kevin Wilson in Chief Justice Melton’s office for his hard work, and Ms. Dawn Jones, Professor Tonya Washington, and the Commission for their collaboration. Ms. Grier mentioned additional information will be forthcoming.

Georgia Council of Court Administrators. No report was provided.

Institute of Continuing Judicial Education. No report was provided.

Judicial Qualifications Commission. No report was provided.

### **Old Business**

No old business was offered.

### **New Business**

No new business was offered.

### **Concluding Remarks**

Chief Justice Melton announced that the next Emergency Session will be Monday, November 30, 2020, and the next General Session is scheduled for December 11, 2020, via Zoom teleconference.

### **Adjournment**

Hearing no further business, Chief Justice Melton adjourned the meeting at 2:17 p.m.

Respectfully submitted:

Tiffanie Robinson  
Executive Assistant, Judicial Council/AOC  
For Cynthia H. Clanton, Director and Secretary

The above and foregoing minutes  
were approved on the \_\_\_\_ day of  
\_\_\_\_\_, 2020.

---

Harold D. Melton  
Chief Justice



**Judicial Council of Georgia  
Emergency Session  
Conference Call  
November 23, 2020 • 2 p.m.**

**Guest Present**

Mr. Joseph Baden, Third Judicial Administrative District  
Mr. Tracy J. BeMent, Tenth Judicial Administrative District  
Judge R. Violet Bennett, State Court of Wayne County  
Mr. Bob Bray, Council of State Court Judges  
Mr. Charles “Chuck” Boring, Judicial Qualifications Commission  
Mr. Richard Denney, First Judicial Administrative District  
Mr. Steve Ferrell, Ninth Judicial Administrative District  
Ms. Karlise Grier, Chief Justice's Commission on Professionalism  
Mr. Kevin Holder, Council of Probate Court Judges  
Mr. Michael Holiman, Council of Superior Court Clerks  
Ms. Tracy Johnson, Georgia Commission on Dispute Resolution  
Ms. Taylor Jones, Council of Accountability Court Judges  
Judge Stephen Kelley, Brunswick Judicial Circuit  
Ms. Anne Kirkhope, Council of Juvenile Court Judges  
Judge Shawn LaGrua, Superior Court of Fulton County  
Chief Judge T. Russell McClelland, State Court of Forsyth County  
Ms. Natasha MacDonald, Council of Superior Court Judges  
Mr. David Mixon, Second Judicial Administrative District  
Mr. Bob Nadekow, Eighth Judicial Administrative District  
Mr. Jody Overcash, Seventh Judicial Administrative District  
Ms. Sharon Reiss, Council of Magistrate Court Judges  
Ms. Robin Rooks, Georgia Council of Court Administrators  
Judge Arthur Lee Smith, Chattahoochee Judicial Circuit  
Ms. Terry Stollow, Intern, Prosecuting Attorney’s Council of Georgia  
Mr. David Summerlin, Fifth Judicial Administrative District  
Mr. Shannon Weathers, Council of Superior Court Judges

**Judicial Council of Georgia**  
**Emergency Session**  
**Conference Call**  
**November 30, 2020 • 2 p.m.**

**Members Present**

Chief Justice Harold D. Melton, Chair  
Presiding Justice David E. Nahmias  
Chief Judge Jeffrey S. Bagley  
Judge James G. Blanchard, Jr.  
Chief Judge Christopher S. Brasher  
Judge Walter W. Davis  
Chief Judge Lori B. Duff  
Chief Judge T. Craig Earnest (for Judge  
Melanie Cross)  
Chief Judge T.J. Hudson  
Chief Judge Asha Jackson  
Ms. Dawn Jones  
Judge Lisa C. Jones  
Judge Quinn M. Kasper  
Judge Jeffrey H. Kight  
Judge Thomas Lakes  
Chief Judge Christopher J. McFadden  
Judge Ralph Van Pelt, Jr.  
Chief Judge C. Gregory Price  
Vice Chief Judge Brian K. Rickman  
Judge Fletcher Sams  
Judge W. James Sizemore, Jr.  
Judge Arthur Smith (for Judge J. Wade  
Padgett)

Judge Wes Tailor  
Chief Judge Sarah Wall  
Chief Judge Willie C. Weaver, Sr.  
Judge Alvin T. Wong

**Members Absent**

Chief Judge Brian Amero  
Chief Judge Kelli L. Wolk

**Staff Present**

Ms. Cynthia Clanton, Director  
Ms. Jessica Farah  
Mr. Christopher Hansard  
Ms. Janice Harkins  
Ms. Stephanie Hines  
Ms. Noelle Lagueux-Alvarez  
Ms. Cheryl Karounos  
Mr. Ben Luke  
Ms. Tracy Mason  
Ms. Lashawn Murphy  
Ms. Tiffanie Robinson  
Mr. Bruce Shaw

**(Guests Appended)**

**Call to Order and Welcome**

The meeting of the Judicial Council of Georgia (Council) was called to order at 2:00 p.m. by Chief Justice Melton. He informed the Council that the meeting will be recorded, livestreamed, and open to the press and public. Ms. Clanton called roll for Council members; staff and guests were instructed to submit their attendance for the purpose of the minutes. Chief Justice Melton recognized the loss of Justice George H. Carley and asked the Council to observe a moment of silence in reflection.

**Adoption of Minutes**

Chief Justice Melton directed the Council's attention to the minutes of the Emergency Sessions held on October 26, 2020, and on November 9, 2020. A motion to approve the minutes was

offered by Judge Kasper with a second from Chief Judge Weaver. No discussion was offered, and the motion was approved without opposition.

### **Discussion of Statewide Judicial Emergency Orders and COVID-19 Update by Judicial Council Members**

Chief Justice Melton updated the Council on the next Statewide Judicial Emergency Order, to be issued in early December. He mentioned the discussion of releasing the suspension on the 90-day rule on indictments and bonds. The next order will likely signal the anticipation of releasing the hold on the 90-day rule. He noted the increase of COVID-19 cases statewide and nationwide and he emphasized that nothing issued in the orders is irreversible. The judiciary has the authority to enforce restrictions, and the Chief Justice encouraged the courts to take the necessary precautions to utilize safety procedures. Chief Justice Melton recognized Presiding Justice Nahmias for further comments; he informed the Council the Legislation Committee will review proposed legislation on statutory speedy trial extensions on Wednesday, December 2.

### **Reports from Courts, Councils, State Bar, and AOC**

Supreme Court. No report was provided.

Court of Appeals. No report was provided.

Business Court. No report was provided.

Council of Superior Court Judges. Judge Smith reported Toombs County in the Middle Circuit and Richmond County in the Augusta Circuit are conducting in-person jury trials which are being livestreamed. Judge Wall reported the Eighth District Court Administrator, Mr. Bob Nadekow, is currently working with S & L Integrated. She mentioned most of the counties in the district are utilizing this new technology system for livestreaming and are very pleased. Judge Wall encouraged the Council to go to their website to review the programs and process. Judge Wall referred the Council to Mr. Nadekow to assist with any additional details concerning the technology.

Council of State Court Judges. No report was provided.

Council of Juvenile Court Judges. No report was provided.

Council of Probate Court Judges. No report was provided.

Council of Magistrate Court Judges. No report was provided.

Council of Municipal Court Judges. No report was provided.

State Bar of Georgia. No report was provided.

Administrative Office of the Courts. Director Clanton reported the AOC remains fully functional. She noted that Ms. Samantha Wolf, formerly with the Criminal Justice Coordinating Council, will be working on a contract basis with the COVID-19 Task Force and assisting with legislative matters. Ms. Wolf will work with Ms. Karounos to assist with the transition as Mr. Hansard moves to his new position in Cobb County as the Superior Court Administrator. Chief Justice Melton recognized Mr. Hansard for his work and wished him well.

### **Reports from additional Judicial Branch Agencies**

Council of Accountability Court Judges. No report was provided.

Georgia Commission on Dispute Resolution. No report was provided.

Council of Superior Court Clerks. No report was provided.

Chief Justice's Commission on Professionalism. Ms. Grier reported the next CLE will be on December 17.

Georgia Council of Court Administrators. No report was provided.

Institute of Continuing Judicial Education. No report was provided.

Judicial Qualifications Commission. No report was provided.

### **Old Business**

No old business was offered.

### **New Business**

No new business was offered.

### **Concluding Remarks**

Chief Justice Melton announced the regularly scheduled General Session is scheduled for December 11, 2020, via Zoom teleconference.

### **Adjournment**

Hearing no further business, Chief Justice Melton adjourned the meeting at 2:14 p.m.

Respectfully submitted:

Tiffanie Robinson  
Executive Assistant, Judicial Council/AOC  
For Cynthia H. Clanton, Director and Secretary

*Signature on the next page*

The above and foregoing minutes  
were approved on the \_\_\_\_ day of  
\_\_\_\_\_, 2020.

---

Harold D. Melton  
Chief Justice

**Judicial Council of Georgia  
Emergency Session  
Conference Call  
November 30, 2020 • 2 p.m.**

**Guest Present**

Chief Judge Berryl A. Anderson, Magistrate Court of DeKalb County  
Mr. Josh Becker, Council of Accountability Court Judges  
Mr. Tracy J. BeMent, Tenth Judicial Administrative District  
Mr. Bob Bray, Council of State Court Judges  
Mr. Charles “Chuck” Boring, Judicial Qualifications Commission  
Chief Judge Geronda V. Carter, Superior Court of Clayton County  
Ms. Jennifer Dalton, Department of Public Health  
Mr. Richard Denney, First Judicial Administrative District  
Chief Judge Kathlene Gosselin, Northeastern Judicial Circuit  
Ms. Karlise Grier, Chief Justice's Commission on Professionalism  
Ms. Christine B. Hayes, State Bar of Georgia  
Mr. Kevin Holder, Council of Probate Court Judges  
Mr. Michael Holiman, Council of Superior Court Clerks  
Mr. Eric John, Council of Juvenile Court Judges  
Ms. Tracy Johnson, Georgia Commission on Dispute Resolution  
Ms. Anne Kirkhope, Council of Juvenile Court Judges  
Judge Shawn LaGrua, Superior Court of Fulton County  
Chief Judge T. Russell McClelland, State Court of Forsyth County  
Ms. Natasha MacDonald, Council of Superior Court Judges  
Mr. David Mixon, Second Judicial Administrative District  
Mr. Jody Overcash, Seventh Judicial Administrative District  
Ms. Sharon Reiss, Council of Magistrate Court Judges  
Judge Arthur Lee Smith, Chattahoochee Judicial Circuit  
Mr. Robert Smith, Prosecuting Attorneys' Council of Georgia  
Ms. Terry Stollow, Intern, Prosecuting Attorney's Council of Georgia  
Ms. Courtney Veal, Judicial Qualification Commission  
Ms. Kristine Wallace, Council of Juvenile Court Judges  
Ms. Cindy Wang, Department of Juvenile Justice  
Ms. Samantha Wolf, Contractor  
Ms. Emily Youngo, Council of Superior Court Judges

TAB 2



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

#### Memorandum

TO: Judicial Council of Georgia

FROM: Cynthia Clanton, Director; Jessica Farah, General Counsel

RE: Affidavit of Public Officer

DATE: November 18, 2020

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As previously reported at the February 14, 2020, Judicial Council meeting, the Judicial Council's Administrative Office of the Courts (JC/AOC), after discussions with the Georgia Attorney General's Office, was informed that, **starting January 1, 2021**, the Georgia Government Transparency and Campaign Finance Commission (Ethics Commission) will require members of each state board, commission, council or authority to file an Affidavit of Public Officer per O.C.G.A. § 21-5-50(a)(2). In previous years, based on discussions with executive branch attorneys, the JC/AOC had advised that members of judicial branch boards, commissions, councils or authorities did not need to file the Affidavit of Public Officer.

Affidavits of Public Officer are to be filed prior to January 31 of each year. Some of you may already file the Affidavit because of other roles you have in state government service. If that is the case, your membership on the Judicial Council should be included when you file annually. Multiple memberships can be listed on the same Affidavit. The Affidavits are filed directly with the Ethics Commission rather than with a local election superintendent or municipal clerk, as some personal financial disclosure statements are filed. The Affidavit is separate from any personal financial disclosure statement that you may file as an elected official.

Per the Ethics Commission, the Affidavit of Public Officer can be filed in the same way as the Financial Disclosure Statement. Individuals who are not required to file a Financial Disclosure Statement may file the Affidavit directly with the Ethics Commission. In order to file directly with the Commission, the first step is to request login credentials for the web-based reporting system. Credentials are requested through a one-page application. A copy of the application can be found [here](#) and is also attached. Applications can be submitted to [Gaethics@ethics.ga.gov](mailto:Gaethics@ethics.ga.gov). The Commission has waived the notary requirement for the application due to COVID-19.

Should you have any questions regarding the Affidavit of Public Officer, David Emadi, Executive Director, Georgia Government Transparency and Campaign Finance Commission, will be at the December 11, 2020, Judicial Council meeting. Mr. Emadi may also be reached at (404) 463-1980.



Attachment

**ELECTRONIC FILING ACCESS CODE APPLICATION**

Forms must be mailed or hand delivered to:

Georgia Government Transparency and Campaign Finance Commission  
200 Piedmont Ave S.E. / Suite 1416 – West Tower / Atlanta, GA 30334

This form will allow the Commission to grant access to its online e-Filing system by emailing you a Filer ID and Password.

**INCOMPLETE FORMS WILL NOT BE PROCESSED • IF FORM IS HANDWRITTEN, IT MUST BE LEGIBLE. • PLEASE PRINT**Select Form Type: ☐ Original ☐ AmendedI AM A: ☐ Candidate ☐ Public Officer ☐ Lobbyist ☐ Non Candidate Committee  
☐ Qualifying Officer: Filing Office \_\_\_\_\_  
☐ Vendor Gift: Vendor Name \_\_\_\_\_

Name/Contact: \_\_\_\_\_

Office/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Initial

I understand that with the filing of this application a Filer ID & password will be sent to my above email address.  
I understand this confidential PIN number assigned to the above named person and only the Commission staff  
and the listed person will have access to this confidential number.**Verification Must Be Notarized**

State of \_\_\_\_\_, County of \_\_\_\_\_

I, the undersigned do hereby swear or affirm that the information in this application is complete, true, and correct to the best of my knowledge and belief. I acknowledge that report I submit electronically in the future I shall verify as complete, true, and correct to the best of my knowledge and belief.

SIGNATURE: \_\_\_\_\_

NOTARY PUBLIC (SIGN NAME): \_\_\_\_\_

PRINT NOTARY'S NAME: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

This document was sworn to or affirmed and subscribed before me on \_\_\_\_\_

**For Office Use Only**

Filer ID

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

TAB 3



## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

### Memorandum

TO: Judicial Council Members

FROM: Presiding Justice David E. Nahmias  
Chair, Standing Committee on Legislation

RE: Committee Report

DATE: December 2, 2020

---

On November 17, 2020, the Standing Committee on Legislation (“Committee”) met to discuss legislative items for the 2021 Session of the General Assembly. The Committee heard a report on the following item supported by the Judicial Council:

#### **Judicial Council Standing Committee on Court Reporting Matters** **Modernize and update the Court Reporting Act of Georgia** OCGA Titles 5; 9; 15; 17

An updated draft of the proposal, which removes the proposed Certified Digital Operator licensure category, was presented to the Committee. *(Information and updated draft language attached)*

On December 2, 2020, the Committee met to continue discussing legislative items for the 2021 Session of the General Assembly. The Committee makes the following recommendations to the Judicial Council:

#### **Judicial Council** **Tolling of statutory speedy trial requirements following a judicial emergency** OCGA §§ 38-3-61; 38-3-62

The Standing Committee on Legislation recommends that the Judicial Council support legislation to amend OCGA §§ 38-3-61; 38-3-62 to provide for tolling of statutory speedy trial requirements following a judicial emergency. *(Information and draft language attached)*



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

#### Memorandum

TO: Judicial Council's Standing Committee on Court Reporting Matters  
FROM: Alison Lerner, Senior Staff Attorney, JC/AOC  
RE: Subcommittee Recommendation for Changes to Proposed Court Reporting Legislation  
DATE: October 15, 2020

---

#### I. Overview and Background

In May 2020, the Chair of the Standing Committee on Court Reporting Matters signed an order creating the Digital Court Reporting Rules and Regulations Subcommittee. The subcommittee was tasked as follows:

This subcommittee is charged with reviewing feedback on Judicial Council-supported court reporting legislation, making recommendations on updating the legislation, and drafting rules and regulations to accompany such legislation should it become law.

The subcommittee met frequently throughout the summer and continues to meet to work on draft rules and best practices guidelines. After reviewing other states' digital recording systems and the digital recording systems in use in Georgia state, juvenile, and probate courts, and the feedback received to date on the legislation, the subcommittee is recommending that the Standing Committee adopt one proposed change to the draft legislation as outlined below.

##### A. Recommendation to Eliminate State Certification of Digital Operator

In the version of the draft legislation that was approved by the Judicial Council last year, the proposed bill created a category of licensee called a Certified Digital Operator (CDO) and tasked the Board of Court Reporting with issuing licenses to persons wishing to become CDOs. The CDO was designated an officer of the court and was tasked with ensuring that a court's digital recording system operated properly, although the proposed legislation did not require CDOs to actively provide confidence monitoring services during court sessions. The proposed legislation also provided that courts using digital recording systems were required to use a Board-certified CDO. The certification process was envisioned to consist primarily of a basic background check and a verification that the applicant received appropriate training on the use of the digital recording

system used by the court in which the CDO would be serving. The proposed legislation also required that CDOs complete a certification page verifying that they have operated the system in accordance with all applicable rules and that they transmitted the digital files to a Certified Transcriptionist, another new licensee category created by the proposed legislation.

The subcommittee has now conducted an in-depth review of the regulation and operation of digital recording systems in multiple states across the country and in the federal system. Additionally, staff conducted a high-level overview of the law and regulations of digital recording systems in all 50 states.<sup>1</sup>

In reviewing the governance of the digital operating systems across the country, staff could not locate any states that required court staff who operated digital recording systems to possess a state license. Some jurisdictions had policies that required digital monitors, who actively monitored the recording of court proceedings, to possess a national license, such as the Certified Electronic Reporter (CER) license issued by the American Association of Electronic Reporters and Transcribers (AAERT). However, no state separately required digital monitors or operators to obtain a state license issued by a state agency. If the proposed legislation passed as written, Georgia would be the only state in the country to require such licensure.

Additionally, many, if not most, jurisdictions use existing courtroom personnel to run digital recording systems. These staff members have almost always undergone a background check prior to hiring and are already trusted members of the courtroom team. This eliminates the need for a background check to be conducted at the state level. One of the functions of state regulation of court reporters is to run background checks on court reporters; since many reporters are freelancers and are not subject to the terms of state employment, this can be an important element of the state licensing process for reporters. Every so often, an applicant for a court reporting license is denied by the Board of Court Reporting, typically on the basis of their criminal history.

Further, the survey revealed that many jurisdictions successfully use digital recording systems operated by clerks or judicial assistants with no formal degree or certification, but solely with informal training covering the use of the court's specific system. Many clerks routinely train each other on the use of the systems and train other courtroom personnel, such as term law clerks and judicial assistants. Some systems are more complex to use than others, and each system requires some training in how to operate that unique proprietary system, but no degree or standardized formal training is required in any other state in the country or in the federal system. Some courts use digital recording systems to take detailed minutes and log notes as well as for recording court proceedings and have multiple processes that operators must be trained on. Other courts, however, use relatively easy-to-use systems and only track minimal information, such as start times for each matter, and the training for those systems is not as intensive.

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<sup>1</sup> Digital recording systems are now in use in some capacity in all 50 states, however, not all states have state-level regulation or law guiding their operations. In some states, local courts (particularly high-volume courts handling routine matters) regularly use such systems in the absence of state law permitting or prohibiting their use. This is true particularly in states with no state-level oversight of court reporters. Only about half the states regulate court reporters at the state level.

One of the functions of state regulation of court reporting is to ensure that reporters meet minimum skill requirements in stenography, voice writing, or digital reporting. These skills can, in some cases, require years to master, but far fewer skills are required to operate digital recording systems. Since the training and education required to operate the digital systems is less intensive than that required for traditional court reporting, there does not seem to be a need for state-level oversight of the training or education of the personnel operating the digital recording systems. Thus, there does not appear to be a compelling reason for requiring state-level oversight of the qualifications of the digital monitor or digital operator.

Based on this analysis, by consensus, the subcommittee agreed to recommend that the Certified Digital Operator licensure be removed from the proposed legislation. Included in the materials for this meeting is a draft of the proposed legislation for the committee's review that removes this licensure and any requirements related to use of a CDO licensee by the courts.

1 TITLE 5. APPEAL AND ERROR

2  
3 CHAPTER 6. Certiorari and Appeals to Appellate Courts Generally

4  
5 5-6-41. Preparation of record for appeal; reporting of evidence and other matter; when narrative  
6 form used.

7  
8 (a) In all felony cases, all proceedings evidence, and proceedings shall be either:

- 9 1. ~~reported taken down and prepared by a certified court reporter as provided in Code~~  
10 ~~Section 17-8-5 or as otherwise provided by law, or-~~  
11 2. recorded via a digital recording system as provided for by the Rules of the Board of  
12 Court Reporting, Chapter 14 of Title 15, and by any applicable uniform rules.  
13

14 (b) In all misdemeanor cases, the trial judge may, in the judge's discretion, require the reporting  
15 and transcribing of all proceedings evidence and proceedings by a certified court reporter on  
16 terms prescribed by the trial judge, or in the alternative, may require the recording of  
17 proceedings by a digital recording system as provided for by the Rules of the Board of Court  
18 Reporting, Chapter 14 of Title 15, and any applicable uniform rules.  
19

20 (c) In all civil cases tried in the superior and ~~city~~ state courts, in the Georgia State-wide Business  
21 Court, and in any other court, the judgments of which are subject to review by the Supreme  
22 Court or the Court of Appeals, the trial judge thereof may require the parties to have the  
23 proceedings ~~and evidence~~ reported by a court reporter or recorded by a digital recording system  
24 as provided for by the Rules of the Board of Court Reporting and any applicable uniform rules,  
25 the costs thereof to be borne equally between them; and, where an appeal is taken which draws  
26 in question the transcript ~~of the evidence and proceedings~~, it shall be the duty of the appellant  
27 to have the transcript prepared at the appellant's expense by a certified court reporter or a  
28 certified transcriptionist. Where it is determined that the parties, or either of them, are financially  
29 unable to pay the costs of reporting or transcribing, the judge may, in the judge's discretion,  
30 authorize trial of the case unreported; and, when it becomes necessary for a transcript ~~of the~~  
31 ~~evidence and proceedings~~ to be prepared, it shall be the duty of the moving party to prepare the  
32 transcript from recollection or otherwise.  
33

34 (d) Where a trial in any civil or criminal case is ~~reported taken down~~ by a court reporter or  
35 recorded by a digital recording system as provided for by Rules of the Board of Court Reporting,  
36 Chapter 14 of Title 15, and any applicable uniform rules, all motions, colloquies, objections,  
37 rulings, evidence, whether admitted or stricken on objection or otherwise, copies or summaries  
38 of all documentary evidence, the charge of the court, and all other proceedings which may be  
39 called in question on appeal or other posttrial procedure shall be taken down or recorded  
40 ~~reported~~; and, where the ~~report proceeding~~ is transcribed, all such matters shall be included in  
41 the written transcript, it being the intention of this article that all these matters appear in the  
42 record. Where matters occur which were not taken down ~~reported~~, such as objections to oral  
43 argument, misconduct of the jury, or other like instances, the court, upon motion of either party,  
44 shall require that a transcript of these matters be made and included as a part of the record. The  
45 transcript of proceedings shall not be reduced to narrative form unless by agreement of counsel;  
46 but, where the trial is not reported or the transcript of the proceedings for any other reason is not



available and the evidence is prepared from recollection, it may be prepared in narrative form.

(e) Where a civil or criminal trial is ~~reported~~ taken down by a certified court reporter or recorded via a digital recording system as provided for by the Rules of the Board of Court Reporting and ~~the evidence and proceedings are then~~ transcribed, the certified court reporter or certified transcriptionist shall complete the transcript and file the original and one copy thereof with the clerk of the trial court, together with the ~~court reporter's~~ certificate attesting to the correctness thereof. In criminal cases where the accused was convicted of a capital felony, an additional digital or paper copy shall be ~~filed for~~ sent to the Attorney General, for which the court reporter shall receive compensation from the Department of Law as provided by law. The original transcript shall be transmitted to the appellate court as a part of the record on appeal; and a one copy will be retained in the trial court, both as referred to in Code Section 5-6-43. Upon filing by the reporter or transcriptionist, the transcript shall become a part of the record in the case and need not be approved by the trial judge.

#### 5-6-48 Dismissal of appeals generally prohibited

(f) Where it is apparent from the notice of appeal, the record, the enumeration of errors, or any combination of the foregoing, what judgment or judgments were appealed from or what errors are sought to be asserted upon appeal, the appeal shall be considered in accordance therewith notwithstanding that the notice of appeal fails to specify definitely the judgment appealed from or that the enumeration of errors fails to enumerate clearly the errors sought to be reviewed. An appeal shall not be dismissed nor consideration thereof refused because of failure of the certified court reporter or certified transcriptionist to file the transcript ~~of evidence and proceedings~~ within the time allowed by law or order of court unless it affirmatively appears from the record that the failure was caused by the appellant.

## TITLE 9. CIVIL PRACTICE

### CHAPTER 11. Civil Practice Act

#### 9-11-29.1. When depositions and discovery materials required to be filed with court

(a) Depositions and other discovery material otherwise required to be filed with the court under this chapter shall not be required to be so filed unless:

(1) Required by ~~local~~ uniform rule of court;

...

(b) When depositions and other discovery material are filed with the clerk of court as provided in subsection (a) of this Code section, the clerk of court shall retain such ~~original~~ documents and materials as provided for by the Judicial Council's Records Retention Schedule and any other applicable record-keeping rule approved by the Supreme Court of Georgia. until final disposition, ~~either by verdict or appeal, of the action in which such materials were filed. The clerk of court shall be authorized thereafter to destroy such materials upon microfilming or digitally imaging~~

~~such materials and maintaining such materials in a manner that facilitates retrieval and reproduction, so long as the microfilm and digital images meet the standards established by the Division of Archives and History of the University System of Georgia; provided, however, that the clerk of court shall not be required to microfilm or digitally image depositions that are not used for evidentiary purposes during the trial of the issues of the case in which such depositions were filed.~~

9-11-30. Depositions upon oral examination.

(f) Certification and filing by officer; inspection and copying of exhibits; copy of deposition.

(1)(A) The officer shall certify that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. This certificate shall ~~be in writing and accompany the record of the deposition. The officer shall then securely seal the deposition in an envelope marked with the title of the action, the court reporter certification number, and “Deposition of (here insert name of witness)” and shall promptly file it the transcript and certificate~~ with the court in which the action is pending or deliver it to the party taking the deposition, as the case may be, in accordance with Code Section 9-11-29.1.

(B) . . .

(2) Upon payment of ~~reasonable charges therefor as~~ provided by the rules of the Board of Court Reporting, the officer shall furnish a copy of the deposition to any party or to the deponent.

## TITLE 9 CIVIL PRACTICE

### CHAPTER 14. Habeas Corpus

9-14-50 Transcription of Trial.

All trials held under this article shall be recorded using a digital recording system as provided for by the Rules of the Board of Court Reporting and transcribed by a certified transcriptionist, or taken down and transcribed by a certified court reporter, as designated by the superior court hearing the case.

## TITLE 15. COURTS

### CHAPTER 5. Administration of Courts of Record Generally

15-5-21 Promulgation of rules and regulations providing for fees of court reporters and for form and style of transcripts.

(a) The Board of Court Reporting ~~Judicial Council~~ shall promulgate rules and regulations which shall:

(1) Provide for and set the fees to be charged by all ~~official~~ certified court reporters in this state for attending any court proceeding or judicial proceeding other than federal court proceedings, taking down proceedings and recording transcribing the proceeding evidence;

(2) Provide for and set the fees to be charged by all ~~official court reporters~~ certified transcriptionists in this state ~~for furnishing transcripts of the evidence and for other proceedings furnished by the official court reporters~~ in all civil and criminal cases in this state;

(3) Provide for a minimum per diem fee for ~~official~~ certified court reporters in this state for attending any court proceeding or judicial proceeding other than federal court, which fee may be supplemented by the various counties within the circuits to which the court reporters are assigned; and

(4) Provide for the form and style of the transcripts, which shall be uniform throughout the state.

(b) The Board of Court Reporting ~~Judicial Council~~ shall amend its rules and regulations providing for and setting the fees to be charged by all ~~official~~ certified court reporters and certified transcriptionists whenever the ~~board council~~ shall deem it necessary and proper.

(c) This Code section shall not apply to those court reporters ~~taking and furnishing transcripts of depositions or taking down and transcribing nonjudicial functions or any hearing held pursuant to Title 29 and Title 37 outside of a courthouse as defined in subsection (a)(1) of Code Section 16-11-127. nor to any independent contracts of any reporters.~~ The Board of Court Reporting shall not promulgate rules setting fees to be charged for the takedown of or for the original transcript of a deposition. The Board of Court Reporting shall promulgate rules setting fees to be charged for copies of depositions.

(d) A rule or regulation promulgated by the Board of Court Reporting ~~Judicial Council~~ pursuant to this Code section shall not become effective unless that ~~board council~~ provides to the chairperson of the Judiciary Committee of the House of Representatives, the chairperson of the Judiciary, Non-civil Committee of the House of Representatives, the chairperson of the Judiciary Committee of the Senate, and the chairperson of the Special Judiciary Committee of the Senate, at least 30 days prior to the date that the council intends to adopt such rule or regulation, written notice which includes an exact copy of the proposed rule or regulation and the intended date of its adoption. ~~After July 1, 1986, no rule or regulation adopted by the Judicial Council pursuant to this Code section shall be valid unless adopted in conformity with this subsection.~~ A proceeding to contest any rule or regulation on the grounds of noncompliance with this subsection must be commenced within two years from the effective date of the rule or regulation.

