

JUDICIAL COUNCIL OF GEORGIA

General Session

Friday, April 21, 2023

10 a.m. – 12:30 p.m.



Columbus Convention & Trade Center

Supplemental Materials



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council Members

FROM: Justice Charles J. Bethel
Chief Judge Russell Smith
Co-Chairs, Ad Hoc Committee on Judicial Salaries and Supplements

RE: Committee Report

DATE: April 19, 2023

The Committee conducted a survey of superior court judges in March 2023. The summary report is attached.

The Committee will meet next Friday, April 28, 2023, to discuss the survey results as well as next steps.

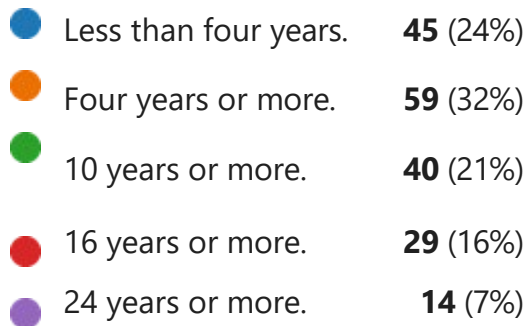
Attachment

AD HOC COMMITTEE ON JUDICIAL SALARIES AND SUPPLEMENTS

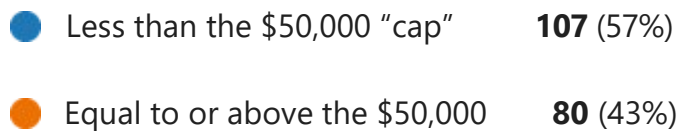
Superior Court Salary Survey Results

March 2023

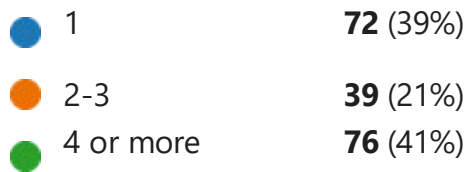
1. How long have you served as a Superior Court Judge?



2. Are the local supplements paid by your Circuit/Counties:



3. How many counties are in your circuit?



4. Will you receive any retirement on your local supplements?



5. Is the current compensation system fair to all Superior Court Judges?



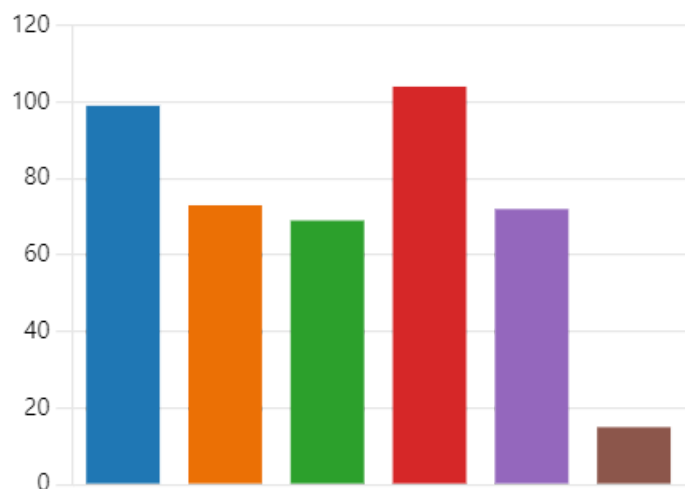
6. **How satisfied are you with your compensation:**

Extremely satisfied	4 (2%)
Very satisfied	31 (17%)
Somewhat satisfied	82 (44%)
Dissatisfied	52 (28%)
Very Dissatisfied	18 (10%)



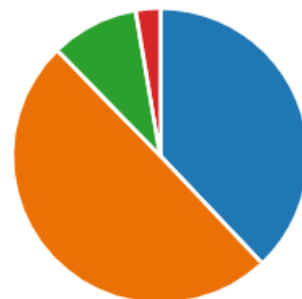
7. **If you marked that you are Dissatisfied, Very Dissatisfied, or if you selected one of the first three options, but have other concerns about your compensation, please mark all reasons that apply: (See Appendix A for full response descriptions)**

My compensation is too low.	99
I believe all Superior Court judg...	73
I will not receive retirement on ...	69
State Compensation does not in...	104
The cap on supplements should...	72
Other	15



8. **Have you considered leaving your position due to your compensation?**

Never	71 (38%)
Occasionally	93 (50%)
Regularly	18 (10%)
Constantly	5 (3%)



9. **Do you believe the current compensation system adversely affects the ability to attract and retain qualified lawyers to the bench in your circuit?**

● Yes	151 (81%)
● No	36 (19%)



10. **Should the current system of supplements be modified, eliminated or phased out in favor of a uniform system of compensation?**

● Yes	107 (57%)
● No	80 (43%)



11. **If you answered "No" to question 10, above, please mark all reasons that apply:**
(See Appendix A for full description of responses)

● Not all Superior Court judges d...	55
● Counties should be able to deci...	75
● Every Superior Court judge was ...	42
● Other	12



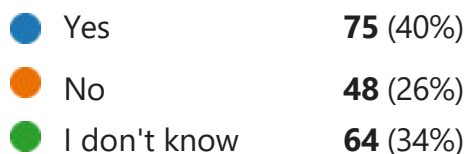
12. **Should judges in areas with a demonstrated higher cost-of-living be eligible for a cost-of-living local supplement or adjusted State pay to account for such regional differences as long as such supplement or pay adjustment were tied to an objective measure such as the Consumer Price Index, or another widely approved cost-of-living index?**



13. **Should judges be entitled to increases in either their State pay or local supplements based on the amount of time they have served on the Bench?**



14. **Do you agree with the recommendations (assuming the recommended compensation amounts were updated to account for the time since the issuance of the report) set forth in the Judicial, District Attorney, and Circuit Public Defender Compensation Committee dated December 15, 2016? The recommendations can be found on pages 21 – 22 in the document below: <https://jcaoc.georgiacourts.gov/wp-content/uploads/sites/6/2023/03/Judicial-District-Attorney-Circuit-Public-Defender-Compensation-Commission-2016-Report.pdf>**



15. **Do you agree that the Georgia appellate court judges should receive a higher compensation than Georgia trial court judges?**

● Yes **130 (70%)**

● No **57 (30%)**



-
16. **Do you have any additional comments or suggestions on the survey itself? (Please indicate below)**

See Appendix B

-
17. **Please provide suggestions/proposed solutions that you think might assist the Committee in offering recommendations that would revise or eliminate the local supplement system? (Please indicate below)**

See Appendix C

Appendix A:

Question 7. If you marked that you are Dissatisfied, Very Dissatisfied, or if you selected one of the first three options, but have other concerns about your compensation, please mark all reasons that apply:

- My compensation is too low **99**
- I believe all Superior Court judges should receive the same compensation **73**
- I will not receive retirement on my supplements **69**
- State Compensation does not include longevity or step-raise increases **104**
- The cap on supplements should be removed **72**
- Other **15**

Question 11. If you answered “No” to question 10, above, please mark all reasons that apply:

- Not all Superior Court judges do the same job. **55**
- Counties should be able to decide for themselves whether and how much to supplement their Superior Court Judges’ compensation. **75**
- Every Superior Court judge was aware of the current compensation scheme when they decided to run for office or seek appointment. **42**
- Other **12**

Appendix B:

16. Do you have any additional comments or suggestions on the survey itself? (Please indicate below)

- The case count/weighting system assures that Judges statewide carry similar caseloads regarding the number of cases. Judges from metro areas erroneously claim a heavier workload. Simply false.
- I do not believe all Superior Court Judges do the same work. Depending on the circuit, the case volume may be higher and the structure for managing cases is different. For example, in one circuit, only a few Judges handle domestic cases and they handle no other case types. In another circuit, certain Judges hear criminal cases and some hear all other case types excluding criminal. I am not certain about what value that should hold in the determination of uniform compensation but I do not think it cannot be factored into the conversation.

