

# JUDICIAL COUNCIL OF GEORGIA

General Session

**Friday, August 18, 2023**

10 a.m. – 12:30 p.m.



**Nathan Deal Judicial Center**

**Judicial Council of Georgia  
General Session**

**Nathan Deal Judicial Center  
Judicial Conference Room  
330 Capitol Avenue, S.E.  
Atlanta, GA 30334**

**Friday, August 18, 2023  
10 a.m. – 12:30 p.m.**

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

- 1. Call to Order & Swearing In of New Members**  
(Chief Justice Michael P. Boggs, Est. Time – 5 Min.)
- 2. Roll Call of Judicial Council Members**  
(Ms. Cynthia H. Clanton, Est. Time – 2 Min.)
- 3. Pledge of Allegiance**  
(Honorable Tony DelCampo, Est. Time – 1 Min.)
- 4. Approval of Minutes (*Action Item*)** **TAB 1**  
(Chief Justice Michael P. Boggs, Est. Time – 2 Min.)
- 5. Presentation: Judicial Council/AOC 50<sup>th</sup> Anniversary Proclamations**  
(Senator John F. Kennedy & Representative Soo Hong, Est. Time – 10 Min.)
- 6. Presentation: Updates from the State Ethics Commission**  
(Mr. David Emadi, Georgia State Ethics Commission, Est. Time – 5 Min.)
- 7. Judicial Council Committee Reports**
  - A. ARPA Funding Committee** **TAB 2**  
(Chief Justice Michael P. Boggs, Est. Time – 5 Min.)
  - B. Legislation Committee (*Action Item*)** **TAB 3**  
(Presiding Justice Nels S.D. Peterson, Est. Time – 5 Min.)
  - C. Budget Committee (*Action Item*)** **TAB 4**  
(Justice Charles J. Bethel, Est. Time – 5 Min.)
  - D. Judicial Salaries and Supplements Committee (*Action Item*)** **TAB 5**  
(Justice Charles J. Bethel & Chief Judge Russell Smith, Est. Time – 10 Min.)
  - E. Judicial Security Committee**  
(Justice Shawn Ellen LaGrua, Est. Time – 5 Min.)

- F. Technology Committee** **TAB 6**  
(Justice Shawn Ellen LaGrua & Judge Stephen D. Kelley, Est. Time – 5 Min.)
- G. Judicial Workload Assessment Committee** *(Action Item)*  
(Judge Robert D. Leonard, Est. Time – 25 Min.) **TAB 7**
- H. Grants Committee** *(Written Report)* **TAB 8**
- I. Strategic Plan Committee** *(Written Report)* **TAB 9**

**8. Meeting on Break**  
(Est. Time – 10 Min.)

**9. Report from Judicial Council/AOC** **TAB 10**  
(Ms. Cynthia H. Clanton, Est. Time – 10 Min.)

**10. Reports from Courts, Councils, & State Bar** **TAB 11**  
(Est. Time – 15 min.)

**A. Supreme Court**

**B. Court of Appeals**

**C. State-wide 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**

**11. Reports from additional Judicial Branch Agencies** **TAB 12**  
(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**

**F. Institute of Continuing Judicial Education**

**G. Judicial Qualifications Commission**

**H. Georgia Association of Juvenile Court Clerks**

**12. Old/New Business**

(Chief Justice Michael P. Boggs, Est. Time – 3 Min.)

**13. Concluding Remarks & Adjournment of Meeting**

(Chief Justice Michael P. Boggs, Est. Time – 3 Min.)

**14. Group Photograph of Judicial Council Members**

**15. Boxed Lunch**

**Next Judicial Council Meeting – General Session**

Friday, December 8, 2023      10 a.m. – 12:30 p.m.    Zoom Conferencing

**CY 2024 Meeting Calendar – Judicial Council General Session**

Friday, February 9, 2024      10 a.m. – 12 p.m.      Zoom Conferencing

Friday, April 12, 2024      10 a.m. – 12p.m.      Nathan Deal Judicial Center, Atlanta

Friday, August 16, 2024      10 a.m. – 12p.m.      Nathan Deal Judicial Center, Atlanta

Friday, December 13, 2024    10 a.m. – 12p.m.      Zoom Conferencing



# Judicial Council of Georgia

## Members as of July 1, 2023

Chief Justice Michael P. Boggs <b>Chair</b>	Supreme Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. 1 <sup>st</sup> Floor, Suite 1100 Atlanta, GA 30334	P: 404-657-3470 F: 404-656-2253	<a href="mailto:boggsm@gasupreme.us">boggsm@gasupreme.us</a>
Presiding Justice Nels S.D. Peterson <b>Vice-Chair</b>	Supreme Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. 1 <sup>st</sup> Floor, Suite 1100 Atlanta, GA 30334	P: 404-656-3470 F: 404-656-2253	<a href="mailto:petersonn@gasupreme.us">petersonn@gasupreme.us</a>
Chief Judge Amanda H. Mercier	Court of Appeals	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. Suite 1601 Atlanta, GA 30334	P: 404-656-3450 F: 404-651-6187	<a href="mailto:merciera@gaappeals.us">merciera@gaappeals.us</a>
Vice Chief Judge Trenton Brown III	Court of Appeals	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. Suite 1601 Atlanta, GA 30334	P: 404-656-3450 F: 404-651-6187	<a href="mailto:brownt@gaappeals.us">brownt@gaappeals.us</a>
Judge William “Bill” Grady Hamrick III	Georgia State-Wide Business Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. Suite BC320 Atlanta, GA 30334	P: 404-656-3080	<a href="mailto:hamrickb@gsbc.us">hamrickb@gsbc.us</a>
Judge John E. Morse <b>President, CSCJ</b>	Superior Court	Eastern Judicial Circuit Chatham County Courthouse 133 Montgomery St., Suite 213 Savannah, GA 31401	P: 912-652-7236	<a href="mailto:jemorse@chathamcounty.org">jemorse@chathamcounty.org</a>
Vice Chief Judge Ann B. Harris <b>President-Elect, CSCJ</b>	Superior Court	Cobb Judicial Circuit Chatham County Courthouse 70 Haynes Street Marietta, GA 30090	P: 770-528-1822 F: 770-528-8141	<a href="mailto:ann.harris@cobbcounty.org">ann.harris@cobbcounty.org</a>
Judge D. Jay Stewart <b>1st JAD</b>	Superior Court	Atlantic Judicial Circuit Evans County Courthouse P.O. Box 842 Claxton, GA 30417	P: 912-739-4922 F: 912-739-4950	<a href="mailto:jaystewart217@hotmail.com">jaystewart217@hotmail.com</a> <a href="mailto:stewart.judicial.assistant@gmail.com">stewart.judicial.assistant@gmail.com</a>
Judge Melanie B. Cross <b>2nd JAD</b>	Superior Court	Tifton Judicial Circuit PO Box 7090 Tifton, GA 31793	P: 229-386-7904	<a href="mailto:melanie.cross@tiftcounty.org">melanie.cross@tiftcounty.org</a>
Judge W. James Sizemore, Jr. <b>3rd JAD</b>	Superior Court	Southwestern Judicial Circuit PO Drawer 784 Americus, GA 31709	P: 229-924-2269 F: 229-924-1614	<a href="mailto:wjsizemorej@gmail.com">wjsizemorej@gmail.com</a>