## TITLE 15. COURTS

### CHAPTER 7. State Courts of Counties

#### 15-7-47. Reporting of trials

- 186  
187 (a) ~~Court reporting personnel~~ A certified court reporter, or a digital recording system operated in  
188 compliance with the rules of the Board of Court Reporting, Chapter 14 of Title 15, and by the  
189 Uniform Rules of State Court, shall be made available for the reporting of civil and criminal  
190 trials in state courts, subject to the laws governing same in the superior courts of this state.  
191 The judge shall have discretion as to whether to provide a certified court reporter or whether  
192 to utilize a digital recording system.  
193 (b) ~~Reporting~~ The taking down or recording of any trial may be waived by consent of the  
194 parties.  
195 (c) Appointment of a court reporter or reporters, as defined in Article 2 of Chapter 14 of this title,  
196 for court proceedings in each court shall be made by the judge thereof; the compensation and  
197 allowances of reporters for the courts shall be paid by the county governing authority and  
198 shall be the same as that for reporters of the superior courts of this state.  
199

200  
201 TITLE 15. COURTS

202  
203 CHAPTER 11. Juvenile Code

204  
205 15-11-17. Hearings; full and complete records of all words during proceedings; sitting as  
206 juvenile court judge.  
207

- 208 (a) All hearings under this chapter shall be conducted by the court without a jury. Any hearing  
209 may be adjourned from time to time within the discretion of the court.  
210 (b) Except as otherwise provided, all hearings shall be conducted in accordance with Title 24.  
211 Proceedings shall be ~~recorded by stenographic notes~~ taken down by a certified court reporter or  
212 by a digital recording system as provided for by the Rules of the Board of Court Reporting, and  
213 must be electronic, mechanical, or other appropriate means capable of accurately capturing a full  
214 and complete verbatim record of all words spoken during the proceedings.  
215

216  
217 TITLE 15. COURTS.

218  
219 CHAPTER 12. JURIES, Article 4, Grand Juries

220  
221 15-12-83 Court reporters

222 ...

223 (g) The district attorney may utilize a digital recording system as provided for by the Rules of  
224 the Board of Court Reporting to record grand jury proceedings.  
225

226  
227 TITLE 15. COURTS

228  
229 CHAPTER 14. COURT REPORTERS, Article 1. General Provisions

230  
231 15-14-1. Appointment; removal; oath of office; duties

~~(a) The A superior court judge s of the superior courts shall have power to~~ may, as a matter of right, appoint and, at their pleasure, to remove a court reporter, as defined in Article 2 of this chapter, for the courts of their respective circuits. The court reporter, before entering on the duties of the court reporter's office, shall be duly sworn in open court to perform faithfully all the duties required of the court reporter by law. It shall be the court reporter's duty to attend all courts in the circuit for which such court reporter is appointed and, when directed by the judge, to record exactly and truly take down or take stenographic notes of the testimony and proceedings in the case tried, except the arguments of counsel. Certified court reporters taking down court proceedings who are retained by a party or by the court as independent contractors, are acting ex officio as official court reporters. Any court reporter taking down a court proceeding, regardless of how the reporter was retained and what person or entity is paying for the takedown or transcription of the case, must follow the Board's fee schedules.

(b) A judge of any court, including but not limited to, superior court, state court, probate courts, magistrate court, recorder's court, juvenile court, the Georgia state-wide business court, and municipal courts, may, as a matter of right, utilize a digital recording system to report proceedings, as provided by the Rules of the Board, any applicable uniform rules, and any other applicable Georgia law.

(c) A digital recording system utilized by any court, including but not limited to, superior court, state court, probate court, magistrate court, recorder's court, juvenile court, the Georgia state-wide business court, and municipal court, to record a court proceeding must comply with the Rules of the Board and any applicable uniform rules.

15-14-2 City courts having concurrent jurisdiction with superior courts in certain cases; compensation; exceptions

(a) The judges of the city courts of this state having concurrent jurisdiction with the superior courts of this state to try misdemeanor cases and to try civil cases where the amount involved exceeds \$500.00, where not otherwise specifically provided for by law, may appoint an official court reporter, as defined in Article 2 of this chapter, whose compensation for reporting criminal and civil cases and for attendance upon court shall be the same as provided by the Judicial Council pursuant to Code Section 15-5-21. The court reporter reporting and transcribing civil cases shall be paid by the party or parties requesting the reporting or transcribing. The judges may also provide for the recording of cases via a digital recording system as provided for by the Rules of the Board and any applicable uniform rules.

15-14-3 Reporters and Digital Recording in the ~~S~~superior and state ~~city~~ courts ~~in circuits having more than one division~~

(a) Each of the judges of the superior and state city courts in all circuits where there may be more than one division, whether the same is civil or criminal, shall appoint and at such judge's pleasure remove a court reporter, as defined in Article 2 of this chapter, for such judge's respective

~~division.~~ The court reporter, before entering on the duties of the court reporter's office, shall be duly sworn in open court to perform faithfully all the duties required. It shall be the court reporter's duty to attend all sessions of the court for which such court reporter is appointed and, when directed by the judge, to record exactly and truly or take stenographic notes of the testimony and proceedings in the case tried, except the argument of counsel. Each judge may also provide for the recording of cases via a digital recording system as provided for by the Rules of the Board and any applicable Uniform Rules.

(b) Each of the judges of the superior and state courts shall have the power to purchase such recording machines and equipment as he or she may deem necessary or proper to aid in the transaction of the business of the court, including the implementation of a digital recording system as provided for by the Rules of the Board and this Article, and to order payment therefor out of the county treasury as an expense of court.

~~15-14-4 Additional reporters in circuits having nine or more superior court judges; typists; digital recording equipment~~

~~(a) In all judicial circuits of this state in which nine or more superior court judges are provided by law, each the superior court judges of such circuits shall have the power to appoint, in addition to those court reporters already authorized by law, such additional court reporters as each judge deems necessary or proper to report and transcribe the proceedings of the court over which he presides, such court reporters to have the same qualifications and to be paid in the same manner as is provided by law. The contingent expense and travel allowance authorized by Code Section 15-14-6 shall not be paid to the additional court reporters appointed pursuant to this code section on or after July 1, 2020.~~

(b) In addition thereto, each of the judges of such circuits shall have the power, with the approval of the county commissioners, to employ such typists as he may deem necessary or proper to aid in the recording or transcribing of the proceedings of the court; the compensation of the typists is declared to be an expense of court and payable out of the county treasury as such.

(c) In the aforesaid circuits each of the judges shall have the power to purchase such recording machines and equipment as he or she may deem necessary or proper to aid in the transaction of the business of the court, including a digital recording system as provided for by the Rules of the Board and this Article, and to order payment therefor out of the county treasury as an expense of court.

~~15-14-5. Duty to transcribe evidence; duty regarding electronic filing; certificate to transcript; presumption as to correctness; transcription of records of digital recording systems.~~

(a) When a court reporter takes down a court proceeding or deposition, it shall be the duty of each court reporter to transcribe the evidence and other proceedings of which he has taken notes as provided by law whenever requested so to do by counsel for any party to such case and upon being paid the legal fees for such transcripts. The reporter, upon delivering the transcript to such

counsel or upon filing it with the clerk of court, shall affix thereto a certificate signed by him or her reciting that the transcript is true, complete, and correct. Subject only to the right of the trial judge to change or require the correction of the transcript, the transcript so certified shall be presumed to be true, complete, and correct.

(b) When a court proceeding has been recorded via a digital recording system as provided for by the Rules of the Board, if requested or if required by law, a transcript shall be prepared by a certified transcriptionist. Once the certified transcriptionist receives the files from the court, it shall be the duty of the transcriptionist to transcribe the files completely and accurately in accordance with the Rules of the Board. The transcriptionist, upon delivering the transcript to the requesting party or upon filing it with the clerk, shall affix thereto a signed certificate reciting that the transcript is true, complete, and correct. Subject only to the right of the trial judge to change or require the correction of the transcript, the transcript so certified shall be presumed to be true, complete, and correct.

(d) All transcripts filed by a certified court reporter or certified transcriptionist shall be filed by electronic means through a court's electronic filing service provider if a court utilizes an electronic filing system. A court's electronic filing service provider shall not charge a certified court reporter or certified transcriptionist a fee to electronically file a transcript. This subsection

=

(1) shall not apply to the filing of transcripts of out of court depositions;

(2) shall not be construed to require a certified court reporter or certified transcriptionist to file any transcript; and

(3) shall become effective on July 1, 2021.

#### 15-14-7 Destruction of court reporter's notes; who may authorize destruction

~~(a) Upon petition, the judge of a superior court, city court, or any other court, the judgments of which are subject to review by the Supreme Court or the Court of Appeals, may authorize destruction of a court reporter's notes taken of the evidence and other proceedings in civil actions in that court, subject to this Code section.~~

~~(b) The court reporter or other person in whose custody the notes are kept shall file a written petition in the court in which the trial was conducted requesting an order authorizing destruction of notes taken during the trial. The petition shall specify the name of the court reporter, the name of the person in whose custody the notes are kept if other than the court reporter, the place at which the notes are kept, and the names and addresses of the parties to the action or, if the address of a party is unknown, the name and address of counsel to that party if such is known.~~

~~(c) The petition shall certify one of the following:~~

~~(1) That the action is a civil action in which no notice of appeal has been filed, that the court reporter has not been requested or ordered to transcribe the evidence and other proceedings, and that a period of not less than 37 months has elapsed since the last date upon which a notice of appeal in the action could have been filed; or~~

~~(2) That the action is one in which the court reporter has been requested or ordered pursuant to law to transcribe the evidence and other proceedings, that the record has been transcribed, and that a period of not less than 12 months has elapsed from the date upon which the remittitur from~~

the appeal has been docketed in the trial court.

(d) ~~When a petition for the destruction of notes is filed pursuant to this Code section, the court shall cause due notice of the petition and the grounds therefor to be given to each party to the action or, if the address of a party is unknown, to the counsel to the party if such is known.~~

(e) ~~Not less than 30 days after receipt of a petition pursuant to this Code section, the court shall authorize destruction of the specified notes unless such destruction, in the court's judgment, would impair the cause of justice or fairness in the action.~~

## TITLE 15. COURTS

### CHAPTER 14. Court Reporters, Article 2. Training and Certification<sup>1</sup>

#### 15–14–21. Declaration of Purpose.

It is declared by the General Assembly that ~~the practice of court reporting~~ the recording and taking down of court proceedings and the transcribing thereof carries important responsibilities in connection with the administration of justice, both in and out of the courts; that court reporters are officers of the courts; and that the right to define and regulate the recording and taking down of court proceedings and the transcribing thereof, including but not limited to the practice of court reporting, belongs naturally and logically to the judicial branch of the state government.

Therefore, in recognition of these principles, the purpose of this article is to act in aid of the judiciary so as to ensure the reliability and accuracy of verbatim transcripts of court proceedings and of depositions, as well as to ensure minimum proficiency in the practice of court reporting, by recognizing and conferring jurisdiction upon the Judicial Council of Georgia to define and regulate the practice of court reporting and the use of digital recording systems.

#### 15–14–22. Definitions.

As used in this title, the term:

(1) “Board” means the Board of Court Reporting of the Judicial Council.

(2) “Certified court reporter” means any person certified by the Board of Court Reporting ~~under this article~~ to practice ~~verbatim~~ court reporting.

(3) “Certified transcriptionist” means any person certified by the Board of Court Reporting to create a transcript of a court proceeding from digital records that were created using a digital recording system. Any person holding a C.C.R. certificate as defined by this Article shall be granted a certificate as a certified transcriptionist.

~~(43) “Court reporter” means any person who is engaged in the practice of court reporting as defined in paragraph (6) of this Code section, as a profession as defined in this article. The term~~

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<sup>1</sup> This is the Court Reporting Act.



~~“court reporter” shall include not only those who actually report judicial proceedings in courts but also those who make verbatim records as defined in paragraph (4) of this Code section.~~

(5) “Court reporting” means the act of taking down a court proceeding or deposition as defined in paragraph (10) of this Code section. the making of a verbatim record. Court reporting shall be practiced by means of manual shorthand, machine shorthand, closed microphone voice dictation silencer, or by other means of personal verbatim reporting as provided by the Rules of the Board of Court Reporting. of any testimony given under oath before, or for submission to, any court, referee, or court examiner or any board, commission, or other body created by statute, or by the Constitution of this state or in any other proceeding where a verbatim record is required. The taking of a deposition is the making of a verbatim record as defined in this article. The practice of court reporting shall not include the operation of a digital recording system as defined in this code section.

(6) “Digital Recording System” means any method for creating an electronic audio or audiovisual recording of a court proceeding for the purpose of creating a verbatim transcript.

(7) “Transcriptionist” means any person who creates the transcript of a court proceeding or deposition.

(8) “Take down” means the act of making stenographic notes of a court proceeding or deposition for the purpose of creating a verbatim transcript. The use of a closed microphone voice dictation silencer constitutes the act of making stenographic notes. The act of operating a digital recording system or other electronic recording device does not constitute the act of taking down a proceeding.

15–14–23. Judicial Council of Georgia; Agency of Judicial Branch.

The Judicial Council of Georgia, as created by Article 2 of Chapter 5 of this title, is declared to be an agency of the judicial branch of the state government for the purpose of defining and regulating the practice of court reporting, the use of digital recording systems in the courts, and the creation of transcripts of court proceedings and depositions in this state.

15–14–24. Board of Court Reporting of the Judicial Council, Creation, Name, Membership, Appointment, Qualifications, Terms, Vacancies, Removal.

(a) The Judicial Council shall There is established a board which shall be known and designated as the “Board of Court Reporting of the Judicial Council.” The board shall be created in accordance with the Judicial Council’s by-laws regarding the creation of standing committees and shall function as a standing committee of the Judicial Council. It shall be composed of ~~nine~~ fifteen members, five members to be certified court reporters, two members to be representatives from the State Bar of Georgia, and ~~two~~ eight members to be from the judiciary, one to be a Supreme Court Justice, one to be a judge of the Court of Appeals, one to be a superior court judge, and one to be a state court judge, one to be a juvenile court judge, one to be a probate court judge, one to be a magistrate court judge, and one to be a municipal court judge, each of whom shall

462 have not less than five years' experience in their respective professions. ~~The board shall be~~  
463 ~~appointed by the Judicial Council. The term of office shall be two years, and the Judicial Council~~  
464 ~~shall fill vacancies on the board.~~

465  
466 (b) Any member of the board may be removed by the Judicial Council after a hearing at which  
467 the Judicial Council determines that there is cause for removal.  
468

469  
470 15-14-26. Organization of Board, Rules and Regulations.  
471

472 (a) The board shall each year elect from its members a chairperson, who shall be a member of the  
473 judiciary, and whose term shall be for ~~one~~ two years, and who shall serve during the period for  
474 which elected and until a successor shall be elected.  
475

476 (b) The board shall make any and all necessary rules and regulations to carry out this article, but  
477 the rules and regulations shall be subject to review by the Judicial Council and approval by the  
478 Supreme Court.  
479

480 (c) The board shall make and publish such statewide minimum standards and rules as it deems  
481 necessary that provide for the qualifications of certified court reporters and certified  
482 transcriptionists.  
483

484 (d) The board shall make and publish such statewide minimum standards and rules as it deems  
485 necessary that shall provide requirements for digital recording systems sufficient to ensure that  
486 the recording of proceedings for the purpose of making a verbatim transcript will be conducted  
487 reliably and accurately. The Councils of the classes of court, and the judge of business court, are  
488 empowered to create additional standards for digital recording systems, however, they may not  
489 create any rules that result in lesser standards than those promulgated by the board.  
490

491  
492 15-14-28. Reporters and Transcriptionists Must be Certified  
493

494 (a) No person shall engage in the practice of ~~verbatim~~ court reporting in this state unless the  
495 person is the holder of a certificate as a certified court reporter or is the holder of a temporary  
496 permit issued under this article.  
497

498 (b) No person shall transcribe a court proceeding with the knowledge that the resulting transcript  
499 is to be filed in a Georgia court unless the person is the holder of a certificate as a certified  
500 transcriptionist as provided by this article.  
501

502  
503 15-14-29. Issuance of Certificate, Qualifications for Certification; Exemption from Taking  
504 Examination; Individuals with Disabilities  
505

506 The qualifications of certified court reporters and certified transcriptionists shall be those  
507 established by the Board of Court Reporting of the Judicial Council.

(a) ~~Upon receipt of appropriate application and fees, the board shall grant a certificate as a certified court reporter to any person who:~~  
(1) ~~Has attained the age of 18 years;~~  
(2) ~~Is of good moral character;~~  
(3) ~~Is a graduate of a high school or has had an equivalent education; and~~  
(4) ~~Has, except as provided in subsection (b) of this Code section, successfully passed an examination in verbatim court reporting as prescribed in Code Section 15-14-30.~~  
(b) ~~Any person who has attained the age of 18 years and is of good moral character, who submits to the board an affidavit under oath that the court reporter was actively and continuously, for one year preceding March 20, 1974, principally engaged as a court reporter, shall be exempt from taking an examination and shall be granted a certificate as a certified court reporter.~~  
(c)(1) ~~Reasonable accommodation shall be provided to any qualified individual with a disability who applies to take the examination who meets the essential eligibility requirements for the examination and provides acceptable documentation of a disability, unless the provision of such accommodation would impose an undue hardship on the board.~~  
(2) ~~Reasonable accommodation shall be provided to any qualified individual with a disability who applies for certification who meets the essential eligibility requirements for certification and provides acceptable documentation of a disability, unless the provision of such accommodation would impose an undue hardship on the board or the certification of the individual would pose a direct threat to the health, welfare, or safety of residents of this state.~~  
(3) ~~The term "disability," as used in paragraphs (1) and (2) of this subsection, means a physical or mental impairment that substantially limits one or more major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.~~

#### 15-14-30. Examination of Applicants, Fee, Scope of Examination

~~Every person desiring to commence the practice of court reporting become certified by the Board in this state shall file an application for testing with the board upon such form as shall be adopted and prescribed by the board. At the time of making an application the applicant shall deposit with the board an application examination fee to be determined by the board. Examinations shall be conducted as often as may be necessary, as determined by the board, provided that examinations must be conducted at least once annually. Applicants shall be notified by mail of the holding of such examinations no later than ten days before the date upon which the examinations are to be given. Examinations shall be conducted and graded according to rules and regulations prescribed by the board.~~

#### 15-14-31. Renewal of Certificate

~~Every certified court reporter and certified transcriptionist who continues in the active practice of verbatim court reporting their respective duties shall annually renew their certificate in accordance with rules promulgated by the Board of Court Reporting. on or before April 1 following the date of issuance of the certificate under which the court reporter is then entitled to practice, upon the payment of a fee established by the board. Every certificate which has not been renewed on April 1 shall expire on that date of that year and shall result in the suspension of the court reporter's right to practice under this article. Reinstatement shall be as provided by the rules~~

of the board, ~~which suspension shall not be terminated until all delinquent fees have been paid or the court reporter has requalified by testing. After a period to be determined by the board, a suspended certificate will be automatically revoked and may not be reinstated without meeting current certification requirements.~~

#### 15-14-32. Certified Court Reporter, Corporation and Firm Name; Regulations

(a) Any person who has received from the board a certificate as ~~provided for in this article as a~~ certified court reporter shall be known and styled as a certified court reporter and shall be authorized to practice as such in this state and to use such title or the abbreviation "C.C.R." in so doing. No other person, firm, or corporation, all of the members of which have not received such certificate, shall assume the title of certified court reporter, the abbreviation "C.C.R.," or any other words or abbreviations tending to indicate that the person, firm, or corporation so using the same is a certified court reporter.

(b) Any person who has received from the board a certificate as a certified transcriptionist shall be known and styled as a certified transcriptionist and shall be authorized to practice as such in this state and to use such title or the abbreviation "C.T." in so doing. No other person, firm, or corporation, all of the members of which have not received such certificate, shall assume the title of certified transcriptionist, the abbreviation "C.T.," or any other words or abbreviations tending to indicate that the person, firm, or corporation so using the same is a certified transcriptionist.

#### 15-14-33. Refusal to Grant or Revocation of Certificate or Temporary Permit

(a) The board shall have the authority to refuse to grant a certificate or temporary permit to an applicant therefor or to revoke the certificate or temporary permit of a person or to discipline a person, ~~and the board shall promulgate rules to effectuate this section. , upon a finding by a majority of the entire board that the licensee or applicant has:~~

(1) ~~Failed to demonstrate the qualifications or standards for a certificate or temporary permit contained in this article or under the rules or regulations of the board. It shall be incumbent upon the applicant to demonstrate to the satisfaction of the board that all the requirements for the issuance of a certificate or temporary permit have been met, and, if the board is not satisfied as to the applicant's qualifications, it may deny a certificate or temporary permit without a prior hearing; provided, however, that the applicant shall be allowed to appear before the board if desired;~~

(2) ~~Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of court reporting or on any document connected therewith; practiced fraud or deceit or intentionally made any false statements in obtaining a certificate or temporary permit to practice court reporting; or made a false statement or deceptive registration with the board; Been convicted of any felony or of any crime involving moral turpitude in the courts of this state or any other state, territory, or country or in the courts of the United States. As used in this paragraph and paragraph (4) of this subsection, the term "felony" shall include any offense which, if committed in this state, would be deemed a felony without regard to its designation elsewhere; and, as used in this paragraph, the term "conviction" shall include a finding or verdict of guilty or a plea of~~

guilty, regardless of whether an appeal of the conviction has been sought;

(4) ~~Been arrested, charged, and sentenced for the commission of any felony or any crime involving moral turpitude, where:~~

~~(A) First offender treatment without adjudication of guilt pursuant to the charge was granted; or~~

~~(B) An adjudication of guilt or sentence was otherwise withheld or not entered on the charge, except with respect to a plea of nolo contendere. The order entered pursuant to the provisions of Article 3 of Chapter 8 of Title 42, relating to probation of first offenders, or other first offender treatment shall be conclusive evidence of arrest and sentencing for such crime;~~

~~(6) (5) Had a certificate or temporary permit to practice as a court reporter revoked, suspended, or annulled by any lawful licensing authority other than the board; or had other disciplinary action taken against the licensee or the applicant by any such lawful licensing authority other than the board; or was denied a certificate by any such lawful licensing authority other than the board, pursuant to disciplinary proceedings; or was refused the renewal of a certificate or temporary permit by any such lawful licensing authority other than the board, pursuant to disciplinary proceedings; Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee or applicant to practice as a court reporter, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of court reporting but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practice of court reporting;~~

~~(7) Knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed person or any licensee whose certificate or temporary permit has been suspended or revoked by the board to practice as a court reporter or to practice outside the scope of any disciplinary limitation placed upon the licensee by the board;~~

~~(8) Violated a statute, law, or any rule or regulation of this state, any other state, the board, the United States, or any other lawful authority without regard to whether the violation is criminally punishable, which statute, law, or rule or regulation relates to or in part regulates the practice of court reporting, when the licensee or applicant knows or should know that such action is violative of such statute, law, or rule, or violated a lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or certificate or temporary permit reinstatement;~~

~~(9) Been adjudged mentally incompetent by a court of competent jurisdiction within or outside this state. Any such adjudication shall automatically suspend the certificate or temporary permit of any such person and shall prevent the reissuance or renewal of any certificate or temporary permit so suspended for as long as the adjudication of incompetence is in effect;~~

~~(10) Displayed an inability to practice as a court reporter with reasonable skill or has become unable to practice as a court reporter with reasonable skill by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material;~~

~~(11) Violated the provisions of subsection (c) or (d) of Code Section 9-11-28; or (12) Violated the provisions of Code Section 15-14-37.~~

(b) For purposes of this Code section, the board may obtain through subpoena upon reasonable grounds any and all records relating to the mental or physical condition of a licensee or applicant, and such records shall be admissible in any hearing before the board.

(c) When the board finds that any person is unqualified to be granted a certificate or temporary permit or finds that any person should be disciplined pursuant to subsection (a) of this Code section or the laws, rules, or regulations relating to court reporting, the board may take any one or more of the following actions:

- (1) Refuse to grant or renew a certificate or temporary permit to an applicant;
- (2) Administer a public or private reprimand, but a private reprimand shall not be disclosed to any person except the licensee;
- (3) Suspend any certificate or temporary permit for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of said license;
- (4) Limit or restrict any certificate or temporary permit as the board deems necessary for the protection of the public;
- (5) Revoke any certificate or temporary permit;
- (6) Condition the penalty upon, or withhold formal disposition pending, the applicant's or licensee's submission to such care, counseling, or treatment as the board may direct;
- (7) ~~Impose a requirement to pass the state certification test; or~~
- (7) Require monetary adjustment in a fee dispute ~~involving an official court reporter; or.~~
- (8) Any other action the board deems necessary to carry out its duties in this article.

(d) In addition to and in conjunction with the actions described in subsection (c) of this Code section, the board may make a finding adverse to the licensee or applicant but withhold imposition of judgment and penalty or it may impose the judgment and penalty but suspend enforcement thereof and place the licensee on probation, which probation may be vacated upon noncompliance with such reasonable terms as the board may impose.

(e) Any disciplinary action of the board may be appealed by the aggrieved person to the Judicial Council, which shall have the power to review the determination by the board. Initial judicial review of the final decision of the Judicial Council shall be had solely in the superior courts of the county of domicile of the board. Appeals may be heard by an ad hoc Judicial Council Committee consisting of three members, two of whom shall be judges, appointed by the Chair of the Judicial Council.

(f) In its discretion, the board may reinstate a certificate or temporary permit which has been revoked or issue a certificate or temporary permit which has been denied or refused, following such procedures as the board may prescribe by rule; and, as a condition thereof, it may impose any disciplinary or corrective method provided in this Code section or any other laws relating to court reporting.

(g)(1) The board is vested with the power and authority to make, or cause to be made through employees or agents of the board, such investigations the board may deem necessary or proper for the enforcement of the provisions of this Code section and the laws relating to court reporting. Any person properly conducting an investigation on behalf of the board shall have access to and may examine any writing, document, or other material relating to the fitness of any licensee or applicant. The board or its appointed representative may issue subpoenas to compel access to any writing, document, or other material upon a determination that reasonable grounds exist for the

695 belief that a violation of this Code section or any other law relating to the practice of court  
696 reporting may have taken place.

697  
698 (2) The results of all investigations initiated by the board shall be reported solely to the  
699 board and the records of such investigations shall be kept for the board by the Administrative  
700 Office of the Courts, with the board retaining the right to have access at any time to such  
701 records. No part of any such records shall be released, except to the board for any purpose  
702 other than a hearing before the board, nor shall such records be subject to subpoena; provided,  
703 however, that the board shall be authorized to release such records to another enforcement  
704 agency or lawful licensing authority.

705  
706 (3) If a licensee is the subject of a board inquiry, all records relating to any person who  
707 receives services rendered by that licensee in the capacity as licensee shall be admissible at  
708 any hearing held to determine whether a violation of this article has taken place, regardless of  
709 any statutory privilege; provided, however, that any documentary evidence relating to a person  
710 who received those services shall be reviewed in camera and shall not be disclosed to the  
711 public.

712  
713 (4) The board shall have the authority to exclude all persons during its deliberations on  
714 disciplinary proceedings and to discuss any disciplinary matter in private with a licensee or  
715 applicant and the legal counsel of that licensee or applicant.

716  
717 (h) A person, firm, corporation, association, authority, or other entity shall be immune from civil  
718 and criminal liability for reporting or investigating the acts or omissions of a licensee or applicant  
719 which violate the provisions of subsection (a) of this Code section or any other provision of law  
720 relating to a licensee's or applicant's fitness to practice as a court reporter or for initiating or  
721 conducting proceedings against such licensee or applicant, if such report is made or action is  
722 taken in good faith, without fraud or malice. Any person who testifies or who makes a  
723 recommendation to the board in the nature of peer review, in good faith, without fraud or malice,  
724 in any proceeding involving the provisions of subsection (a) of this Code section or any other law  
725 relating to a licensee's or applicant's fitness to practice as a court reporter shall be immune from  
726 civil and criminal liability for so testifying.

727  
728 ~~(i) If any licensee or applicant after at least 30 days' notice fails to appear at any hearing, the~~  
729 ~~board may proceed to hear the evidence against such licensee or applicant and take action as if~~  
730 ~~such licensee or applicant had been present. A notice of hearing, initial or recommended decision,~~  
731 ~~or final decision of the board in a disciplinary proceeding shall be served personally upon the~~  
732 ~~licensee or applicant or served by certified mail or statutory overnight delivery, return receipt~~  
733 ~~requested, to the last known address of record with the board. If such material is served by~~  
734 ~~certified mail or statutory overnight delivery and is returned marked "unclaimed" or "refused" or~~  
735 ~~is otherwise undeliverable and if the licensee or applicant cannot, after diligent effort, be located,~~  
736 ~~the director of the Administrative Office of the Courts shall be deemed to be the agent for service~~  
737 ~~for such licensee or applicant for purposes of this Code section, and service upon the director of~~  
738 ~~the Administrative Office of the Courts shall be deemed to be service upon the licensee or~~  
739 ~~applicant.~~

~~(j) The voluntary surrender of a certificate or temporary permit or the failure to renew a certificate or temporary permit by the end of an established penalty period shall have the same effect as a revocation of said certificate or temporary permit, subject to reinstatement in the discretion of the board. The board may restore and reissue a certificate or temporary permit to practice under the law relating to that board and, as a condition thereof, may impose any disciplinary sanction provided by this Code section or the law relating to that board.~~

(ik) Regulation by the board shall not exempt court reporting from regulation pursuant to any other applicable law.

#### 15-14-35. Injunction Against Violation

On the verified complaint of any person or by motion of the board that any person, firm, or corporation has violated any provision of this article, the board, ~~with the consent of the Judicial Council,~~ may file a complaint seeking equitable relief in its own name in the superior court of any county in this state having jurisdiction of the parties, alleging the facts and praying for a temporary restraining order and temporary injunction or permanent injunction against such person, firm, or corporation, restraining them from violating this article. Upon proof thereof, the court shall issue the restraining order, temporary injunction, or permanent injunction without requiring allegation or proof that the board has no adequate remedy at law. The right of injunction provided for in this Code section shall be in addition to any other remedy which the board has and shall be in addition to any right of criminal prosecution provided by law.

#### 15-14-36. Violations Relating to Court Reporting

Any person who:

(1) Represents himself or herself as having received a certificate or temporary permit as provided for in this article, whether as a court reporter or transcriptionist, without having received a certificate or temporary permit;

(2) Continues to practice as a court reporter or transcriptionist in this state or uses any title or abbreviation indicating he or she is a certified court reporter or certified transcriptionist, after his or her certificate has been revoked; or

(3) Violates any provision of this article or of subsection (c) ~~or (d)~~ of Code Section 9-11-28.

shall be guilty of a misdemeanor. Each day of the offense is a separate misdemeanor.

15-14-37. Certain contracts for court reporting services prohibited; negotiating or bidding reasonable fees for services on case by case basis not prohibited; registration of court reporting firms.