Overall, a uniform base salary with our other considerations such as cost of living in a particular area of the state, case volume ranges, and length or time in service should be factored into any change to the compensation structure. In the meantime, no compensation increase at all may result in a mass exodus from the bench as individuals vest their pension in favor of more lucrative opportunities. .

- It is difficult to address the local supplement issue because several circuits are receiving very high supplements which puts the less fortunate circuits at a disadvantage even though the judges of the less fortunate circuits do as much or more than the judges who benefit from huge local supplements.
- The survey is a joke, why not contract with an outside professional to run the numbers on what the compensation should be for a lawyer with the training and experience of the average judge, and set the compensation by the state at that level. In addition allow the counties and / or circuits to pay additional compensation to assist the judges in their jurisdiction.

Furthermore, there are experts, who can determine compensation for various levels of expertise.

- It is very difficult to answer number 14 without updated salary proposals. I had to think long and hard about leaving the public sector for a judicial position. The only thing that makes me question my decision is the low pay when I know I could go back to private practice and double my salary. I have many friends in the bar who would make excellent judges but just cannot afford it.
- Retired judges should get raises when active judges do.
- All Superior Court Judges should be compensated comparably.
- The committee was charged with not only reviewing the county supplements but county funded retirements as well. The thought of counties paying retirement to non-employees is a stretch in logic. The large amounts of county supplements (in addition to state retirement) is potentially embarrassing. Rather than gather the data which this committee was charged to evaluate; no detailed figures are presented. It is difficult to believe that a FOIA request to each Chief Superior court judge, requesting the amount of retirement and from which sources would not have obtained the information. It is not too late to obtain this data and add a table. Full transparency now is preferable to it later being revealed and the committee trying to explain why it did not perform that part of its task. Just get the data and add a table. Supplement the report afterwards if need be.
- This is a large and diverse state. A "one-size fits all" approach for compensation for state trial judges is neither wise nor equitable. The daily business in one corner of the State differs dramatically from the business in another corner. We have the same title, but we do not work identical jobs.
- Regrettably, I am skeptical of any benefit that will come of this salary study for the vast majority of judges that live north of I-20.
- The work of the superior courts is critical and of extremely serious consequence. I would propose doing all one can to create an environment (financial or otherwise) to attract and retain the most qualified and best suited lawyers for these positions.
- Local supplements are logical and appropriate. The mayor of Atlanta makes more money than the mayor of Douglasville because the scope of the job is different, the cost of living is different, and the tax revenue for the jurisdiction is different. The same applies to judges in large metro jurisdictions versus smaller jurisdictions. If the taxpayers in a county are willing to pay their judges supplements to keep good judges

in office, why should the State tell local governments that they cannot do this, or even limit the amount that the county can pay in the supplement?

- If all Superior Court Judges carry the same general workload, then all should be compensated the same. Our circuit operates with any State Courts and, in addition, our Superior Court handles 2 counties worth of traffic cases.
- Again, we have 50 different compensation formulas for judges who have the same duties and workloads. The formulas are based largely on politics and geography, i.e., who lives in prosperous counties with good relations with their commissioners, and who doesn't.
- The previous studies have been well done and thought out and should be followed.
- We live in what is still somewhat rural but live near a big city in Tennessee. The cost of living is still high such as Atlanta experiences. I will concede that I knew how much I was going to earn when I took this job and will admit that I did not know how much other judges in the State are making in supplements. The judges receiving the higher supplements are still doing the same job I am doing but getting paid a lot more than I am. The salary should be uniform throughout the State.
- Local counties, which judges are often called to rule against, should not have a part in the pay of judges at all. The judges should be independent of the county and county commissioners. If judiciary salaries were higher, the rural areas and legal deserts would be in a better position to attract and retain lawyers. Judiciary pay absolutely should not be tied the presence of a treatment court in the circuit in any capacity because it is blackmail or pay to play for the judges, when a certified court may not be in the best interest of the area (this circuit's non-certified state court treatment program is much more efficient and useful than the state certified program). Additionally, rural counties struggle to have matching funds for treatment courts; many cannot even afford basic courtroom supplies and equipment. As funds for treatment programs are reduced by the state and/or federal system, rural counties will not be able to afford these certified programs, and the judge is punished with reduced pay because of this pay to play mentality (giving metro judges an advantage in a system that already can and does pay them more). Again, a judge is having to "fight" with counties (who may pay them) about money. Also, rural judges are true general practitioners that handle everything that walks through the door; they work very hard with

very limited resources and staff, so the idea that one type of judge works more than another is ludicrous in such a stressful and demanding job. Also, when would the court of appeals, who has a much larger mandate and case load, get paid less than the supreme court, just because of title? Such suggestion is insulting to the court of appeals; supposed prestige of title should not be a basis for pay.

- Not really, except to say that while Superior Court Judges across the State don't always do the same job due to regional differences, we all have the same duties and jurisdiction. While our rural and urban judges have different day to day case types, they also have drastically different resources to assist them and each face unique challenges. The differences between how we each function in our job and what our circuits require of us is not a valid basis for justifying salary inequality. Cost of living differences should be considered.

As far as salary amounts, while I am not unhappy with my compensation, I also see the irony in presiding over motions hearings where 7-8 lawyers are involved in the case, and while I am tasked with making the final decision, I am also the lowest compensated person in the room.

- I don't buy the basic premise that we all need to make the same. Anybody that wants to come run the calendars that I run in my circuit is welcome to. I don't want to go work in the apple orchards or below the gnat line. This is what I signed up for and I knew the case load, the special local conditions that exist here, and the pay structure when I took the job.
- I think the survey is very helpful. With regard to question 12, I almost answered "no" because I do not think local supplements should be used to accomplish any adjustment for local cost of living adjustments. This would just continue the current system that encourages circuits with favorable local government to get their raises through the county commission. Any cost of living adjustment should be part of the Superior Court pay package that is approved by the State Legislature. If we ever get beyond local supplements, this is the kind of adjustment we can all support as a body, just like longevity raises. Until we get beyond supplements, we will never be able to work together on important issues as a body.
- Question 12 is going to lead to completely unreliable results because of the caveat language.

- The issue of working with multiple Board of Commissions within a circuit regarding budgets and supplements is extremely difficult and results in salaries and supplements stagnating for years and years
- The 2016 plan is a bit outdated. I'd be more in favor of the plan were Superior Court Judges paid \$185,000 versus \$175,000 under option 2.
- If survey participants indicate that judges should NOT be compensated equally because "not all superior Court judges do the same job," then should the workload assessment committee's approach be overhauled to no longer consider recommending new judgeships based solely upon caseload?
- good luck!
- The silly perception that greater effort is needed in some Circuits should be eliminated.
- There are great disparities between circuits
- I took a large pay cut when elected judge in 2008. My judicial salary has not even kept up with the cost of living although the workload has increased dramatically. In my view, Counties should be able to offer incentives in the form of supplements to attract better, more qualified candidates as judges. It was astonishing to me that after 28 years as a lawyer and nearly 14 years on the bench, my son was paid more than I make his first year out of law school.
- If qualified candidates are going to be attracted to public service (Judges, District Attorneys or Public Defenders), then the State needs to have a pay scales which would be attractive to those candidates and especially if they are carrying student debt. Need ongoing commission to look at salary issue on continuing, periodic basis.
- When assessing who should make what, the workload assessment is helpful but not if credit is given for work done by other judges. Some circuits do it all and are swamped whereas others seem to have slush funds, senior judges at the ready, and lower courts to do their dirty work. If this results in more pay for people to kick back, I would rather spend our efforts at getting more judges/help for the needy among us.
- The local supplements should be paid to the state then paid at judicial salary so that our retirement amount includes the part of our salary that are local supplements.