Chief Judge LaTisha Dear Jackson <b>4th JAD</b>	Superior Court	Stone Mountain Judicial Circuit 556 N. McDonough Street Room 7220 Decatur, GA, 30030	P: 404-371-4710	<a href="mailto:ldearjackson@dekalbcountyga.gov">ldearjackson@dekalbcountyga.gov</a>
Chief Judge Ural D. Glanville <b>5th JAD</b>	Superior Court	Atlanta Judicial Circuit T-8905 Justice Center Tower 185 Central Avenue SW STE T-8905 Atlanta, GA 30303	P: 404-612-8591 F: 404-893-6605	<a href="mailto:ural.glanville@fultoncountyga.gov">ural.glanville@fultoncountyga.gov</a>
Chief Judge W. Fletcher Sams <b>6th JAD</b>	Superior Court	Griffin Judicial Circuit Fayette County Justice Center One Center Drive Fayetteville, GA 30214	P: 770-716-4282 F: 770-716-4862	<a href="mailto:fletcher@fayettecountyga.gov">fletcher@fayettecountyga.gov</a>
Chief Judge D. Scott Smith <b>7th JAD</b>	Superior Court	Cherokee Judicial Circuit 135 West Cherokee Avenue Suite 335 Cartersville, GA, 30120	P: 678-721-3242	<a href="mailto:smiths@bartowga.org">smiths@bartowga.org</a>
Chief Judge Sarah Wall <b>8th JAD</b>	Superior Court	Oconee Judicial Circuit PO Box 1096 Hawkinsville, GA 31036	P: 478-783-2900 F: 478-783-2902	<a href="mailto:walls@eighthdistrict.org">walls@eighthdistrict.org</a>
Judge David L. Dickinson <b>9th JAD</b>	Superior Court	Bell-Forsyth Judicial Circuit 101 E. Courthouse Square Suite 5039 Cumming, GA 30040	P: 770-781-2133 F: 770-888-8862	<a href="mailto:dld@forsythco.com">dld@forsythco.com</a>
Judge Sheryl B. Jolly <b>10th JAD</b>	Superior Court	Columbia Judicial Circuit 640 Ronald Reagan Drive Suite 1039 Evans, GA 30809	P: 706-312-7231 F: 706-312-7365	<a href="mailto:sjolly@columbiacountyga.gov">sjolly@columbiacountyga.gov</a>
Chief Judge John Kent Edwards, Jr. <b>President, CStCJ</b>	State Court	Lowndes County P.O. Box 1661 Valdosta, GA 31603	P: 229-671-2600	<a href="mailto:jedwards@lowndescounty.com">jedwards@lowndescounty.com</a>
Chief Judge Jeff Hanson <b>President-Elect, CStCJ</b>	State Court	Bibb County 601 Mulberry Street Macon, GA 31201	P: 478-310-3635	<a href="mailto:jhanson@maconbibb.us">jhanson@maconbibb.us</a>
Judge Warner L. Kennon <b>President, CJCJ</b>	Juvenile Court	Chattahoochee Judicial Circuit P.O. Box 311 Gainesville, GA 30503	P: 706-225-3549	<a href="mailto:wkennon@columbusga.org">wkennon@columbusga.org</a> <a href="mailto:wlk@wlkpc.com">wlk@wlkpc.com</a>

# Judicial Council of Georgia

## Members as of July 1, 2023

Judge T. Neal Brunt <b>President-Elect, CJCJ</b>	Juvenile Court	Cherokee Judicial Circuit 135 W. Cherokee Avenue Suite 333 Cartersville, GA 30120	P: 706-387-5039 F: 770-387-5044	<a href="mailto:bruntn@bartowge.org">bruntn@bartowge.org</a>
Judge Danielle McRae <b>President, CPCJ</b>	Probate Court	Upson County P.O. Box 906 Thomaston, GA 30286	P: 706-647-7015 F: 706-646-3341	<a href="mailto:dmcrae@upsoncountyga.org">dmcrae@upsoncountyga.org</a>
Judge Christopher A. Ballar <b>President-Elect, CPCJ</b>	Probate Court	Gwinnett County 75 Langley Drive Lawrenceville, GA 30046	P: 770-822-8350 F: 770-822-8217	<a href="mailto:christopher.ballar@gwinnettcounty.com">christopher.ballar@gwinnettcounty.com</a>
Chief Judge Brandon Bryson <b>President, CMCJ</b>	Magistrate Court	Bartow County 112 W. Cherokee Ave Suite 101 Cartersville, GA 30120	P: 770-387-5070 F: 770-387-5073	<a href="mailto:brysonb@bartowcountyga.com">brysonb@bartowcountyga.com</a>
Judge Robert Wolf <b>President-Elect, CMCJ</b>	Magistrate Court	Fulton County 185 Central Ave SW Suite T-1605 Atlanta, GA 30303	P: 404-216-4162	<a href="mailto:robert.wolf@fultoncountyga.gov">robert.wolf@fultoncountyga.gov</a>
Chief Judge Matthew M. McCord <b>President, CMuCJ</b>	Municipal Court	Municipal Court of Stockbridge 4602 N. Henry Blvd Stockbridge, GA 30303	P: 770-389-7906	<a href="mailto:matt@mmccordlaw.com">matt@mmccordlaw.com</a>
Chief Judge David C. Will <b>President-Elect, CMuCJ</b>	Municipal Court	Municipal Court of Clarkston 3921 Church Street Clarkston, GA 30021	P: 404-292-9465 F: 404-298-1522	<a href="mailto:dwill@royallaw.net">dwill@royallaw.net</a>
Honorable J. Antonio DelCampo <b>President, State Bar of Georgia</b>	State Bar of GA	5455 Chamblee Dunwoody Road Atlanta, GA 30338	P: 770-481-0444 F: 770-395-0806	<a href="mailto:tony@dglattorneys.com">tony@dglattorneys.com</a>

## **Administrative Office of the Courts**

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

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

*As of August 1, 2023*

### **Director's Office**

#### **Administration**

Alexis Bauman  
404-463-3820

*Front Desk*  
404-656-5171

#### **Budget**

Andrew Zoll  
404-594-9846

#### **Governmental and Trial Court Liaison**

Tracy Mason  
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LaShawn Murphy  
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Cheryl Karounos  
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Shirley Roberts  
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Shimike Dodson  
ARPA  
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Robby Lee  
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#### **Human Resources**

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Jasmine Duffin  
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#### **General Counsel**

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Carole Collier  
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Billy Scott  
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#### **Judicial Services**

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Division Director  
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#### **Research and Data Analysis**

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Andres Bosque  
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Alexis Bell  
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Eric Miner  
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#### **Court Professionals**

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LaShica Briscoe  
404-430-8027

Tiffanie Bacon  
404-651-8707

Audrianna Smith  
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#### **Communications, Children, Families & the Courts**

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Latoinna Lawrence  
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Diana Johnson  
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Deonte Mayfield  
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#### **Financial Administration**

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CFO/Division Director  
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Kim Burley  
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Sandra Nichols  
ARPA  
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Cherecia Kline  
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***Tax Intercept***

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CTO/Division  
Director  
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Jessica Jones  
404-538-0849