(a) Contracts for court reporting services not related to a particular case or reporting incident between a certified court reporter or any person with whom a certified court reporter has a principal and agency relationship and any attorney at law, party to an action, party having a financial interest in an action, or agent for an attorney at law, party to an action, or party having a financial interest in an action are prohibited. Attorneys shall not be prohibited from negotiating or bidding reasonable fees for services on a case-by-case basis.

(b) In order to comply with subsection (a) of this Code section, each certified court reporter shall make inquiry regarding the nature of the contract for his or her services directed to the employer or the person or entity engaging said court reporter's services as an independent contractor.

(c) This Code section shall not apply to contracts for court reporting services for the courts, agencies, or instrumentalities of the United States or of the State of Georgia.

(d) A court reporting firm doing business in Georgia shall register with the board by completing an application in the form adopted by the board and paying fees as required by the board.

(e) Each court reporting firm doing business in Georgia shall renew its registration annually pursuant to rules established by the Board of Court Reporting. ~~on or before April 1 following the date of initial registration, by payment of a fee set by the board.~~

(f) Court reporting firms doing business in Georgia are governed by this article. The board shall have authority to promulgate rules and regulations not inconsistent with this article for the conduct of court reporting firms.

(g) The board is authorized to assess a reasonable fine, not to exceed \$5,000.00, against any court reporting firm which violates any provision of this article or rules and regulations promulgated in accordance with this Code section.

## TITLE 17. CRIMINAL PROCEDURE.

### CHAPTER 5. Searches and seizures.

#### 17-5-55. Custody of property; evidence in criminal cases.

(a) In all criminal cases, the court shall designate a custodian of the evidence during the pendency of the trial of the case. For the purposes of this code section, the trial of the case ends when the trial court no longer has jurisdiction over the case, such as when a notice of appeal or an appeal from a denial of a motion for new trial is filed. The court may designate either the clerk of court, the court reporter, or any other officer of the court to be the custodian of any property that is introduced into evidence during the pendency of the trial of the case. Property introduced into evidence shall be identified or tagged with an exhibit number by the custodian, by the parties, or by counsel for the parties. After verdict and judgment has been entered in any criminal case, the person who has custody of the physical evidence introduced in the case shall inventory the evidence and create an evidence log within 30 days of the entry of the judgment. Within 30 days

833 following the creation of the evidence log, physical evidence shall be returned to the rightful  
834 owner of the property unless the physical evidence itself is necessary for the appeal of the case,  
835 for a new trial, or for purposes of complying with this Code section or Code Section 17-5-56. The  
836 evidence log shall contain the case number, style of the case, description of the item, exhibit  
837 number, the name of the person creating the evidence log, and the location where the physical  
838 evidence is stored. After the evidence log is completed, the judge shall designate the clerk of  
839 court, the prosecuting attorney, the defense attorney, ~~any officer of the court~~, or the law  
840 enforcement agency involved in prosecuting the case to obtain and store the evidence, and a  
841 notation shall appear in the evidence log indicating the transfer of evidence. ~~If evidence is~~  
842 ~~transferred to any other party, the evidence log shall be annotated to show the identity of the~~  
843 ~~person or entity receiving the evidence, the date of the transfer, and the location of the evidence.~~  
844 The signature of any person or entity to which physical evidence is transferred shall be captured  
845 through electronic means that will be linked to the evidence log or the use of a property transfer  
846 form that will be filed with the evidence log. When physical evidence, other than audio or video  
847 recordings, is transferred to any person or entity, a photograph or other visual image of the  
848 evidence shall be made and placed in the case file. These images shall also be attached to the  
849 transcript as an exhibit if the trial is transcribed.

850  
851 (b) Physical evidence classified as dangerous or contraband by state or federal law, including, but  
852 not limited to, items described by state or federal law as controlled substances, dangerous drugs,  
853 explosives, weapons, ammunition, biomedical waste, hazardous substances, or hazardous waste  
854 shall be properly secured in a manner authorized by state or federal law. This evidence may be  
855 transferred to a government agency authorized to store or dispose of the material.

856  
857 (c) Documents, photographs, and similar evidence shall be maintained and disposed of in  
858 accordance with records retention schedules adopted in accordance with Article 5 of Chapter 18  
859 of Title 50, known as the “Georgia Records Act.” Other physical evidence that contains biological  
860 material, including, but not limited to, stains, fluids, or hair samples that relate to the identity of  
861 the perpetrator of the crime, shall be maintained in accordance with Code Section 17-5-56. A  
862 party to an extraordinary motion for new trial or a habeas corpus action in which DNA testing is  
863 sought that was filed prior to the expiration of the time prescribed for the preservation of evidence  
864 by this Code section may apply to the court in which the defendant was convicted for an order  
865 directing that the evidence be preserved beyond the time period prescribed by this Code section  
866 and until judgment in the action shall become final.

867  
868 (d) Except as is otherwise provided in subsections (b) and (c) of this Code section or by law,  
869 following the expiration of the period of time set forth in subsections (b) and (c) of this Code  
870 section, physical evidence may be disposed of in accordance with the provisions of Article 5 of  
871 Chapter 12 of Title 44, known as the “Disposition of Unclaimed Property Act,” or, in the case of  
872 property of historical or instructional value, as provided in Code Section 17-5-53.

## 875 TITLE 17. CRIMINAL PROCEDURE.

### 877 CHAPTER 8. Trial.

17-8-5. Stenographic notes; entry of testimony on minutes of court; transcript or brief

(a) ~~On the trial of~~ In all felony cases ~~felonies~~, the presiding judge shall have all the proceedings ~~testimony~~ taken down by a certified court reporter or recorded via a digital recording system ~~operating in compliance with the rules of the Board of Court Reporting and Chapter 14 of Title 15 and, when directed by the judge, the court reporter shall exactly and truly record or take stenographic notes of the testimony and proceedings in the case, except the argument of counsel.~~ In the event of a verdict of guilty, the certified court reporter shall transcribe the case and file the transcript with the clerk of court, or, where a digital recording system was used, the court shall ensure that a certified transcriptionist creates and files a transcript, ~~the testimony shall be entered on the minutes of the court or in a book to be kept for that purpose.~~ In the event that a sentence of death is imposed, the transcript of the case shall be prepared within 90 days after the sentence is imposed by the trial court. Upon petition by the certified court reporter or certified transcriptionist, the Chief Justice of the Supreme Court of Georgia may grant an additional period of time for preparation of the transcript, such period not to exceed 60 days. The requirement that a transcript be prepared within a certain period in cases in which a sentence of death is imposed shall not inure to the benefit of a defendant.

(b) In the event that a mistrial results from any cause in the trial of a defendant charged with the commission of a felony, the presiding judge may, in his discretion, either with or without any application of the defendant or state's counsel, order that ~~a brief or the~~ transcript of the testimony in the case be duly filed by the court reporter in the office of the clerk of the superior court in which the mistrial occurred. If the ~~brief or~~ transcript is ordered, it shall be the duty of the judge, in the order, to provide for the compensation of the reporter and for the transcript to be paid for as is provided by law for payment of transcripts in cases in which the law requires the testimony to be transcribed, at a rate not to exceed that provided in felony cases.

## TITLE 29. GUARDIAN AND WARD

### CHAPTER 4. Guardians of adults.

29-4-12. Hearings; court review of pleadings and report; dismissal; notice of hearing; evidence; selection and powers of guardian; appointment of individuals to hear case.

...

(2) The hearing shall be recorded by either a certified court reporter or via a sound recording device digital recording system as provided for by the Rules of the Board of Court Reporting. ~~The recording shall be retained for not less than 45 days from the date of the entry of the order described in Code Section 29-4-13.~~ in accordance with the Judicial Council's Record Retention Schedule, Uniform Probate Court Rules, and any other applicable Georgia law or rule.

### CHAPTER 5. Conservators of adults

29-5-12 Hearings; court review of pleadings and report; dismissal; notice of hearing; evidence; selection and powers of conservator; appointment of individuals to hear cases.

925 ...  
926 (d)(2) The hearing shall be recorded by either a certified court reporter or via a sound recording  
927 device-digital recording system as provided for by the Board of Court Reporting. The recording  
928 shall be retained ~~for not less than 45 days from the date of the entry of the order described in~~  
929 ~~Code Section 29-5-138~~.in accordance with the Judicial Council's Record Retention Schedule,  
930 Uniform Probate Court Rules, and any other applicable Georgia law or rule.  
931  
932  
933 This Act shall become effective on July 1, 2021.

**Judicial Council of Georgia**  
**Standing Committee on Legislation**  
**Legislative Support Request/Informational Item**

**Court/Council/Entity:** Judicial Council

**Session:** ☒ 2021

**Subject Matter:** Tolling of statutory speedy trial requirements following a judicial emergency.

**Code Section(s):** OCGA §§ 38-3-61; 38-3-62

**Submitted as an:** ☒ Action Item ☐ Informational Item

**1. Overview:** Describe the proposal/legislation and its purpose.

Under current law, the Chief Justice and the chief judge of a superior court judicial circuit have the authority to issue a judicial emergency order, and extensions of such an order, that “suspend, toll, extend, or otherwise grant relief from deadlines or other time schedules or filing requirements imposed by otherwise applicable statutes, rules, regulations, or court orders, whether in civil or criminal cases or administrative matters,” including relief from statutory speedy trial requirements. OCGA § 38-3-62. See also OCGA §§ 38-3-60; 38-3-61. However, a judicial emergency order is limited in duration to a total of 90 days (an initial 30 days plus no more than two 30-day extensions), except when issued by the Chief Justice in conjunction with a public health emergency declared by the Governor under OCGA § 38-3-51. See existing OCGA § 38-3-61 (b). This exception is the basis for the repeated extension of the statewide judicial emergency orders declared by the Chief Justice during the public health emergency caused by the COVID-19 pandemic, and it could again be the circumstance if future public health emergencies are similarly extended in nature.

As the experience since March 2020 demonstrates, many judicial proceedings may be conducted remotely during a judicial emergency caused by a pandemic, and others may eventually be conducted in-person with accommodations made to protect the health of participants. Thus, many statutory and rule-based deadlines, time schedules, and filing requirements that initially may need to be suspended and tolled by judicial emergency orders may be reimposed even while the public health emergency continues, allowing criminal and civil cases to be initiated and to move forward in the judicial process, as demonstrated by the progression of statewide judicial emergency orders issued since March 2020. By the time a public health emergency declared by the Governor has completely ended, courts generally should be able to manage most proceedings under the ordinary deadlines without untoward consequences, assuming sufficient budgetary support. Doing so may be difficult, but it is not impossible.

Jury trials and statutory speedy trial demands are in a different category. Jury trials require the assembly of larger numbers of people for jury selection and for the trial itself, and they therefore will typically be the last type of court proceeding to be reinitiated during a public health emergency, particularly in criminal cases, where constitutional requirements may limit or prevent virtual proceedings. Even when restarted, jury trials will not be held at the scale or with the speed that they occurred before the emergency, due to the precautions that will need

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to be taken to conduct the proceedings safely during the health crisis. Yet jury trials will often be the only way to resolve criminal cases, as both the United States and Georgia Constitutions expressly guarantee criminal defendants the right to a jury trial to resolve the charges against them. (Parties in civil cases also have the constitutional right to a jury trial to resolve their cases, but that right is not accompanied by constitutional and statutory rights to a speedy trial, so civil cases do not present the problem addressed by the proposed legislation.)

The federal and state constitutions also guarantee criminal defendants a “speedy” trial. See U.S. Const. amend VI; Ga. Const. of 1983, Art. I, Sec. I, Par. XI (a). This right is evaluated under a flexible balancing test, in which the reasons for the delay are properly considered. See *Henderson v. State*, Case. No. S20A0986, 2020 WL 6122499, at \*4 (Ga. decided Oct. 19, 2020) (discussing the analysis of constitutional speedy trial claims). However, Georgia also has long had statutes that authorize defendants to demand a speedy trial during the term of court at which the indictment or accusation was filed or within the next regular court term (for non-capital offenses) or the next three regular court terms (for capital offenses not involving the death penalty), if juries were impaneled and qualified to try cases in certain of the terms and other conditions are met. See OCGA §§ 17-7-170 (applicable to noncapital offenses), 17-7-171 (applicable to capital offenses). See also *Walker v. State*, 290 Ga. 696, 698-701 (2012). If a defendant who makes a proper demand under these statutes is not tried within the applicable time, he or she “shall be absolutely discharged and acquitted” of the offenses charged. See OCGA §§ 17-7-170, 17-7-171. These statutory deadlines are not flexible, and the reasons for any delay are generally irrelevant. The length of court terms varies among Georgia’s 159 counties from two months to six months, see OCGA § 15-6-3, with the shortest terms generally in the highest-population counties with the most criminal cases. In these counties, if defendants facing non-capital charges file statutory speedy trial demands, their cases need to be tried within less than four months to avoid the defendants’ automatic acquittal and release, or within eight months if the defendants are facing charges for which they could receive life sentences.

The longer a judicial emergency lasts without jury trials or with trials occurring at a slower pace, the more criminal cases will accumulate awaiting trials to resolve them. The existing OCGA § 38-3-61 (b) allows the Chief Justice or a chief superior court judge to toll statutory speedy trial deadlines only for as long as the judicial emergency lasts. When the judicial emergency order expires, those statutory deadlines would take effect again. In non-emergency times, many trial courts operate close to capacity with regard to satisfying statutory speedy trial demands, in terms of courthouse facilities, judges, prosecutors, public defenders, and other resources. These courts will not have the capacity to try the backlog of cases waiting for trial, along with the usual newly charged cases, in compliance with statutory speedy trial deadlines. Indeed, it may take an extended period of time for courts, working with diligence and full resources, to reduce the backlog and return to normal operations. Moreover, while many defendants normally do not file statutory speedy trial demands for strategic reasons, if defense lawyers realize that a court will not have the capacity to meet such demands, particularly if more defendants file demands, that strategic calculus will likely change, flooding the courts

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with even more cases to be tried and making it even more impracticable to meet the statutory deadlines. And again, the result of not trying a case in compliance with a statutory speedy trial demand is the acquittal and release of the defendant without a trial ever occurring to determine his or her guilt or innocence.

There is, therefore, an urgent need for statutory authority to allow courts that cannot practicably comply with statutory speedy trial requirements to be able to continue to toll those deadlines following a judicial emergency until the demands can reasonably be met. This problem affects only the two classes of court that conduct large numbers of jury trials – the superior and state courts. And it should be addressed on a local level. Although almost all superior and state courts will have a substantial backlog of criminal cases to be addressed when the current judicial emergency ends, the number of such cases will vary from county to county and between the superior and state courts in each county, as will the particular court's ongoing caseload and resources available to try cases; and the situation might not be as uniform statewide after a future public health emergency.

In the proposed legislation, newly designated subsection (a) of OCGA § 38-3-62 would continue to authorize the Chief Justice and a chief judge of a superior court judicial circuit to grant relief from statutory speedy trial requirements *during* a judicial emergency, while a new subsection (b) would authorize relief from such requirements *following* a judicial emergency. Recognizing that this issue should be addressed locally, the new provision would authorize a chief judge of a superior court judicial circuit or a chief judge of a state court to grant relief from “statutory speedy trial requirements following a judicial emergency if compliance with such requirements is impracticable.” See main clause of OCGA § 38-3-62 (b). Such authority would be governed by the subsequent paragraphs in § 38-3-62 (b).

Paragraph (1) would provide definitions. Paragraph (2) would establish the standard for granting relief. A series of factors that should be considered are listed, but they are not exclusive, because the circumstances that make compliance with statutory speedy trial demands impracticable may differ from county to county and court to court and may change over time. Paragraphs (3) to (7) explain that the chief superior or state court judge may enter an order applicable to a specific county, which must be accompanied by a certification that compliance with statutory speedy trial requirements is impracticable in that county, including supporting statistical data and findings of fact. The certification may be made by the chief judge personally or by a majority of the active judges in the circuit (for superior courts) or the county (for state courts) who request that the chief judge enter the order.

Paragraphs (8) and (9) govern how long each order may grant relief from statutory speedy trial requirements. An initial order is limited to the balance of the court term in effect when the judicial emergency ends or that balance plus one or more full terms not to exceed a total of six months; subsequent relief may be granted for one or more full court terms not to exceed six months. Because statutory speedy trial requirements are calculated based on terms, not days or months, orders need to be based on terms to avoid confusion and miscalculations. Many courts have six-months terms, and the six-month limit would ensure that each court must re-examine

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the circumstances it confronts on a regular basis to determine if another order is necessary, while not requiring courts with terms as short as two months from constantly being in the process of collecting data and drafting the next order.

The legislation would not establish a maximum number of orders that a chief judge may issue. However, paragraph (10) requires broad notice of the issuance of each order, which in conjunction with paragraph (3)'s certification requirement will promote accountability and transparency. In addition, paragraph (11) authorizes the Chief Justice to reinstate any statutory speedy trial requirement subject to a chief judge's order, providing a check on the authority granted to those judges. Finally, and importantly, paragraph (12) makes clear that the constitutional obligation to provide a speedy trial to each criminal defendant remains as an unalterable backstop. Requiring criminal defendants, particularly those being held in jails, to wait longer before they receive a jury trial raises significant issues of fairness and justice. Trial courts will be expected to work with real diligence to eliminate the backlog of criminal cases awaiting a jury trial, and other measures may be appropriate to deal with issues of pretrial detention and bond. But the need to ensure compliance with constitutional speedy trial requirements will be the most important check on the authority that would be granted by the proposed statutory amendments.

The proposed legislation would "become effective upon its approval by the Governor or upon its becoming law without such approval." See Section 3. But it is essential that it become law before the current public health emergency is terminated by the Governor.

**2. Priority:** Is this legislation of high, medium or low importance to your council?

This legislation is of the highest priority to the superior and state courts.

**3. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups that may be affected by this proposal (e.g., executive branch, other governmental entities, other agencies).

Trial courts, defendants, public defenders and other criminal defense attorneys, prosecutors, crime victims, law enforcement agencies, county governments, and the general public.

- b. Which are likely to support this request?

Trial courts, prosecutors, crime victims, law enforcement agencies, county governments.

- c. Which are likely to oppose this request?

Criminal defense attorneys and defendants.

- d. Which have not voiced support or opposition?

To be determined. The proposal has not yet been widely circulated.



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- 4. Supporting data:** Summarize any supporting data, evaluations, and/or research for this request.

The Supreme Court has received widespread reports of high pending criminal case volume across Georgia due to the current COVID-19 pandemic and the corresponding public health and judicial emergencies. When the public health and judicial emergencies end, it is anticipated that this pending case volume will make immediate compliance with statutory speedy trial requirements impracticable in most and perhaps all superior and state courts. As stated above, the current authority to grant relief from statutory speedy trial requirements is contingent on the existence of a declared public health emergency and a corresponding judicial emergency.

- 5. Additional impact:** Will this request require a constitutional amendment or new court rule? Explain why the purpose of the bill cannot be achieved without legislation, if applicable.

This request will not require a constitutional amendment or new court rule. Proposed paragraph (b) (12) would clarify that the new subsection (b) would not “relieve the State of its constitutional obligation to provide for a speedy and public criminal trial.”

- 6. Budget:** Will this legislation have a fiscal impact on the State? If yes, what is the projected expense? Has a White Paper been submitted to the Judicial Council Standing Committee on Budget (if applicable)? Will this legislation have a fiscal impact on counties or municipalities?

This legislation will not have a direct fiscal impact on the State, counties, or municipalities. However, without this legislation, and assuming that these governments do not want numerous criminal defendants to be acquitted and released without trial, significant additional resources (for more judges, court personnel, prosecutors, public defenders, expert witnesses, forensic analysis, law enforcement officers, court facilities, etc.) would need to be provided to greatly expand the capacity to conduct jury trials, and even those resources would not eliminate the problem. Even if the legislation is enacted, additional resources may be needed to enable courts to reduce the backlog of criminal cases waiting to be tried and to address newly charged cases while complying with constitutional speedy trial requirements.

- 7. Other Factors:** Discuss any other relevant factors that should be considered, including experience in other states or whether similar legislation has been introduced in the past.

The Administrative Office of the Courts (AOC) contacted the National Center for State Courts (NCSC) to ask if similar legislation is currently being pursued in other states. The NCSC responded that it is currently unaware of any such proposal, which may be because most states do not rely on the governor to act as a condition precedent to declaring a judicial emergency. The NCSC indicated that, to its knowledge, that with the exception of Georgia and Texas, most states allow a chief justice to independently implement a judicial emergency. Florida, for example, leaves it to its supreme court or chief justice. The chief justice in Florida would likely note if the governor of Florida has declared an emergency, but he or she would not need to

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wait for the governor to act. The NCSC further advised that it would update AOC staff if it learns that speedy trial relief legislation is introduced in other states.

The federal Speedy Trial Act, 18 USC § 3161 et seq., regulates the timing of criminal trials in federal courts. Under the Act, however, federal judges are granted the authority to extend the presumptive deadlines if, among other things “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” OCGA § 3161 (h) (7) (A). Many federal courts have used this authority to suspend the usual statutory speedy trial deadlines during the COVID-19 pandemic and may continue to do so until criminal trials can be conducted in accordance with the usual timetables.

A BILL TO BE ENTITLED  
AN ACT

To amend Part 2 of Article 3 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to judicial emergency, so as to provide for the suspension of statutory speedy trial requirements by the chief judge of a superior court judicial circuit or chief judge of a state court following a judicial emergency if compliance with such requirements is impracticable; to provide for definitions; to provide for notice of the suspension of statutory speedy trial requirements; to provide for the reinstatement of statutory speedy trial requirements by the Chief Justice of the Supreme Court; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1**

Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs, is amended by revising subsection (b) of Code Section 38-3-61, as follows:

“§ 38-3-61. Declaration of judicial emergency; duration of judicial emergency declaration; designation of alternative facility in lieu of court

(a) An authorized judicial official is authorized to declare the existence of a judicial emergency which shall be done by order either upon his or her own motion or upon motion by any interested person. The order shall state:

(1) The identity and position of the issuing authorized judicial official;

(2) The time, date, and place at which the order is executed;

(3) The jurisdiction or jurisdictions affected by the order;

(4) The nature of the emergency necessitating the order;

(5) The period or duration of the judicial emergency; and

(6) Any other information relevant to the suspension or restoration of court operations.

(b) Except as provided in subsection (b) of Code Section 38-3-62, Aan order declaring the existence of a judicial emergency shall be limited to an initial duration of not more than 30 days; provided, however, that the order may be modified or extended for no more than two periods not exceeding 30 days each unless a public health emergency exists as set forth in Code Section 38-3-51, in which case the Chief Justice of the Supreme Court of Georgia may extend the emergency order for so long as such emergency exists, as declared by the Governor. Any modification or

33 extension of the initial order shall require information regarding the same matters set  
34 forth in subsection (a) of this Code section for the issuance of the initial order.  
35 (c) In the event the circumstances underlying the judicial emergency make access to  
36 the office of a clerk of court or a courthouse impossible or impractical, the order  
37 declaring the judicial emergency shall designate another facility, which is reasonably  
38 accessible and appropriate, for the conduct of court business.”

39 **SECTION 2**

40 Said Title is further amended by revising Code Section 38-3-62, as follows:

41 “§ 38-3-62. Suspension or tolling of deadlines and time schedules ~~in event of~~during  
42 or following a judicial emergency

43 (a) An authorized judicial official in an order declaring a judicial emergency, or in  
44 an order modifying or extending a judicial emergency order, is authorized to  
45 suspend, toll, extend, or otherwise grant relief from deadlines or other time schedules  
46 or filing requirements imposed by otherwise applicable statutes, rules, regulations,  
47 or court orders, whether in civil or criminal cases or administrative matters,  
48 including, but not limited to:

- 49 (1) A statute of limitation;  
50 (2) The time within which to issue a warrant;  
51 (3) The time within which to try a case for which a demand for speedy trial has  
52 been filed;  
53 (4) The time within which to hold a commitment hearing;  
54 (5) A deadline or other schedule regarding the detention of a juvenile;  
55 (6) The time within which to return a bill of indictment or an accusation or to  
56 bring a matter before a grand jury;  
57 (7) The time within which to file a writ of habeas corpus;  
58 (8) The time within which discovery or any aspect thereof is to be completed;  
59 (9) The time within which to serve a party;  
60 (10) The time within which to appeal or to seek the right to appeal any order,  
61 ruling, or other determination; and  
62 (11) Such other legal proceedings as determined to be necessary by the  
63 authorized judicial official.

64 (b) A chief judge of a Georgia superior court judicial circuit or a chief judge of a  
65 Georgia state court may suspend, toll, extend, or otherwise grant relief from statutory

66 speedy trial requirements following a judicial emergency if compliance with such  
67 requirements is impracticable, subject to the following provisions:

68 (1) As used in this subsection, the term “statutory speedy trial requirements”  
69 means all speedy trial deadlines, time schedules, or filing requirements imposed  
70 by Code Sections 17-7-170 or 17-7-171.

71 (2) As used in this subsection, the term “impracticable” means that under the  
72 totality of the circumstances arising from the preceding judicial emergency,  
73 compliance with statutory speedy trial requirements is impracticable in the  
74 applicable county and court following a judicial emergency due to one or more  
75 of the following factors:

76 (A) A pending criminal case volume on the date of certification that is  
77 substantially above the average pending criminal case volume at the end of  
78 each of the three full calendar years preceding the judicial emergency.

79 (B) An annualized criminal case clearance rate in the current calendar year  
80 that is substantially below the average criminal case clearance rate for each  
81 of the three full calendar years preceding the judicial emergency.

82 (C) Ongoing space limitations or other health or safety concerns regarding  
83 the use of the facilities available to conduct criminal trials and related  
84 activities.

85 (D) The limited availability of judges, courtroom personnel, prosecutors,  
86 public defenders, expert witnesses, forensic analysis, law enforcement  
87 officers, or other relevant persons.

88 (E) Other relevant facts that justify ongoing relief from statutory speedy  
89 trial requirements.

90 (3) An order granting relief under this subsection shall be accompanied by a  
91 certification that compliance with statutory speedy trial requirements is  
92 impracticable in the applicable county and court. Such certification shall include  
93 supporting statistical data and findings of fact to justify relief under paragraph  
94 (2) of this subsection. Each time a chief judge of a superior court judicial circuit  
95 or chief judge of a state court issues an order granting relief under this  
96 subsection, he or she shall:

97 (A) personally certify that compliance with statutory speedy trial  
98 requirements is impracticable in the applicable county and court; or

99 (B) attach such certification provided by either:

100 (i) a majority of the superior court judges in his or her judicial circuit  
101 pursuant to paragraph (5) of this subsection; or

- 102                   (ii) a majority of the state court judges in his or her county pursuant to  
103                   paragraph (7) of this subsection.
- 104       (4) A chief judge of a superior court judicial circuit acting under this subsection:  
105               (A) may act independently of any emergency declared by the Governor;  
106               (B) may grant relief from statutory speedy trial requirements in a superior  
107               court for a county in his or her judicial circuit;  
108               (C) may act in his or her own discretion; and  
109               (D) shall act upon the request of a majority of the active superior court  
110               judges in his or her judicial circuit pursuant to paragraph (5) of this  
111               subsection.
- 112       (5) A chief judge of a superior court judicial circuit shall grant relief from speedy  
113       trial requirements in a superior court for a county in his or her judicial circuit if  
114       such action is requested by a majority of the active superior court judges in his  
115       or her judicial circuit. Any such request shall be in writing and be accompanied  
116       by the certification required in paragraph (3) of this subsection.
- 117       (6) A chief judge of a state court acting under this subsection:  
118               (A) may act independently of any emergency declared by the Governor;  
119               (B) may grant relief from statutory speedy trial requirements in his or her  
120               state court;  
121               (C) may act in his or her own discretion; and  
122               (D) shall act upon the request of a majority of the active state court judges  
123               in his or her county pursuant to paragraph (7) of this subsection.
- 124       (7) A chief judge of a state court shall grant relief from speedy trial requirements  
125       in his or her state court if such action is requested by a majority of the active  
126       state court judges in his or her county. Any such request shall be in writing and  
127       be accompanied by the certification required in paragraph (3) of this subsection.
- 128       (8) The initial period of relief granted under this subsection shall be:  
129               (A) for the balance of the term of court in effect when the judicial  
130               emergency ends; or  
131               (B) for the balance of the term of court in effect when the judicial  
132               emergency ends plus one or more full terms of court, not to exceed a total  
133               of six months.
- 134       (9) Following the initial period of relief, subsequent relief under this subsection  
135       shall be granted one or more full terms of court at a time, not to exceed a total  
136       of six months per order.
- 137       (10) Each time a chief judge of a superior court judicial circuit or chief judge of  
138       a state court issues an order granting relief under this subsection, he or she shall

139 provide notice of such action to judicial officials and the public in the same  
140 manner provided in Code Section 38-3-63,<sup>1</sup> except that such notice shall also  
141 include the certification required under paragraph (3) of this subsection.  
142 (11) The Chief Justice of the Georgia Supreme Court may, in his or her sole  
143 discretion, reinstate any statutory speedy trial requirement subject to an order  
144 granting relief under this subsection. The Chief Justice shall provide notice of  
145 such action to judicial officials and the public in the same manner provided in  
146 Code Section 38-3-63. If the Chief Justice takes such action, the chief judge of  
147 a superior court judicial circuit or chief judge of a state court shall not grant  
148 subsequent relief from statutory speedy trial requirements in the applicable  
149 county and court following the same judicial emergency unless subsequent  
150 relief is reauthorized by the Chief Justice.  
151 (12) Nothing in this subsection shall relieve the State of its constitutional  
152 obligation to provide for a speedy and public criminal trial.”

153 **SECTION 3**

154 This Act shall become effective upon its approval by the Governor or upon its becoming  
155 law without such approval.

156 **SECTION 4**

157 All laws and parts of laws in conflict with this Act are repealed.

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<sup>1</sup> The Chief Justice is on the list of persons notified under OCGA § 38-3-63 and would receive the certification in paragraph (3) accordingly.

TAB 4





## **Judicial Council of Georgia**

### **Administrative Office of the Courts**

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### **Memorandum**

TO: Judicial Council of Georgia

FROM: Chief Judge David Emerson  
Chair, Standing Committee on Judicial Workload Assessment

RE: Judicial Workload Assessment Committee Report

DATE: November 17, 2020

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At its last meeting, the Committee approved the following items for Judicial Council consideration.