- Compensation is the most divisive issue facing the CSCJ. It very much adversely impacts morale and collegiality and so also adversely affects the administration of justice in this state. Looking at the NCSC data, no Superior Court judges are overcompensated, but many Superior (and all appellate) judges are dramatically undercompensated. There is no easy solution, but one must be found.
- Other classes of Georgia courts receive a longevity increase. Superior Court judges should be similarly treated. Next, there is a huge difference in the cost of living in metro areas vs. rural areas.
- I am not of the opinion that any Superior Court Judge is overpaid, and I do not believe that any current Superior Court Judge should take a pay cut. However, the current model in Georgia for Superior Court judges is simply not fair or sustainable.
- The problem is that judicial pay has not kept pace with the cost of living over the time I have been on the bench. I did not take this job because I wanted to get rich, but I don't think that judges should be worried about paying their bills or educating their children.
- Well done. Thank you for your efforts. And please don't let this effort go to waste by ending up on shelf.
- I believe that not having all superior court judges earning the same amount is unfair and creates division within our ranks.

ALL appellate judges, regardless of where they live, earn the same amount.

We all do the same work: however, most judges in circuits that are paid high supplements have additional resources, ie staff and extra senior judge days, that could actually decrease the workload. None of this should matter, we are all superior court judges and we should all make the same amount.

- The current haphazard system is simply not fair to the judges serving or the to communities and State in which we operate. It unfairly perpetuates the notion of "two Georgia's." The proposed new system of compensation seems very well thought out, is tied to objective measures (Georgia's population and GDP), demystifies what is currently in place, will be comparatively easy to equitably maintain, will have a stabilizing influence on the judiciary (as well as prosecutors and public defenders offices), and will correct longstanding issues and disparities.

- I answered yes on the supplement retirement question but any retirement on supplements is strictly voluntary on part of the county commissions.
- This is a very complicated situation but the solution cannot be to reduce compensation for other judges.
- I think all Superior Court Judges should receive \$180,000 as opposed to \$175,000.
- I did not become a detective for the pay nor did I become Mayor for the pay or Superior Court Judge. Low pay is the price we pay for being given an office of trust. Unfortunate but a reality. If your goal is wealth, stay in the private sector.
- It costs significantly more to live in some areas of the state than others and judges who live in areas where their local counties value them should not be penalized because other circuits are not generous.
- The survey questions are slanted to try to reach some kind of conclusion. The survey should be more open-ended to get the range of opinions of judges. It should not be slanted like this one in order for someone to take this to legislators or decision makers for evidence for some sort of policy change.
- We all do the same job as the judges in the metro areas but in this rural circuit, and probably in most rural circuits, we do not have any state courts in our multi-county circuit. We are literally trying everything from speeding cases sent from the probate courts when defendants demand a jury trial to murders.

We do not have calendar clerks or other staff that metro circuits have and it is demoralizing to realize that we spend an inordinate amount of time on administrative matters that metro circuits have staff to handle. We are constantly having to deal with mundane matters from the offices of our clerks of court that would normally be handled by other staff.

Our counties do not supplement our staff attorneys and we are unable to keep them longer than one year, and with the job market the way it is, we often do not keep a law clerk for the entire year since they can make more money in private practice or in a DAs office, where I understand that some counties, even in some rural circuits have been willing to do.

- Other classes of courts have been able to advocate for much more lucrative salaries with growth built in (see Magistrate judges legislation). We are drowning in Superior court and without looking at the entire judicial picture we will not attract the folks necessary to do this critical work.
- The biggest issue with me is that the local supplements do not have retirement benefits.
- I know many sharp and skilled attorneys in private practice who would greatly benefit the community as a superior court judge, but who are unwilling to become a judge due to the salary cut that would be involved. I do not believe that a step system for years of service is warranted. Older and younger judges handle the same types and numbers of cases and quality of performance does not necessarily coincide with years of service.
- The supplement cap is unfair, given there are circuits where the judges already received more than the cap. If the supplement system is not going to be eliminated, at least the cap should be, to allow all of us to be on the same footing in the requests for supplement increases. County commissions also should not be allowed to peg other offices to our salaries. It is often just an easy way for them to deal with salaries in one fell swoop, and has little to do with job requirements and responsibilities.
- There needs to be better uniformity in salaries throughout the state of Georgia. Also, appellate judges should lead the way with regard to salaries...they should receive salaries above the highest superior court salaries.
- All Georgia Superior Court judges should be paid the same base salary. An adjustment upward for high cost of living circuits would also be appropriate. We all do the same job and the current system creates classes of “haves” and “have nots” that breeds discontent.
- Our jobs are established by the Ga constitution and are political even though we may not want to admit it. If you think at some point after you have taken the job that you deserve more compensation it is up to you to politically secure more money whether it is from the State, locally or your constituents.
- 1) While I can certainly understand why an appellate court judge might think they should make more than a trial court judge, if you look at the job, the skills involved, the resources available, quite frankly, a trial court is simply MORE WORK than an appellate judge. Ask the appellate judges who used to be trial court judges which is more challenging. The trial court is a more difficult job. That said, if it will make all this

divisive compensation talk go away, pay the appellate judges more. I don't care how much they make quite frankly (other than as a tax payer), and I don't want that job ... even if it pays \$500k a year, I don't want it. I ran for the job that I wanted, and I really enjoy my work.

2) Starting salaries for FIRST YEAR associates at a big firm in Atlanta (which is where I started my career) is \$215k, with some even matching NY/Cravath comp scale at well over that. There are no rural law firms that pay those types of salaries. Folks in rural circuits want a different lifestyle - no traffic, small communities, less violent random crime, more relaxed -- than those in metro. That's the benefit of living in a rural area. But quite frankly, I don't see how you justify having a metro salary if you don't have the deal with the headaches of living and working in a metro circuit. Everything is a give and take.

3) We do not have a unified trial court system in Georgia. It's not how we are set up and I do not think it is a bad thing. Each county has a lot of autonomy, and this exercise in judicial compensation is attempting to remove that autonomy.

4) It is VERY important that the Superior Court judges retain their independence. This strong arming by the Supreme Court/JC/AOC trying to force the judges to agree on a topic that anyone with even the slightest bit of sense knows will NEVER happen is unfortunate. And it seems to me that this is an attempt to destroy our independence and somehow bring us under the governance of the JC/AOC.

5) As just an example of how we are different, I wonder how many judges in rural circuits have to PAY FOR PARKING EVERY MONTH at their courthouse? It is deducted from my supplement.

6) I took a significant pay cut for this job. I knew I was doing it and it was a decision my family made. If I never get another raise, well that's the job I signed up for. But do not cut my pay please.

7) Honestly, I'd like for our compensation to be merit based. Judge who are mean to litigants and attorneys, discourteous to those around them, full of themselves, disinterested in being diligent in how they apply the law should make LESS money than those who work hard and long to do the right thing with the right temperament. Let the lawyers rate us and decide our pay. Now that would be "fair"

- I believe that counties should be able to supplement the state paid salaries of Superior Court judges. This is the best way for a community to provide judges with the level of salaries that are somewhat commensurate with the income of the local Bar. This also helps offset the high cost of living in large,

mostly urban counties. In my circuit, the State Court judges regularly receive salary increases (mostly through local legislation) and Juvenile Court judges regularly receive salary increases through the county. If the salary cap is not removed soon, in short order the State Court judges and, eventually, the Juvenile Court judges in my circuit will receive a higher salary than the Superior Court judges, the Probate Court judge, and District Attorney. It is the system of uncapped local supplements that historically kept the salaries of these offices proportionally aligned.

Finally, the present structure of local supplements is decades old and presumably every judge took office aware of the system of remuneration. To eliminate local supplements would drastically and negatively affect the salaries of many Superior Court judges as, indeed, the salary cap already does.