Amber Range  
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Angela He  
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Kristy King  
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Christina Liu  
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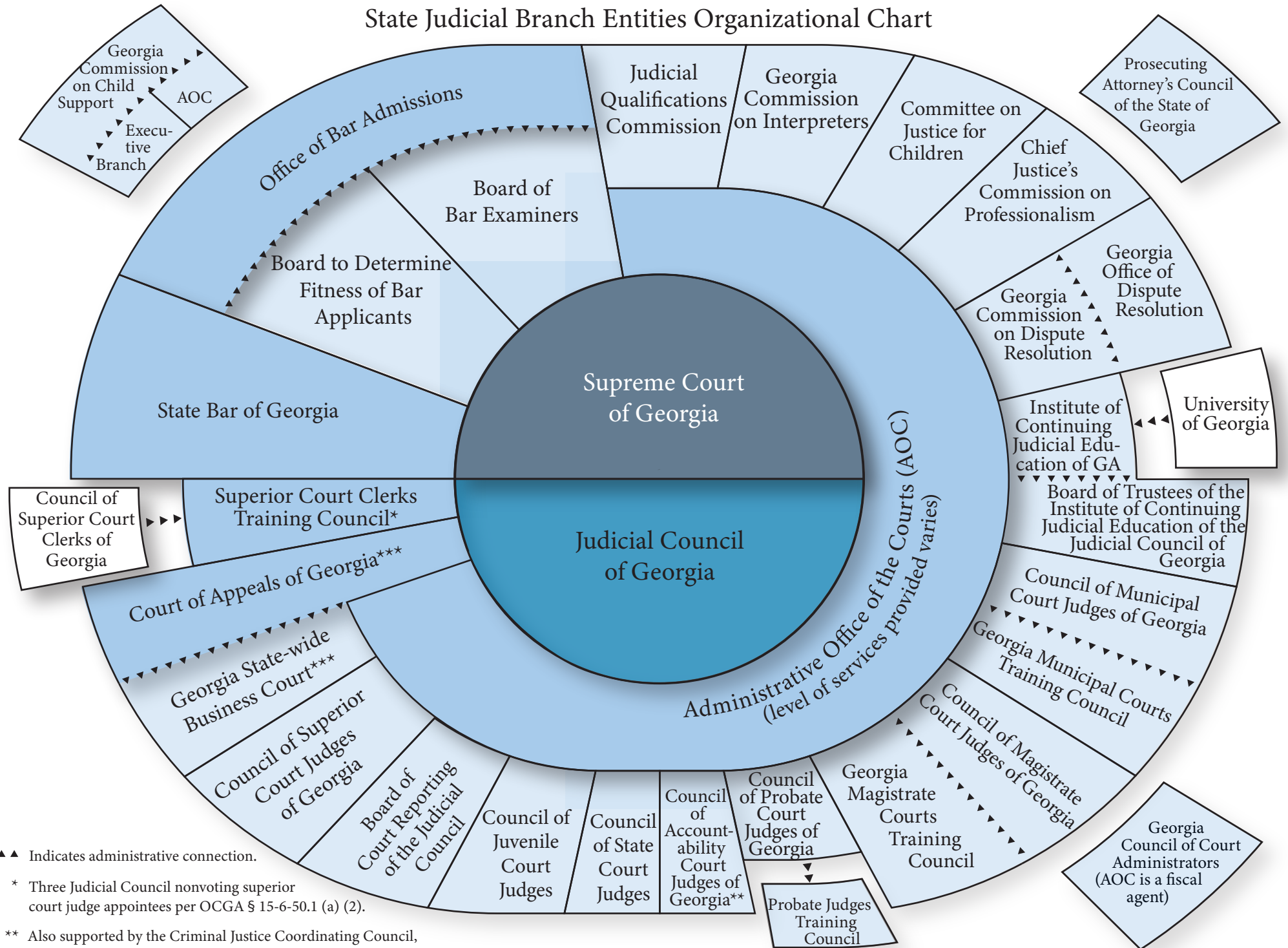
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Ghyovani Vielot  
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# State Judicial Branch Entities Organizational Chart





# Judicial Council of Georgia

# STRATEGIC PLAN

FY 2020-2023  
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)



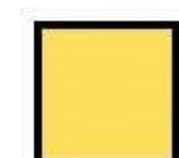


# STATE GOVERNMENT COMPLEX

## CAPITOL HILL Parking Map

### GEORGIA BUILDING AUTHORITY

- PT** 2 Peachtree
- CT** 90 Central
- AB** Agriculture Building
- BD** Butler Deck
- HE** Health Deck
- LB** Law Building (old Judicial Building)
- JS** Nathan Deal Judicial Center
- PP** Plaza Park
- PH** Pete Hackney
- SD** South Deck
- SP** Steve Polk
- TW** Trinity Washington



**Underground Parking**



**Multi-Level Deck Parking**



**Surface Parking Lot**



**Public Parking**



**Accessible Loading and Unloading Zone**



**Electric Vehicle Charging Stations**



**Bicycle Racks**

1 MLK (Piedmont Ave)

2 Peachtree Building (Inside-Main Level)

Butler Deck (Inside-Level 1)

Coverdell Legislative Office Bldg/CLOB (Capitol Sq)

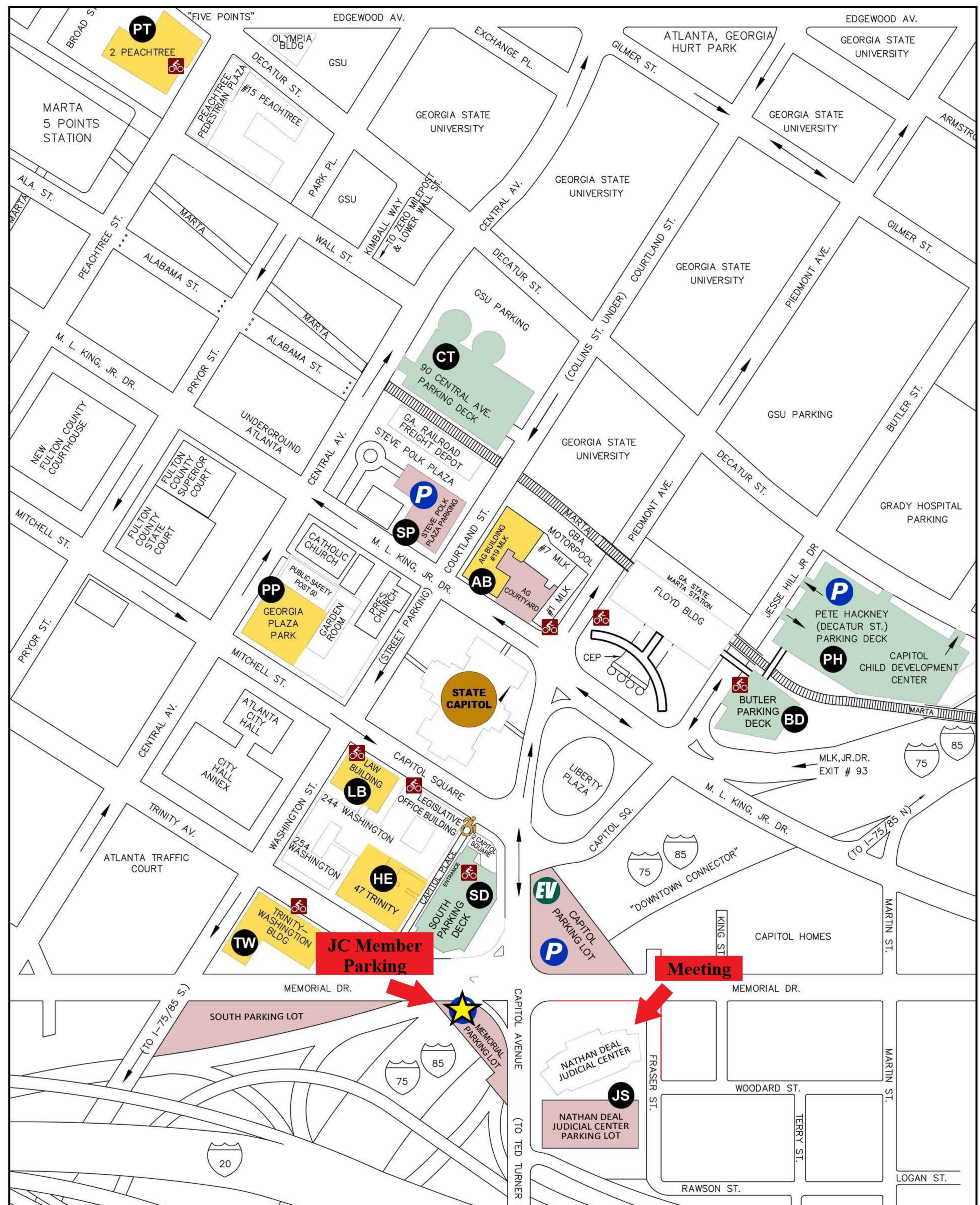
Floyd Building/Twin Towers (Piedmont Ave)

Law Building (Capitol Sq)

South Deck (Inside-Level 2)

TW Building (Trinity Ave)

Rev 12/2020





# TAB 1

**Judicial Council of Georgia  
General Session  
Columbus Convention & Trade Center  
Friday, April 21, 2023 • 10:00 a.m.**