1. Recommendations on New Habeas and Civil Appeals Case Weights
2. Updates to the Policy on the Study of Superior Court Judgeships and Circuit Boundaries
3. Recommendations on the Plan for 2020 Caseload Reporting and Workload Assessment



## **Judicial Council of Georgia**

### **Administrative Office of the Courts**

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### **Memorandum**

TO: Judicial Council of Georgia

FROM: Chief Judge David Emerson, Chair

RE: Recommendations on New Habeas and Civil Appeals Case Weights

DATE: November 17, 2020

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### **Introduction**

Using the 2017 time and motion study data, the National Center for State Courts evaluated the case weights for habeas corpus and civil appeals with additional information gained from new interviews with judges and recent case filing data. See the current case weights below and a memo from the NCSC for reference.

### **Recommendation**

Habeas Corpus Case Weight	136 Minutes
Civil Appeals Case Weight	42 Minutes

## Current Case Weights for Reference

### Superior Court

	Preliminary Case Weight (minutes)	Adjusted Case Weight (minutes)
Death Penalty/Habeas	4,342	4,342
Serious Felony	565	572
Felony	49	54
Misdemeanor	19	20
Accountability Courts	420	495
Probation Revocation	9	9
Complex Tort	850	868
General Tort	100	100
Contract/Real Property	40	40
Civil Appeals/Habeas Corpus	44	44
Other Civil (including reopened)	29	29
Divorce/Paternity/Legitimation	61	65
Support (IV-D and private)	11	11
Adoption	55	55
Family Violence Petition	29	41
Other Domestic	44	45
Reopened Cases—Domestic	24	24

## MEMORANDUM

DATE: November 20, 2020

TO: Christopher Hansard  
Division Director, Judicial Services  
Judicial Council  
Georgia Administrative Office of the Courts

FROM: Cynthia G. Lee  
Senior Court Research Associate  
National Center for State Courts

RE.: Superior Court judicial case weights for Non-Capital Habeas Corpus and Civil Appeals

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In 2018, the National Center for State Courts (NCSC) produced a weighted caseload model that can be used in conjunction with caseload data to calculate judicial workload and judge need in each of Georgia's Superior Courts and State Courts. The foundation of the weighted caseload model is a time study conducted in the fall of 2017, during which Superior Court and State Court judges were asked to record the amount of time they spent working on cases of different types. Sixty-four percent of Superior Court judges participated in the time study. The time study data were used to calculate case weights, which represent the average amount of hands-on judicial time required to handle cases of each type. Case types that generate more judicial work, such as serious felony cases, have larger case weights; case types associated with less judicial work, such as misdemeanors, have smaller case weights.

The project was overseen by a Judicial Needs Assessment Committee (JNAC) composed of Superior Court and State Court judges from across the state. Prior to the time study, JNAC determined that civil appeals and non-capital habeas corpus cases require a similar amount of judicial work and should share a single case weight. For this reason, during the time study judges recorded their time for both case types in a single category. JNAC adopted a final case weight of 44 minutes for Civil Appeals and Non-Capital Habeas Corpus cases in Superior Court.

Following the time study, some judges in courts that handle a relatively high proportion of non-capital habeas corpus cases expressed concern that these cases were in fact much more time-consuming than civil appeals cases. To address these concerns, the Administrative Office of the Courts (AOC) requested that NCSC re-analyze the 2017 time study data to produce separate case weights for the two case types.

Because the time study was not designed to distinguish between non-capital habeas corpus and civil appeals cases, it was not possible to calculate separate case weights directly. To approximate the distinction between the two case types, NCSC identified courts in which at least 85 percent of the combined civil appeals and non-capital habeas corpus caseload<sup>1</sup> consisted of a single case type, and in which a sufficient number of judges had participated in the time study. Table 1 lists these courts.

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<sup>1</sup> The analysis described in this memorandum is based upon average annual filings for 2017, 2018, and 2019.

**Table 1. Superior Courts Included in Non-Capital Habeas Corpus/Civil Appeals Re-Analysis**

<b>Non-Capital Habeas Corpus</b>	<b>Civil Appeals</b>
Atlantic	Atlanta
South Georgia	Houston
Southwestern	Northeastern
	Pataula
	Paulding
	Piedmont
	Rockdale
	Rome
	Toombs

The average amount of judicial time devoted to the two case types was then calculated separately for each group of courts. In the courts with a high proportion of non-capital habeas corpus cases, the average amount of time devoted to non-capital habeas corpus and civil appeals cases was 136 minutes; in the courts with a high proportion of civil appeals cases, the average was 42 minutes. Until a new time study can be conducted that distinguishes non-capital habeas corpus cases from civil appeals, these weights can be used to approximate the difference in judicial workload associated with the two types of cases.

Based upon this re-analysis of the 2017 time study data, NCSC recommends that JNAC adopt separate case weights of **136 minutes for Non-Capital Habeas Corpus** and **42 minutes for Civil Appeals** cases in Superior Court. When the Administrative Office of the Courts conducts its next time study to update the judicial weighted caseload model, NCSC recommends that JNAC revisit the issue of the distinction between non-capital habeas corpus and civil appeals cases and consider creating separate weights for these two case types.



## **Judicial Council of Georgia**

### **Administrative Office of the Courts**

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### **Memorandum**

TO: Judicial Council of Georgia

FROM: Chief Judge David Emerson, Chair

RE: Updates to the Policy on the Study of Superior Court Judgeships and Circuit Boundaries

DATE: November 17, 2020

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### **Introduction**

During the first implementation of the Policy on the Study of Superior Court Judgeships and Circuit Boundaries' Section 2.2, Paragraph 5, an inconsistency regarding circuits with fewer than three judges was noted by staff and judges in such circuits.

### **Recommendation**

To address this inconsistency, the Committee recommends the following.

Paragraph 5 of Section 2.2 of the Judicial Council Policy on the Study of Superior Court Judgeships and Circuit Boundaries notwithstanding, circuits with two judges will not be included on the list of all circuits whose judge workload value divided by the total number of authorized judgeships in the circuit is less than 0.90. However, the list will include a note explaining that two judge circuits are excluded from the list.



## **Judicial Council of Georgia**

### **Administrative Office of the Courts**

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### **Memorandum**

TO: Judicial Council of Georgia

FROM: Chief Judge David Emerson, Chair

RE: Recommendations on the Plan for 2020 Caseload Reporting and Workload Assessment

DATE: November 17, 2020

---

### **Introduction**

The short and long-term effects caused by the COVID-19 pandemic are far-reaching. Due to the suspension of petit and grand juries, Georgia courts could not operate at full capacity. The suspension necessarily impacted the number of filings and dispositions a court would typically receive throughout the year, and this impact will be seen in the 2020 case count, workload study, and clearance rate projects.

### **Recommendations**

1. The Committee recommends that the Judicial Council suspend the annual judgeship request, study, and recommendation process for new judgeships in 2021. Caseload and workload data would still be published but with many reminders of the pandemic's impact.
2. The Committee recommends that Judicial Council give all circuits with pending judgeship requests an additional year of eligibility, suspending the requirement that caseload must not drop below 10 percent.

3. The Committee recommends that the Judicial Council give all circuits on the list of circuits with a workload below 0.9 an additional year on the list before further action can be taken.
4. The Committee recommends that future workload analysis exclude 2020 data. Workload calculations for 2020 would use 2018 and 2019 data. Workload calculations for 2021 would use 2018, 2019, and 2021 data. Workload calculations for 2022 would use 2019, 2021, and 2022 data. Workload calculations for 2023 would use 2021, 2022, and 2023 data. Workload calculations for 2024 would use 2022, 2023, and 2024 data.
5. The Committee suspends clearance rate awards for 2020.



TAB 5



## Judicial Council of Georgia

### Administrative Office of the Courts

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### **Memorandum**

TO: Judicial Council Members

FROM: Chief Judge David Emerson  
Chair, Judicial Council Standing Committee on Technology

RE: Committee Report - Judicial Council Standing Committee on Technology

DATE: November 18, 2020

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The Judicial Council Standing Committee on Technology met on Tuesday, November 10, 2020. The following report reflects matters and topics discussed during that meeting.

*Judicial Gateway Sub-Committee* – Mr. Sterling Perry, Sub-Committee Chair

Mr. Perry provided an update on the Judicial Gateway as the site continues to provide statewide support with high traffic rates for e-access and e-filing information. The Gateway site continues to be a source of assistance during the COVID pandemic by continuing to host Court standards and guidelines.

*Standards Committee* – Judge David T. Emerson, Chair

Mr. Christopher Hansard shared that there has been the finalization of a roster of Judges to assist with case management standards and automated data collection. The Standards Committee will work in conjunction with the Judicial Council Workload Assessment Committee to create a formal plan and budget request to support case management standards and data collection.

*Rules Committee* – Judge Jim Altman, Chair

Judge Altman provided an update on the request for Rules Committee to review the need for technical standards for video conferencing hearings and trials.

*New Business-*

Mr. Christopher Hansard provided an update on the technology survey to evaluate current technology needs. Judge Emerson discussed the restricted criminal records project, with several committee members volunteering to assist this work. Exploration continues regarding creating an interface with GCIC for pre-trial no contact bond orders. In addition to the several new business items discussed, the committee received numerous presentations on disinformation planning, audio and video conferencing in the courtroom, and virtual evidence presentation software.

*Next Meeting*

The next committee meeting is scheduled for January 21, 2021, via Zoom Communication

TAB 6



## Judicial Council of Georgia

### Administrative Office of the Courts

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### Memorandum

TO: Judicial Council of Georgia

FROM: Justice Charles J. Bethel, Chair  
Ad Hoc Committee on Cybersecurity Insurance Implementation

RE: Ad Hoc Committee on Cybersecurity Insurance Implementation

DATE: November 19, 2020

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The Ad Hoc Committee on Cybersecurity Insurance for the Judiciary met on multiple occasions from October 2, 2019 to April 3, 2020 for the purpose of researching and providing recommendations concerning cybersecurity insurance and related cybersecurity safeguards to protect State judicial entities against cyberattacks or the disruption of services. On April 27, 2020, Chief Justice Harold D. Melton established the Ad Hoc Committee on Cybersecurity Insurance Implementation (as a successor to the Committee on Cybersecurity Insurance for the Judiciary) with the mission of implementing the recommendations set forth in the final report of its predecessor regarding procuring, selecting, and managing cybersecurity insurance for the judiciary. Please see the attached Order which created the Ad Hoc Committee on Cybersecurity Insurance Implementation for more information regarding its mission and membership.

The first meeting of the Ad Hoc Committee on Cybersecurity Insurance Implementation took place on September 18, 2020. The Committee's primary focus at its first meeting was to review the Committee's charge and the final report of the Committee on Cybersecurity Insurance for the Judiciary. Justice Charles J. Bethel (Chair) also established a Cybersecurity Insurance Broker Subcommittee to begin the process of soliciting insurance quotes from potential insurers. The next meeting of the full Committee is to be determined.

On October 23, 2020, the Cybersecurity Insurance Broker Subcommittee, which is chaired by Judge Walter W. Davis of the Georgia State-wide Business Court, met to plan for and begin the process of soliciting insurance quotes from potential insurers. The Subcommittee is currently reviewing the cybersecurity insurance application and underwriting questions provided by Ms. Sou Ford of Willis Towers Watson, who advises the Georgia Department of Administrative Services (DOAS) on such matters. The next meeting of the Subcommittee is to be determined.

Attached:  
Order Creating the Ad Hoc Committee on Cybersecurity Insurance Implementation



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

#### Judicial Council Ad Hoc Committee on Cybersecurity Insurance Implementation

In accordance with the Bylaws of the Judicial Council, ad hoc committees exist to address issues of limited scope and duration, and the Judicial Council shall create and charge ad hoc committees as necessary to conduct the business of the Judicial Council.

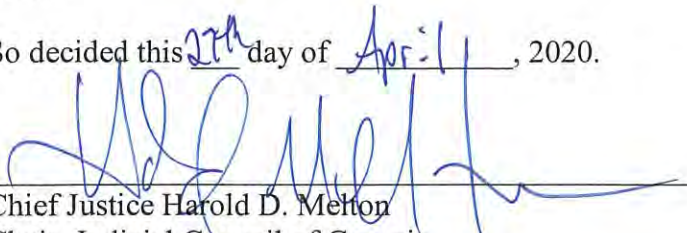
Therefore, I hereby establish the Ad Hoc Committee on Cybersecurity Insurance Implementation, as a successor to the Judicial Council Ad Hoc Committee on Cybersecurity Insurance for the Judiciary, with the mission of implementing the recommendations set forth in the April 3, 2020, report of the Ad Hoc Committee regarding procuring, selecting, and managing cybersecurity insurance for the judiciary.

The following members are hereby appointed to the Ad Hoc Committee on Cybersecurity Insurance Implementation:

- Justice Charles J. Bethel of the Supreme Court, Chair;
- Vice Chief Judge Brian Rickman of the Court of Appeals, Vice-Chair;
- Judge Christian Coomer of the Court of Appeals;
- Judge of the Georgia State-wide Business Court;
- Judge of a Superior Court, chosen by the President of the Council of Superior Court Judges;
- Judge of a State Court, chosen by the President of the Council of State Court Judges;
- Judge of a Juvenile Court, chosen by the President of the Council of Juvenile Court Judges;
- Judge of a Probate Court, chosen by the President of the Council of Probate Court Judges;
- Judge of a Magistrate Court, chosen by the President of the Council of Magistrate Court Judges;
- and
- Judge of a Municipal Court, chosen by the President of the Council of Municipal Court Judges.

Committee membership may include advisory members appointed, as needed, by the Ad Hoc Committee Chair. Advisory members may be heard but shall not be entitled to vote. The Administrative Office of the Courts shall provide staff support to this Committee and notify the judiciary of the creation of the aforementioned committee. The Committee will exist from the date of this order until June 30, 2022.

So decided this 27th day of April, 2020.

  
Chief Justice Harold D. Melton  
Chair, Judicial Council of Georgia

TAB 7



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

#### Memorandum

TO: Judicial Council of Georgia

FROM: Judge Sara L. Doyle, Chair

RE: Strategic Plan Standing Committee Report

DATE: November 20, 2020

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The Strategic Plan Standing Committee met on November 17, 2020, to continue work on the strategic plan. The Committee voted to assign timeframes to the 3 new key initiatives, 1.4, 2.4, and 2.5, adopted by the Judicial Council in August and heard updates on several key initiatives.

Work continues on all communications related initiatives. The committee adopted an aspirational statement for public accessibility for use in achieving this strategic plan initiative. The following definition will be used under key initiative 1.2, *increase resources for public accessibility*:

Public Accessibility: That a person who is facing a legal issue has timely and affordable access to the level of legal help they need to get a fair outcome on their legal issue and will leave feeling that they were treated fairly.

The Committee also heard how resources to help self-represented litigants were being collected and posted on the Georgia Courts website. The webpage can be found here: <https://georgiacourts.gov/a2j/self-help-resources-highlighted-by-a2j/>

Under key initiative 3.1, *develop a toolkit of wellness resources*, the Committee adopted the following definition of wellness:

Wellness is the intentional practice of healthy habits on a daily basis to attain improved physical, emotional, and mental health outcomes so that instead of just surviving, you're thriving.

A toolkit for wellness has been created and will be part of an ongoing effort. The toolkit can be found here: <https://georgiacourtsjournal.org/wellness/>



Under key initiative 2.1, *foster ongoing executive and legislative branch communications and initiatives of mutual interest*, AOC legislative staff are beginning to prepare for the upcoming legislative session and have begun looking for and working with legislative sponsors.

A courts technology survey was sent out under key initiative 1.4, *develop plan for public/self-represented party accessibility to courts during crises when physical access to courts are limited* and under 2.4, *improve technology access, support and training across all classes of court*. The survey is part of a joint effort with the Standing Committee on Technology and Ad Hoc Committee on Improving Community Access to Legal Resources. Survey questions focused on court technology and law libraries. Responses were received from a judge, clerk, court administrator, or other court staff representing 155 counties and 176 cities. Analyzed results from the survey are expected in January 2021.

Future Committee meeting dates will be scheduled in 2021.

TAB 8



## **Judicial Council of Georgia**

### **Administrative Office of the Courts**

**Chief Justice Harold D. Melton**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### Memorandum

TO: Judicial Council of Georgia

FROM: Justice John Ellington  
Chair, Ad Hoc Committee on Unified Administrative Services

RE: Committee Status Report

DATE: November 20, 2020

---

The Judicial Council Ad Hoc Committee on Unified Administrative Services was created by Order on July 30, 2021, in response to FY2021 State Budget document (HB 793/AP, 2020) directive to submit the General Assembly with a unified payroll, human resources, and IT (including cybersecurity) plan for the appellate and superior courts to be administered by the Administrative Office of the Courts and implemented July 1, 2021.

The Committee began meeting in August as a committee of the whole by Zoom, with additional smaller in-person group meetings. The Committee has begun analyzing the organizational structure of each entity. Advisory members have been selected to provide subject matter expertise and insight on the day-to-day operations within each judicial entity. The Cybersecurity Insurance Implementation Committee, chaired by Justice Charlie Bethel, has begun reviewing the purchase of cybersecurity insurance, the development of policies and procedures relating to cybersecurity incident response, and exploring a permanent entity to provide continued cybersecurity oversight.

The judicial branch is focused on efforts to keep the courts operational and safe during the pandemic. Discussions with legislators about the charge assigned to the Committee are on-going as it works to identify a more suitable timeframe for the delivery of the plan. An update will be provided at the next Judicial Council meeting.

TAB 9



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice Harold D. Melton  
*Chair*

Cynthia H. Clanton  
*Director*

#### Memorandum

TO: Judicial Council of Georgia

FROM: Michelle Barclay, Division Director

RE: JC/AOC's Communications, Children, Families, and the Courts Division

DATE: December 11, 2020

The Communications, Children, Families and the Courts Division of the JC/AOC serves as the hub for all communications and provides staff for the Supreme Court of Georgia Committee on Justice for Children, chaired by Presiding Justice David Nahmias; the Georgia Commission on Child Support, chaired by Troup County Juvenile Court Judge Michael Key; and the Access to Justice Committee of the Judicial Council, chaired by Justice Charles Bethel. This Division also assists with general grant work for courts in partnership with the legal staff in the Director's Division.

Following is a brief synopsis of the current work.

- **Committee on Justice for Children (J4C):** Federal grant funding for 2020 is underway and will last until December 31, 2020. Federal funding is in place through 2021. The priorities for J4C now include:
  - Multi-Disciplinary Child Abuse and Neglect Institute (MD-CANI): The Institute is a Georgia-specific iteration of a national Child Abuse and Neglect Institute provided by the National Council of Juvenile and Family Court Judges. MD-CANI Part 1 is an intensive, two-day immersion training for local jurisdictions, now expanded to include judges and all stakeholders, which covers the law and best practices in the first 75 days of a dependency case. MD-CANI Part 2 is another intensive, two-day training for local jurisdictions, this time focusing on issues related to child wellbeing and permanency. As of January 31, 2020, we provided MD-CANI Part 1 & 2 training to 54 jurisdictions. MD-CANI is on hold for the remainder of 2020, but we are beginning to schedule dates beginning in late January 2021.
  - The Court Process Reporting System (CPRS) provides a daily snapshot of data relating to every child in foster care, permitting judges, attorneys, and court

appointed special advocates (CASAs) to stay up-to-date on every factor related to a child's permanency plan. The system also allows for uploading and e-filing of court orders, which are then sent to the Division of Family and Children Services (DFCS) every day, resulting in improvement of outcomes when the State seeks federal reimbursement for a portion of foster care expenses (by being able to easily account for all the court orders). In partnership with Georgia CASA, CPRS is also developing a CASA-specific module to allow case-tracking, report dissemination, and periodic reporting to national CASA. As of 2019, all special assistant attorneys general (SAAGs) representing DFCS must upload all court orders to CPRS; CPRS in turn transmits these orders daily to the DFCS SHINES system. It is estimated by DFCS that using CPRS to upload orders will save the State some \$4 million dollars each year; this is the amount typically lost in federal IV-E reimbursements due to unavailability of court orders when the state is audited by our federal partners.

- The Cold Case Project is a joint project of the J4C Committee, the Office of the Child Advocate (OCA), and the Division of Family and Children Services. Using a computer model, the Project identifies children in foster care whose cases are not moving toward permanency, and convenes the stakeholders to review the substantive due process rights of the children and to brainstorm solutions to permanency roadblocks. Cold Case Roundtable meetings are continuing by phone and video during the judicial emergency.
- The Court Improvement Initiative brings together leading juvenile court judges and their stakeholders twice a year. J4C reviews the best-practice model with each jurisdiction individually, and each jurisdiction reports on its efforts to implement best practices. Each meeting includes a session for judges to review data for each jurisdiction and J4C moderates discussions on best-practice implementation in light of needs revealed by the data. We held a virtual meeting on August 28, 2020, and are planning a hybrid meeting for early 2021.
- J4C also sponsors the Hines Awards for child welfare attorneys and DFCS case managers to highlight the importance of this work. 2020 awards were given at a special socially-distanced ceremony at the Deal Judicial Center on July 29 to attorney Afiya Hinkson and DFCS case manager Charles Williams. Nominations for the 2021 Hines Awards are now open. See: <https://georgiacourts.gov/j4c/>
- J4C sponsored a Georgia Child Welfare Law Specialist Meeting on March 4-6, 2020, attended by over 50 attorneys. We currently have some 60 Georgia attorneys who are certified child welfare legal specialists (CWLSs).
- J4C, DFCS, OCA, and GA CASA sponsored the fourth annual statewide Child Welfare Law Summit on Nov. 18-20, 2020, with just over 100 in-person and nearly 500 virtual participants. Though the challenges of holding such a large conference in a hybrid fashion were extensive, we managed three days of plenary sessions and workshops with interactions from both in-person and virtual audience members.
- **The next J4C Committee meeting will be held virtually on December 18, 2020.**
- **Communications:** Improving communication can improve justice in all Georgia courts through collaboration and innovation, so it is a priority under the Judicial Council Strategic Plan. One communication tool is our monthly Courts Journal newsletter

<https://georgiacourtsjournal.org/> . We also promote and create positive content about Georgia's judicial branch, all courts, and judges through our social media pages daily. Our aim with all stories about the judicial branch is to instill faith in our state's system of justice and the rule of law. This year, we will be creating civic events to help fulfill that aim in partnership with the Georgia Department of Education and the State Bar of Georgia. We manage the Courts Directory: <http://georgiacourts.knack.com/gcd2/>; Our social media platforms are: <https://www.facebook.com/GACourts>; <https://twitter.com/Gacourts>; <https://www.instagram.com/gacourts/> and our YouTube channel <https://www.youtube.com/judicialcouncilofgeorgia>.

- **Child Support Commission:** The Commission staff works collaboratively with Georgia's Department of Human Services (DHS), Division of Child Support Services (DCSS) in several areas. These areas include providing an online child support calculator <https://georgiacourts.gov/csc/>, for court and public use, training on the calculator for the courts, lawyers, and the public, supporting the Parental Accountability Courts (PAC), providing a website for self-represented litigants with resources on Georgia's Income Deduction Order (IDO) process, and generally supporting the process and the law surrounding child support.
  - Child Support Commission Meetings: a Child Support Commission meeting had been scheduled for April 17, 2020 but was postponed due to COVID-19. The meeting has been rescheduled for Friday, December 4, 2020, at 10:00 a.m. to 12:00 p.m., as a virtual meeting.
  - Legislation: The Commission did not submit legislation during the 2020 session for O.C.G.A. § 19-6-15. Changes made to the statute in 2019 have been incorporated in training curriculum. There is no plan to present a bill for the 2021 legislative session.
  - Study Committees: the Child Support Commission established two study committees that began work at the end of 2018 for a period of no more than two years. The purpose of the study committees is to explore whether changes, including the potential for adding formulas to the calculations, should be made to the Low-Income Deviation, O.C.G.A. § 19-6-15(i)(2)(B), and the Parenting Time Deviation, O.C.G.A. § 19-6-15(i)(K). Surveys were developed and have been collected from judges, attorneys, and the general public. The survey responses have been reviewed and summarized by staff for consideration by the Commission at the December 4<sup>th</sup> meeting.
  - Child Support Calculator: Courts, attorneys, mediators, and the public are using the online calculator deployed on August 8, 2016. Internet connectivity within the courthouses is still an issue around the state. The Excel version of the calculator was permanently retired on October 1, 2018. Staff have temporarily discontinued in-person training on the online calculator throughout the state and have developed virtual training to comply with social distancing. Trainings include an update on child support case law, the correct use of multiple child support worksheets, use of the low-income deviation, imputed income, and income deduction orders. Staff successfully resumed training virtually on October 23, 2020.
  - Parental Accountability Court evaluation: We continue to support and train PAC coordinators on use of the database to produce statistical evidence of the efficacy

of those courts. JC/AOC's Research Division performed a study in 2018 of the results of data collected over a three-year period, which was shared with DCSS and all PAC judges. A second study is underway now on six additional courts in the Alcovy, Appalachian, Coweta, Flint, Northeastern, and Southwestern Judicial Circuits. This study will be completed and published by the end of 2020.

- **Access to Justice Committee (A2J):** The mission of the Access to Justice (A2J) Committee is to improve the public's trust in the judicial branch by focusing on access and fairness through the elimination of systemic barriers related to gender, race, ethnicity, sexual orientation, national origin, disability, indigence, and language. The A2J Committee, is currently working on several projects:
  - Judge Rodatus, Judge Cassandra Kirk, and Georgia State University Law Intern, Timur Selimovic who is also a fellow with the University's Center for Access to Justice, and previously served with the A2J Committee, recently finalized the Self-Help Resources Tool Kit for Georgia Judges. This project will provide information on a variety of self-help service delivery models. This toolkit was disseminated during the Judicial Council's meeting on April 26, 2019 and given to some religious leaders in Southwest Georgia during our first two Record Restrictions (Expungement) Clinics. We received a grant from the Georgia Civil Justice Foundation for additional printing, and we are in the process of updating this resource, as well as translating this resource book into Spanish.
  - The A2J Committee is continuing to partner with and has adopted the State Bar's Justice for All (JFA) Strategic Plan and suggested projects. Foundational work of the strategic plan was initiated at our May Summit, a follow-up to our 2016 Summit (GA Reflections on Ferguson): GA Reflections on Access and Fairness in the Courts. Part 2: Engaging the Faith Community. We were able to identify various religious organizations throughout the State of Georgia to participate in the event and study. Foundational surveys and fact-gathering interviews were conducted with the faith-based community leaders to assess what current practices, if any, are in place. Work to assist the Dougherty County Law Library in creating a prototype at the local level for assisting self-represented litigants is underway. The Committee will focus on a combination of strengthening local law libraries, online forms for self-filing, local pop-up legal clinics, and low bono models of attorney representation, with the assistance of Mike Monahan, Judge Kristina Blum, the Georgia Technology Authority, and the Director from the Dougherty County Law Library. Additionally, the AOC's Research Division will create and assist with the metrics of the model's effectiveness. The A2J Committee received an additional grant in the amount of \$40,000 from the State Bar of Georgia via the JC/AOC to be used for the ongoing initiatives in the JFA Strategic Plan. This continued funding is the result of a partnership between the State Bar's Justice for All Committee and the A2J Committee.
  - Last year we began hosting free Pop-up Legal Clinics, and the 3rd Clinic was planned for March 13th in Dalton, but was canceled at the beginning of the COVID-19 outbreak. In light of our "new normal" under COVID-19 restrictions, we are collaborating with the Georgia Justice Project to continue these important



TAB 10



**Supreme Court  
State of Georgia**

NATHAN DEAL JUDICIAL CENTER

Atlanta 30334

**Judicial Council Meeting  
December 11, 2020**

This has been quite a year for the Supreme Court, the judicial branch, and for all Georgians. A year ago, we at the Supreme Court were preparing to close the doors on our old courthouse and with great anticipation, move down the street to the new, majestic Nathan Deal Judicial Center, the first state building dedicated solely to the judiciary. With fanfare, we held our first oral argument session in the new courtroom on January 14, hosted the legislature and media for special tours of the new building on January 29, and welcomed the dedication ceremony presided over by Associate Supreme Court Justice Clarence Thomas on February 11. Only weeks later, life changed as we were suddenly thrust into having to navigate a worldwide COVID-19 pandemic.

This month, on November 9, 2020, I signed the Eighth Order extending the 30-day Statewide Judicial Emergency I first declared on March 14, 2020. The order does not add anything new to previous orders, but it does reiterate that grand jury proceedings and jury trials may resume only when and where public health guidelines and protocols are in place to protect the safety of all who enter our courthouses.

This continues to be a challenging and sad year for our judges due to the virus, as it has been for all of our citizens. We recently lost Brantley County Probate Judge Karen Batten to COVID-19 related symptoms. She will be missed.

There have been some bright spots, however. Last month, our Justices recognized our friend and colleague, Justice Robert Benham – the Court's longest-serving member and the first African American appointed to the state's highest court – in a socially distanced car parade and special presentation in the driveway of his home in Cartersville. I have commented repeatedly that I am so proud of this pillar of Georgia's history, and I was happy that nearly the entire Court drove to Cartersville to congratulate him on his well-earned retirement from the bench. In his honor, we all wore fedoras, Justice Benham's trademark hat.

Finally, I want to thank the Judicial Council and the COVID-19 Task Force for their commitment and hard work in assisting our judicial community throughout Georgia. It is through their collective work that the Georgia judiciary is fulfilling its mission in serving the people of Georgia. Both are great examples of what can be accomplished when dedicated and talented professionals commit their time, expertise, and energy to the administration of justice.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Harold D. Melton", with a long horizontal flourish extending to the right.

Harold D. Melton  
Chief Justice, Supreme Court of Georgia



THE COURT OF APPEALS  
OF THE  
STATE OF GEORGIA  
ATLANTA, GEORGIA 30334

CHAMBERS OF  
CHRISTOPHER J. McFADDEN  
CHIEF JUDGE

(404) 656-3452  
mcfaddenc@gaappeals.us

## Court of Appeals Report Judicial Council Meeting December 11, 2020

The judges and staff of the Court of Appeals were deeply saddened in early November by the unexpected loss of our fiscal director, Jan Range Kelley. Jan had been integral to the Court and its operations for more than 21 years, steering our fiscal office through good times and bad. She had planned to retire last spring. But she delayed, and so ultimately gave up, her retirement in order to help the Court through the fiscal challenges of the pandemic. A few days after Jan passed, a grief counselor spoke to us via Zoom; and the following week, the Court held a memorial service, also via Zoom. The judges issued a memorial resolution recognizing the legacy of Jan Kelley, which hangs in our Clerk's Office alongside her picture.

And so the Court has hired a new fiscal director, Chris Walker, who started on December 1, 2020. Chris is a CPA and most recently served as the Director of Strategic Planning and Management at the Georgia Department of Corrections. He has more than 24 years of experience in state government, and will be a great asset to the Court.