- The Federal Courts have received a significant increase since the study. There should be a prohibition on setting others salary based on ours. The other constitutional officers in my county now receive 95% of my salary including supplement. This includes the tax commissioner, sheriff probate and magistrate judges. The clerk probably receives an additional \$40,000 above me based on passport fees. My country pays court appointed lawyers \$100 per hour. I will fully vest in 4 years and still have 4 years before I can retire. I could easily go into private practice and make 2x my current salary. In civil cases we are the lowest paid lawyer in the room. The fact that justices Blackwell and Melton left the Bench shows a problem with pay disparity. The Supreme Court Justices should receive significantly higher compensation. The Judges of Superior Court should receive a significant pay raise. We have to deal with issues that most citizens don't fully comprehend. I am currently in the middle of the worst contested domestic case in the history of the world. I'm on day 11 the lawyers have received over 100,000 the guardian as litem has received \$35,000 and I've lost 5 days that I didn't have court already scheduled. In the Fall of 2021 I had a 5 week murder trial that had at least 15 days of other activity prior to trial. I believe in access to the courts but the civil litigants need to pay more into the system. Because of the pay the majority of the Judges come from government or prosecution instead of private practice.

- Judges in differing counties have different work loads depending on the population. The types of cases handled also vary greatly in larger counties. Additionally, the cost of living is much higher in the metro area and require an adjustment to be comparable to judges in smaller circuits.
- Service as a trial court judge should be a requirement to serve as an appellate judge
- I don't really understand the problem this is trying to solve. If local governments want to compensate their officials more, why not? What harms comes from that?
- This is a very difficult issue. I do believe that there are some inherent differences between the level of work and pressure endured by some trial judges as opposed others. There are also differences in costs of living between different areas of Georgia. However, there has to be some way to provide more lucrative salaries for Superior Court Judges in order to recruit and retain qualified judicial candidates. I appreciate the efforts of this committee to address this complicated problem.
- The cap on county supplements to superior court judges should be repealed. It is difficult to imagine why the General Assembly would want to limit how the counties choose to spend their tax dollars in favor of forcing every tax payer in the state to shoulder the burden of paying more to all judges.

Appendix: C

17. Please provide suggestions/proposed solutions that you think might assist the Committee in offering recommendations that would revise or eliminate the local supplement system? (Please indicate below)

- There is no great answer but the solution proposed is reasonably fair
- Overall, a uniform base salary with our other considerations such as cost of living in a particular area of the state, case volume ranges, and length or time in service should be factored into any change to the compensation structure. In the meantime, no compensation increase at all may result in a mass exodus from the bench as individuals vest their pension in favor of more lucrative opportunities.
- I like the idea of a reasonable base salary with a cost of living factor for those judges in areas where the cost of living is higher.
- The local supplements should not be done away with because it is the only way judges will be paid a decent salary in the urban areas.

In addition, any recommendation should include annual cost of living increases for the judiciary.

- At a minimum there should be a significant raise across the board from the State and an elimination of the supplement cap.
- It's necessary to get county governments to buy in to this proposal or we will be back where we started.
- Seems the proposal from 2016 finding is very well thought out assuming an adjustment for the age of the findings.
- Uniform pay for state employees is the rule, not the exception in Georgia - except for trial judges. The current judicial compensation system for superior court judges is nonsense. Everyone knows It is unfair. It is divisive. It creates classes within our ranks. Additionally, there is no logical reason for counties to pay judges who are not employees. This is unbelievable. Now that the Pandora's box of uniformity and elimination of county supplements has been opened, it will remain a festering issue until someone grabs the bull by the horns and permanently addresses it. NO county supplements. NO county retirement

payments (some of which I understand are astronomical). The real focus should be on how to transition out the upper compensated tiers. Because the higher tier raises the average, the lower tier are more solidly embedded as some of the lowest compensated trial judges in America. Follow the 2016 recommendations with updated figures. It is a compromise but permanent solution.

- Remove the cap and stay out of the way of local choice. End of discussion.
- I believe that the appellate judges of our state should receive a significantly higher salary than they presently receive, especially in light of the division of work they do compared to other states of comparable size. However, the desire for lower paid Superior Court judges, in circuits with lower costs of living, to effectively increase their pay significantly while then decreasing the pay of those in circuits with higher living expenses is, unfortunately, disingenuous as it is clearly self serving. The complaints by some of my colleagues about supplemental pay has thus far failed to positively benefit them in any way, through their local commissions inaction, but has alternatively had a direct adverse impact upon me and others by limiting our counties abilities to provide COLAs to us that they are otherwise providing to every other employee. Thus the criticism has benefited absolutely no one. Unfortunately, my cynical view is that the current compensation study will equate to more of the same, ultimately producing the justification for state legislators and the ACCG to reduce overall judicial funding rather than the overly optimistic view that they General Assembly would, out of pure magnanimity, bring the salaries of all to the highest levels currently held by some. That is a belief that is not grounded in reality.
- I do not have proposed solutions.
- I believe Superior Court Judges' salaries should be independent of other courts salaries. I also believe Superior Court salaries should receive COLA raises as all state and County employees.
- Not going to pass in Georgia
- This is a difficult issue. Situations vary from county to county. Perhaps the committee should look at other county positions and pay, for instance, county manager, finance director, county attorney, school superintendent, etc. those positions and pay scales should provide some perspective on how various areas in the state differ in acceptable compensation rates.

- A reasonable state salary for supreme, appellate and trial judges. I suggest \$250,000, \$225,000 and \$200,000 respectively with annual colas as determined for all state employees. The cola reduces the frequency for salary review and adjustment. County supplements are critical to cost of living adjustments for those who live in or are required to live in higher cost/more expensive jurisdictions. There should be no arbitrary cap on such supplements. The pay differential among appellate and Supreme Court jurist with supplemented trial judges is addressed by the fact that these jurists can live in any county in the state and a state housing allowance for apartment rental (if that doesn't already exist) could be considered to offset that considerable cost for those jurists who do not live in or near Fulton county.
- If the local supplement system is eliminated, the cost-of-living supplement or adjusted State pay based on locality would have to be significant. The cost of living for judges who are required to live in Fulton County is vastly different for judges living in rural jurisdictions, and one uniform salary will not be equitable in any way.
- Our salary should be tied to the cost of living and average lawyer pay in the locale
- Flat salary with adjustments for high cost of living areas.
- Appreciate your hard work knowing the Committee can't please everyone. Yearly COLAs would be ok.
- There should be a higher minimum pay and let local counties supplement as they see fit. This whole proposal looks like a way to penalize judges who have worked for higher pay with their local commissioners and welfare for judges who did not, or could not
- I think the 12/15/16 report provides for the appropriate method.
- I would think the Counties would support the end of local supplements. Thanks.
- Standard salary with increases for the amount of years on the bench.
- Supplements should be phased out. Pay scale for all judges needs to greatly adjusted and raised. I make what a recent law-graduate associate attorney makes an hour after more than 20 years experience, and that is ridiculous.

- I understand that Georgia is the ONLY state that has this county supplement system. It is so unfair that certain judges make \$70,000+ more than other judges with the same seniority or more. The state of Georgia has underpaid its judges for decades, relying on counties to try to make up the difference. It is past time for the legislature to correct this unfair system. I come from a rural South Georgia circuit, and I work hard every day just like any other judge in the state, but I am paid far less. I am close to retirement age, and I hope the legislature will correct this before I retire, so that my successors will not be treated the same way. Do other state employees make more in metro areas than rural? What about troopers? Game and fish? Teachers? Extension service employees? Inspectors? Legislators?
- The best idea would be to allow current judges opt out of the change so that the Cobb/Atlanta/Augusta crop wouldn't take a cut. Also, I have no issue with metro judges getting a cost of living supplement to adjust for demonstrable differences in the cost of living in those areas.
- Supplements are authorized by our constitution and state law. I don't think that anyone should be telling my Board of Commissioners how much they can pay me. Presently the Superior Court are the only employees in my county not regularly receiving raises. There are regional difficulties all across Georgia that people don't think much about, like contested campaigns that cost \$250,000, a more litigious bar, and more time spent in court.