**Members Present**

Chief Justice Michael P. Boggs, Chair  
Presiding Justice Nels S.D. Peterson, Vice  
Chair  
Ms. Sally Akins  
Judge JaDawnya C. Baker  
Judge R. Violet Bennett  
Judge Alison Burleson (for Chief Judge  
Sarah Wall)  
Judge Scott Chastain (for Judge Danielle  
McRae)  
Chief Judge Daniel Craig (Chief Judge  
Joseph H. Booth)  
Judge Melanie B. Cross  
Chief Judge LaTisha Dear Jackson  
Chief Judge John Kent Edwards, Jr.  
Chief Judge Ural D. Glanville  
Chief Judge R. Timothy Hamil  
Judge William “Bill” Grady Hamrick III  
Judge Render M. Heard, Jr.  
Presiding Judge Warner Kennon  
Vice Chief Judge Amanda H. Mercier  
Judge John E. Morse  
Chief Judge Rebecca J. Pitts  
Judge B. Shawn Rhodes  
Chief Judge Brian M. Rickman

Chief Judge W. Fletcher Sams  
Chief Judge D. Scott Smith  
Judge W. James Sizemore, Jr.  
Chief Judge Arthur Lee Smith, III  
Judge D. Jay Stewart  
Chief Judge David Will (for Judge Matthew  
M. McCord)  
Judge Robert Wolf (For Chief Judge  
Brandon Bryson)

**Staff Present**

Ms. Cynthia H. Clanton  
Ms. Michelle Barclay  
Ms. Alexis Bauman  
Mr. Peterson David  
Mr. Thomas Dorminy  
Ms. Stephanie Hines  
Ms. Cheryl Karounos  
Mr. Ben Luke  
Ms. Tracy Mason  
Ms. Lashawn Murphy  
Mr. Bruce Shaw  
Mr. Jeffrey Thorpe  
Mr. Andrew Zoll

**Guests (Appended)**

**Call to Order and Welcome**

The meeting of the Judicial Council of Georgia (Council) was called to order at 10:00 a.m. by Chief Justice Boggs. He welcomed everyone and reminded attendees that the meeting would be recorded, livestreamed, and open to the press and public. Guests were asked to submit their attendance via e-mail for the purpose of the minutes. Chief Justice Boggs then recognized

designees attending for absent members<sup>1</sup> and special guests. Members and guests introduced themselves for the purpose of roll call. Chief Justice Boggs thanked Judge Cross and Chief Judge Arthur Smith for agreeing to chair and co-chair the Grants Committee. Finally, Chief Justice Boggs asked Chief Judge Arthur Smith to lead The Pledge of Allegiance.

### **Approval of Minutes**

Chief Justice Boggs directed the Council's attention to the minutes of the February 10, 2023, General Session, provided in the materials. Several motions to approve the minutes were offered, followed by a second from Judge Bennett. No discussion was offered, and the motion was approved without opposition.

### **Judicial Council Committee Reports**

American Rescue Plan Act Committee. Chief Justice Boggs referred members to the written report provided in the materials. He highlighted that the ARPA committee was now in its second year of a three-year award program. The application period for CY 2023 Cycle 2 funding closed on April 15. A total of 24 applications were received, with 21 applications from current grantees seeking to amend their current CY 2023 awards which expire at the end of the year. Three new applications were received from Clayton, Flint, and Pataula Judicial Circuits. The Committee will meet on May 12 to make award decisions for grants effective June 1, 2023. Later in the year there will be an open process for CY 2024 funding. The AOC fiscal team is receiving and vetting reimbursement requests from circuits and submitting them to OPB. Over \$12 million has been reimbursed for CY 2022 expenses and over \$140,000 for CY 2023 expenses. Chief Justice Boggs reminded members that there is a web-based dashboard for the ARPA grants that reflects real-time status updates regarding reimbursement requests. Chief Justice Boggs announced that OPB had agreed to expand eligible expense categories which now included grants for audio-visual equipment modernization in existing courtrooms. Chief Justice Boggs reported that in the 24 applications received this cycle, audio-visual equipment modernization was requested from 22 circuits in amounts ranging from \$54,000 to \$2 million. He also announced that the Committee agreed to increase the annual cap on awards from \$2 million to \$2.5 million. Those circuits already at the cap can ask for additional funding for equipment modernization. Chief Justice Boggs reminded members to check the ARPA website as it is constantly updated with new information received by the committee, and he thanked the members of the committee for their work.

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<sup>1</sup> See Members Present on page 1

Legislation Committee. Presiding Justice Peterson referred members to the written report provided in the materials. He highlighted that the General Assembly adjourned on March 29 and thanked leadership from each class of court for attending the weekly calls which helped share information and identify issues that may have been missed. The Judicial Council previously voted to support two legislative initiatives. The first was legislation to provide for technical and conforming amendment clean up as a result of last year's passage of House Bill 916, the Superior and State Court Appellate Practice Act that becomes effective July 1. This year's legislation was filed as House Bill 186 by Representative Rob Leverett. Final passage was received on Day 39. Presiding Justice Peterson encouraged members to take advantage of the training and resources on the AOC website regarding this Act. The target completion date for all training materials is May 1 and the AOC staff will distribute information through the Executive Directors of the councils. The second initiative was legislation to amend OCGA § 15-12-122 to increase the threshold permitting a six-person jury in a civil case unique to state courts from \$25,000 to \$100,000. Presiding Justice Peterson thanked the Bar for its support. The legislation was filed as House Bill 543 by Representative Matt Reeves. Final passage was received just before midnight with a \$50,000 threshold instead of \$100,000. Presiding Justice Peterson informed members that the Committee exercised its authority to act on behalf of the Council in a time sensitive matter to determine to support for legislation which attached the Criminal Case Data Exchange Board to the Judicial Council/AOC.

Presiding Justice Peterson explained that the Judicial Council's top three ranked judgeship recommendations were created for terms effective January 1, 2024, which included House Bill 77 (Dougherty Judicial Circuit), House Bill 243 (Coweta Judicial Circuit), and Senate Bill 66 (Atlantic Judicial Circuit). After highlighting several other bills monitored by the Committee, Presiding Justice Peterson reminded members that this was the first year of the two-year biennial, meaning all bills that were not affirmatively voted down will remain live for next year. Presiding Justice Peterson expressed his gratitude to the Council's partners in the General Assembly for all their work during the session. The process for next year's legislative cycle will begin soon and a Legislation Committee meeting date will also be announced shortly. Presiding Justice Peterson asked members to continue to share legislative initiatives through the Committee even if they only seem to affect one class of court.

Budget Committee. Justice Bethel provided an oral report and he highlighted the one-time funding for the automated data collection project was secured in the amended FY 2023 budget. As for the FY 2024 budget, one new AOC staff position was added which will bring strength to the team that serves all the various Judicial Council committees. Justice Bethel announced that the Council of Accountability Court Judges received the requested three-quarters of funding for the state-wide medication assisted treatment coordinator, the current funding for which will run out mid-fiscal year. Full funding is expected to be received as next fiscal year begins. Justice Bethel announced that the Supreme Court's Justice for Children Committee received funding for a new grant program called "Medical Legal Partnerships" and the Institute of Continuing Judicial Education received true-up funding for a position granted in FY 2023, as well as full funding for the administrative expenses associated with their state funds. The Judicial Qualifications Commission also received increased funding. The enhancements resulted in just less than a million dollar increase to the Judicial Council's budget. Justice Bethel informed members that they should have received noticed that the Committee will receive white papers relating to the amended FY 2024 budget as well as the FY 2025 budget beginning May 1 with the hopes of having them all by June 9 so they can be considered in July.