Since the Judicial Council's last regularly-scheduled meeting in August, the Court's five Divisions have conducted 10 oral arguments, all via Zoom. The judges and attorneys have become accustomed to this new form of communication. The judges continue to serve on Judicial Council committees, and have continued with their staff to operate remotely as much as possible. A skeleton staff in our Clerk's Office keeps the front door open and handles whatever cannot be done remotely. So the work of the Court goes on.

While the Court's judges and staff have been able to continue working remotely for the most part, we are mindful of the difficulties faced by others in the judiciary, who must conduct much or all of their business in person. We look forward to a time when everyone in the judiciary will

be able to discharge their responsibilities without fear of a fatal infection. And we look forward to resuming our outreach to all parts of the state with offsite oral arguments, speaking engagements, and CLE participation.

Respectfully submitted,  
*Christopher J. McFadden*  
Christopher J. McFadden  
Chief Judge  
Court of Appeals of Georgia

Placeholder: Business Court



## **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 December 2020**

The Council of Superior Court Judges (CSCJ) thanks all superior court judges for adapting to manage their caseloads and maintain public access while protecting the public and court personnel.

CSCJ cancelled its in-person conference in Athens in January due to the pandemic. However, CSCJ has worked with staff of the Institute for Continuing Judicial Education to create a training seminar for the judges by pre-recorded video. Topics include a case law update, an update from the Georgia Government Transparency and Campaign Finance Commission on filing and election requirements and issues, an evidence update, an update on child support guidelines, judicial comments and maintaining judicial demeanor (Judge Tain Kell and CSCJ President-Elect Judge J. Wade Padgett), utilizing technology in unprecedented times (Judge Robert Leonard), and attorneys' fees in non-domestic cases (State Court Judge Wayne Purdom).

CSCJ will elect officers and receive committee reports at a business meeting conducted via WebEx. CSCJ's committees will also meet via WebEx.

Several circuits conducted jury trials including the Middle Circuit (Toombs County), the Cordele Circuit (Crisp County), and the Augusta Circuit (Richmond County).

CSCJ congratulates Immediate Past President Judge Shawn Ellen LaGrua of the Atlanta Judicial Circuit on her appointment by Governor Brian Kemp as the next Justice of the Supreme Court. We thank Judge LaGrua for her past leadership of CSCJ as well as her excellent work as the Chair of the Judicial Council COVID-19 Task Force.

Governor Kemp appointed the following judges to the superior court bench: Judge Cheveda McCamy of the Alcovy Judicial Circuit, Judge Pandora Palmer of the Flint Judicial Circuit, Judge Connie L. Williford of the Macon Judicial Circuit, Judge Tommy J. Smith of the Middle Judicial Circuit, and Judge Gregory A. Voyles of the Southern Judicial Circuit.

Several new superior court judges were elected in the August 2020 run-off elections: Judge Jeffrey L. Foster of the Alcovy Judicial Circuit, Judge Melynee Leftridge Harris of the Atlanta Judicial Circuit, Judge Jason Marbutt of the Cobb Judicial Circuit, Judge Deborah R. Fluker of the Gwinnett Judicial Circuit, and Judge Yolanda C. Parker-Smith of the Stone Mountain Judicial Circuit.

CSCJ congratulates Judge David Irwin of the Rockdale Judicial Circuit and Judge David K. Smith of the Cherokee Judicial Circuit on their retirement and thanks both judges for their service.

Governor Kemp will appoint judges to fill both vacancies in addition to the vacancies in the Alapaha Judicial Circuit and the Augusta Judicial Circuit.





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

**Report of the Council of State Court Judges**  
**Judicial Council Meeting**  
**December 11, 2020**

*Staff*

*Bob Bray*  
*Executive Director*

*Executive Committee*

*Judge Wesley B. Taylor*  
*President (Fulton)*

*Judge Alvin T. Wang*  
*President-Elect (DeKalb)*

*Judge R. Violet Bennett*  
*Secretary (Wayne)*

*Judge John K. Edwards, Jr.*  
*Treasurer (Lowndes)*

*Judge T. Russell McClelland*  
*Immediate Past President (Forsyth)*

*District 1*  
*Judge Gregory V. Sapp (Chatham)*

*District 2*  
*Judge R. Violet Bennett (Wayne)*

*District 3*  
*Judge John K. Edwards, Jr. (Lowndes)*

*District 4*  
*Judge Jeffrey B. Hanson (Bibb)*

*District 5*  
*Judge Alan W. Thrower (Baldwin)*

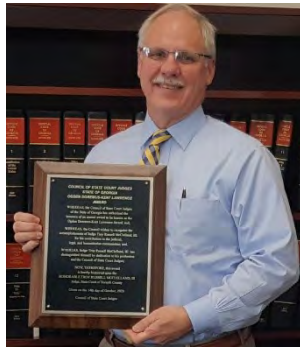
*District 6*  
*Judge John G. Breakfield (Hall)*

*District 7*  
*Judge Ronald B. Ramsey, Sr. (DeKalb)*

*District 8*  
*Judge Allison Barnes Salter (Cobb)*

The Council held its Fall Conference by recording the presentations for the judges to view on demand. The General Membership meeting and the Judging and Humanities discussion were both live Zoom events. We also hosted a Zoom social event with a Trivia Night that the judges enjoyed very much. The educational programs this year were: Professionalism in the New Normal; DDS and Legislative Updates; Cyber Security by Mark Lanterman; Civil Case and Criminal Case Law Updates; New Developments in Evidence by Prof. Paul Milich and a presentation by JRS.

During the General Business Meeting of the Fall Conference Chief Judge T. Russell McClelland of the State Court of Forsyth County was presented the Ogden Doremus / Kent Lawrence Award. The award is given to a state court judge that has achieved the highest level of respect from his or her peers as being a judge recognized for their judicial ethics and professionalism on the bench and their involvement in their communities. In the award presentation it was noted that Judge McClelland created one of the first DUI Drug Courts, as they were known in the early years. His court became a model for DUI Courts in Georgia and the nation. Judge McClelland's year began with the cyber attack on the AOC and ended with the Declaration of the Judicial Emergency due to the global pandemic. His leadership steered the Council through calm waters during both of these historic events.



Chief T. Russell McClelland  
State Court of Forsyth County

The Council also congratulates two state court judges that were recently appointed by Governor Brian Kemp to fill state court vacancies: Henry County State Court Judge Danielle P. Roberts, who replaced Judge Pandora Palmer, who was appointed to the Flint Circuit; and Henry County State Court Judge Vincent A. Lotti, who replaced retiring Judge Ernest Blount. We look forward to Governor Kemp's appointment to fill the judgeship for the newly created State Court of Barrow County.

Retiring Judge Toby Prodgers with the State Court of Cobb County will be receiving the distinguished Thomas O. Marshall Professionalism Award sponsored by the Bench and Bar Committee of the State Bar of Georgia at the upcoming State Bar meeting on January 9, 2021. These awards honor one lawyer and one judge who have demonstrated the highest professional conduct and paramount reputation for professionalism. The award recipients are selected annually by a selection committee consisting of Past Presidents of the State Bar.

State Court Judges that are retiring at the end of this month are:

<i>Judge Ray Smith (Bryan)</i>	13 Years
<i>Judge Bob Sullivan (Carroll)</i>	25 Years
<i>Judge Greg Fowler (Chatham)</i>	25 Years
<i>Judge Hermann Coolidge (Chatham)</i>	15 Years
<i>Judge Toby Prodgers (Cobb)</i>	25 Years
<i>Judge John Doran (Gwinnett)</i>	13 Years
<i>Judge Jeannette Little (Troup)</i>	34 Years
<i>Judge Doug Gibson (Ware)</i>	23 Years

**Total Years of Experience: 173 Years**

The Council also congratulates Judge Dax Lopez of the State Court of DeKalb County for being presented the 2020 Hall of Fame Award by the Hispanic Chamber of Commerce. Judge Lopez presides over one of only two Hispanic DUI Courts in the State.

The Council of Accountability Court Judges recently recognized the following state courts as Model DUI Accountability Courts for 2020

<i>Athens/Clarke County DUI Court</i>	<i>Judge Auslander</i>
<i>Chatham County DUI Court</i>	<i>Judge Fowler</i>
<i>DeKalb County DUI Court</i>	<i>Judge Wong / Judge Lopez</i>
<i>Douglas County DUI Court</i>	<i>Judge Barker / Judge Fortner</i>
<i>Hall County DUI Court</i>	<i>Judge Baldwin</i>
<i>Liberty County DUI Court</i>	<i>Judge Osteen</i>
<i>Rockdale County DUI Court</i>	<i>Judge Bills</i>
<i>Troup County DUI Court</i>	<i>Judge Little</i>

New Judge Orientation is planned for January 25 – 29, 2021 as a live Zoom conference.

The Education Committee of the Council of State Court Judges will be meeting early next year to determine whether our Council will be able to host the Spring Conference May 12 – 14, 2021 as an in-person event. Currently, we are planning on a hybrid conference with both live-in person programs that will also be live-streamed and recorded.

Respectfully submitted,

*Wesley B. Tailor*

Judge Wesley B. Tailor, President



**COUNCIL OF JUVENILE COURT JUDGES  
OF GEORGIA**

**REPORT OF THE COUNCIL OF JUVENILE COURT JUDGES  
JUDICIAL COUNCIL MEETING  
December 11, 2020**

Since our last meeting, veteran Judge Lane Bearden of the Cherokee Judicial Circuit announced his retirement effective this December. Judge Bearden served as President of the Council in 2014-15 and served on various committees of the Judicial Council since being appointed to the bench in June of 1990. At the time of his retirement, he will be the 4<sup>th</sup> longest serving juvenile court judge in our Council.

Ms. Lindretta Grindle Kramer of the Chatham County D.A.'s office has been selected to succeed Judge Lisa Colbert from the Eastern Judicial Circuit who was elected to the superior court bench. Judge Kramer will start in January of 2021.

As reported previously, the Judges of our Council continue to do work of the juvenile courts with the safety and health of the employees and parties involved. We continue to work closely with DJJ, DFCS, prosecutors, public defenders, and other attorneys in the court system. Our judges continue to handle their caseloads by using Zoom or other digital means in order to keep everyone safe. The information provided by the Chief Justice's Covid-19 Task Force is continually updated on the judge's bulletin board, Sidebar.

After many discussions within our Council, primarily through the leadership of our Education/Certification Committee, and in consultation with Doug Ashworth of ICJE, a decision was made to conduct the Fall seminar in October through a virtual zoom/video conference format. According to Mr. Ashworth, this was the largest seminar facilitated via zoom to this date by ICJE. A special recognition to Doug and his staff who did a wonderful job and made this format work without any complications. Many judges commented favorably on the seminar.

In addition, during this three-day period, various standing committees of the Council met via Zoom and we conducted our second Council business meeting via Zoom as well.

Honorable Lisa Jones, President 2020-2021



# Council of Probate Court Judges of Georgia

Judge Kelli Wolk  
*President (Cobb)*

Judge Thomas Lakes  
*President Elect (Harris)*

Judge B. Shawn Rhodes  
*First Vice President (Wilcox)*

Judge Darin McCoy  
*Secretary-Treasurer (Evans)*

Judge T. J. Hudson  
*Immediate Past President (Treutlen)*

## Report to Judicial Council of Georgia December 11, 2020

The following is a summary of activities and current initiatives by the Council of Probate Court Judges:

### Fall COAG Conference

The annual Fall COAG conference was held November 9-11, 2020 in Savannah and via Zoom. The conference was presented in a hybrid format, due to the ongoing COVID-19 pandemic. From all indications, the conference was a success and that was in large part to our colleagues at the Institute of Continuing Judicial Education, the Constitutional Officers Association of Georgia and the Probate Judges' Training Council.

### New Judge Orientations

We held two orientations for new judges, one for traffic judges which was held November 30-December 2, 2020 and one for all new probate judges which was held December 7-10, 2020. Both orientations were held in Athens. It is important to note that all attendees adhered to prescribed public health guidelines by wearing masks at all times, maintaining physical distance and frequently washing their hands. We were glad that we were able to maintain the integrity of both events, as we know that the bonds that are formed among our incoming judges is hard to replicate had the orientations been had virtually. Once again, we are thankful for the contributions of the Institute of Continuing Judicial Education and Probate Judges' Training Council in ensuring that both events were held safely.

### Council Officers

Recently, our Council's Executive Committee moved to fill a vacancy in the Council's leadership. The resulting changes are as follows: Judge Thomas Lakes, who was serving in the role of First Vice President, will serve the remainder of the term as President-elect and Judge Shawn Rhodes was chosen to serve the remainder of the term as First Vice President. These changes have already taken effect. We would like to thank Judge Kerri Carter for her service and look forward to her continued support of our Council.

### Judge Jon Payne and Judge Karen Batten

Finally, we grieve the loss of two of our probate colleagues, Judge Jon M. Payne and Judge Karen Batten, both of whom succumbed to complications of COVID-19. Judge Payne was set to retire in December, after serving nearly five decades as the probate judge in Chattooga County. Judge Batten was heading into her second term in office as the probate judge in Brantley County. The families of Judge Payne and Judge Batten remain in our thoughts and prayers.

Respectfully submitted,

Judge Kelli Wolk  
President, Council of Probate Court Judges of Georgia

244 Washington Street SW • Suite 300 • Atlanta, GA 30334  
Phone: 404-656-5171 • Fax: 404-651-6449





# Council of Magistrate Court Judges

244 Washington St., S.W., Suite 300, Atlanta, GA 30334-5900  
(404) 656-5171 • Fax (404) 651-6449  
Georgiamagistratecouncil.com

Executive Director  
Sharon Reiss

President  
Judge TJ Hudson  
Treutlen County

President-Elect  
Judge Bobby H. Smith, III  
Long County

Vice-President  
Judge Quinn Kasper  
Cobb County

Secretary  
Judge Berry A. Anderson  
DeKalb County

Treasurer  
Judge Jennifer Lewis  
Camden County

Immediate Past President  
Judge Michael Barker  
Chatham County

District One  
Judge Nathan Grantham  
Judge Scott Lewis

District Two  
Judge David Crosby  
Judge Heather Culpepper

District Three  
Judge Angela Sammons  
Judge Jennifer Webb

District Four  
Judge Phinia Aten  
Judge Curtis Miller

District Five  
Judge John Defoor II  
Judge Cassandra Kirk

District Six  
Judge Wanda Dallas  
Judge Megan Kinsey

District Seven  
Judge Brandon Bryson  
Judge Jennifer Inmon

District Eight  
Judge Rizza O'Connor  
Judge Shawn Rhodes

District Nine  
Judge Bill Brogdon  
Judge Ruth McMullin

District Ten  
Judge Melanie Bell  
Judge Caroline Evans

Members- at- Large  
Judge Jim Altman  
Judge Mike Burke

## Council of Magistrate Court Judges Report

The Council of Magistrate Court Judges, like other Councils, continues to work with its judges to navigate the health crisis that is ongoing. Our judges continue to handle the issues resulting from federal eviction orders as their case backlogs grow. Our Judges are continuously utilizing technology and getting creative to ensure public safety guidelines are followed while cases are still moving forward.

The CDC order halting the execution of writs of eviction until January 1, 2021, was an interesting legal roadblock introduced in early September by the Federal Government. The order came almost a month after the Cares Act expired and just as our courts were gearing up to clear eviction caseloads. Our Executive Committee got to work and immediately produced a set of guidelines for all judges to use when evaluating eviction cases in light of the new Order.

Almost immediately, there were challenges to the constitutionality of this order in the Federal District Court, asking the Court for a temporary restraining order. As one of the pleading responses, the CDC released a set of FAQ's that confused the issues even more. The Federal District Court rendered a decision for the case in late October, and denied the temporary restraining order, opining that not only was the order proper but it was Constitutional. Unless, a higher court, decides otherwise, the CDC order halts the execution of writs until January.

Unfortunately, as our leadership follows the news, we know either this order or another Act could be passed and extended for up to another year. Evictions have been the crux of almost all issues over the last few months, with members of the public frustrated as much as our Judges.

Another result of the health crisis has been how to hold in person trainings for our large group. We did have to cancel our Chief School in February as the venue could not serve us due to COVID and our Training Council has voted to tape all training, even live training, as we know that courts are tightening their fiscal belts and large caseloads will make travel difficult. While we hope to have in person training next year, we will have to see how other venues can handle 150 plus people safely.

We also sent all judges an updated document explaining all the changes to the Garnishment Law that passed last year.

Finally, our Exec did vote to move forward with our Legislative Agenda this year and plans to reintroduce our salary bill that failed to pass due to the health and fiscal crises. That will be our only legislative item this year.



# Council of Municipal Court Judges

November 23, 2020

**Chief Judge Willie C. Weaver Sr.,  
President**  
Cities of Albany, Dawson, Leslie &  
Sylvester  
P.O. Box 646  
Albany, Georgia 31702  
678-482-0208  
[wweverlaw@aol.com](mailto:wweverlaw@aol.com)

**Chief Judge Lori Duff, President-Elect**  
City of Loganville  
[duff@jonesandduff.com](mailto:duff@jonesandduff.com)

**Judge JaDawnya Baker, Vice President**  
City of Atlanta  
[JCBaker@AtlantaGa.Gov](mailto:JCBaker@AtlantaGa.Gov)

**Judge Nathan Wade, Secretary**  
City of Marietta  
[nathanwade@lawyer.com](mailto:nathanwade@lawyer.com)

**Judge David Will, Treasurer**  
City of Clarkston  
[dwill@msn.com](mailto:dwill@msn.com)

**Judge Dale "Bubba" Samuels  
Immediate Past President**  
City of Franklin Springs  
[bubba@bubbasamuels.com](mailto:bubba@bubbasamuels.com)

**District One**  
Judge Joe Huffman  
Judge Richard Sanders

**District Two**  
Judge Vernita Bender  
Judge Gregory T. Williams

**District Three**  
Judge Chimere Trimble  
Judge Bill NeSmith

**District Four**  
Judge Michael Nation  
Judge Davis Will

**District Five**  
Judge Gary E. Jackson  
Judge Parag Shah

**District Six**  
Judge J. Kristi Lovelace  
Judge Clayton Davis

**District Seven**  
Judge Robert Cowan  
Judge Nathan Wade

**District Eight**  
Judge Joseph Sumner  
Judge Dexter Wimbish

**District Nine**  
Judge Pamela Boles  
Judge William Brogdon

**District Ten**  
Judge Graham McKinnon  
Judge Ryan S. Hope

## Report to the Judicial Council of Georgia – December 2020

The following is an overview of recent events, programs, and activities of the Council of Municipal Court Judges (CMuCJ):

### Council Meeting Endeavors

From the onset of the Statewide Judicial Emergency Order issued by Chief Justice Melton, the Council leadership and membership have been engaged. We are currently under the eighth extension of the Emergency and to the extent possible, municipal courts have remained open to address essential functions for its constituents. Increasingly more courts are turning to virtual proceedings, while also conducting in-person proceedings. These past months have been challenging and have shown the fortitude of judges and clerks across the State of Georgia. We continue working towards the courts reopening safely and planning accordingly. We thank Judge Norman Cuadra for his continued contributions to the Judicial COVID-19 Task Force, respectively.

The Council's full Executive Committee met on October 28, 2020, and held its annual Fall Business meeting November 2, 2020, both via Zoom. During the business meeting members received a presentation from Ms. Tracy B. Johnson, Executive Director, Georgia Office of Dispute Resolution, on Alternative Dispute Resolution usage in the municipal courts and initiatives underway. Members also received updates from the Executive Committee, updates on the various Judicial Council committees, and approved the 2020-2022 Council of Municipal Court Judges Strategic Business and IT Plan.

### Legislation

Presently, for the 2021 session of the General Assembly, the Council of Municipal Court Judges is exploring introducing legislative initiatives approved in its current strategic plan. Any proposed legislation will be presented to the Judicial Council Standing Committee on Legislation for vetting.

Additionally, the CMuCJ is still actively participating through its representative on the Certiorari Review Subcommittee, whose purpose is to re-examine existing law with an effort to streamline and economize the Courts appellate practice in Georgia. The Council looks forward to the great work to come from this working group to standardize the process for municipal courts.

### Continuing Judicial Education

The Municipal Judges Fall Law & Practice Update is currently underway as an on-demand viewing presentation. Links to view the recording of up to 20 hours of programming and to download the correlating reading materials were sent to registrants by ICJE. The deadline to view the recording and submit attendance forms to ICJE is December 31, 2020. Mr. Ashworth and his staff have done an outstanding job in adjusting, coordinating, creating and the dissemination of trainings throughout the year.

# The Council of Municipal Court Judges

The New Judges Track of the 20-Hour Basic Certification was presented on October 1, 2020, via Zoom Video Conference. Participants received instruction on How to Use the Benchbook, Municipal Court Uniform Rules, 10 Commandments of a Trial Judge, a moderated panel on Courtroom Management, and Fines, Fees & Surcharges. The new judges will also take part in the video on demand presentation to fulfill the 20-hour requirement.

## **Strategic Planning**

Key members of the CMuCJ met for a successful facilitated two-day strategic planning session via Zoom on September 24-25, 2020. The Business and IT plan was updated to reflect the continued progress, defined initiatives, and developed new priorities to support ongoing business efforts of the Council. During this process, the plan was also aligned to the Judicial Council's current strategic plan. It has been proven that the Strategic Plans have helped guide the Council through business and IT decisions to achieve many accomplishments over the years.

The 2020-2022 Business/IT Plan was approved by the membership at its Fall Business meeting on November 2, 2020.

## **Next Meeting**

The next meeting of the Council of Municipal Court Judges Executive Committee is scheduled for February 2021.

Respectfully submitted,

*Judge Willie C. Weaver, Sr.*

President, Council of Municipal Court Judges

Placeholder: State Bar of Georgia



TAB 11



# Council of Accountability Court Judges

**Chief Judge Kathlene F. Gosselin**  
*Executive Committee Chair*  
*Northeastern Judicial Circuit*

**Taylor Jones**  
*Executive Director*

## **Council of Accountability Court Judges Report to Judicial Council December 2020**

In the time since the Council of Accountability Court Judges (CACJ) last reported to the Judicial Council, the CACJ held its annual training conference virtually September 14-16<sup>th</sup>, 2020. CACJ hosted approximately 1,200 attendees during the conference that featured national and local speakers. Attendees had the opportunity to learn new, innovative ideas from their peers and gather information on the latest best practices from around the nation. During the training event, CACJ recognized an inaugural set of model mental health courts and DUI courts. These courts will serve as model programs and learning sites for others through 2023. The goal of Georgia's Accountability Court Model Court Program is to recognize the great work of accountability courts across the state, as well as identify strong programs that may serve as mentors for other courts. Programs identified as "model courts" are those that have met and exceeded adherence to Georgia's Standards as dictated by strong performance on the certification and peer review processes. All certified accountability courts were evaluated by objective criteria to determine eligibility. CACJ's Nominations Committee, comprised of judges who preside over all accountability court types, determined the final candidates for the model courts. The Nominations Committee is committed to selecting model courts of each court type that are representative of Georgia's diverse communities.

The 2020-2023 Model Mental Health Courts and their respective presiding judges are: Alcovy Judicial Circuit Drug Court, Senior Judge Samuel Ozburn and Judge Eugene Benton; Appalachian H.E.L.P. Court, Judge John Worcester; Cobb County Mental Health Court, Judge Mary Staley Clark; Henry County Resource Court, Judge William Bartles; Northeastern Circuit H.E.L.P. Court, Chief Judge Kathlene Gosselin; Piedmont Circuit Mental Health Court, Judge Currie Mingledorff; Rome Circuit Mental Health Court, Judge Jack Niedrach; and Savannah-Chatham County Mental Health Court, Judge Penny Haas Freeseemann.

The 2020-2023 Model DUI Courts and their respective presiding judges are: Athens-Clarke County DUI Court, Judge Charles Auslander III; Chatham County DUI Court, Judge H. Gregory Fowler; DeKalb County DUI Court, Judge Alvin T. Wong and Judge Dax E. Lopez; Douglas County DUI/Drug Court, Judge Eddie Barker and Judge Brian Fortner; Hall County DUI Court, Judge Larry A. Baldwin II; Liberty County DUI Court, Judge Jeff Osteen; Rockdale County DUI Court, Judge Nancy N. Bills; and Troup County DUI Court, Judge Jeanette L. Little. CACJ looks forward to extending the Model Court Program to other court types in future years.

During the 2020 virtual training conference, CACJ also recognized the inaugural Judge Stephen S. Goss award recipient. In memory of the late Judge Stephen S. Goss, CACJ created an award to honor his life and legacy as a nationally recognized expert on mental health. The 2020 recipient of this inaugural award was Chief Judge Kathlene Gosselin of the Northeastern Judicial Circuit.

CACJ is preparing for its semi-annual meeting planned for January 22, 2021 and is looking forward to another successful year of further developing and expanding Georgia's accountability courts.



**Chair**

Judge Jane C. Barwick

**Chair-Elect**

Judge M. Cindy Morris

**Executive Director**

Tracy B. Johnson

**Program Manager**

Karlie A. Sahs

**Commission Members**

Justice Keith R. Blackwell

Justice John J. Ellington

Judge Amanda H. Mercier

Judge Charles E. Auslander, III

Emily S. Bair, Esq.

N. Staten Biting, Jr., Esq.

Judge Clarence Cuthbert, Jr.

Mary Donovan, Esq.

Judge C. Andrew Fuller

Herbert H. (Hal) Gray III, Esq.

Melissa C. Heard, M.S.S.W.

Nicole Woolfork Hull, Esq.

Patrick T. O'Connor, Esq.

Edith B. Primm, Esq.

Judge Renata D. Turner

Randall Weiland

Peggy McCoy Wilson

## GEORGIA COMMISSION ON DISPUTE RESOLUTION

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The following is an update on the initiatives and activities for the Georgia Commission on Dispute Resolution (GCDR):

### **Georgia Commission on Family Violence (GCFV)**

#### ***Moving the Work Forward 2020 Award***

The GCFV presented its Moving the Work Forward 2020 Award to the GCDR Domestic Violence Rules Committee during the 26th Annual Family Violence Conference.

The Moving the Work Forward Award is presented to organizations that are innovative in their approaches and actions to ensure that all victims of domestic violence are provided the necessary resources to live free of violence in their homes.

The GCDR is thankful to all of those who contributed to the development and implementation of the new Rules for Mediating Cases Involving Issues of Domestic Violence and would like to recognize the special contributions of Ms. Raye Rawls, J.W. Fanning Institute at the University of Georgia and members of the working groups, including court ADR program directors.

### **New Rules for Mediating Cases Involving Issues of Domestic Violence**

The new Rules for Mediating Cases Involving Issues of Domestic Violence take effect January 1, 2021. Mediators registered in domestic relations and specialized domestic violence are required to receive supplemental training by December 31, 2020. Between January and September, the Office hosted 39 trainings free of charge, mostly held virtually. In total, 806 DR & SDV mediators have met the training requirement.

All court ADR program staff are also required to receive training. The Georgia Office of Dispute Resolution (GODR) is hosting three virtual staff training sessions this fall. Program staff will be updated on the new research on Intimate Partner Violence and Abuse (IPV/A) as well as how to properly screen domestic relations cases. We would like to thank Ms. Laura Lynn Swafford, Director of the Gwinnett County ADR Program, for her role in the mock screening video. We would also like to thank Ms. Alison Lerner, Senior Staff Attorney, Office of General Counsel for the JC/AOC, for her assistance with the rule revisions and staff training.

The online screening tool, developed by Mr. Sterling Perry and Ms. Juliana Tyler of the AOC IT Division, is now live and has been made available to all court programs. This tool will allow programs to more efficiently collect screening responses from parties for easier implementation.

### **ADR Institute**

Registration for the 27<sup>th</sup> annual ADR Institute and Neutral's Conference is now open. This year's conference will be virtual and made available through the end of the year. Neutrals will receive six continuing education hours (CLE for attorneys).

### **Upcoming Commission Meeting Date**

The next Commission meeting date is February 4, 2021, at 2:00 p.m. at the Whitfield County Courthouse. Meeting information as well as previous minutes are posted on the GODR website at [www.godr.org](http://www.godr.org).



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

## COUNCIL OF SUPERIOR COURT CLERKS OF GEORGIA

Superior Court Clerks are supporting several legislative initiatives during the upcoming session. One that would allow remote online notarization (RON) and another that would create a standard first page for filing a security deed.

Currently the information shown below can be found throughout a security deed, if it's included at all. We will be reaching out to other interested parties in the next few weeks.

### **Security Deed – standard page one**

- (1) A standardized page one for security deeds that includes the following information and would also support real estate e-Recording.

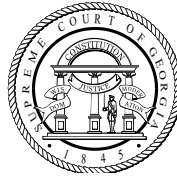
Information to be included on the standard page one should include:

1. Name of all parties
2. Grantee address
3. Maturity dates
4. Intangible tax
  - a. Intangible tax due in the amount of \$\_\_\_\_\_
  - b. Intangible tax due on new money only in the amount of \$\_\_\_\_\_
  - c. "Exempt" (give exemption code)
5. Allow clerk to require map & parcel information if needed.

Honorable Cathelene "Tina" Robinson  
Superior and Magistrate Court Clerk in Fulton County  
President, Council of Superior Court Clerks

# CHIEF JUSTICE'S COMMISSION ON PROFESSIONALISM

Hon. Harold D. Melton, Chief Justice  
Supreme Court of Georgia, Chair



Karlise Y. Grier  
Executive Director

## Memorandum

TO: Judicial Council of Georgia

FROM: Karlise Y. Grier, Executive Director

RE: Chief Justice's Commission on Professionalism

DATE: December 11, 2020

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The Chief Justice's Commission on Professionalism (Commission), the first body of its kind in the nation, was created in 1989 by the Supreme Court of Georgia with the primary charge to enhance professionalism among Georgia's judges and lawyers. Chief Justice Harold D. Melton serves as the current Chair of the Commission. Other judges who serve on the Commission are as follows: Judge Clyde L. Reese III for the Court of Appeals of Georgia; Judge Shondeana Crews Morris (Stone Mountain Judicial Circuit) for the Council of Superior Court Judges; and Judge Susan E. Edlein (State Court of Fulton County) for the Council of State Court Judges. Judge William McCrary Ray II serves on the Commission for the federal judiciary. Justice Sarah Hawkins Warren is a very active advisor to the Commission. You may find a complete list of Commission members, advisors, and liaisons at the Commission's web site at <http://cjcpga.org/commission-members-2020-2021/>. A brief update of some of the Commission's activities is as follows:

### **COMMISSION DECEMBER 2020 CLE: PROFESSIONALISM & TECHNOLOGY FROM JURY TRIALS TO SOCIAL MEDIA**

The Commission will hold its final free CLE of 2020 on December 17, 2020, from 2:00 p.m. – 5:00 p.m. via the Zoom.us platform. During the CLE we will discuss how professionalism and technology impact everything from jury trials to social media. The Honorable T. Russell McClelland, Vice-Chair of the Judicial Council COVID-19 Task Force; Chair of the Task Force's Civil Sub-Committee; Chief Judge, State Court of Forsyth County, and Immediate-Past President of the Council of State Court Judges is the program chair and a confirmed speaker. Other confirmed speakers are as follows: The Honorable Stephen Dillard, Presiding Judge, Court of Appeals of Georgia; The Honorable Shawn LaGrura, Chair of the Judicial Council COVID-19 Task Force and Judge, Superior Court of Fulton County; and The Honorable Shondeana Crews Morris, Chair, State Bar of Georgia's Suicide Awareness and Prevention Committee and Judge, Superior Court of DeKalb County. Additional details and registration information are available at <http://cjcpga.org/121720-cjcp-cle/>.