I also think that appellate courts need a large raise because we are losing good jurists. The State has demonstrated that they just don't prioritize judicial compensation the way they should. We would all be fools to leave it entirely to them.

- 1- All of the facts about local supplements, especially retirement benefits and recent post-cap adjustments to several local supplements/retirements, need to be shared with our group. The constant rumor and speculation creates more distrust. If you factor in the value of local retirement payments, many judges who think they are getting a very nice supplement will realize that there is more disparity than we initially thought.

2- A revised version of the 2016 recommendation is the only practical solution. No judge should receive a pay cut. A phase in is the only fair way to proceed. This might prove awkward for some circuits as the

supplements are phased out, but there is no other way to do it that will be fair to all of us.

3- We need to focus on elimination of supplements. Until that is accomplished we cannot work as a group to obtain other reforms like automatic cost of living increases, local cost of living enhancements, and longevity increases. We have to face the fact that our current system is outdated, inhibits most of us from getting raises, and really puts us all in the uncomfortable position of lobbying for pay from counties who often find themselves as parties in cases before us. There is a reason we are basically the only state left that does this. Its time to move on.

- Everyone should be paid what the highest circuit gets paid, a little more for COA and a little more for Supremes. Then there needs to be a scheme for periodic increases that the legislature cannot mess with.
- Abandon the premise that the local supplement system is the flaw. Focus instead on what you are trying to accomplish - increased pay for smaller circuits. Uniformity isn't equity. It's the illusion of fairness. The Fulton Circuit has 1 million more residents than the Alapaha Circuit. One Million. Any suggestion that the 2 Judges in Alapaha are doing the exact same job as the 20 in Fulton is a straw man argument that only alienates the other judges who could help your advocacy.
- Establish a state salary that is commensurate with the work trial judges do and the complexity of the cases and directly affecting citizens. Build in a COLA plan the keeps pace with inflation.
- Consider if there is a way to have counties reimburse the state for supplements, or require counties to provide retirement benefits.
- Phasing in the change makes the most sense. The MOST important thing is that judges should receive STATE retirement benefits based upon their entire compensation, regardless the cost to the state, even if that has to only be for new judges. The system becomes more inequitable with each passing year.
- base salaries on the total population in the circuit to account for cost of living
- Local supplements are inevitable, and to be encouraged. There needs to be a flatter, simpler compensation structure that permits local addition without creating disproportionate or unwarranted differences between judges and circuits.

- Judicial salaries for Superior Court judges should be increased significantly and the county supplements eliminated such that all Superior Court Judges receive the same compensation
- Ask Legislature to pass proposed statute which would require all counties of a judicial circuit to contribute to a fund so as to pay supplements at the highest level paid by Augusta Circuit (and circuits similarly situated should not be upset and which would probably upset governing authorities in lesser financed circuits and create an outcry from the lesser financed to adopt straight pay by state and eliminate supplements. Same proposed bill then should decry that there be no further supplements.
- You're never going to convince someone to take a pay cut, even if it's for the "greater good." So I would like to see what the 2023 numbers are instead of trying to make assumptions moving 2016 numbers forward. Otherwise people are going to kneejerk vote against working with you guys. And what would the locality pay bump look like in reality - it's hard to assess without any kind of metric on what that would look like. But I would like some kind of standardization. There are a number of reasons it makes sense to get our compensation out of the county level.
- The local supplements should be paid to the state then paid at judicial salary so that our retirement amount includes the part of our salary that are local supplements.
- I would support the proposal contained in the 2016 report, updated for the current salaries. Also, Superior Court and Appellate judges should receive step-raises or longevity increases based on the length of their service.
- No cap on local supplements. It is the engine that drives reasonable salary increases. Please note that once the supplement cap was enacted, pay raises ground to a halt. Superior Court judges should get the same cost of living increases as other state employees.
- I believe that the 2016 report and recommendations is a good basic model for how to change the current system - that the supplement model should be phased out over time; that the counties perhaps continue to pay the amount of the supplements to the State or better yet the retirement fund to ensure that it is and remains actuarially sound with a State pay increase; that Superior Court Judges receive regular COLA's and longevity increases so that the Legislature does not have to amend a statute for a pay increase; that Judges receive retirement benefits on the entirety of their salary; that the amount of the

salary be an actual living wage consistent with the education and experience of our bench. Also, I am not opposed to the changes perhaps being an "opt in or opt out" system on a circuit by circuit basis - at least during the phase out or even long term. The current model for county supplements simply creates an environment of "racing to the Legislature or County Commission" for an increase in supplements which actually, in my view, suppresses the pay for rural circuits whose counties cannot keep absorbing any supplement increases for judges who perform the same functions and comparable case loads per the Workload Assessment Committee.

- The local supplements are the reason that most judges have been able to remain on the bench. I am concerned about the long term results of eliminating the supplements. I have been on the bench long enough to remember long periods of time when the judges got nothing or in a good year only 1%.
- It's not just our pay but also that of prosecutors and public defenders. The regular political chat out of Atlanta is we're tough on crime. Not with the low salaries of the lawyers though. We can't get and retain enough of either in our circuit. Victims deserve better! Rising water floats all boats.

Stop the AOC from reporting false information on judicial salaries based on averages. It's very manipulative to use the highest paid salaries to provide Georgia with the cover for paying extremely low state salaries. This is especially true when Georgia doesn't mandate retirement on county supplements and even more so when it caps those supplements.

If this effort fails please hire a lobbyist who can carry them out for a steak dinner or whatever and speak their language. I'm approaching 22 years on the bench neither the democrats or republicans respect judges much less listen to us. Everything in the book has been tried. Promises made and broken for decades.

If all else fails try to get the supplements uncapped and authorize JRS to collect and maintain retirement on our county supplements. The state should pay in enough to keep JRS actuarially sound.

Thanks for the hard and good work of this committee!

- I suggest tying the trial court state paid salaries to objective criteria e.g. 90% of federal district court salaries. And end county paid supplements. Make a percentage of the state paid salary (80%) payable in retirement.

- I think the proposal that the Compensation and Retirement Committee came up with a year ago would be the solution.
- I cannot think of anything to improve upon that which has been presented. Thank you all (Committee) for your hard work.
- The 2021 recommendations of the Compensation and Retirement Committee to the Executive Committee of the Council of Superior Court Judges is a much more workable, and updated, plan than the recommendations of the 2016 committee.
- The legislature should make our salaries only tied to appropriations and not statutes. They should untie us from all other county officials. Then they should require all Counties to send at least \$40,000 in supplements to the State similar to the SPACER program utilized by the Prosecutors and the Public Defenders. Supplements in excess shall be continued but eventually phased out upon the retirement of the judge. This would get the Counties out of the supplement retirement business and provide a more secure retirement for the judges and their spouses.
- We need a lobbyist. It is unbelievable that our group thinks we can accomplish a task as large as complete judicial pay overhaul without a lobbyist!!!!!! We are always told to not discuss any issues with our local elected officials, we are told, let leadership handle it, well most in leadership have their name on a list for an appointment to a higher bench, they damn sure are not going to bat for us!!!!!! I for one am done waiting on leadership, i intend to talk to my local senator and legislators and intend to encourage all other superior court judges to do the same. we are getting nowhere as is.
- Superior Court - \$225,000.
CoA - \$235,000.
Supreme Court - \$245,000.
Incumbent Judges keep current supplements but
Supplements should phase-out and new judges would not receive.
- If all salaries can be equalized to Cobb or Augusta then we should be fine for a state wide solution
- I don't think the local supplement should be eliminated. Honestly, all the salaries for judges should be increased to attract better qualified judges especially for our superior and appellate judges. We are still

trying to address a backlog from COVID and it is frustrating to not receive any increases at all with how hard we are working. I am working even harder than I did in private practice and making way less money, I do love the job and the difference I am making. I would just like to be compensated more fairly.