Judicial Salaries and Supplements Committee. Justice Bethel provided an oral report. He informed members that the goal of the Committee was to update the 2016 report of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission as well as explore a compensation proposal that the Judicial Council may be able to support and present to the Legislature. This is being done in two steps, with the first being a preliminary report which was issued in December 2022. Data and information are still being collected regarding these issues to ensure that the best data will be included in the final report. The Committee will meet in full next Friday with the next steps being to receive and digest data from a survey of the superior court judges related to their compensation. The second step will be to discuss potential proposals to determine if more effort into said proposals would be justified. Justice Bethel concluded by thanking the superior court judges for their response rate to the survey.

Court Interpreters Committee. Justice McMillian provided an oral report. She reminded members that the mission of the Committee was to create rules regulating a statewide comprehensive court interpreting program for both non-English-speaking persons as well as deaf and hard of hearing persons. She informed members that the Committee's rules were last reviewed

and updated in 2012. A subcommittee, which is led by Judge Norman Cuadra, was given the responsibility of reviewing the rules; this process has taken 18 months and has led to a comprehensive rewrite. The first draft of the rules was recently published for public comment. Those comments are now being reviewed and incorporated into rule changes. The Committee hopes to submit the rules for review and approval to the Supreme Court later in the year. Justice McMillian informed members that the rule changes include the attempt to capture everyone who is currently interpreting in Georgia because of the new license categories, creating new requirements that interpreters must meet to maintain their designations, clarified procedures for disciplining interpreters, creating a chart including recommendations to the courts for the level of interpreters that would be needed depending on the case, expanding the rules regarding creating a record about the proceedings, as well as updating the code of professional responsibility for interpreters. Upon the approval from the Supreme Court, the Committee anticipates the rules will not be put into effect until the beginning of next year.

Judicial COVID-19 Task Force. Justice LaGrua provided an oral report. She informed members that the Task Force has essentially completed its work and submitted a final draft of the pandemic bench book to the Supreme Court. The bench book is in final review and is expected to be ready for final approval at the August General Session. Justice LaGrua highlighted the work done by Cheryl Karounos and the entire AOC staff for the support of the Task Force's work as well as the entire Task Force for displaying unity to complete the tasks at hand.

Judicial Security Committee. Justice LaGrua provided an oral report. She highlighted that the new Committee's mission was to identify and take steps necessary to protect the safety and security of Georgia's judiciary. The Committee held its first meeting on Tuesday. Justice LaGrua highlighted that this Committee is not focused on courthouse security though there may be incidental issues that affect courthouse security. To start, the Committee will be undertaking two major initiatives. First, a survey of judges will determine concerns throughout the state. A meeting with the Legislation Committee is planned to go over proposed legislation and look at redaction or restriction of judicial information on public websites. The second initiative is to examine gaps in situational awareness for judges. Justice LaGrua informed members that the Committee will be looking into implementing security awareness training for judges as there is not any training currently in place. The Committee will be looking at other states such as Texas and Illinois that have already begun working on implementing security awareness training. Justice LaGrua asked

members to inform her or Chief Judge Rickman regarding any issues that may come up in their communities to create a repository of security issues that judges are finding across the state.

Court Reporting Matters Committee. Vice Chief Judge Mercier provided an oral report. She introduced nominations that required voting for both new appointments and reappointments. New appointments include Judge Bennett and Ms. Tina Shadix Roddenbery, who is a representative from the State Bar. Reappointments were all certified court reporters which included Ms. Randi Strumlauf, Mr. Daniel Gershwin, and Ms. Kate Cochran. Vice Chief Judge Mercier moved that all appointments and reappointments be approved, which was followed by multiple seconds. No discussion was offered. The nominations were approved unanimously. Vice Chief Judge Mercier informed members that the Committee will be meeting soon to begin working on the next legislative session for 2024.

Judicial Workload Assessment Committee. Judge Leonard provided an oral report. He informed members that there were three action items, the first item regarding the classification of abandoned motor vehicles cases in magistrate court. These cases were being counted in different ways because of a lack of definition. The act is civil in nature, so the Committee finds it appropriate to count those as a civil case. The Committee is asking for approval to update the *Georgia Guide to Statistical Reporting* to include that definition. This item came as a motion followed by several seconds. Hearing no discussion, the first item was approved without opposition. The second item were updates to the *Judicial Council Policy on the Study of Superior Court Judgeships and Circuit Boundaries*. Judge Leonard highlighted that the following important changes: the Committee will now be reporting workload values out to the hundredth decimal instead of the tenth. It is recommended that the lower bound for judge workload values be adjusted from a 0.90 to 0.80 to make the margin consistent with the upper bound (1.2) relative to ideal workload of 1.0. Circuits that are still within their three years of qualification can request an updated analysis for their circuit and will have to go by the updated numbers whether they're higher or lower than the previous analysis. Upon approval of this proposed amendment, all circuit analyses will be updated to prevent different methodologies being used for different circuits. The subcommittee appointed to review missing information from the Policy has completed its work and has added all approved language to the updated policy (including in the written report provided in the materials) including the recommendation for no fewer than two judges in a circuit, and the notification to all judges when a circuit boundary request is coming.



Chief Justice Boggs highlighted that a valid concern has been raised through the years, especially last year during the ranking of recommended judgeship, regarding static data during the three-year carryover period of judgeship recommendations. He also reiterated that, under these policy amendments, if circuits choose to request an updated analysis at any time, they will not be able to pick and choose between their previous analysis and their new one. These policy changes came as a motion from the Committee and were followed by a second from Chief Judge Jackson. Hearing no discussion, the policy changes were unanimously adopted.

The last motion from the Committee was to accept the 2022 Time and Motion Study prepared by the National Center for State Courts. Judge Leonard stated the results of the study reflect adjustments of different case types that have previously received adjustment recommendations (including habeas and death penalty habeas cases). Overall, eleven case categories in superior court received adjustments, noting the change that modifications of custody are now separately counted and separately weighted. Parental accountability courts have been added to the accountability court section. Travel allowances have been made for judges who preside in circuits that have more than one county with a recognition that they have less time to do a lot of their work. The adjustment shows that the number of minutes those judges have to work with in a year has been substantially reduced. Judge Leonard highlighted some additional recommendations made at the end of the NCSC's study which include the recommendation to increase staff attorney pay and the flexibility for judges to hire paralegals rather than administrative assistants. Accepting the study recommendations came in the form of a motion, followed by a second from Judge Jackson, and hearing no discussion the recommendations were adopted unanimously.

Technology Committee. Judge Kelley provided an oral report. He highlighted that the committee's goal to update the website was currently in process with the hopes of presenting a mockup during the August meeting. He highlighted the usefulness of the NODS data collection project and how it complements the work of the Judicial Workload Assessment Committee while also helping to define data from all classes of courts. Judge Kelley informed members on the success of recent technology education classes and encouraged members to reach out to the Committee with any ideas on technology they would like to see their staff trained on. The Committee has begun working on an IT strategic plan to provide proactive planning for the future of artificial intelligence.

Judicial Emergency Preparedness Committee. Chief Justice Boggs referred members to the written report provided in the materials.