### **SUICIDE AWARENESS PROGRAM**

The Commission has rescheduled the Suicide Awareness Program for **Friday, April 30, 2021**. The planning team

includes **Judge Clyde L. Reese III**, Court of Appeals of Georgia (State Bar of Georgia SOLACE Committee Co-Chair); **Judge Render Heard**, Juvenile Courts of the Tifton Judicial Circuit (State Bar of Georgia SOLACE Committee Co-Chair), **Judge Shondeana Crews Morris**, Superior Court of DeKalb County (State Bar of Georgia Suicide Awareness and Prevention Committee Chair); and **Ms. Layne Brides** (Staff, SOLACE Committee). **Ms. Sally Q. Yates** has once again agreed to serve as the moderator of the program. An additional confirmed speaker is **Mrs. Dee Goss**. The Commission's Executive Director will provide additional information about the program as it becomes available. A flyer about the CLE is attached hereto and incorporated by reference as "Exhibit A." The Commission will provide updates about the program at <http://cjcpga.org/suicide-awareness-program/>.

### **COMMISSION GRANTS**

The Commission's Grants Committee led by **Judge Susan Edlein** accepted Grant Applications for programs or projects that promote legal professionalism from September 28, 2020, through October 19, 2020. The full Commission met on November 13, 2020, to make final decisions regarding grant awards, and decided to award two grants. The first award, in the amount of \$50,000 is to support the "Justice Needs Jurors" public service announcements being produced and disseminated by the Judicial Council COVID-19 Task Force. The second award, in a confirmed amount of \$15,000 – with a total possible grant amount of \$38,000, depending on documented need – is to support Record Restriction/Expungement Clinics throughout Georgia. A coalition of partners, which includes the Judicial Council's Access to Justice Committee, the Georgia Justice Project, the Georgia Legal Services Program and the Pro Bono Resource Center will organize and conduct the clinics. The Commission will disburse the grant funds in January 2021.

### **OTHER UPCOMING COMMISSION CLEs AND PROGRAMS**

The Commission anticipates hosting a CLE entitled "*The Necessity of Unparalleled Unity*" in conjunction with the State Bar of Georgia's Spring Board of Governors meeting, which is scheduled for March 19 – 21, 2021. Commission member, **Dawn M. Jones**, is the Program Chair. **Professor Tanya Washington** of the Georgia State University College of Law is the confirmed moderator for the CLE. **Justice Carla Wong McMillian** is a confirmed panelist for the program. The Commission will provide additional details about the program as they become available.

Since 1998, the Commission has presented the Justice Robert Benham Awards for Community to honor lawyers and judges in Georgia who have made significant contributions to their communities and who demonstrate the positive contributions of members of the Bar beyond their legal or official work. To ensure the health and safety of everyone involved, the Commission postponed the awards ceremony for the 21<sup>st</sup> Annual Justice Robert Benham Awards for Community Service that was previously scheduled for March 14, 2020, after the World Health Organization declared the COVID-19 (Coronavirus disease) a pandemic. The Commission is in the process of rescheduling the awards ceremony for the 21<sup>st</sup> Annual Justice Robert Benham Awards for Community Service for Saturday, June 26, 2021.



**FINAL REPORT REGARDING COMMISSION CLE IN AUGUST 2020: PROFESSIONALISM AND THE GEORGIA COURT REOPENING GUIDE**

The Commission held its fifth free online “Professionalism Pop-Up” CLE entitled *Professionalism and the Georgia Court Reopening Guide* on August 7, 2020, from 2:00 p.m. – 4:00 p.m. The Program Co-Chair was the **Honorable Shawn LaGrua**, Judge, Superior Court of Fulton County. The Commission hosted the CLE on the Zoom Webinar platform. According to the Zoom report generated for the CLE, the CLE was attended by 1,407 “Unique Viewers.” The Commission reported attendance for 1,370 attorneys to the State Bar of Georgia’s Commission on Continuing Legal Education Department. To view the complete materials for the CLE, please visit: <http://cjcpga.org/reopening-guide/>.

**FINAL REPORT REGARDING COMMISSION CLE IN OCTOBER 2020: WHAT JUDGES CAN DO TO IMPROVE THE LAW AND THE LEGAL SYSTEM: WHAT LAWYERS NEED TO KNOW ABOUT JUDICIAL PROFESSIONALISM**

On October 23, 2020, the Commission scheduled its sixth free CLE entitled *What Judges May Do to Improve the Law and the Legal System: What Lawyers Need to Know About Judicial Professionalism*. The CLE was held as part of the State Bar of Georgia’s Fall Board of Governors Meeting. The speakers were the **Honorable Michael P. Boggs**, Justice, Supreme Court of Georgia, and **Mr. Charles “Chuck” P. Boring**, Director, Judicial Qualifications Commission. Commission member, **Ms. Adwoa Ghartey-Tagoe Seymour**, moderated the program. A flyer about the CLE is attached hereto and incorporated by reference as “Exhibit B.” The Commission hosted the CLE on the Zoom Webinar platform. According to the Zoom report generated for the CLE, the CLE was attended by 393 “Unique Viewers.” The Commission reported attendance for 389 attorneys to the State Bar of Georgia’s Commission on Continuing Legal Education Department. To view the complete materials for the CLE, please visit: <http://cjcpga.org/102320-cjcp-cle/>.

**FINAL REPORT ON LAW SCHOOL ORIENTATIONS ON PROFESSIONALISM**

The Commission staffs the State Bar of Georgia Committee on Professionalism (Committee), and in that role supports the Committee’s work on the Law School Orientations on Professionalism. The orientations are designed to provide incoming 1Ls with their first introduction to professionalism. Georgia judges and lawyers are invited to serve as “Group Leaders” during the orientations to help students learn the meaning of professionalism and why it is important for them as law students. The sub-committee that planned the 2020 law school orientation programs was chaired by **Mr. Michael Herskowitz**, U.S. Attorney’s Office, Northern District of Georgia. During 2020, as a result of the COVID-19 pandemic, each of the law schools held the professionalism orientations virtually via Zoom or WebEx. The Commission’s Executive Director conducted the training for the Group Leaders at Georgia State University School of Law, the University of Georgia School of Law, and Atlanta’s John Marshall School of Law. The Student and Group Leader evaluations from the 2020 Orientations are available on the Commission’s website at <http://cjcpga.org/law-school-orientations-on-professionalism-2020/>. The Committee and the Commission are grateful to everyone who made the program a great success! A summary of participation in the Law School Orientations on Professionalism is as follows.

<b><u>Name of School and Date of Orientation</u></b>	<b><u># of Students</u></b>	<b><u># Group Leaders</u></b>	<b><u>Professionalism Speaker</u></b>
Atlanta's John Marshall Law School Saturday, August 15, 2020	127	35	Chief Justice Harold D. Melton Supreme Court of Georgia
Emory University Law School Thursday, August 13, 2020	298	45	Justice Michael P. Boggs Supreme Court of Georgia
Georgia State University College of Law Tuesday, August 11, 2020	255	45	None
Mercer University Law School Friday, August 14, 2020	142	50	Mr. Kevin B. Hicks, Esq. The Law Offices of Kevin B. Hicks & Associates, LLC
University of Georgia School of Law Friday, August 14, 2020	180	25	Ms. E. Janyce Dawkins, Esq. Director, Equal Opportunity Office University of Georgia
<b>TOTALS</b>	<b>1,002</b>	<b>200</b>	

#### **PROFESSIONALISM PAGE ARTICLES**

One of the ways the Commission communicates with State Bar members is through its Professionalism Page that appears in each issue of the Georgia Bar Journal, which is published six times per year. You are invited to read the Professionalism Page articles for the October 2020 and December 2020 Georgia Bar Journals written by the Commission's Executive Director. A copy of each article is attached hereto and incorporated by reference as "Exhibit C" and "Exhibit D" respectively.

#### **COMMISSION WEBSITE AND SOCIAL MEDIA**

We invite you to visit the Commission website, [www.cjcpga.org](http://www.cjcpga.org). The Commission also enjoys communicating with judges and lawyers about #professionalism on the Commission's social media platforms. Connect with us!

**Facebook:** <https://www.facebook.com/CJCPGA>

**Twitter:** <https://twitter.com/CJCPGA>

**LinkedIn:** <https://www.linkedin.com/company/cjcpga/>

**YouTube:** <https://www.youtube.com/user/cjcpga/videos>





# EXHIBIT A

[www.cjcpga.org](http://www.cjcpga.org)



THE CHIEF JUSTICE'S  
COMMISSION ON PROFESSIONALISM

# SUICIDE AWARENESS PROGRAM

FRIDAY, APRIL 30, 2021 | 2 - 5 P.M.



**LIVE** AT THE STATE BAR OF  
GEORGIA ATLANTA OFFICE

**VIA VIDEO CONFERENCE** TO TIFTON  
AND SAVANNAH STATE BAR OFFICES\*



*Sally Quillian Yates*  
**MODERATOR**

#### CONFIRMED/INVITED SPEAKERS:

Dr. Alex Crosby  
Hon. William "Bill" Reinhardt  
Ms. R. Javoyne Hicks  
Dr. Ben Hunter  
Ms. Lynn Garson  
Mr. Eric Lang

Ms. Robin Frazer Clark  
Hon. Wesley B. Taylor  
Mrs. Dee Goss  
Dr. Mark Swancutt  
Ms. Rachael Holloman

## 3 CLE HOURS INCLUDING 1 PROFESSIONALISM HOUR



#### REMINDER TO ALL BAR MEMBERS

You are entitled to six prepaid clinical personal counseling sessions per calendar year through the Lawyer Assistance Program of the State Bar of Georgia. #UseYour6

#### TAKE ACTION TODAY

If you are thinking of hurting yourself, or if you are concerned that someone you know may be suicidal, contact the National Suicide Prevention Lifeline by phone at **1-800-273-TALK (8255)**.

**FOR HELP:** Bar members may contact the Bar's Lawyer Assistance Program confidential hotline at **800-327-9631** or call the Georgia Crisis Access Line at **1-800-715-4225**.

#### CO-SPONSORED BY:

Judicial Council/Administrative Office of the Courts | State Bar of Georgia SOLACE Committee | State Bar of Georgia Wellness Committee | State Bar of Georgia Suicide Prevention Committee | Drew Eckl Farnham  
Georgia Department of Behavioral Health & Developmental Disabilities

Learn more by contacting CJCP  
at [kygrier@cjcpga.org](mailto:kygrier@cjcpga.org).

\*Additional locations may be announced.



State Bar  
of Georgia

# EXHIBIT B

[www.cjcpga.org](http://www.cjcpga.org)



# What Judges May Do to Improve The Law and The Legal System: What Lawyers Need to Know About Judicial Professionalism



**Speakers: Honorable Michael P. Boggs**

Justice, Supreme Court of Georgia

**Mr. Charles "Chuck" P. Boring,**

Director, Georgia Judicial Qualifications Commission

**Moderator: Ms. Adwoa Ghartey-Tagoe Seymour, Esq.**

Assistant General Counsel, Cox Enterprises, Inc.

During this current climate, lawyers may wonder what judges are allowed to say and do. The Georgia Code of Judicial Conduct provides guardrails and guidelines for the activities in which judges may engage concerning the law, the legal system, and the administration of justice, provided that doing so will not interfere with the performance of their official duties or cast doubt on their capacity to impartially decide any issue. After the CLE, the Chief Justice's Commission on Professionalism hopes that lawyers will have a better understanding of how judges may engage in activities concerning the law, the legal system, and the administration of justice.

**Approved for 1.5 hours of General CLE credit, including 1 hour of Professionalism CLE credit.** The Commission will report CLE attendance after confirming participation via Zoom records. The CLE is **FREE** but attorneys are responsible for paying the fee for the CLE credit.

# EXHIBIT C

[www.cjcpgeorgia.org](http://www.cjcpgeorgia.org)



# Professionalism in the Midst of Stress: Show The World Who We Are

Even with all the stress of 2020, many Georgia lawyers and judges have demonstrated remarkable professionalism. On behalf of the Chief Justice's Commission on Professionalism, I thank you for showing the world who we really are.

BY KARLISE Y. GRIER

**When 2020 began on the first day in** January, many people planned for a year that has not existed. Instead, the year has turned into a surreal experience with a COVID-19 pandemic that most of us could never have imagined. For many of us, including both lawyers and judges, the pandemic has created numerous unexpected personal and professional challenges, uncertainty and fear. If a pandemic alone were not enough of a challenge, it arrived during a presidential election year, a time that historically has divided Americans, and during a time when Americans are increasingly discussing issues of race and justice. In the midst of struggling with all of these challenges, we as lawyers and judges have also had to find ways to fulfill obligations to those we serve. In short, for a myriad of reasons, 2020 has been a stressful year for many of us in the legal community.

I have been disheartened by some of the responses to the stress caused by this current climate. For example, a few days before I wrote this article, I came across a public post on social media in which several attorneys called a group of at-

torneys "racists" because the group supported a particular presidential candidate. As I read all of the comments (more than 200 of them), many of which were made by attorneys that I personally know, and some of whom held leadership positions in the profession, I was personally saddened and disappointed. I was saddened and disappointed to see attorneys publicly attacking one another, sometimes using profane language, on a public page, one that any current or potential client, judge, law student or other member of the public could access. I would have been equally saddened and disappointed if the page were "private." We, as lawyers and judges, are a professional community. *We are better than this*, I thought, and I did not believe that any of the comments I saw on social media had shown the world who we are as a *community of legal professionals*.

If we as lawyers were not stuck in our homes with very limited in-person, face-to-face interaction because of the pandemic, would we say such things to one another? Did the lawyers who posted the comments consider that they represented not only themselves but the organizations



GETTYIMAGES.COM/PROF\_YUOAK



... as I reflected on what has transpired thus far this year, I was also truly inspired and heartened by the acts of professionalism I saw from many Georgia lawyers and judges.

that they serve (whether volunteer or paid), and the legal profession as a whole? In an example from my own life, during the pre-pandemic days when I would go to church or Bible study, I was often addressed as “Attorney Grier” instead of by my first name. In other words, even in my personal life, I still represented the profession to which I belong.

In “A Lawyer’s Creed and the Aspirational Statement on Professionalism,” lawyers and judges are encouraged to reflect on the idea of how they present themselves, both personally and professionally, as shown in the following statements:

- To preserve the dignity and the integrity of our profession by my conduct. The dignity and the integrity of our profession is an inheritance that must be maintained by each successive generation of lawyers.<sup>1</sup>
- To model for others, and particularly for my clients, the respect due to those we call upon to resolve our disputes and the regard due to *all participants* in our dispute resolution processes.<sup>2</sup>

- Be courteous and civil in *all* communications.<sup>3</sup>
- To consider the effect of my conduct on the image of our systems of justice.<sup>4</sup>

As I wrote this article, self-isolating by sitting in my home alone to help fight COVID-19, I committed to more diligently reflect on and strive to live according to the aspirational goals listed above. I committed to being more thoughtful about what I say and how I say it, whether in correspondence, virtual conferences, hearings, on social media or (when the time comes) face to face. And as I wrote, I hoped each Georgia lawyer and judge would join me in doing the same.

Nevertheless, as I reflected on what has transpired thus far this year, I was also truly inspired and heartened by the acts of professionalism of many Georgia lawyers and judges. The judiciary, led by Chief Justice Harold D. Melton, quickly responded to the pandemic in March, issuing a series of Judicial Emergency Orders. In May, the Judicial Council of Georgia, chaired by Chief Justice Melton, established the Judicial COVID-19



Task Force to address the challenges of ensuring access to the courts in the midst of the pandemic. Both civil and criminal lawyers, who often take opposing sides in court cases, worked with one another and with judges from across the state to develop a Georgia Court Reopening Guide.<sup>5</sup> The State Bar of Georgia established a committee to identify and address issues with the delivery of legal services resulting from the pandemic. Georgia's 9th Annual Legal Food Frenzy, spearheaded by Attorney General Chris Carr and the Young Lawyers Division of the State Bar of Georgia, raised a record-breaking \$852,090 as a result of the contributions of more than 220 law firms, legal organizations, in-house counsel and courts across Georgia,<sup>6</sup> even while law firms and other organizations were cutting hours and pay.<sup>7</sup>

In April, June and August, the Chief Justice's Commission on Professionalism (Commission) provided five free professionalism CLEs to help attorneys learn how to address the rapidly changing legal environment during the pandemic with professionalism.<sup>8</sup> The combined total attendance reported for all five CLEs was more than 5,200 attendees.<sup>9</sup> The CLE in April, "Moving Forward with Professionalism In the Midst of A Public Health Emergency," contained numerous mental health resources that attorneys could use to help themselves and their clients during these stressful times.<sup>10</sup> The CLEs were made possible because of the hard work and dedication of Chief Justice Melton; several Commission members and advisors, including Justice Sarah Hawkins Warren, Hon. Clyde Reese, Hon. Susan Edlein, State Bar President-Elect Elizabeth Fite, Rebecca Grist, YLD President Bert Hummel, State Bar President Dawn M. Jones and Claudia Saari; and numerous other lawyers and judges who served as CLE panelists and planners.

Further, the Commission continued with its regular work. In August, the State

Bar of Georgia Committee on Professionalism (COP), with staff support from the Commission, organized the 28th Law School Orientations on Professionalism (Orientations). A total of 200 lawyers and judges served as leaders facilitating small group discussions among more than 1,000 mostly 1L students about professionalism and how professionalism applies in law school. Because of the pandemic, all group leaders participated virtually regardless of which of the five Georgia law schools at which they volunteered, and the Orientations were again a great success, despite physical distancing. The Commission was grateful to the law students and COP members who helped to refine the Orientations' hypothetical problems; the volunteer lawyers and judges who served as group leaders; and the law school professors and administrators who created a new paradigm for hosting the Orientations.

Even with all the stress of 2020, many Georgia lawyers and judges have demonstrated remarkable professionalism. On behalf of the Chief Justice's Commission on Professionalism, I thank you for showing the world who we really are. ●



**Karlise Y. Grier**

Executive Director  
Chief Justice's Commission  
on Professionalism  
kygrier@cjcpga.org

## Endnotes

1. Chief Justice's Commission on Professionalism, *A Lawyer's Creed and Aspirational Statement on Professionalism* at Lines 64 – 66.
2. *Id.* at Lines 51 – 53 (emphasis added).
3. *Id.* at Line 108 (emphasis added).
4. *Id.* at Line 157.
5. *Georgia Court Reopening Guide* (visited September 18, 2020) [https://georgiacourts.gov/wp-content/](https://georgiacourts.gov/wp-content/uploads/2020/06/Georgia-Court-Reopening-Guide-FINAL.pdf)

6. Georgia Legal Food Frenzy, *How It Works, Awards* (visited September 4, 2020) <https://galegalfoodfrenzy.org/how-it-works/awards/>.
7. See, e.g., Jonathan Ringel, *Hard Realities: As Firms Cut Pay, Food Banks Need More Help Than Ever*, DAILY REPORT (April 15, 2020) <https://www.law.com/dailyreportonline/2020/04/15/hard-realities-as-firms-cut-pay-food-banks-need-more-help-than-ever/>.
8. For complete information regarding speakers, panelists, and program materials, see Chief Justice's Commission on Professionalism, *Professionalism During A Time of Physical Distancing*, <http://cjcpga.org/popup040620/> (CLE date of April 6, 2020); Chief Justice's Commission on Professionalism, *Getting the Deal Done with Professionalism During A Time of Physical Distancing*, <http://cjcpga.org/popup041620/> (CLE date of April 16, 2020); Chief Justice's Commission on Professionalism, *Moving Forward with Professionalism In the Midst of A Public Health Emergency*, <http://cjcpga.org/moving-forward/> (CLE date of April 28, 2020); Chief Justice's Commission on Professionalism, *Criminal Justice, Professionalism, and Coronavirus*, [https://criminal\\_justice\\_professionalism\\_coronavirus.eventbrite.com](https://criminal_justice_professionalism_coronavirus.eventbrite.com) (CLE date of June 11, 2020); 5) Chief Justice's Commission on Professionalism, *Professionalism and the Georgia Court Reopening Guide*, <http://cjcpga.org/reopening-guide/> (CLE date of August 7, 2020).
9. CLE attendance number is the number of attorneys who attended each CLE for CLE credit and counts some individual attorneys more than one time, if the attorney attended multiple CLEs.
10. Mental health resources are available on the Commission's website at <http://cjcpga.org/moving-forward/>.



# EXHIBIT D

[www.cjcpga.org](http://www.cjcpga.org)



# I Double Dare You: My Professionalism Challenge

We as a legal community can get through this difficult time. You can get through this difficult time. If you need help, get help—I double dare you—and know that it is okay to do so.

BY KARLISE Y. GRIER



Sometimes the challenge of professionalism is determining the best course of action among a sea of options in a “gray area” where there is no clear right or wrong answer. More often than not for me, however, during the month of November, professionalism entails simply doing the right thing when I know what is expected of me as a lawyer.

November is always a challenging month for me because it is the month during which my mother died—eight days before my birthday. I’ve still not quite forgiven her for that. November is the month that kicks off the holiday season, and I always have to get through the anniversary of my mother’s death before launching into Thanksgiving and all the holiday cheer that follows. Last year, 2019, was actually a good year for me and I had a busy, guilt-free and happy holiday season from Thanksgiving through the new year. But as 2020 and the 20th anniversary of my mother’s passing dawned, I suspected that this year would be difficult for me. There is something different about those years with the zeros at the end. Grieving as a lawyer can be especially challenging. There is a statement in “A Lawyer’s Creed” and the “Aspirational Statement on Professionalism” that I quite frankly, in all complete honesty, hate. It reads: “As a lawyer, I will aspire: (a) To put fidelity to clients and, through clients, to the common good, before selfish interests.” That is a lot to live up to, and for me especially during the month of November. It seems to strip away my need as a lawyer to be simply human. And yet, I do recognize that there is a harsh truth in the statement that we as lawyers do need to try to aspire to that goal.

My mother encouraged me to open my solo law practice, which I did in February 2000.<sup>1</sup> A few months later she died and I found myself struggling to nurture a fledgling law practice in the midst of grief. Whether I felt like it or not, I still had to show up for court appearances, meet fil-

ing deadlines, answer the phone and talk to people. I had to try and be polite, even when (or especially when) I felt angry for reasons that had nothing to do with my clients, opposing counsel, judges or court staff, or the case. Misleading, painful dreams consisting of my mother still being alive and then waking up to the stark truthful reality of her death were fairly common in those days. I didn't have the option of calling in sick to ask to be excused from a court appearance because I had a painful dream and did not feel like getting out of bed the next morning. Clients were counting on me and to them whatever was happening in court that day was the most important thing in their lives. The right thing to do was to get up, get dressed and strive to look somewhat presentable, make my face as pleasant as possible—and be on time, prepared and polite. I had to set aside my human selfish interests. Being a good lawyer is not easy. Striving to be a good lawyer who aspires to act with professionalism feels almost impossible at times. But we do it. Thousands and thousands of lawyers do it on a regular basis. And in this crazy pandemic year when many lawyers and judges are facing emotional turmoil and challenges I cannot imagine, I still write to encourage you and to say we can get through this difficult time and we can persevere with professionalism.

I write from experience when I say that we as lawyers and judges can get through difficult times and still fulfil our obligations with professionalism. But I also speak from

experience when I say that we cannot always do it alone. I don't often reflect on the November that ended with my mother's unexpected death from a stroke because it is painful. But this year, I feel it is necessary for me to do so, with the hope that it will help other lawyers. The first Tuesday in November 2000, my mother, a retired high school math teacher, had worked as a poll manager at our local polling precinct. Less than three weeks later, she was buried, not yet even knowing who would become president of the United States because of hanging chads. My loss happened just that quickly. Many, many lawyers helped me in countless ways during that difficult time, but 20 years later there are two who I recall specifically asking for help with certain things. One lawyer I called even though she was not a close friend because she worked for a hospital and I had questions about life support. She took my call and told me difficult news that I did not want to hear because I had to hear it. Another lawyer, a friend, came to the hospital even though it was her birthday and handled for me the ordeal of answering questions about my mother's health insurance and how the hospital was going to get paid, while I was trying to absorb the fact that my mother who I had just talked to earlier was in ICU. I truly believe that it is because of that lawyer friend that I am not currently serving a long jail sentence for doing bodily harm to the poor hospital staff lady who was just doing her job. It was a terrible time.

I needed help and when I asked for help, other lawyers were there to help me. After my mother died, I also spent some time in counseling. I write from personal experience when I say we as lawyers sometimes need help that even other lawyers cannot give us. I write from personal experience when I say it is okay for us as lawyers to need help. It is okay for us as lawyers to ask for help. It is okay for us as lawyers to get help. As Georgia lawyers, we are fortunate to have programs like SOLACE, and Lawyers Helping Lawyers and the Lawyer Assistance Program to help us when we need assistance.<sup>2</sup> Don't be afraid to get the help that is available to us. Whatever your personal November challenge may be, you can get through it, and you can get through it with professionalism. If you are feeling isolated, stressed, anxious, depressed, angry, sad or all of those things, you are not alone in your feelings. Trust me when I tell you that many other lawyers and judges are feeling the same things. We as a legal community can get through this difficult time. You can get through this difficult time. If you need help, get help—I double dare you—and know that it is okay to do so.



**Karlise Y. Grier**

Executive Director  
Chief Justice's Commission  
on Professionalism  
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THE CHIEF JUSTICE'S  
COMMISSION ON PROFESSIONALISM

# SUICIDE AWARENESS PROGRAM

APRIL 30, 2021 | 2 - 5 P.M.

Learn more at [www.cjcpga.org](http://www.cjcpga.org).

## Feeling stressed, worried or lonely?

Members of the State Bar of Georgia can contact the Bar's Lawyer Assistance Program confidential hotline at 800-327-9631, for a variety of counseling needs. #UseYour6

## If you are thinking of hurting yourself,

or if you are concerned that someone you know may be suicidal, contact the Georgia Crisis and Access Line at 1-800-715-4225 or the National Suicide Prevention Lifeline by phone 1-800-273-TALK (8255) or via chat at [www.suicidepreventionlifeline.org/chat](http://www.suicidepreventionlifeline.org/chat).



# GEORGIA COUNCIL OF COURT ADMINISTRATORS

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## **Report to the Judicial Council of Georgia December 2020**

GCCA officers and members strive to improve courts and the administration of justice and to assist court administrators and managers in the execution of their duties. One way we achieve this is by providing quality education programs.

On October 6, 2020, Georgia Council of Court Administrators (GCCA) held its 2020 Fall Virtual Conference. More than 80 court administrators and court managers, representing various classes of court, attended the one-day training event themed "COVID-19: Navigating the Pandemic." T.J. BeMent moderated an informative panel discussion with Judge T. Russell McClelland, Bell-Forsyth State Court; Judge Wesley B. Taylor, State Court of Fulton County; Judge G. Jason Souther, Conasauga Judicial Circuit Juvenile Court; and Judge Dale R. Samuels, City of Monroe Municipal Court. A similar panel discussion was featured in the afternoon session with Dr. Will Simmons interviewing court administrators and managers on how COVID-19 has impacted their court environments and the protocols implemented in response to COVID-related issues.

One highlight of the meeting was the installation of officers and board members on October 6, 2020. Chief Judge Jeffrey S. Bagley, Bell-Forsyth Judicial Circuit, administered the oath of office to the eleven officers and board members.

GCCA continues to expand its platform of providing educational services through *In Recess*, GCCA's quarterly podcast. The next podcast will be released in January and will be titled "What's the Verdict? Restarting Jury Trials Post-COVID."

The Education Committee, co-chaired by Amanda Marshall and Justin Dobson, are in the process of planning for the 2021 Spring Conference tentatively scheduled for March 14-17, 2020, at the Athens Classic Center. Whether this is a live, hybrid, or virtual conference will be determined by the State's COVID prevalence level.



Established in 1978 by Order of the **Supreme Court of Georgia**, ICJE is a professional education consortium of the **Georgia Judicial Branch**, the **State Bar of Georgia**, and **Georgia's ABA accredited law schools**: **Emory University School of Law**; **Georgia State University College of Law**; **Mercer University School of Law**; the **University Of Georgia School Of Law**; and, **Atlanta's John Marshall Law School**.