- I can't think of a better solution than that proposed by the Compensation Committee.
- I believe the highest supplement is paid to the Augusta circuit. Perhaps the salaries of all Superior Court Judges could be adjusted to that level. I realize that is a big adjustment, but it is the only one I see that hurts no sitting judge.

It would thereafter be paid at the State level, subject going forward to whatever COLA or other adjustments the legislature saw fit to add.

All local supplements would be abolished.

All "Christmas tree" calculations for lower courts around the State would be abolished, as they tend to get out of sync periodically, especially given the statutory authority for Magistrate Court 5% annual raises, etc. In its place perhaps a requirement that all lower courts can be compensated at no more than X% of the Superior Court salary.

- The current pay paid by the State is generous. However, there should be some additional consideration given for an increase.
- Simply have to graduate a new uniform salary in with newly elected or appointed Judges starting with a future election date. Those on the current system retire on the system but once the new salary is codified, any judge making less than the new salary including their supplements will be brought up to the new salary. So everyone will make the same, some with supplements until they retire. The new judge from that retiring position will no longer get supplements but instead will be on the new fully funded state salary. Will be a chain reaction with state court judges, DAs, and any others tied to that system. Same process will have to occur. So supplements work out through attrition. Over time all judges will

make the same and supplements will be stopped. My 2 cents worth of supplemental information. Lol.
Thank you for the effort being made.

- I thought the plan submitted 2 years ago to phase out County Supplements over time was a reasonable solution
- My suggestion would be that the salaries of superior court judges be tied to the salaries of federal district court judges (say 90%) and that salaries of the Georgia appellate courts be tied to the salaries of the federal circuit court of appeals. By tying our salaries to the feds we would not have to periodically go beg the legislature for cost of living increases. Also it would be good to unhook other official's salaries from ours.
- Most judges do not want to admit that there is an inherent conflict of interest in receiving pay from the county. There is! those who are getting large supplements should be prepared to receive no pay increases for a very long time until the rest of us "catch up" and all of the salaries are fully funded by the state as should be.
- I believe the committee should support those circuits without supplements in their efforts to get their counties to obtain local supplements to account for the cost of living and market factors in those counties.
- The legislature should establish an appropriate salary for all superior court judges and prevent counties from supplementing salaries. There should be some step up in salary depending on the time in office. A judge that has been on the bench for several years should make more than a judge who is just starting. Step increases would eliminate having to seek increases every session of the General Assembly.

Judges should be included in all cost of living increases when other state employees receive them, even if the increase is not the same percentage.

- The current supplement system is so grossly out of balance that us rural judges have no realistic chance of any substantial pay adjustments because if metro judges get the same increases, the legislature won't fund it. Metro counties have no difficulty with increasing their judge's supplements to fund annual increases. Rural counties simply can not do so.
- We should be able to make supplements part of the retirement.

- The current system is patently unfair. Giving local boards of commissioners the ability to control a large part of our salaries is a way for them to "play favorites" between judges and other elected officials and exercise control over the judiciary. The State should shoulder the responsibility of paying us, and we should either get longevity increases, COLAs, or both. I would support a difference in supplements paid around the state based on an objective standard such as Consumer Price Index, but not based on the whims of various county commissions around the state. For example, our BOC voted in 2022 to pay our sheriff the same as a Superior Court judge, although he had been in office 6 years at the time, and 2 or 3 Superior Court judges had been in office at least 10 years.
- I think it would be appropriate to "grandfather(mother)" in sitting judges and allow them to keep their current supplements (if they choose to), and have all future judges on the same base salary with adjustments for high cost of living areas.
- I have found that sometimes you can go to your local legislative delegation and sometimes to your country governing authority to get more compensation. Depends which group is more favorable to you for the job you have done.
- Every Supreme Court Justice should receive \$205,000.00 per annum, every Court of Appeals Judge \$202,500.00, every Superior Court Judge \$200,000.00 per annum, all from State funds (eliminate all County Supplements).
- If it will make this all go away, pay the appellate judges more. Just like I tell my children, there is no "fairness" in this world. People who complain about "fairness" are typically mad because they don't have what they want. There is no way to make compensation among a non-unified court system "fair." Trying to make 200+ elected judges agree on something so personal, a decision that no matter how you look at it will DECREASE or ELIMINATE A PAY INCREASE for many judges, is going to accomplish nothing other than hurt feelings and a divided group. Recommend that the appellate judges make more so that they will stop using this issue to try to take away our independence.
In the "old days", it seemed like judges were all independently wealthy. I don't think we want to eliminate from the pool of judges those who are NOT independently wealthy. Our collective bench is

better with diversity of all types, including economic background. To that end, judges should make more than other attorneys in government in your circuit/area.

- Leave the system alone and eliminate the salary cap. If the committee wants to recommend raising the salaries of appellate court judges that's fine.
- I don't want to make this a rural vs suburban vs urban issue but ultimately that is what this is. I don't know how a metro county judge can live on what they get paid, but they also have other judicial resources to assist them in their jobs and get large supplements. The rural circuit judges are on the bench much less and travel more but then get mileage and meals tax free. As a suburban single county circuit judge we get neither and have a county government that historically has treated us as a "Department"
- Counties should be allowed to decide what they want to pay their judges in supplements without interference from the State.
- I believe each county should be able to decide on the supplement amount it give to judges in their circuit/county with no cap.
- I have never understood why the local supplement system should be eliminated. I do not recall having heard any compelling argument against it, but maybe I've missed something somewhere along the line. My view has always been that local authority and power are much preferred over distant authority and power because local power is checked more easily. Eliminating county supplements seems to violate this principle. But if the State wants to raise our salaries to \$175,000.00, increasing our retirement income in the process (hopefully JRS will not be impacted negatively), and eliminate county supplements, I won't stand in the way.
- If this is favorably considered, qualifying date should pushed out to April.
- Let the Counties exercise their rights under the Home Rule provision in the Constitution and remove the cap.
- This is an existential moment for the CSCJ and the JC. The Superior Court is a State of Georgia responsibility not the counties. There is a vast obvious disparity in resources in different circuits for the same courts, not just in judges salaries but law clerks, personnel and support services. Georgia now has a separate but equal court system. All citizens of Georgia deserve the same level of justice regardless of

the wealth of their county. Several years ago we had an opportunity to set a base salary of 150. Leadership rejected it because it wasn't fair to those who made more than 150. Unity has been going downhill since that time and the gap continues to widen. Leadership (not all but to many) has been looking after leadership and not the rank and file. If leadership doesn't act others will and are already filling the vacuum. We are no longer all in this together, it is becoming increasingly an us vs them mentality. Some judges think they deserve more solely because of their residential zip codes and nothing else. That has a bad look and smell for a "justice" system. As George Orwell wrote quoting the pigs "All animals are equal but some are more equal than others." That is not good look for Georgia justice.

**Judicial Council Policy on the Study of Superior
Court Judgeships and Circuit Boundaries**

**Georgia Judicial Workload Assessment
(Appendix A)**

**Judicial Council Policy on the Submission of
Caseload Reports by Trial Courts**

Policy on the Study of Superior Court Judgeships and Circuit Boundaries

Section 1 – Policy

1.1 – Introduction

This policy governs the processes, procedures, and methodology used by the Judicial Council when considering requests for additional judgeships and circuit boundary alterations. The Judicial Council recognizes that the addition of a judgeship or circuit boundary alteration is a matter of great gravity and substantial expense to the state's citizens. Therefore, careful inquiry and deliberate study according to a rigorous methodology will lay the foundation for any recommended changes to circuit judgeships or boundaries.