### **Report from the Judicial Council/AOC**

Ms. Clanton delivered a report on behalf of the Judicial Council/AOC. She highlighted Chief Justice Boggs's presentation of the State of the Judiciary to the Georgia General Assembly on March 8 where he spoke about the status of ARPA grant funds used by the trial courts to address the backlog of serious violent felony cases. Georgia's judicial branch secured many legislative successes this year, and the legislative team is drafting bill summaries to reflect final, as passed versions. The annual Enacted Legislation Report will be available after the Governor's signing deadline on May 8. To further commemorate the anniversary, Governor Kemp presented Chief Justice Boggs and AOC staff members with a proclamation, and the AOC will be holding an event with Habitat for Humanity in the Cobb County area. Ms. Clanton announced that the Judicial Council/AOC's 2022 Annual Report has been published and hard copies are on hand. She encouraged members to participate in the Judicial Council/AOC's annual art contest in celebration of Law Day and thanked the Georgia Council of Court Administrators for their sponsorship in awards this year. The Chief Justice's Commission on Professionalism hosted State Bar of Georgia President Sally Akins's Signature Professionalism CLE, which featured many judges and justices. The 32<sup>nd</sup> Annual Georgia Bar, Media and Judiciary Conference recently took place, and the AOC was an assisting sponsor. The AOC celebrated Black History Month in February and Women's History Month in March by creating collages representing every class of court. Both collages can be found on the AOC's social media accounts and website. On March 28, former Chief Justice Robert Benham was lauded for his trailblazing career during his portrait unveiling at the Nathan Deal Judicial Center. As part of the Judicial Council's Strategic Plan to enhance the professional and ethical image of the judiciary through community engagement, Ms. Clanton thanked Judge Talia Nurse and Chief Judge Bryson for participating in World Read Aloud Day by reading to elementary schools in Douglasville and Cartersville. She thanked Judge Amanda Petty and Judge Jason Thompson for hosting staff members as the AOC continues its Court Observation Program. Ms. Clanton ended her report by thanking Judge Shawn Rhodes and Judge Connie Williford for speaking at the AOC's February and March All Staff Meetings. In honor of the Judicial Council/AOC's 50<sup>th</sup> anniversary, a commemorative video including former justices, judges, and AOC employees was shown at the end of the report.

## **Reports from Courts, Councils, & State Bar**

Supreme Court. Chief Justice Boggs informed members that the Lawyer Competency Task Force Report, chaired by former Justice Keith Blackwell, can be found on the Court's website.

Court of Appeals. Chief Judge Rickman announced that Vice Chief Judge Amanda Mercier will serve as the fifth woman to serve as the Chief Judge of the Court of Appeals, following her swearing-in in June.

State-wide Business Court. Judge Hamrick highlighted that the most recurring claim seen by the business court was for attorney fees followed by breach of contract.

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

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

Council of Probate Court Judges. Judge Rhodes referred members to the written report provided in the materials.

Council of Juvenile Court Judges. Judge Heard referred members to the written report provided in the materials.

Council of Magistrate Court Judges. Chief Judge Pitts announced that the council is celebrating their 40<sup>th</sup> anniversary.

Council of Municipal Court Judges. Judge Baker referred members to the written report provided in the materials.

State Bar of Georgia. Ms. Sally Akins encouraged members to attend the Bar's annual meeting in Savannah June 8-10.

## **Reports from Other Judicial Branch Agencies**

Council of Accountability Court Judges. Ms. Taylor Jones highlighted that the Council's Funding Committee will be meeting on Monday and Tuesday of the following week. If a new accountability court seeks to be created in FY 2025, a notice of intent to apply is required. The time period for those applications will run June 26-July 25.

Georgia Commission on Dispute Resolution. Ms. Tracy Johnson referred members to the written report provided in the materials.

Council of Superior Court Clerks. Chief Justice Boggs referred members to the written report provided in the materials.

Chief Justice's Commission on Professionalism. Ms. Karlise Grier referred members to the written report provided in the materials.

Georgia Council of Court Administrators. Ms. Lynn Ansley highlighted that their spring conference at Callaway Gardens was exceptional and thanked Ms. Tracy Johnson and Ms. Kriste Pope for their leadership.

Institute of Continuing Judicial Education. Ms. Lynne Moore Nelson referred members to the written report provided in the materials.

Judicial Qualifications Commission. Ms. Courtney Veal referred members to the written report provided in the materials.

### **Old Business**

No old business was offered.

### **New Business**

On behalf of the Judicial Section of the State Bar, Justice LaGrua and Chief Judge Dear Jackson presented the Spirit of Justice award to Ms. Cynthia Clanton and the Administrative Office of the Courts for all their hard work done behind the scenes that may not get recognized publicly. Chief Justice Boggs recognized Mr. Jay Neal, Director of the Criminal Justice Coordinating Council, for his service to the courts and thanked him for joining the Judicial Council meeting.

### **Recognition of Outgoing Members**

Chief Justice Boggs recognized the following outgoing members: Chief Judge Rickman, Chief Judge Arthur Smith, Chief Judge Hamil, Chief Judge Pitts, Judge Bennett, Judge Heard, Judge Rhodes, Judge Baker, and Ms. Sally Akins.

### **Adjournment**

Chief Justice Boggs thanked everyone for their attendance, Chief Judge Smith for hosting the Council, and all the outgoing members for their service. He reminded members that the next General Session meeting will be held on Friday, August 18, 2023, in Atlanta. This meeting will be held in person with no Zoom option for members. The following meeting will be held on Friday, December 8, 2023, on Zoom.

Respectfully submitted:

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Tracy Mason and Alexis Bauman  
Director's Division, Judicial Council/AOC  
For Cynthia H. Clanton, Director and Secretary

The above and foregoing minutes  
were approved on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2023.

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Michael P. Boggs  
Chief Justice

**Judicial Council of Georgia**  
**General Session**  
**Columbus Convention & Trade Center**  
**Friday, April 21, 2023 • 10:00 a.m.**

**Guest Present**

Ms. Lynn Ansley, Seventh Judicial Administrative District  
Justice Charles J. Bethel, Supreme Court of Georgia  
Mr. Joseph Baden, Third Judicial Administrative District  
Mr. Bob Bray, Council of State Court Judges  
Ms. Alison Burleson, Eighth Judicial Administrative District  
Ms. Samantha Cannon, Chattahoochee Juvenile Court, Juvenile Court Clerks Association  
Justice Shawn Ellen LaGrua, Georgia Supreme Court Justice  
Ms. Karlise Grier, Chief Justice's Commission on Professionalism  
Chief Judge Jeff Hanson, State Court, Bibb County  
Ms. Christine Hayes, State Bar of Georgia  
Ms. LeNora Hawkins Ponzo, Fourth Judicial Administrative District  
Mr. Kevin Holder, Council of Probate Court Judges  
Ms. Tracy Johnson, Georgia Office of Dispute Resolution  
Ms. Taylor Jones, Council of Accountability Court Judges  
Judge Stephen Kelley, Superior Courts, Brunswick Judicial Circuit  
Judge Robert D. Leonard, Superior Court, Cobb Judicial Circuit  
Ms. Natasha MacDonald, Council of Superior Court Judges  
Ms. Grace McGowan, Ninth Judicial Administrative District  
Justice Carla McMillian, Georgia Supreme Court Justice  
Mr. David Mixon, Second Judicial Administrative District  
Ms. Lynne Moore Nelson, Institute of Continuing Justice Education  
Mr. Jay Neal, Criminal Justice Coordinating Council  
Ms. Debra Nesbit, Council of Superior Court Judges  
Ms. Sharon Reiss, Council of Magistrate Court Judges  
Mr. David Summerlin, Fifth Judicial Administrative District  
Mr. Shannon Weathers, Council of Superior Court Judges

# TAB 2



## 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: Chief Justice Michael P. Boggs  
Chair, Ad Hoc Committee on American Rescue Plan Act Funding

RE: Committee Report

DATE: August 11, 2023

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As Committee Chair, I have continued to engage in regular conversations with the Governor's Office and its Office of Planning and Budget (OPB) regarding the judiciary's progress, challenges, needs, and concerns regarding the Judicial Council ARPA Grant Program. In July, I met with new OPB Director Richard Dunn and members of the OPB, Governor's Office, and Judicial Council/AOC staff, and was pleased to report encouraging progress to the Committee as a result of that meeting. I presented, and the Committee subsequently approved, the following enhancements to the Judicial Council ARPA Grant Program:

- Extend the Judicial Council ARPA Grant Program through December 31, 2026.
- Extend all Current CY 2023 ARPA Grants through December 31, 2025.
  - This will provide stability and predictability to circuits in hiring decisions for ARPA-funded personnel and afford circuits sufficient time to complete audio-visual equipment modernization projects without the uncertainty of having to reapply for CY 2024 and CY 2025 funding.
  - Subject to available funding and combined with the ARPA grant program extension, current grantees and new applicants will continue to have the opportunity to apply for award amendments and any new awards at the regularly scheduled application intervals (September 2023, April 2024, September 2024, April 2025).
  - The closeout deadline for CY 2023 – 2025 grantees will be March 31, 2026.
- Amend the September 2023 Application Period.
  - To provide more time for circuits to complete applications and for staff compliance review, the September 2023 application period will be open August 28 - September 15, 2023.