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## REPORT TO JUDICIAL COUNCIL OF GEORGIA

## FOR DECEMBER 11, 2020 MEETING



CY 2020

# **MASTER CALENDAR**

(Revised As Of 10.26.20)

# ICJE CY 2020 Calendar (Updated 10.26.20)

Not Publicly Disseminated For Security Reasons

Dates	Course	Format	Location
Jan. 21-24	Superior Court Judges' Winter Conference	Live Seminar	UGA Hotel & Conference Center--Athens
Jan. 27-30	State Court Judges' NJO	Live Seminar	Holiday Inn--Athens
Feb. 10-11	Magistrate Court Chief Judges' Update	Live Seminar	Jekyll Island Club Hotel
Feb. 11-12	Municipal Court Clerks' 16 Hr. Certification	Live Seminar	The Holiday Inn--Athens
Feb. 23-28	Magistrate Court Judges' 40 Hr. Criminal Certification	Live Seminar	The Holiday Inn--Athens
Feb. 24-28	Mental Illness	Online Self-Study Course	eLearningCommons--Online
Mar. 13	Judging & Humanities	Live Seminar/Multi-Class	Holiday Inn--Athens
Mar. 30-April 1 <del>CANCELLED</del>	Magistrate Court Judges' Spring Recertification	Live Seminar <del>CANCELLED</del>	King & Prince--St. Simons <del>CANCELLED</del>
April 1-3 <del>RESCHEDULED TO OCTOBER</del>	Juvenile Court Clerks' Annual Conference	Live Seminar <del>RESCHEDULED</del>	Savannah Marriott Riverfront <del>RESCHEDULED</del>
April 2 <del>CANCELLED</del>	Municipal Traffic Law/DUI Lunch & Learn Webinar	Live Webinar <del>CANCELLED</del>	GoToWebinar <del>CANCELLED</del>
Apr. 9-10 <del>CANCELLED</del>	Municipal Court Clerks' Recertification	Live Seminar <del>CANCELLED</del>	Legacy Lodge at Lake Lanier <del>CANCELLED</del>
April 13-17	Media Relations	Online Self-Study Course	eLearningCommons--Online
April 20-22 <del>CANCELLED</del>	Probate Court Judges' Spring Conference	Live Seminar <del>CANCELLED</del>	The Classic Center--Athens <del>CANCELLED</del>
April 23-24 <del>CHANGED TO TAPE REPLAY</del>	Probate Court Judges' Traffic Conf (TAPE RELEASED 11.02.20)	Live Seminar <del>TAPED REPLAY</del>	The Classic Center--Athens <del>CHANGED/TAPED REPLAY</del>
May 11-13 <del>CANCELLED</del>	Juvenile Court Judges' Spring Conference	Live Seminar <del>CANCELLED</del>	King & Prince--St. Simons <del>CANCELLED</del>
May 13-15 <del>CANCELLED</del>	State Court Judges' Spring Conference	Live Seminar <del>CANCELLED</del>	UGA Hotel & Conf Center--Athens <del>CANCELLED</del>
May 18-22	Municipal Court Clerks' Online Recertification	Online Self-Study Course	eLearningCommons--Online
June 8-9 <del>CANCELLED</del>	Probate Court Clerks' LWEG & Traffic Training	Live Seminar <del>CANCELLED</del>	The Holiday Inn--Athens <del>CANCELLED</del>
June 15-19	Substance Abuse	Online Self-Study Course	eLearningCommons--Online
June 17-19 <del>CANCELLED</del>	Municipal Court Judges' 20 Hr. Certification	Live Seminar <del>CANCELLED</del>	Savannah Marriott Riverfront <del>CANCELLED</del>
June 17-19 <del>CANCELLED</del>	Municipal Court Judges' Law & Practice Update	Live Seminar <del>CANCELLED</del>	Savannah Marriott Riverfront <del>CANCELLED</del>
June 24-26 <del>CANCELLED</del>	Magistrate Court Clerks' Annual Training	Live Seminar <del>CANCELLED</del>	Savannah Marriott Riverfront <del>CANCELLED</del>
July 10 <del>CHANGED TO ZOOM VIDEO CONF</del>	Judicial Ethics & Its Impact on Others	Online - Multi-Class	Holidy Inn-Athens <del>CHANGED/ZOOM</del>
July 14-15 <del>CANCELLED</del>	Probate Clerks' LWEG & Traffic Training	Live Seminar <del>CANCELLED</del>	Oconee Fall Line Tech--Dublin <del>CANCELLED</del>
July 27-30 <del>CHANGED TO TAPED REPLAY</del>	Superior Court Judges' Summer Conference	Live Seminar <del>TAPED REPLAY</del>	The Westin Jekyll Island <del>CHANGED/TAPED REPLAY</del>
July 27-31	Ethics & Professionalism	Online Self-Study Course	eLearningCommons--Online
Aug. 11-12 <del>CANCELLED</del>	Probate Court Clerks' LWEG & Traffic Training	Live Seminar <del>CANCELLED</del>	UGA Conf Center--Tifton <del>CANCELLED</del>
Aug. 11-12 <del>CHANGED TO VIRTUAL/ONLINE</del>	CACJ New Judge Orientation	Live Seminar <del>VIRTUAL/ONLINE</del>	Live Seminar <del>CHANGED/VIRTUAL/ONLINE</del>
Aug. 17-21	Sovereign Citizens & Self-Representing Litigants	Online Self-Study Course	eLearningCommons--Online
Aug. 20-21 <del>CANCELLED</del>	Municipal Court Clerks' Recertification	Live Seminar <del>CANCELLED</del>	Great Wolf Lodge--LaGrange <del>CANCELLED</del>
Aug. 26-27 <del>CHANGED TO TAPED REPLAY</del>	Judicial Staff Attorneys' Annual Conference	Live Seminar <del>TAPED REPLAY</del>	State Bar Conf Ctr--Atl <del>CHANGED/TAPED REPLAY</del>
Sept. 6-11 <del>CHANGED TO TAPED REPLAY</del>	Magistrate Court Judges' 40 Hr. Basic Civil Certification	Live Seminar <del>TAPED REPLAY</del>	Holiday Inn-Athens <del>CHANGED/TAPED REPLAY</del>
Sept. 14-16 <del>CHANGED TO VIRTUAL/ONLINE</del>	CACJ Accountability Courts Training Conference	Live Seminar <del>VIRTUAL/ONLINE</del>	Classic Center--Athens <del>CHANGED/VIRTUAL/ONLINE</del>
Sept. 14-18	Cyber Security	Online Self-Study Course	eLearningCommons--Online
Sept. 23-24 <del>CHANGED TO ZOOM VIDEO CONF</del>	Municipal Court Clerks' 16 Hr. Certification	Live Seminar <del>ZOOM VIDEO CONF</del>	UGA Conf Center--Tifton <del>CHANGED/ZOOM</del>
Sept. 30-Oct. 2 <del>CHANGED TO TAPED REPLAY</del>	Municipal Court Judges' 20 Hr. Certification	Live Seminar <del>TAPED REPLAY</del>	Legacy Lodge at Lake Lanier <del>CHANGED/TAPED REPLAY</del>
Sept. 30-Oct. 2 <del>CHANGED TO TAPED REPLAY</del>	Municipal Court Judges' Law & Practice Update	Live Seminar <del>TAPED REPLAY</del>	Legacy Lodge at Lake Lanier <del>CHANGED/TPAED REPLAY</del>
Oct. 5-6 <del>CHANGED TO TAPE REPLAY</del>	Magistrate Court Judges' Fall Recertification	Live Seminar <del>TAPED REPLAY</del>	The Westin--Savannah <del>CHANGED/TAPED REPLAY</del>
Oct. 5-9	Municipal Court Clerks' Online Recertification	Online Self-Study Course	eLearningCommons--Online
Oct. 14-16 <del>CANCELLED</del>	Juvenile Court Clerks' Annual Conference	Live Seminar <del>CANCELLED</del>	Savannah Marriott Riverfront <del>CANCELLED</del>
Oct. 14-16 <del>CHANGED TO TAPE REPLAY</del>	State Court Judges' Fall Conference	Live Seminar <del>TAPED REPLAY</del>	King & Prince--St. Simons <del>CHANGED/TAPED REPLAY</del>
Oct. 19-23	New Technology in the Courts	Online Self-Study Course	eLearningCommons--Online
Oct. 26-28 <del>CHANGED TO ZOOM VIDO CONF</del>	Juvenile Court Judges' Fall Conference	Live Seminar <del>ZOOM VIDEO CONF</del>	UGA Hotel & Conf Center--Athens <del>CHANGED/ZOOM</del>
Nov. 9-11	Probate Court Judges' Fall COAG	Live Seminar	Savannah Marriott Riverfront
Nov. 9-13	Processing Trauma	Online Self-Study Course	eLearningCommons--Online
Nov. 19-20 <del>CHANGED TO TAPED REPLAY</del>	Municipal Court Clerks' Recertification	Live Seminar <del>TAPED REPLAY</del>	Augusta Marriott <del>CHANGED/TAPED REPLAY</del>
Nov. 30-Dec. 2 <del>NEW LOCATION</del>	Probate Court Judges' NJO/Traffic	Live Seminar <del>NEW LOCATION</del>	Holiday Inn-Athens <del>NEW LOCATION/UGA HOTEL/CONF CTR-ATHENS</del>
Dec. 6-10 <del>NEW LOCATION</del>	Probate Court Judges' NJO	Live Seminar <del>NEW LOCATION</del>	Holiday Inn-Athens <del>NEW LOCATION/THE CLASSIC CTR-ATHENS</del>
Dec. 14-18 <del>NEW LOCATION</del>	Superior Court Judges' NJO	Live Seminar <del>NEW LOCATION</del>	Holiday Inn-Athens <del>NEW LOCATION/UGA HOTEL/CONF CTR-ATHENS</del>



CY 2021

# **MASTER CALENDAR**

(Revised As Of 11.05.20)



**ICJE CY 2021 Calendar (Updated 11.05.20)**  
**NOTE: ALL PROGRAM DELIVERY FORMATS SUBJECT TO CHANGE DUE TO COVID**  
*This Calendar Is Not Publicly Disseminated For Security Reasons*

DATE(S)	COURSE	FORMAT (Subject to COVID)	LOCATION (Subject to COVID)
Jan. 19-22	Superior Court Judges' Winter Conference	Taped Replay	Virtual - Taped Replay
Jan. 25-28	State Court Judges' NJO	Online/Zoom Seminar	Virtual - Zoom Platform
Feb. 9-10	Municipal Court Clerks' 16 Hr. Certification	Live Seminar	Classic Center - Athens
Feb. 12	Court Proceedings in the era of COVID (Multi-Class of Court)	Online/Zoom Seminar	Virtual - Zoom Platform
Feb. 21-26	Magistrate Court Judges' 40 Hr. Criminal Certification	Live Seminar	Classic Center - Athens
Feb. 22-26	Mental Illness (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
Mar. 16	Implicit Bias and the Courts (Multi-class of Court)	Online/Zoom Seminar	Virtual - Zoom Platform
Mar. 18-19	Municipal Court Clerks' Recertification	Live Seminar	Legacy Lodge at Lake Lanier - Buford
April 7-9	Juvenile Court Clerks' Annual Conference	Live Seminar	Legacy Lodge at Lake Lanier - Buford
April 12–16	Media Relations (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
Apr. 19-22	Probate Court Judges' Spring Conference (Non-Traffic)	Live Seminar	Great Wolf Lodge - LaGrange
Apr. 26-28	Magistrate Court Judges' Spring Recertification	Live Seminar	Chateau Elan - Braselton
May 3-5	Juvenile Court Judges' Spring Conference	Live Seminar	King & Prince Conference Center - St. Simons
May 12-14	State Court Judges' Spring Conference	Live Seminar & Video Taped/On-Demand Replay	Brasstown Valley Resort - Young Harris
May 17-21	Municipal Court Clerks' Online Recertification	Online Self Study Course	Virtual - Online
May 26-28	Probate Court Judges' Traffic Conference	Live Seminar	Chateau Elan - Braselton
June 7-8	Probate Court Clerks' LWEIG & Traffic Training	Live Seminar	Holiday Inn - Athens
June 10-11	Magistrate Court Clerks' Annual Training	Live Seminar	Jekyll Island Club - Jekyll Island
June 14–18	Substance Abuse (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
June 23-25	Municipal Court Judges' 20 Hr. Certification	Live Seminar	Savannah Marriott Riverfront
June 23-25	Municipal Court Judges' Law & Practice Update	Live Seminar	Savannah Marriott Riverfront
July 13	Judicial Ethics & Its Impact on Others (Multi-class of Court)	Online/Zoom Seminar	Virtual - Zoom Platform
July 13-14	Probate Clerks' LWEIG & Traffic Training	Live Seminar	Oconee Fall Line Tech - Dublin
July 26-29	Superior Court Judges' Summer Conference	Live Seminar	Jekyll Island Convention Center
Aug. 10-11	Probate Court Clerks' LWEIG & Traffic Training	Live Seminar	UGA Conference Center - Tifton
Aug. 16–20	Sovereign Citizens & Self-Representing Litigants (Multi-Class of Ct)	Online Self-Study Course	Virtual – Online
Aug. 25-26	Judicial Staff Attorneys' Annual Conference	Live Seminar	State Bar of Ga Conference Ctr - Atlanta
Aug. 26-27	Municipal Court Clerks' Recertification	Live Seminar	Great Wolf Lodge - LaGrange
Sept. 12-17	Magistrate Court Judges' 40 Hr. Civil Certification	Live Seminar	Holiday Inn - Athens
Sept. 13–17	Cyber Security (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
Sept. 23-24	Municipal Court Clerks' 16 Hr. Certification	Live Seminar	UGA Conference Center - Tifton
Sept. 26-29	CACJ Accountability Courts Training Conference	Live Seminar	Classic Center - Athens
Oct. 6-8	Municipal Court Judges' 20 Hr. Certification	Live Seminar	Legacy Lodge at Lake Lanier - Buford
Oct. 6-8	Municipal Court Judges' Law & Practice Update	Live Seminar	Legacy Lodge at Lake Lanier - Buford
Oct. 11-13	Probate Court Judges' Fall COAG	Live Seminar	Hyatt Regency - Savannah
Oct. 13-15	State Court Judges' Fall Conference	Live Seminar	Savannah Riverfront Marriott - Savannah
Oct. 18–22	New Technology in the Courts (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
Oct. 25-27	Juvenile Court Judges' Fall Conference	Live Seminar	UGA Hotel & Conference Center - Athens
Oct. 25-26	Magistrate Court Judges' Fall Recertification	Live Seminar	The Westin - Jekyll Island
Nov. 4-5	Municipal Court Clerks' Recertification	Live Seminar	The Westin - Jekyll Island
Nov. 1–5	Processing Trauma (Multi-Class of Court)	Online Self-Study Course	Virtual – Online
Nov. 8-12	Municipal Court Clerks' Recertification Online	Online Self Study Course	Virtual - Online
Dec. 13-17	Superior Court NJO	Live Seminar	Holiday Inn - Athens

ICJE 2021 - Multi-Class Live and Online Training Opportunities

Topic	Date(s)	Description
Court Proceedings in the Era of COVID (6 Hours CJE Credit)	2/12/2021	Online/Zoom Seminar - This course will explore best practices that can help to maintain a sense of normalcy regarding court proceedings while still in the midst of COVID-19.
Mental Illness (6 Hours CJE Credit)	2/22-26/2021	Online Self Study - An introduction on how to recognize individuals who may be suffering from mental health challenges and an exchange of resources available to assist those individuals.
Implicit Bias and the Courts (6 Hours CJE Credit)	3/16/2021	Online/Zoom Seminar – This course is designed to promote an understanding of what implicit bias means and how it may influence decisions in the courts. Course coverage will include learning to recognize some behaviors that may suggest bias or differential treatment; and, exploring techniques that help debias perceptions and improve interactions.
Media Relations (6 Hours CJE Credit)	4/12-16/2021	Online Self Study - A primer that includes the best tips for how to handle talking a variety of media personnel and case study of examples.
Substance Abuse (6 Hours CJE Credit)	6/14-18/2021	Online Self Study - A survey of current issues related to drug addiction and abuse in Georgia Courts. Plus a discussion and exchange of resources available to assist individuals all over the state.
Judicial Ethics & Its Impact on Others (12 Hours CJE Credit)	7/13/2021	Online/Zoom Seminar - This course will explore the ways to remain compliant with the Code of Judicial Conduct, how to recognize misconduct in attorneys in your court, and the consequences that could impact the citizens around you.
Sovereign Citizens & Self-Representing Litigants (6 Hours CJE Credit)	8/16-20/2021	Online Self Study - A legal primer on on sovereign citizens and individuals who represent themselves.
Cyber Security (6 Hours CJE Credit)	9/13-17/2021	Online Self Study - A general course that will cover a variety of preventative tips and how to develop a worst case scenerio recovery plan.
New Technology in the Courts (6 Hours CJE Credit)	10/18-22/2021	Online Self Study - A brief introduction of the newest technologies available in Georgia Courts and training resouces available.
Processing Trauma (6 Hours CJE Credit)	11/1-5/2021	Online Self Study - A introduction on how to recognize and manage the effects of vicarious trauma in yourself and others.



FY 2021

# **FINANCIAL REPORT**



# **2021 FISCAL YEAR FINANCIAL REPORT**

**JULY 2020 THROUGH OCTOBER 2020**

FOR REVENUE AND EXPENSES ADMINISTERED BY ICJE OF GEORGIA\*

COMPILED BY

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*This financial reporting template was developed in collaboration with the AOC Fiscal Staff; the UGA School of Law Business Office; and, Royals & Associates, CPAs.*



# SHARED OFFICE OVERHEAD ALLOCATION

## FISCAL YEAR FINANCIAL REPORT

Overhead allocation based on FY2021 budgeted expenses

	Total ICJE FY21 Budgeted Overhead Cost		\$85,801.00	
	Less: Amount Not Allocated To Constituent Groups*		(\$21,900.00)	
	OVERHEAD COST SUBJECT TO ALLOCATION:		\$63,901.00	
<i>*Specific overhead costs paid by agreement from International Judges Support Fees. These costs included IT support, WIFI services, postage, utilities, telephone and office equipment lease agreements.</i>				
	Constituent Group	FY21 Budgeted Expense	Percent of Total	Allocated Overhead
	State Court Judges	\$56,035.00	3.639%	\$2,325.00
	Juvenile Court Judges	\$57,960.00	3.764%	\$2,405.00
	Juvenile Court Clerks	\$23,938.00	1.554%	\$993.00
	Probate Court Judges – Non Traffic	\$87,206.00	5.663%	\$3,619.00
	Probate Court Judges – Traffic	\$31,608.00	2.053%	\$1,312.00
	Probate Court Clerks	\$9,829.00	0.638%	\$408.00
	Magistrate Court Judges	\$153,269.00	9.953%	\$6,360.00
	Magistrate Court Clerks	\$18,232.00	1.184%	\$757.00
	Municipal Court Judges	\$109,448.00	7.107%	\$4,542.00
	Municipal Court Clerks	\$75,024.00	4.872%	\$3,113.00
	Superior Court Judges	\$550,000.00	35.717%	\$22,823.00
	Judicial Staff Attorneys	\$22,352.00	1.452%	\$928.00
	Accountability Court Judges	\$345,000.00	22.404%	\$14,316.00
	International Judges	\$0.00	0%	\$0.00
	TOTALS:	\$1,539,901.00	100%	\$63,901.00

### FAQ # 1: Why Are ICJE Constituent Groups Assessed A “Shared Office Overhead” Allocation?

**Answer:** Because the appropriated funds ICJE receives does not cover the entire cost of ICJE operations. Further, the directive to reduce appropriated funds for FY2021 exacerbates this problem.

### FAQ #2: What Is The Overhead Allocation Formula?

**Answer:** The formula follows a customary method for allocating shared costs as equitably as possible. Specifically, the cost allocation is based on the ratio of each constituent group’s cost before overhead allocation to total costs of all the groups before overhead allocation. The resulting percentage is multiplied by the total cost to allocate a portion of cost to each group.

The end result is that constituent groups with a larger number of members and larger expenditures, will be assessed more overhead costs than constituent groups with a smaller number of members and smaller expenditures.



# ICJE ADMINISTRATIVE/OFFICE OVERHEAD

## FISCAL YEAR FINANCIAL REPORT

October 2020

<b>1</b>	<b>APPROPRIATIONS</b>		
2	<i>Appropriated Funds</i>		\$545,866.00
3	Administrative Costs Appropriation		\$0.00
4	Programming Costs Appropriation		\$0.00
5	<i>TOTAL APPROPRIATIONS:</i>		<b>\$545,866.00</b>
<b>6</b>	<b>EXPENDITURES – PERSONNEL</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
7	Full Time Salaries & Fringe Benefits (Fund Source 01/Project Code 301)	(\$39,563.27)	(\$152,737.60)
8	Part Time Salaries & Fringe Benefits (Fund Source 01/Project Code 301)	(\$694.00)	(\$1,722.00)
9	<i>TOTAL PERSONNEL EXPENSES:</i>	<b>(\$40,257.27)</b>	<b>(\$154,459.60)</b>
<b>10</b>	<b>TOTAL APPROPRIATIONS REMAINING:</b>	<b>(\$40,257.27)</b>	<b>\$391,406.40</b>
<b>11</b>	<b>SHARED OVERHEAD</b>		
12	FY20 Funds carried over to FY21 at the University of Georgia		\$25,754.44*
13	Constituent groups shared overhead costs		\$63,901.00
<b>14</b>	<b>TOTAL SHARED OVERHEAD:</b>		<b>\$89,655.44</b>
<b>15</b>	<b>EXPENDITURES – OPERATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	<i>(Fund Source 64/Project Code 300)</i>		
17	ICJE Board of Trustees Meetings	\$0.00	\$0.00
18	IT Support	\$0.00	(\$1,292.72)
19	Janitorial Services	(\$384.00)	(\$864.00)
20	Office Equipment Service Agreements	\$0.00	\$0.00
21	Office Supplies	(\$51.80)	(\$446.20)
22	Postage	\$0.00	\$0.00
23	Rent	\$0.00	\$0.00
24	Software License(s)	\$0.00	(\$7,176.96)
25	Staff Travel – Executive Director	\$0.00	\$0.00
26	Subscriptions	\$0.00	\$0.00
27	Telephone Service	\$0.00	(\$616.86)
28	Electricity	(\$441.86)	(\$943.11)
29	WiFi Services	(\$1,655.87)	(\$2,368.44)
30	<i>TOTAL OVERHEAD EXPENSES:</i>	<b>(\$2,533.53)</b>	<b>(\$13,708.29)</b>
<b>31</b>	<b>ENDING OVERHEAD FUND BALANCE</b>	<b>(\$2,533.53)</b>	<b>\$75,947.15</b>

\*This amount furnished to ICJE Staff by UGA School of Law Business Office. The source of these revenues includes contracted fees for educational training provided in conjunction with the UGA Law School (e.g. International Judge Training provided in collaboration with UGA Law School Dean Rusk Center).



# STATE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$61,377.44*
3	Beginning October 2020 fund balance		\$58,685.46**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42006)</i>		
6	Active Judges at \$384.00/person	\$1,920.00	\$4,608.00
7	Senior Judges at \$192.00/person	\$0.00	\$192.00
8	Refunds – Support Fees	(\$768.00)	(\$768.00)
9	<b>TOTAL REVENUES:</b>	<b>\$1,152.00</b>	<b>\$4,032.00</b>
<b>10</b>	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events (Fund Source 42006/Project Code 319)</i>		
12	Fall Conference (Converted to Taped Replay)	(\$2,171.52)	(\$2,171.52)
13	Spring Conference	\$0.00	\$0.00
14	New Judge Orientation Conference	\$0.00	\$0.00
15	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$2,171.52)</b>	<b>(\$2,171.52)</b>
<b>16</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
17	Educational Programs Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
18	New Judge Orientation Conference Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
19	ICJE Board Meetings (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
20	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>21</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Pro Rata	(\$2,325.00)	(\$2,325.00)
<b>23</b>	<b>ENDING FUND BALANCE</b>	<b>(\$3,344.52)</b>	<b>\$55,340.94</b>

\*Beginning fiscal year fund balance as of June 30, 2020 given to ICJE on Tuesday, July 28, 2020 from the Administrative Office of the Courts.

\*\* Beginning month fund balance as of July 31, 2020 given to ICJE on Monday, August 24, 2020 from the Administrative Office of the Courts.



# STATE COURT JUDGES

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	129 Active Judges at \$384.00/Judge		\$49,536.00
4	18 Senior Judges at \$192.00/Judge		\$3,456.00
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Fall Conference	102 Attendees	\$27,231.00
8	New Judge Orientation	8 Attendees	\$8,119.00
9	Spring Conference	97 Attendees	\$20,285.00
10	Other Expenditures		Average Cost – CY 2017-2019
11	Educational Apparatus Meetings		\$400.00
12	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
13	3-Year Average of Revenue		\$52,992.00
14	3-Year Average of Expenditures		\$56,035.00
15	Surplus (Deficit)		(\$3,043.00)
16	STATE COURT JUDGES – TRAINING MANDATES		
17	Statutory:	N/A	
18	Uniform Rule:	USCR 43.1	
19	Educational Apparatus: <i>The Educational Apparatuses include: (1) Educational Programs Committee; (2) New Judge Orientation/Mentoring Committee; and, (3) Mandatory CJE Committee</i>	N/A	





# JUVENILE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$135,198.81*
3	Beginning October 2020 fund balance		\$137,101.71**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42003)</i>		
6	Judges at \$384.00/person	\$5,334.10	\$7,638.10
7	Grant – Justice for Children (J4C)	\$0.00	\$0.00
8	Refunds – Support Fees	\$0.00	(\$384.00)
9	<b>TOTAL REVENUES:</b>	<b>\$5,334.10</b>	<b>\$7,254.10</b>
<b>10</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events (Fund Source 42003/Project Code 308)</i>		
12	Fall Conference	(\$4.10)	(\$4.10)
13	Spring Conference	\$0.00	\$0.00
14	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$4.10)</b>	<b>(\$4.10)</b>
<b>15</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Education and Certification Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
17	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
18	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>19</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
20	Pro Rata	(\$2,405.00)	(\$2,405.00)
<b>21</b>	<b>ENDING FUND BALANCE</b>	<b>\$2,925.00</b>	<b>\$140,026.71</b>

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# JUVENILE COURT JUDGES

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	138 Judges at \$384.00/Judge		\$52,992.00
4	Justice for Children Grant (J4C)		\$10,000.00
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Fall Conference	96 Attendees	\$16,087.00
8	Spring Conference	118 Attendees	\$25,173.00
9	Other Expenditures		Average Cost – CY 2017-2019
10	Educational Apparatus Meetings		\$200.00
11	Publications – <i>Carlson on Evidence</i>		\$16,500.00
12	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
13	3-Year Average of Revenue		\$62,992.00
14	3-Year Average of Expenditures		\$57,960.00
15	Surplus (Deficit)		\$5,032.00
16	JUVENILE COURT JUDGES – TRAINING MANDATES		
17	Statutory:	OCGA §15-11-19; §15-11-62	
18	Uniform Rule:	UJCR 4.3; 4.4	
19	Educational Apparatus: <i>The Educational Apparatuses include: (1) Education and Certification Committee</i>	CJCJ Executive Committee Policy on Senior Juvenile Court Judges	



# JUVENILE COURT CLERKS

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$30,995.29
3	Beginning October 2020 fund balance		\$30,695.29
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42000)</i>		
6	Clerks at \$150.00/person	\$0.00	\$0.00
7	Grant – Justice for Children (J4C)	\$0.00	\$0.00
8	Refund – Support Fees	\$0.00	(\$300.00)
9	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>(\$300.00)</b>
<b>10</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events (Fund Source 42000/Project Code 306)</i>		
12	Annual Conference	\$0.00	\$0.00
13	<b>TOTAL EVENT EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>14</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
15	Georgia Association of Juvenile Court Clerks (ICJE Staff Travel)	\$0.00	\$0.00
16	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>17</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
18	Pro Rata (\$993.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>19</b>	<b>ENDING FUND BALANCE</b>	<b>\$0.00</b>	<b>\$30,695.29</b>



# JUVENILE COURT CLERKS

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees	Average CJE Support Fee Amount Received	
3	61 Clerks at \$150.00/Clerk	\$9,150.00	
4	Justice for Children Grant (J4C)	\$5,000.00	
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Annual Conference	66 Attendees	\$11,894.00
8	Other Expenditures		Average Cost – CY 2017-2019
9	Educational Apparatus Meetings		\$150.00
10	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
11	3-Year Average of Revenue		\$14,150.00
12	3-Year Average of Expenditures		\$11,894.00
13	Surplus (Deficit)		\$2,256.00
14	JUVENILE COURT CLERKS – TRAINING MANDATES		
15	Statutory:	OCGA §15-11-65	
16	Uniform Rule:	N/A	
17	Educational Apparatus: <i>The Educational Apparatuses include: (1) Georgia Association of Juvenile Court Clerks (GAJCC)</i>	N/A	



# PROBATE COURT JUDGES – NON TRAFFIC

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance*		\$116,001.98*
3	Beginning October 2020 fund balance*		\$111,776.93**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42005)</i>		
6	Judges at \$410.00/person	\$2,050.00	\$2,460.00
7	Refunds – Support Fees	\$0.00	(\$820.00)
8	<b>TOTAL REVENUES:</b>	<b>\$2,050.00</b>	<b>\$1,640.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events (Fund Source 42005/Project Code 315)</i>		
11	Fall Conference COAG	\$0.00	\$0.00
12	Spring Conference	\$0.00	\$0.00
13	New Judge Orientation Conference	\$0.00	\$0.00
14	<i>Multi Class of Court Events</i>		
15	July 2020 Ethics Course	\$0.00	\$0.00
16	March 2021 Humanities Course	\$0.00	\$0.00
17	<b>TOTAL EVENT EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>18</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Probate Judge Training Council Meetings (ICJE Staff Travel)	\$0.00	\$0.00
20	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
21	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>22</b>	<b>EXPENDITURES – POSTAGE &amp; OTHER EXPENSES</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Non-Traffic Probate Certificate Plaque	(\$3.80)	(\$32.80)
24	Transfer \$29,062.00 to Fund Balance of Probate Judges-Traffic pending	\$0.00	\$0.00
25	<b>TOTAL OTHER EXPENSES:</b>	<b>(\$3.80)</b>	<b>(\$32.80)</b>
<b>26</b>	<b>MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
27	Travel Reimbursement	\$0.00	\$0.00
28	<b>TOTAL MENTORING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>29</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
30	Pro Rata (\$3,619.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>31</b>	<b>ENDING FUND BALANCE*</b>	<b>\$2,046.20</b>	<b>\$113,823.13</b>

*This fund balance includes both Probate Traffic Judges and Probate Non-Traffic Judges pending the reallocation of these funds between Traffic Judges and Non-Traffic Judges.*

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# PROBATE COURT JUDGES – NON TRAFFIC

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	170 Judges at \$410.00/Judge		\$69,700.00
4	21 Clerks at \$410.00/Clerk		\$8,610.00
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Fall Conference COAG	106 Attendees	\$8,306.00
8	New Judge Orientation	38 Attendees (2016 NJO Only)	\$14,814.00
9	Spring Conference	180 Attendees	\$62,873.00
10	Multi Class of Court Events		
11	July Ethics Course		
12	March Humanities Course	1 Attendee (2020)	\$112.00
13	Other Expenditures		Average Cost – CY 2017-2019
14	Educational Apparatus Meetings		\$1,100.00
15	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
16	3-Year Average of Revenue		\$78,310.00
17	3-Year Average of Expenditures (Includes 2016 NJO)		\$87,205.00
18	Surplus (Deficit)		(\$8,895.00)
19	PROBATE COURT JUDGES/NON-TRAFFIC – TRAINING MANDATES		
20	Statutory:	OCGA §15-9-1.1; §15-9-2.1	
21	Uniform Rule:	UPCR 14.2	
22	Educational Apparatus: The Educational Apparatuses include: (1) Probate Judges Training Council (OCGA 15-9-100)	Probate Judges Training Council	