The Judicial Council acknowledges the National Center for State Courts' ("NCSC") subject matter expertise in case processing and workload methodology and its documented best practices for assistance in this policy (see Appendix B).

The Georgia Court Guide on Statistical Reporting is a supplemental publication to the Superior Court Caseload and Workload Policy created to standardize the reporting statistics for Georgia's trial courts. A copy of the document can be viewed at [Georgia Court Guide to Statistical Reporting](#).

1.2 – Policy Statements

1. The Judicial Council will recommend additional judgeships based only upon need demonstrated through the methodology contained herein.
2. The Judicial Council will recommend circuit boundary alterations based only upon need demonstrated through the methodology contained herein.

Section 2 – Judgeship and Circuit Boundary Study

2.1 – Initiation

1. The governor, members of the General Assembly, and superior court judges have standing to initiate judgeship and circuit boundary studies.
2. The AOC will notify the governor, General Assembly, superior court judges, and district court administrators no later than May 1 that they may request studies in writing by June 1, or the next business day thereafter, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any request received after June 1 will not be considered until the following year except upon approval by the chair of the Judicial Council in consultation with the chair of the Standing Committee on Judicial Workload Assessment for good cause shown. Under no circumstances will a request received more than five business days after June 1 be considered during the current year.

3. Requests for studies will be sent to the director of the AOC. After receiving a request for a judgeship, the AOC will inform all judges within the circuit of the request. After receiving a request for a circuit boundary study, the AOC will inform all judges within the requested circuit, all judges of any adjacent circuits, and their district court administrators by US mail and electronic mail. Any request by any party may be withdrawn by the same party at any time for any reason, and staff will notify all parties impacted by such a withdrawal.
4. The AOC will send the caseload and workload status of their respective circuits to all superior court judges and district court administrators no later than May 1 of each year.

2.1(a) — Circuit Boundary Prescreening

1. The AOC shall inquire of the requestor about the specific circuit alteration desired of a circuit boundary request. The AOC shall conduct an analysis for the specific outcome desired by the requestor to determine its feasibility.¹
2. Upon asking the requestor the desired alteration, the AOC shall send notice to the judges located in the specific circuit that is mentioned in the request.
3. If the desired outcome sought by the requestor is not feasible, the request may be withdrawn. If the request is not withdrawn, the AOC will continue with the study as referenced in Section 2.3. The judges of the circuit will be notified if the request is withdrawn.

2.2 – Judgeship Study Methodology

The Judicial Council approves the NCSC report adopted by the Council on December 7, 2018 (see Appendix A). See Appendix B for the summary of all values. Furthermore, the Judicial Council approved an amendment to the Habeas Corpus and Civil Appeals case weights on December 11, 2020 (see Appendix C).

1. The most recent three-year average of civil case filings and criminal case defendants, for each case type listed in Appendix A, will serve as the *total circuit caseload* for each case type. Each case type's caseload will be multiplied by its respective *case weight*. The resulting figure represents the *total circuit workload*.

The *total circuit workload* will be divided by the *judge year value* assigned to the circuit based on its *classification*. The resulting figure represents the *judge workload value*. If the *judge workload value* divided by the total number of authorized judgeships in the circuit is not less than 1.20, then the circuit is qualified for an additional judgeship. If the *judge workload value* divided by the total number of authorized judgeships in the circuit is less than 1.20, then the circuit is not qualified for an additional judgeship. For purpose of analysis and reporting under this policy, workload values shall be cutoff at the hundredth of the decimal. When analyzing a circuit for multiple judgeships, the circuit shall first be analyzed to determine a need for one judgeship. If qualified, then the circuit shall be analyzed for one additional judgeship, giving the circuit credit for the additional judgeship need already qualified for. This process shall repeat itself until the circuit is not qualified or

¹ A preliminary analysis may include factors such as caseload data and workload analysis. It does not represent or constitute a comprehensive or finalized circuit boundary feasibility study.

the request is exhausted. The Judicial Council may re-rank all qualifying circuits utilizing the same methodology. In the event the methodology described in this policy or the *Georgia Guide to Statistical Reporting* has changed during a circuit's three-year qualification period referenced in Section 3, Paragraph 5 below, AOC staff will reanalyze the circuit's judge workload value to facilitate the Judicial Council's re-ranking.

2. A circuit that requests and qualifies for an additional judgeship will have its judgeship study prepared and presented at the next Standing Committee on Judicial Workload Assessment Committee meeting. Requestors will be notified of their status and the Committee will process the request no later than June 15. The Standing Committee may forward the recommendation to the Judicial Council for consideration at the first meeting of the fiscal year as described in Section 3. If a majority of the judges in a circuit vote to disagree with a request for a judgeship, the Standing Committee may consider that disagreement in their decisions to recommend new judgeships to the Council. The Committee shall vote on request for multiple judgeships from the same circuit independently.
3. A circuit that requests and is not qualified for an additional judgeship has the right to appeal its status to the Standing Committee on Judicial Workload Assessment. Requestors will be notified of their status and the Committee will process the appeal no later than June 15. If the appeal is approved, then the appealing circuit will have a judgeship study prepared and presented at the next Judicial Council meeting as described in Section 3. Appeals may not be based upon a circuit's caseload.
4. The AOC will present annually to the Committee a list of all circuits whose *judge workload value* divided by the total number of authorized judgeships in the circuit is less than 0.890 and whose per judge workload value would not equal or exceed 1.20 upon reduction of a judgeship. The Committee Chair shall invite all judges from such circuits to appear at the next Committee meeting to discuss their caseload and workload data. There shall not be fewer than two judges in each circuit, so the circuits to which that applies, which appear to have more judges than needed (with a workload of 0.80 or less 9) should 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 0.80 or less, once the workload report is complete.

The Committee shall provide technical assistance, with the assistance of the AOC and others so designated, to the affected circuits that may include, but is not limited to: a manual hand count of cases for a specified period of time, additional training for clerks and staff on proper case documentation, and a review of caseload reports and other case information. The AOC shall provide the Committee prior to the next year's annual reporting, a report of the technical assistance provided and any recommendations for further assistance. Beginning with the 2022 case count, if a circuit's workload is 0.80 or less for three consecutive years, then the Committee may report the same to the Judicial Council.

2.3 – Circuit Boundary Study Methodology

A proposed circuit boundary alteration will cause study of the requesting circuit and all adjacent circuits. A circuit is qualified for a boundary alteration if, after the proposed alteration, the following conditions are met.

1. Caseload and Workload

- a. Caseload is more evenly distributed across all circuits impacted by the alteration.
- b. Workload in altered circuits does not vary significantly from the statewide average workload.
- c. Caseload trend analysis of altered circuits does not project an imbalance in growth rates that would necessitate a reallocation of resources or alteration of circuit boundaries again in the near future.

2. Population

- a. Per judge population is more evenly distributed among circuits impacted by altered boundaries.
- b. Per judge population does not vary significantly from the statewide average in altered circuits.
- c. Population trend analysis of altered circuits does not show an imbalance in growth rates that would necessitate a reallocation of resources or alteration of circuit boundaries again within ten years.
- d. The population of altered circuits is more evenly distributed than the original circuits.

3. Judges

- a. The number of additional judges needed to serve altered circuits is not significantly greater than the original number.
- b. Judges' travel time and/or distance between courthouses decreases in altered circuits.