- Establish a 9-month Grant Program for CY 2026.
  - Subject to available funding all circuits will be required to apply for new awards for the final grant period running January 1, 2026 - September 30, 2026.
  - Federal regulations require the entire ARPA program to be closed out (all reimbursements processed) by December 31, 2026 – no ARPA funds may be expended after that date.
  - Circuits awarded ARPA funds may be reimbursed for authorized ARPA-eligible expenditures incurred until September 30, 2026; and the AOC’s ARPA Team will collect and submit final reimbursements to OPB and close out the Program from October 1, 2026, to December 31, 2026.
  - This will afford AOC and OPB the opportunity to conduct final grant wrap-up obligations prior to the grant termination date set by Federal regulations.
- Expand Eligible Grant-Funded Uses.
  - Pending final OPB approval and subject to the same local competitive bidding requirements and procedures regarding the purchase of equipment, supplies, services, or other items with public funds as outlined in the Committee’s [Audio-Visual Equipment Modernization Policy](#):
    - Legal research software licenses for ARPA-funded staff attorneys and prosecutors, and
    - Evidence-management software.

All Committee documents have been updated in accordance with these program changes and posted on the ARPA website.

Following the close of the August-September 2023 application period, screening and compliance review will take place, and the Committee will meet on Friday, November 3, 2023, to make award decisions. Awards will be announced following the meeting.

The Committee last met on May 19, 2023, to consider applications and make award decisions for circuits that applied during the April 2023 (CY 2023 Cycle 2) application period. For this application cycle, the Committee awarded over \$15 million in grant funding to 25 judicial circuits, three of which were first-time applicants. Of the \$15 million total, \$12.9 million was awarded for audio-visual equipment modernization projects in existing courtrooms. These awards were effective June 1, 2023. Overall, in CY 2023, the Committee awarded grants to 39 of the 50 judicial circuits in Georgia for a total of \$54,992,894. A complete list of grant awards is attached.

The AOC ARPA Fiscal Team continues to work closely with circuits on the reimbursement process. A Technical Assistance Training was held on Wednesday, August 9, 2023, to review fiscal timelines, processes, and OPB documentation requirements. As of Friday, August 11, 2023, \$15,385,657 has been reimbursed for CY 2022 expenses. For CY 2023 expenses, \$3,458,078 has been reimbursed (this figure include audio-visual equipment modernization expenses). As a reminder, the ARPA Grant Dashboard reflects the status of reimbursement requests in real-time. Circuits should consult the Dashboard prior to reaching out about reimbursement status.

As always, grant documents will continue to be updated as new information and OPB guidance are received. All grantees and applicants are encouraged to visit the ARPA Committee's website (<https://jcaoc.georgiacourts.gov/arpa/>) regularly for the most up-to-date information.

Please send any questions to the ARPA Grants Team at [arpa@georgiacourts.gov](mailto:arpa@georgiacourts.gov).

Judicial Council of Georgia  
Ad Hoc Committee on American Rescue Plan Act Funding – CY 2023 Awards

Circuits	Cycle 1 Award Amounts	Cycle 2 Award Amounts	Cumulative Awards
*Budget as approved by Committee	\$ 39,476,327	\$ 15,516,567	\$ 54,992,894
Alapaha	\$ -	\$ -	\$ -
Alcovy	\$ 266,384	\$ 805,000	\$ 1,071,384
Appalachian	\$ 1,710,892	\$ 404,403	\$ 2,115,295
Atlanta	\$ -	\$ -	\$ -
Atlantic	\$ 1,515,207	\$ 925,527	\$ 2,440,734
Augusta	\$ 2,000,000	\$ 500,000	\$ 2,500,000
Bell-Forsyth	\$ -	\$ -	\$ -
Blue Ridge	\$ 97,290	\$ 1,315,931	\$ 1,413,221
Brunswick	\$ 993,314	\$ 1,140,350	\$ 2,133,664
Chattahoochee	\$ 1,977,991	\$ 99,336	\$ 2,077,327
Cherokee	\$ 1,087,538	\$ -	\$ 1,087,538
Clayton - Cycle 2 Application Withdrawn	\$ -	\$ -	\$ -
Cobb	\$ 2,000,000	\$ -	\$ 2,000,000
Columbia	\$ 1,011,758	\$ 353,000	\$ 1,364,758
Conasauga	\$ 239,582	\$ 150,000	\$ 389,582
Cordele	\$ -	\$ -	\$ -
Coweta	\$ 1,999,801	\$ 500,000	\$ 2,499,801
Dougherty	\$ -	\$ -	\$ -
Douglas	\$ 894,830	\$ -	\$ 894,830
Dublin	\$ 607,260	\$ -	\$ 607,260
Eastern	\$ -	\$ -	\$ -
Enotah	\$ 1,999,662	\$ -	\$ 1,999,662
Flint	\$ -	\$ 1,370,631	\$ 1,370,631
Griffin	\$ 1,135,685	\$ 1,035,540	\$ 2,171,225
Gwinnett	\$ 1,999,792	\$ 499,998	\$ 2,499,790
Houston	\$ -	\$ -	\$ -
Lookout Mountain	\$ 625,661	\$ -	\$ 625,661
Macon	\$ 1,246,466	\$ 400,943	\$ 1,647,409
Middle	\$ -	\$ -	\$ -
Mountain	\$ 364,080	\$ 880,987	\$ 1,245,067
Northeastern	\$ 1,988,000	\$ 512,000	\$ 2,500,000
Northern	\$ 669,069	\$ -	\$ 669,069
Ocmulgee	\$ 242,595	\$ 448,126	\$ 690,721
Oconee	\$ 982,839	\$ -	\$ 982,839
Ogeechee	\$ 1,418,082	\$ 611,186	\$ 2,029,268
Pataula	\$ -	\$ 132,257	\$ 132,257
Paulding	\$ 1,298,033	\$ 364,441	\$ 1,662,474
Piedmont	\$ 62,530	\$ -	\$ 62,530
Rockdale	\$ 2,000,000	\$ -	\$ 2,000,000
Rome	\$ -	\$ -	\$ -
South Georgia	\$ 213,248	\$ 659,787	\$ 873,035
Southern	\$ -	\$ -	\$ -
Southwestern	\$ 332,816	\$ -	\$ 332,816
Stone Mountain	\$ 2,000,000	\$ -	\$ 2,000,000
Tallapoosa	\$ 960,239	\$ -	\$ 960,239
Tifton	\$ 163,603	\$ 16,753	\$ 180,356
Toombs	\$ 499,457	\$ 430,000	\$ 929,457
Towaliga	\$ 643,998	\$ -	\$ 643,998
Waycross	\$ 904,836	\$ 1,207,971	\$ 2,112,807
Western	\$ 1,323,789	\$ 752,400	\$ 2,076,189
	\$ 39,476,327	\$ 15,516,567	\$ 54,992,894

Note: All reported amounts are subject to change based on grant awards that were made conditionally pending pre-approval of select items by the Governor's Office of Planning and Budget, subsequent changes to eligible expenses by OPB and/or the Committee, or based on other Committee adjustments.