# PROBATE COURT JUDGES - TRAFFIC

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<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance*	\$0.00	
3	Beginning October 2020 fund balance*	\$0.00	
4	Transfer of \$29,062.00 from Fund Balance Probate Judges – Non Traffic Pending	\$0.00	
<b>5</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
6	<i>CJE Support Fees (Fund Source 42005)</i>		
7	Judges at \$300.00/person	\$0.00	\$0.00
8	Refunds – Support Fees	\$0.00	\$0.00
9	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>10</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events (Fund Source 42005/Project Code 352)</i>		
12	Annual Traffic Conference	\$0.00	\$0.00
13	New Judge Orientation	\$0.00	\$0.00
14	<i>Multi Class of Court Events</i>		
15	July 2020 Ethics Course	\$0.00	\$0.00
16	March 2021 Humanities Course	\$0.00	\$0.00
17	<b>TOTAL EVENT EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>18</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Probate Judge Traffic Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
20	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
21	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>22</b>	<b>EXPENDITURES – POSTAGE &amp; OTHER ITEMS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Probate Traffic Certificate Program	(\$5.45)	(\$5.45)
24	<b>TOTAL OTHER EXPENSES:</b>	<b>(\$5.45)</b>	<b>(\$5.45)</b>
<b>25</b>	<b>MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Travel Reimbursement	\$0.00	\$0.00
27	<b>TOTAL MENTORING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>28</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
29	Pro Rata (\$1,312.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>30</b>	<b>ENDING FUND BALANCE</b>	<b>(5.45)</b>	<b>(\$5.45)</b>

*\*These balances reflect that the CJE support fees paid by Probate Traffic Judges is included in the fund balance for Probate Non-Traffic Judges, pending the reallocation of these funds between Traffic Judges and Non-Traffic Judges.*



# PROBATE COURT JUDGES – TRAFFIC

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	87 Judges at \$300.00/Judge		\$26,100.00
4	6 Clerks at \$300.00/Clerk		\$1,800.00
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Annual Traffic Conference	92 Attendees (2016)	\$22,499.00
8	New Judge Orientation – traffic	18 Attendees (2016 NJO Only)	\$8,797.00
10	Multi Class of Court Events		
11	July Ethics Course		
12	March Humanities Course	1 Attendee (2020)	\$112.00
13	Other Expenditures		Average Cost – CY 2017-2019
14	Educational Apparatus Meetings		\$200.00
15	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
16	3-Year Average of Revenue		\$27,900.00
17	3-Year Average of Expenditures (Includes 2016 NJO)		\$31,608.00
18	Surplus (Deficit)		(\$3,708.00)
19	PROABTE COURT JUDGES/TRAFFIC – TRAINING MANDATES		
20	Statutory:	OCGA §15-9-1.1; §15-9-2.1	
21	Uniform Rule:	UPCR 14.2	
22	Educational Apparatus: The Educational Apparatuses include: Probate Judge Traffic Certificate Committee of Probate Judges Training Council	PJTC Traffic Certificate Committee	





# PROBATE COURT CLERKS

## FISCAL YEAR FINANCIAL REPORT

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group's leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance*		\$0.00
3	Beginning October 2020 fund balance*		\$100.00
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	CJE Support Fees (Fund Source 42004)		
6	Participants at \$100.00/person	\$0.00	\$100.00
7	Refunds – Support Fees	\$0.00	\$0.00
8	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$100.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	Educational Training Events (Fund Source 42004/Project Code 314)		
11	LWEG & Traffic Training - July 2020	\$0.00	CANCELLED - COVID
12	LWEG & Traffic Training - August 2020	\$0.00	CANCELLED - COVID
13	LWEG & Traffic Training - June 2021	\$0.00	\$0.00
14	<b>TOTAL EVENT EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>15</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Educational Apparatus Meetings	\$0.00	\$0.00
17	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>18</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Pro Rata (\$408.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>20</b>	<b>ENDING FUND BALANCE*</b>	<b>\$0.00</b>	<b>\$100.00</b>

*\*These balances reflect that all CY 2020 CJE Support Fees were refunded upon the cancellation of all CY 2020 educational programming – a decision made in March of 2020.*



# PROBATE COURT CLERKS

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees	Average CJE Support Fee Amount Received	
3	233 Clerks at \$100.00/Clerk*	\$23,300.00*	
4	13 Judges at \$100.00/Judge	\$1,300.00	
*NOTE – CY 2017 Fee was \$50.00/Clerk; CY 2018 & CY 2019 Fee was \$75.00/Clerk; CY 2020 Fee was \$100.00/Clerk			
5	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
6	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
7	Annual Training - Athens	108 Attendees	\$9,829.00
8	Annual Training - Dublin	92 Attendees	\$5,601.00
9	Annual Training - Tifton	91 Attendees	\$6,992.00
10	Other Expenditures		Average Cost – CY 2017-2019
11	Educational Apparatus Meetings		\$0.00
12	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
13	3-Year Average of Revenue*(Changes in fees noted above - 2017-present)		\$24,600.00
14	3-Year Average of Expenditures		\$22,422.00
15	Surplus (Deficit)		\$2,178.00
16	PROBATE COURT CLERKS – TRAINING MANDATES		
17	Statutory:	N/A	
18	Uniform Rule:	N/A	
19	Educational Apparatus:	N/A	
NOTE: There is no mandated training for Probate Court Clerks; training is provided as an accommodation by ICJE			



# MAGISTRATE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group's leadership or educational apparatus that was not administered by ICJE.

<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$310,188.79*
3	Beginning October 2020 fund balance		\$299,792.29**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42001)</i>		
6	Judges at \$315.00/person	\$945.00	\$4,725.00
7	Refunds – Support Fees	\$0.00	\$0.00
8	<b>TOTAL REVENUES:</b>	<b>\$945.00</b>	<b>\$4,725.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events (Fund Source 42001)</i>		
11	40 Hr. Basic Civil Certification (Project Code 327) (Converted To Taped Replay)	(\$103.14)	(\$6,703.14)
12	Fall Recertification (Project Code 329) (Converted To Taped Replay)	(\$2,274.00)	(\$2,274.00)
13	Chief Judges' Update (Project Code 335)	\$0.00	\$0.00
14	40 Hr. Criminal Certification (Project Code 328)	\$0.00	\$0.00
15	Spring Recertification (Project Code 329)	\$0.00	\$0.00
16	<i>Multi Class of Court Events (Project Code 335)</i>		
17	July 2020 Ethics Course (19 Attendees)	\$0.00	\$0.00
18	March 2021 Humanities Course	\$0.00	\$0.00
19	Financial Assistance for National Training (Project Code 330)	\$0.00	\$0.00
20	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$2,377.14)</b>	<b>(\$8,977.14)</b>
<b>21</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	<i>Educational Apparatus Meetings (Project 337)</i>		
23	Magistrate Judge Training Council Meetings (Judge & ICJE Staff Travel)	\$0.00	\$0.00
24	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
25	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>26</b>	<b>EXPENDITURES - PUBLICATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
27	Benchbook (Project Code 333)	\$0.00	(\$6,114.90)
28	Landlord/Tenant Law (40 Hr. Civil Training Event) (Project Code 327)	(\$2,283.20)	(\$3,744.80)
29	GA Law Enforcement Handbook	\$0.00	\$0.00
30	<b>TOTAL PUBLICATION EXPENSES:</b>	<b>(\$2,283.20)</b>	<b>(\$9,859.70)</b>
<b>31</b>	<b>EXPENDITURES – MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
32	Travel Reimbursements (Project Code 335)	(\$33.81)	(\$33.81)
33	<b>TOTAL MENTORING EXPENSES:</b>	<b>(\$33.81)</b>	<b>(\$33.81)</b>
<b>34</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
35	Pro Rata (\$6,360.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>36</b>	<b>ENDING FUND BALANCE</b>	<b>(\$3,749.15)</b>	<b>\$296,043.14</b>

\*Beginning fiscal year fund balance as of June 30, 2020 given to ICJE on Tuesday, July 28, 2020 from the Administrative Office of the Courts.

\*\* Beginning month fund balance as of July 31, 2020 given to ICJE on Monday, August 24, 2020 from the Administrative Office of the Courts.



# MAGISTRATE COURT JUDGES

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	505 Judges at \$315.00/Judge		\$159,075.00
4	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
5	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
6	Fall Recertification	170 Attendees	\$44,396.00
7	40 Hr. Criminal Law Basic	21 Attendees	\$11,924.00
8	Chief Magistrate Update	69 Attendees	\$22,082.00
9	Spring Recertification	180 Attendees	\$34,549.00
10	40 Hr. Civil Basic Law	21 Attendees	\$15,200.00
11	Multi Class of Court Events		
12	July Ethics Course	20 Attendees	\$2,379.00
13	March Humanities Course	16 Attendees	\$1,074.00
14	Financial Assistance for National Training		\$10,000.00
15	Other Expenditures		Average Cost – CY 2017-2019
16	Educational Apparatus Meetings		\$1,500.00
17	Mentoring – Travel Reimbursement		\$250.00
18	Bench Book		\$6,114.00
19	Landlord/Tenant Law		\$6,900.00
20	GA Law Enforcement Handbook		\$6,900.00
21	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
22	3-Year Average of Revenue		\$159,075.00
23	3-Year Average of Expenditures		\$153,269.00
24	Surplus (Deficit)		\$5,806.00
25	MAGISTRATE COURT JUDGES – TRAINING MANDATES		
26	Statutory:	OCCA §15-10-25; §15-10-130; §15-10-131; §15-10-137; §15-10-223	
27	Uniform Rule:	N/A	
28	Educational Apparatus: The Educational Apparatuses include: (1) Magistrate Court Training Council (OCGA 15-10-132)	Magistrate Court Training Council	



# MAGISTRATE COURT JUDGES HISTORIC RESERVES\*

*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group’s leadership or educational apparatus that was not administered by ICJE.*

1	EXPENDITURES AS APPROVED BY CMCIJ AND/OR MCTC	TOTAL RESERVES
2	(Fund Source 42002/Project Code 371)	\$49,289.30
3	Professional Fees – Royals & Associates, CPA	\$262.50
4	TOTAL MUNICIPAL HISTORIC RESERVES:	\$49,026.80
5	TOTAL HISTORICAL RESERVES REMAINING:	\$49,026.80

*\*The amounts on this sheet were designated as “historic reserves” by the ICJE Board of Trustees’ Budget Committee. Since July, 2017, the AOC, as ICJE’s fiscal agent, has held these “historic reserves”. Prior to July, 2017, the “historic reserves” were on deposit at SunTrust Bank in two accounts: the account labeled “Magistrate” contained \$49,289.30 at the time of account closure and transfer to AOC fiscal; and, the account labeled “Municipal” contained \$116,501.03 at the time of account closure and transfer to AOC fiscal. The closure of the two accounts and the transfer of the funds in those accounts over to AOC fiscal in July 2017 was based upon the recommendation of the AOC Chief Financial Officer.*

**On October, 23, 2020, the ICJE Board of Trustees unanimously approved the following motion:**

## **MOTION:**

The amount of \$49,026.80, currently designated as “Historic Reserves” (“Magistrate” Project Code 371) be transferred/reallocated/redesignated as soon as practicable to Fund Source 42001 “Magistrate Court Judges”; and that the full amount of the \$49,026.80 be expended for future expenditures of educational events; meetings; publications; mentoring; and, shared office overhead, for Magistrate Court Judges in the same manner that revenues derived from annual CJE Support Fees are expended as directed by the Magistrate Court Training Council.



# MAGISTRATE COURT CLERKS

## FISCAL YEAR FINANCIAL REPORTS

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group’s leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$29,024.54
3	Beginning October 2020 fund balance		\$29,024.54
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	CJE Support Fees (Fund Source 42008)		
6	Clerks at \$150.00/person	\$0.00	\$0.00
7	Refunds – Support Fees	\$0.00	\$0.00
8	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	Clerks Annual Conference (Project Code 331)	\$0.00	\$0.00
11	<b>TOTAL EVENT EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>12</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
13	Educational Apparatus Meetings	\$0.00	\$0.00
14	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>15</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Pro Rata (\$757.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>17</b>	<b>ENDING FUND BALANCE</b>	<b>\$0.00</b>	<b>\$29,024.54</b>



# MAGISTRATE COURT CLERKS

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees	Average CJE Support Fee Amount Received	
3	101 Clerks at \$150.00/Clerk	\$15,150.00	
4	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
5	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
6	Annual Training	120 Attendees	\$18,232.00
7	Other Expenditures		Average Cost – CY 2017-2019
8	Educational Apparatus Meetings		
9	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
10	3-Year Average of Revenue		\$15,150.00
11	3-Year Average of Expenditures		\$18,232.00
12	Surplus (Deficit)		(\$3,082.00)
13	MAGISTRATE COURT CLERKS – TRAINING MANDATES		
14	Statutory:	N/A	
15	Uniform Rule:	N/A	
16	Educational Apparatus:	N/A	
	NOTE: There is no mandated training for Magistrate Court Clerks; training is provided as an accommodation by ICJE		



# MUNICIPAL COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group's leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$223,926.64*
3	Beginning October 2020 fund balance		\$231,001.64**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42002)</i>		
6	Judges at \$325.00/person	\$5,525.00	\$15,600.00
7	Refunds – Support Fees	\$0.00	\$0.00
8	<b>TOTAL REVENUES:</b>	<b>\$5,525.00</b>	<b>\$15,600.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events (Fund Source 42002)</i>		
11	Fall 20 Hr. Recertification (Project Code 339)	(\$460.00)	(\$460.00)
12	Fall Law & Practice (Project Code 339)	(\$7,988.30)	(\$7,988.30)
13	Summer 20 Hr. Recertification (Project Code 339)	\$0.00	\$0.00
14	Summer Law & Practice (Project Code 339)	\$0.00	\$0.00
15	<i>Multi Class of Court Events (Project Code 340)</i>		
16	July 2020 Ethics Course	\$0.00	\$0.00
17	March 2021 Humanities Course	\$0.00	\$0.00
18	Financial Assistance for National Training (Project Code 343)	\$0.00	\$0.00
19	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$8,448.30)</b>	<b>(\$8,448.30)</b>
<b>20</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
21	Municipal Judge Training Council Meetings (Judge & ICJE Staff Travel) (Project Code 344)	\$0.00	\$0.00
22	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
23	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>24</b>	<b>EXPENDITURES - PUBLICATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
25	Benchbook/Purchased Publication (Project Code 342)	\$0.00	(\$3,000.00)
26	<b>TOTAL PUBLICATION EXPENSES:</b>	<b>\$0.00</b>	<b>(\$3,000.00)</b>
<b>27</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
28	Pro Rata	(\$4,542.00)	(\$4,542.00)
<b>29</b>	<b>ENDING FUND BALANCE</b>	<b>(\$7,465.30)</b>	<b>\$223,536.34</b>

\*Beginning fiscal year fund balance as of June 30, 2020 given to ICJE on Tuesday, July 28, 2020 from the Administrative Office of the Courts.

\*\* Beginning month fund balance as of July 31, 2020 given to ICJE on Monday, August 24, 2020 from the Administrative Office of the Courts.





# MUNICIPAL COURT JUDGES

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	313 Judges at \$325.00/Judge		\$101,725.00
4	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
5	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
6	Fall Law; NJO; Recertification	117 (14 NJO) Attendees	\$29,305.00
7	Summer Law/Practice; NJO; Recertification	155 (14 NJO) Attendees	\$64,535.00
8	Multi Class of Court Events		
9	July Ethics Course	10 Attendees	\$429.00
10	March Humanities Course	14 Attendees	\$679.00
11	Financial Assistance for National Training		\$10,000.00
12	Other Expenditures		Average Cost – CY 2017-2019
13	Educational Apparatus Meetings		\$1,500.00
14	Benchbook		\$3,000.00
15	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
16	3-Year Average of Revenue		\$101,725.00
17	3-Year Average of Expenditures		\$109,448.00
18	Surplus (Deficit)		(\$7,723.00)
19	MUNICIPAL COURT JUDGES – TRAINING MANDATES		
20	Statutory:	OCCA §36-32-27	
21	Uniform Rule:	N/A	
22	Educational Apparatus: The Educational Apparatuses include: (1) Municipal Court Training Council (OCCA 36-32-22)	Municipal Court Training Council	



# MUNICIPAL COURT JUDGES HISTORIC RESERVES\*

*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group’s leadership or educational apparatus that was not administered by ICJE.*

1	EXPENDITURES AS APPROVED BY CMuCJ AND/OR MuCTC	TOTAL RESERVES
2	(Fund Source 42002/Project Code 371)	\$116,501.03
3	Professional Fees – Royals & Associates, CPA	\$262.50
4	TOTAL MUNICIPAL HISTORIC RESERVES:	\$116,238.53
5	TOTAL HISTORICAL RESERVES REMAINING:	\$116,238.53

*\*The amounts on this sheet were designated as “historic reserves” by the ICJE Board of Trustees’ Budget Committee. Since July, 2017, the AOC, as ICJE’s fiscal agent, has held these “historic reserves”. Prior to July, 2017, the “historic reserves” were on deposit at SunTrust Bank in two accounts: the account labeled “Magistrate” contained \$49,289.30 at the time of account closure and transfer to AOC fiscal; and, the account labeled “Municipal” contained \$116,501.03 at the time of account closure and transfer to AOC fiscal. The closure of the two accounts and the transfer of the funds in those accounts over to AOC fiscal in July 2017 was based upon the recommendation of the AOC Chief Financial Officer.*

**On October, 23, 2020, the ICJE Board of Trustees unanimously approved the following motion:**

## **MOTION:**

The amount of \$116,238.53, currently designated as “Historic Reserves” (“Municipal” Project Code 371) be transferred/reallocated/redesignated as soon as practicable to Fund Source 42002 “Municipal Court Judges”; and that the full amount of the \$116,238.53 be expended for future expenditures of educational events; meetings; publications; and, shared office overhead, for Municipal Court Judges in the same manner that revenues derived from annual CJE Support Fees are expended as directed by the Municipal Court Training Council.



# MUNICIPAL COURT CLERKS

## FISCAL YEAR FINANCIAL REPORT

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group’s leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$252,400.58*
3	Beginning October 2020 fund balance		\$272,875.58**
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees (Fund Source 42009)</i>		
6	Clerks at \$225.00/person	\$6,525.00	\$25,650.00
7	Refunds – Support Fees	(\$675.00)	(\$900.00)
8	<b>TOTAL REVENUES:</b>	<b>\$5,850.00</b>	<b>\$24,750.00</b>
<b>9</b>	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events (Fund Source 42009/Project Code 345)</i>		
11	Recertification - August	\$0.00	CANCELLED - COVID
12	16 Hour Certification- September	(\$950.00)	(\$950.00)
13	Online Recertification - October	\$0.00	\$0.00
14	Recertification - November (In Person, Simulcast & Taped)	\$0.00	\$0.00
15	-Event Venue Contract Cancellation Fee (\$20,068.75***)	\$0.00	\$0.00
16	16 Hour Certification - February	\$0.00	\$0.00
17	Recertification - April	\$0.00	\$0.00
18	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$950.00)</b>	<b>(\$950.00)</b>
<b>19</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
20	Educational Apparatus Meetings	\$0.00	\$0.00
21	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>22</b>	<b>EXPENDITURES – PUBLICATIONS/POSTAGE</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Postage	(\$7.85)	(\$7.85)
24	<b>TOTAL PUBLICATION EXPENSES:</b>	<b>(\$7.85)</b>	<b>(\$7.85)</b>
<b>25</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Pro Rata	(\$3,113.00)	(\$3,113.00)
<b>27</b>	<b>ENDING FUND BALANCE</b>	<b>\$1,779.15</b>	<b>\$274,654.73</b>

\*Beginning fiscal year fund balance as of June 30, 2020 given to ICJE on Tuesday, July 28, 2020 from the Administrative Office of the Courts.

\*\* Beginning month fund balance as of July 31, 2020 given to ICJE on Monday, August 24, 2020 from the Administrative Office of the Courts.

\*\*\*November seminar venue cancellation fee per signed contract (due to COVID). Total funds subject to change and will be expensed from the fund balance at a later date.



# MUNICIPAL COURT CLERKS

## HISTORICAL FINANCIAL INFORMATION FOR BUDGETARY PLANNING

1	AVERAGE REVENUES FROM CJE SUPPORT FEES – CY 2017, 2018, 2019		
2	Average Number Paying CJE Support Fees		Average CJE Support Fee Amount Received
3	459 Clerks at \$225.00/Clerk		\$103,275.00
4	AVERAGE EXPENDITURES – CY 2017, 2018, 2019		
5	Event Expenditures	Average Attendance – CY 2017-2019	Average Cost – CY 2017-2019
6	Recertification – August	111 Attendees	\$16,810.00
7	Recertification – September	44 Attendees	\$8,214.00
8	Recertification – November	134 Attendees	\$26,957.00
9	Recertification – February	30 Attendees	\$8,062.00
10	Recertification – April	97 Attendees	\$14,781.00
11	Other Expenditures		Average Cost – CY 2017-2019
12	Educational Apparatus Meetings		\$200.00
13	SUMMARY OF REVENUES & EXPENDITURES – CY 2017, 2018, 2019		
14	3-Year Average of Revenue		\$103,275.00
15	3-Year Average of Expenditures		\$75,024.00
16	Surplus (Deficit)		\$28,251.00
17	MUNICIPAL COURT CLERKS – TRAINING MANDATES		
18	Statutory:	OCCA §36-32-13	
19	Uniform Rule:	N/A	
20	Educational Apparatus: <i>The Educational Apparatuses include: (1) Municipal Court Training Council (OCGA 36-32-22); and, (2) Georgia Municipal Court Clerks Council (GMCCC)</i>	Georgia Municipal Court Clerks Council	



# SUPERIOR COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group’s leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$967.99
3	Beginning October 2020 fund balance		\$542,867.44
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	Appropriated Funds (Fund Source 42007)	\$0.00	\$550,000.00
6	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$550,000.00</b>
<b>7</b>	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
8	<i>Educational Training Events (Fund Source 42007/Project Code 323)</i>		
9	Summer Conference (173 Attendees – Taped Replay)	\$0.00	(\$7,724.55)
10	New Judge Orientation Conference	\$0.00	\$0.00
11	Winter Conference	\$0.00	\$0.00
12	Judicial Staff Attorneys’ CLE Hours	(\$392.00)	(\$768.00)
13	<b>TOTAL EVENT EXPENSES:</b>	<b>(\$392.00)</b>	<b>(\$8,492.55)</b>
<b>14</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
15	MCJE Meetings (ICJE Staff Travel)	\$0.00	\$0.00
16	ICJE Board Meetings (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
17	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>18</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Pro Rata	(\$22,823.00)	(\$22,823.00)
<b>20</b>	<b>ENDING FUND BALANCE</b>	<b>(\$23,215.00)</b>	<b>\$519,652.44</b>

**Superior Court Judges’ Educational Training & Appropriated Funds:** The revenue source for all amounts shown on this report for Superior Court Judge educational training is appropriated funds; specifically, appropriations to the Council of Superior Court Judges of Georgia (“CSCJ”). ICJE facilitates three educational programs for CSCJ each year: (1) Summer Conference; (2) Winter Conference; and, (3) New Judge Orientation. ICJE invoices CSCJ for the expense of each event; and, CSCJ, using funds appropriated to CSCJ, pays ICJE. This transaction represents a payment of a CJE Support Fee on behalf of each Superior Court Judge by CSCJ. The amounts paid during each fiscal year varies, depending on the cost of the events. These funds are included in the ICJE Fiscal Year Budget.

**Superior Court Judges’ Travel Reimbursement & Appropriated Funds:** In addition to paying ICJE for the cost of training events, CSCJ also pays for Superior Court Judges’ allowable travel expenses associated with training events. (OCGA §15-6-32). The revenue source for the travel expenses is appropriated funds; specifically, appropriations to the Council of Superior Court Judges of Georgia (“CSCJ”). The amounts paid during each fiscal year varies, depending on the amount of allowable travel expenses.

All funds received by ICJE are deposited with the AOC as fiscal agent. The revenue is subsequently identified, designated, and the expenditures tracked, in accordance with the State Accounting Policy and Procedure/Accounting Manual Reference.



# JUDICIAL STAFF ATTORNEYS

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$0.00
3	Beginning October 2020 fund balance		\$5,261.58
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	Appropriated Funds (CSCJ pays for Superior Court) (Fund Source 42007)		
6	Registration Fees – attendees at \$150.00*	\$0.00	\$0.00
7	<i>TOTAL REVENUES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
<b>8</b>	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
9	<i>Educational Training Events (Fund Source 42007/Project Code 323)</i>		
10	Annual Conference (Converted to Taped Replay)*	\$0.00	\$0.00
11	<i>TOTAL EVENT EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
<b>12</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
13	Educational Apparatus Meetings	\$0.00	\$0.00
14	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
<b>15</b>	<b>EXPENDITURES – POSTAGE/PUBLICATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Postage	(\$1.75)	(\$1.75)
17	<i>TOTAL POSTAGE/PUBLICATIONS EXPENSES:</i>	<b>(\$1.75)</b>	<b>(\$1.75)</b>
<b>18</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Pro Rata (\$928.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>20</b>	<b>ENDING FUND BALANCE</b>	<b>(\$1.75)</b>	<b>\$5,259.83</b>



# ACCOUNTABILITY COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

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<b>1</b>	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$38,965.70
3	Beginning October 2020 fund balance		\$38,965.70
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	Appropriated Funds (Fund Source 44195)	\$0.00	\$0.00
6	New Judge Orientation	\$2,500.00	\$2,500.00
7	<i>TOTAL REVENUES:</i>	<b>\$2,500.00</b>	<b>\$2,500.00</b>
<b>8</b>	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expense</b>	<b>YTD Expenses</b>
9	<i>Educational Training Events (Fund Source 44195/Project Code 368)</i>		
10	Annual Training Conference (Converted to Online Event)	\$0.00	\$0.00
11	New Judge Orientation	\$0.00	\$0.00
12	<i>TOTAL EVENT EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
<b>13</b>	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
14	Educational Apparatus Meetings	\$0.00	\$0.00
15	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
<b>16</b>	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
17	Pro Rata (\$14,316.00 to be reallocated at a later date)	\$0.00	\$0.00
<b>18</b>	<b>ENDING FUND BALANCE:</b>	<b>\$2,500.00</b>	<b>\$41,465.70</b>



# GEORGIA COMMISSION ON FAMILY VIOLENCE

## (GRANT – DOMESTIC VIOLENCE BENCH BOOK)\*\*

### FISCAL YEAR FINANCIAL REPORT

*\*To promote constituent confidence and to foster transparency, this information is made available to all ICJE constituent groups. These reports include ICJE – administered expenses only. For ICJE – administered expenses, any ICJE – maintained document (e.g. contract, invoice, travel reimbursement claim, etc.) is available for review upon request. These expenditures do not include any event expense authorized or administered by this group's leadership or educational apparatus that was not administered by ICJE.*

<b>1</b>	<b>BEGINNING BALANCES</b>		
2	Beginning fiscal year balance		\$0.00
3	Beginning October 2020 balance		\$0.00
<b>4</b>	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	(Fund Source 42012)		
6	VAWA Grant Funds	\$0.00	\$0.00
7	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>8</b>	<b>EXPENDITURES – CONTRACTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
9	Services by Subcontractor (Fund Source 42012/Project Code 353)		
10	Joan Prittie - Attorney	(\$3,000.00)	(\$3,000.00)
11	<b>TOTAL CONTRACT EXPENSES:</b>	<b>(\$3,000.00)</b>	<b>(\$3,000.00)</b>
<b>12</b>	<b>ENDING FUND BALANCE</b>	<b>(\$3,000.00)</b>	<b>(\$3,000.00)</b>

*\*\*The source of these funds is a grant received by the AOC, as a recipient of a VAWA Continuation Award from the Criminal Justice Coordinating Council. The AOC and ICJE entered into an MOU regarding the annual updating of the Georgia Domestic Violence Bench book. The current term of the MOU is March – December of 2020. AOC transmits the amount of \$15,000.00 to ICJE, which in turn pays \$15,000.00 to a subcontractor to complete the Bench Book revision. The completed Bench Book is housed on the ICJE Website and is available for reference by all ICJE constituencies.*





# **STAFF POINTS OF CONTACT**

# ICJE Points of Contact

CONSTITUENT GROUPS	ICJE STAFF	OFFICE NUMBER	EMAIL ADDRESS
<b>Superior Court Judges</b> <b>Superior Court Clerks</b> <b>State Court Judges</b> <b>Magistrate Court Judges</b> <b>Magistrate Court Clerks</b> <b>Judicial Staff Attorneys</b>	<b>Lindsey Colley</b> <i>Event Coordinator</i> & <b>Susan Mason</b> <i>Event Planner</i>	(706) 369-5813  (706) 369-5809	<a href="mailto:lcolley@uga.edu">lcolley@uga.edu</a>  <a href="mailto:susan.mason@uga.edu">susan.mason@uga.edu</a>
<b>Juvenile Court Judges</b> <b>Juvenile Court Clerks</b> <b>Probate Court Judges</b> <b>Probate Court Clerks</b> <b>Municipal Court Judges</b> <b>Municipal Court Clerks</b> <b>Accountability Court Judges</b>	<b>Laura Kathryne Hogan</b> <i>Event Coordinator</i> & <b>Casey Semple</b> <i>Event Planner</i>	(706) 369-5836  (706) 369-5807	<a href="mailto:lk Hogan@uga.edu">lk Hogan@uga.edu</a>  <a href="mailto:csemple@uga.edu">csemple@uga.edu</a>
<b>Office Manager</b> <b>Financials</b>	<b>Emily Rashidi</b> <i>Business Operations Manager</i>	(706) 369-5842	<a href="mailto:emily.rashidi@uga.edu">emily.rashidi@uga.edu</a>
<b>All ICJE Online Courses</b> <b>Judicial Ethics Course</b> <b>Humanities Course</b> <b>International Groups</b>	<b>Alex Ferraro</b> <i>Electronic Media Specialist</i>	(706) 369-5818	<a href="mailto:aferraro@uga.edu">aferraro@uga.edu</a>
<b>ICJE Executive Director</b>	<b>Douglas Ashworth</b> Cell # (706) 201-7680	(706) 369-5793	<a href="mailto:dashworth@uga.edu">dashworth@uga.edu</a>

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