4. Administrative

- a. The one-time and recurring costs to altered circuits are not overly burdensome to the state or local governments. Changes in cost for personnel services and operations will be considered. These costs include, but are not limited, to the following:
 - i. Salaries and compensation for staff;
 - ii. Cost for items such as furniture, signage, and general startup expenses;
 - iii. Rent or the purchase of new office space;
 - iv. Purchase or lease of a vehicle; and
 - v. Conference and continued education costs.
- b. The operational and case assignment policies are not negatively impacted in altered circuits.

- i. Any current standing orders regarding case assignment should be submitted to the AOC; and
 - ii. Any item affecting the case assignment not specifically expressed in the Uniform Rules for Superior Courts should be submitted to the AOC.
 - c. The Circuit Court Administrator and/or District Court Administrator is required to submit the detailed Comprehensive Annual Financial Report to the AOC to be included within the analysis.
5. The preceding conditions (1-4) will be considered for all potential circuit boundary alterations before qualification status is determined.
 6. If a circuit meets a significant number of the preceding conditions, then the circuit is qualified for a boundary alteration. If a circuit does not meet a significant number of the preceding conditions, then the circuit is not qualified for a boundary alteration.
 7. The AOC will notify the requestor and all potentially affected judges and district court administrators of the circuit's qualification status no later than September 1.
 8. A circuit that qualifies for a boundary alteration will have its study prepared and presented no later than the last meeting of the calendar year for the Standing Committee on Judicial Workload Assessment. The Standing Committee may forward the recommendation to the Judicial Council for consideration at its next meeting as described in Section 3. If a majority of the judges in a circuit vote to oppose a request for a circuit boundary alteration, the Standing Committee shall consider the circuit's opposition in their decisions to recommend circuit boundary alterations to the Council.
 9. A circuit not qualified for a boundary alteration has the right to appeal its status to the Standing Committee on Judicial Workload Assessment. If the appeal is approved, then the appealing circuit will have a boundary study prepared and presented at the next Judicial Council meeting as described in Section 3. Appeals may not be based upon a circuit's caseload.

Section 3 - Judicial Council Procedure

The Judicial Council share judicial personnel allocation recommendations and approved findings of viability for circuit boundary alterations with the Governor and the General Assembly annually prior to the beginning of the regular session of the General Assembly.

1. The AOC will prepare and present all Committee recommendations on additional judgeships, viability of circuit boundary adjustments, and reduction of judgeships to the Council. Requestors will be notified of the Council's process no later than a month after the matter is heard by the Committee. The

report will include the results of the judgeship and/or boundary studies, any letters of support from requesting circuits, any available *CourTools* data, and other information the AOC may deem beneficial to Judicial Council deliberations.

2. After reviewing the recommendations, the Judicial Council, in open session, may discuss the merits of each recommendation. Any Judicial Council member in a circuit or county affected by a recommendation will be eligible to vote on motions affecting that circuit but will not be present or participate in deliberations regarding the circuit. Non-Judicial Council members offering support or opposition may be recognized to speak by the Chief Justice.
3. After deliberations, the Judicial Council will, in open session, approve or disapprove the recommendations. The Council shall vote on requests for multiple judgeships from the same circuit independently. Votes on such motions will be by secret, written or electronic ballot. Non-qualified circuits with successful appeals must have a two-thirds (2/3) majority to receive approval. Each ballot must be complete to be counted. The Vice Chief Judge of the Court of Appeals will oversee ballot counting.
4. After determining the circuits recommended for an additional judgeship, the Judicial Council will rank the circuits based on need. The Council shall vote on requests for multiple judgeships from the same circuit independently. Votes on such motions will be by secret, written or electronic ballot. Each ballot must be complete to be counted. The Vice Chief Judge of the Court of Appeals will oversee ballot counting.
 - a. The ballots will be counted using the Borda count method. The Borda count determines the outcome of balloting by giving each circuit a number of points corresponding to the number of candidates ranked lower. Where there are n circuits, a circuit will receive n points for a first preference ballot, $n - 1$ points for a second preference ballot, $n - 2$ for a third preference ballot, and so on until n equals 1. Once all ballots have been counted, the circuits are then ranked in order of most to fewest points.
5. Upon Judicial Council recommendation of an additional judgeship, the recommendation will remain for a period of three years unless: (1) the total caseload of that circuit decreases 10 percent or more; (2) the circuit withdraws the request; or (3) requests an updated workload assessment pursuant to subparagraph (a) below and the resulting workload is lower than a 1.20. If any of these circumstances occur, the circuit must requalify before being considered again by the Judicial Council.
 - a. A circuit can request another workload assessment after receiving a recommendation for a new judgeship from the Judicial Council. The request must follow the same procedure outlined in section 2.1 (2). The circuit will not have its time extended past the initial three-year recommendation.
 - b. If a circuit requests a new workload study, the Committee will report the results to the Judicial Council and the Judicial Council will use only the new data.

6. If the Judicial Council expresses support for the viability of a circuit boundary study, the study will remain valid for a period of one year.
7. The AOC will prepare and distribute letters notifying requestors and chief judges of the Judicial Council's actions and distribute a ~~press release~~ notice summarizing the Judicial Council's recommendations and/or support.

DRAFT



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council

FROM: Judge Stephen Kelley, Co-Chair

RE: Committee Report - Judicial Council Standing Committee on Technology

DATE: April 19, 2023

The Judicial Council Standing Committee on Technology met on Wednesday, April 19, 2023. The following report reflects the topics discussed during that meeting.

Old Business

Gateway Subcommittee- Mr. Ben Luke

Mr. Luke provided an update regarding the proposed redesign of the Gateway site. The work has begun based on the UI outline by the graphic designer. The redesign will focus heavily on the mobile user, as that continues to be the primary source of access for the site. The project is slated to be complete by September 2023, with feedback sessions conducted before that time.

New Business

*Automated Data Collection project-*Mr. Jeffery Thorpe

Mr. Jeffery Thorpe provided an update to the Committee regarding the project. They have finished the grant process and are working to begin receiving funding. Interviews are completed for an additional analyst for the team, depending upon the budget. Additionally, they continue to work on the certification process and engage the case management systems with feedback.

*AOC Updates-*Mr. Ben Luke

Mr. Luke shared an update regarding the Technology projects of the Administrative Office of the Courts. He shared that the progress of the GCR product continues; this tool supports court professionals, is receiving modernization, and moving to newer technology. Additionally, Mr. Luke shared that the AOC would continue to support judicial staff with training and a technology trends newsletter. The training sessions have been well attended, and users have expressed appreciation for the training. The Committee discussed the VCC product underdevelopment, and additional Committee members showed interest in participating in the beta testing.

Strategic Plan- Judge Kelley and Mr. Ben Luke

Judge Kelley engaged the Committee in a discussion regarding developing the strategic plan. He explained that he had created an outline, and Mr. Luke is also working on ideas for the strategic plan. They are working to have a more formal draft to present at the next Committee meeting.

SB 272, Mr. Ben Luke

Mr. Ben Luke discussed SB 272. It was explained the bill outlined would hopefully strengthen the criminal case data exchange standards initially currently established. The oversight has been relocated to the Judicial Council, with much of the original standards, Committee, and scope remaining intact. The Committee discussed the Senate bill and explored necessary items to ensure success.

JDEX Update, Mrs. Kristy King and Judge Crawford

Mrs. King and Judge Crawford provided the Committee with an update on the Juvenile Data Exchange program. She discussed the steady user rates and the number of juvenile delinquency records contained. Additionally, the Committee engaged in a discussion about functionality and expandability.

Update on Judicial Emergency Preparedness Committee, Mr. Ben Luke

The Committee seeks to create a template for emergency preparedness for judicial branch partners. The Committee is scheduled to meet or exceed the goal of completing the template before the deadline, including the minimal framework that judicial agencies should adopt to prepare for emergency events. As the Committee continues to meet, updates will be provided to this Committee.

Next Meeting

The next committee meeting is scheduled for May 18, 2023.