# TAB 3



## 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: Presiding Justice Nels S.D. Peterson  
Chair, Standing Committee on Legislation

RE: Committee Report

DATE: August 3, 2023

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The Standing Committee on Legislation ("Committee") met on July 12 and July 27, 2023, to discuss legislative items for the 2024 Session of the General Assembly. The Committee makes the following recommendations to the Judicial Council:

#### **Judicial Council of Georgia** **Petition for Review Technical Amendments – OCGA Title 5**

The Standing Committee on Legislation recommends the Judicial Council support legislation to provide for technical and conforming amendment cleanup to the OCGA as a result of the passage of HB 916 (2022). (*Information and draft language attached*)

#### **Council of Probate Court Judges** **Probate Court Fees**

The Standing Committee on Legislation recommends the Judicial Council support legislation to update and streamline the probate court fee schedule. (*Information and draft language attached*)

#### **Council of Accountability Court Judges** **Juvenile Treatment Courts**

The Standing Committee on Legislation recommends the Judicial Council support legislation authorizing the Council of Accountability Court Judges to oversee certification and peer review processes for juvenile treatment courts, as it does for the other accountability court types under its statutory purview. (*Information and draft language attached*)

**Authority to Act**

The Committee requests approval to make decisions or take positions on legislation and related policy issues on behalf of the Judicial Council during the 2024 Legislative Session, when time constraints prevent the convening of the full Judicial Council.

The Committee's next meeting is scheduled for November 15, 2023.

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

**Court/Council/Commission/Agency:** Judicial Council; Certiorari Review Subcommittee of the Standing Committee on Legislation.

**Session:** 2023-2024 ☒

**Subject Matter:** Technical improvements to the Judicial Council’s Superior and State Court Appellate Practice Act (HB 916 (2022) and HB 186 (2023); both effective July 1, 2023).

**Code Section(s):** OCGA §§ 5-3-12 (e), 15-10-41 (b) (2); and other Code sections to be determined.

**Submitted as an:** Action Item *(for position of support)* ☒ Informational Item ☐

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

Effective July 1, 2023, HB 916 (2022), the Superior and State Court Appellate Practice Act, replaced Georgia’s certiorari review and notice of appeal statutes with a single “petition for review” procedure for appealing a case from a “lower judicatory” to superior or state court. HB 186 (2023) further provided for: (1) technical improvements to certain petition for review procedure Code sections; and (2) additional conforming amendments to align certain Code sections with HB 916 (2022).

To help the Bench, the Bar, and the public prepare for the new petition for review procedure, the AOC has produced a training video and materials, which is approved for one hour of CLE and available at [jcaoc.georgiacourts.gov/hb916](http://jcaoc.georgiacourts.gov/hb916). As of 6/30/23, 77 attorneys have requested CLE for viewing the HB 916 training video. The training video and materials have also been provided to the training councils of all classes of court, and judges have been advised to contact their applicable training council for CJE credit information. The following resources are available under Quick Links at [jcaoc.georgiacourts.gov/hb916](http://jcaoc.georgiacourts.gov/hb916): Bench Card for Judges (finalizing as of 6/30/23), Bench Card for Clerks, Citizen’s Guide (finalizing as of 6/30/23), Model Petition for Review, and Model Certificate of Payment of Costs.

The Certiorari Review Subcommittee has widely solicited feedback regarding the new petition for review process. The email address [HB916@georgiacourts.gov](mailto:HB916@georgiacourts.gov) has been established to answer questions, receive amendment recommendations, or hear other concerns. Several live online and in person trainings have also been conducted, including a presentation at the State Court Judges’ Spring Conference in Athens and the Municipal Judges Law & Practice Updates Conference at Jekyll Island. The enclosed technical amendments seek to address the current feedback received. It is anticipated that additional feedback will be communicated as the new petition for review process becomes effective and utilized, which may necessitate additional technical amendments. The Subcommittee will keep this Committee updated as issues develop and will continue to widely solicit amendments, which will be added as needed when identified.

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

- 2. Priority:** Is this legislation of high, medium, or low importance to your Court/Council/Commission/agency?

This legislation is a high priority to the Certiorari Review Subcommittee, which was appointed on July 21, 2016, for the purpose of reviewing the now repealed certiorari review procedure set forth in former OCGA § 5-4-1 et seq. The Subcommittee seeks to eliminate any technical issues that would negatively impact the successful implementation of HB 916 (2022).

**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).
- Courts of limited jurisdiction, superior and state courts, and various lower judiciaries (as defined).
  - City and county solicitors and city and county attorneys, who were typically respondents to writs of certiorari under the former process.
  - Petitioners, defendants, and defense attorneys in lower judiciaries.
  - County commissioners, city councils, local government boards, and other government officials and bodies who render quasi-judicial decisions.
- b.** Which are likely to support this request? HB 916 (2022) and HB 186 (2023) experienced unanimous support in the General Assembly during the 2022 and 2023 Legislative Sessions.
- c.** Which are likely to oppose this request? No known opposition.
- d.** Which have not voiced support or opposition? No known opposition.

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

*OCGA § 5-3-12 has been identified as a Code section requiring a technical amendment, as follows:*

“(a) Except for a final decision on the merits, a reviewing court shall not dismiss a petition for review unless the reviewing court finds one or more of the following:

- (1) The petition for review was not filed within the time prescribed or extended;
- (2) The reviewing court lacks jurisdiction;
- (3) The question presented by the petitioner is moot;
- (4) The absence of a justiciable controversy;
- (5) The failure of a petitioner to prosecute; or
- (6) The failure of a petitioner to comply with the provisions of this chapter or any court rule or order.



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**Standing Committee on Legislation**  
**Legislative Support Request/Informational Item**

(b) The reviewing court shall not immediately dismiss a petition for review because of any defect in the petition for review, bond, or affidavit of indigence, or because of the failure of the lower judicatory to transmit any document.

(c) The reviewing court shall give the petitioner a reasonable opportunity to amend a petition for review, bond, or affidavit of indigence for the purpose of curing any defect. The reviewing court may impose such filing deadlines for amendments under this subsection as may be necessary to permit a just and expeditious review of a petition for review.

(d) The reviewing court shall not immediately dismiss a petition for review for failure to perfect service on any party if the party obligated to perfect service shows due diligence in attempting to timely perfect service.

(e) The consent of all parties shall be required for voluntary dismissal of a petition for review if:

(1) The appeal is a de novo proceeding and a counterclaim is pending; or

(2) A motion for relief under Code Section 9-15-14 is pending.”

*OCGA § 15-10-41 (b) (2) has been identified as a Code section requiring a technical amendment, as follows:*

“(a) There shall be no jury trials in the magistrate court.

(b)

(1) Except as otherwise provided in this subsection, appeals may be had from judgments returned in the magistrate court to the state court of the county or to the superior court of the county and the same provisions now provided for by general law for appeals contained in Chapter 3 of Title 5 shall be applicable to appeals from the magistrate court, the same to be a de novo appeal. The provisions of Chapter 3 of Title 5 shall also apply to appeals to state court.

(2) No appeal shall lie from a default judgment or from a dismissal for want of prosecution after a nonappearance of a plaintiff for trial. Any voluntary dismissal by the plaintiff or by order of the court for want of prosecution shall be without prejudice except that the filing of a second such dismissal shall operate as an adjudication upon the merits. Review, including review of a denial of a postjudgment motion to vacate a judgment, shall be by petition for review to the state court of that county or to the superior court of that county. Upon a reversal of a default judgment or reversal of a refusal to open a default judgment, the magistrate court shall retain jurisdiction to hear the merits of the case de novo.”

Other technical or conforming amendments may be required, including one possible amendment to maintain the status quo in petitions for review from non-Art. 6 probate courts. The Subcommittee will keep the Committee updated as issues develop and will continue to solicit amendments from the Bench, Bar, and public, which will be added as needed when identified.

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- 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.

No constitutional amendment is required. Necessary conforming amendments to court rules are currently being identified and will be communicated in the coming months to the applicable trial court councils. The purpose of this proposal is to amend the OCGA to provide for technical improvements and further conform the OCGA to HB 916 (2022) and HB 186 (2023) if needed, which can only be achieved with legislation.

**6. Budget:**

- a.** Will this legislation have a fiscal impact on the state?

The proposed legislation would not directly necessitate an increase in State funding or the creation of additional government positions. The legislation will likely increase judicial efficiency by further improving, modernizing, streamlining, and economizing the superior and state court appellate review procedure.

- b.** If yes, what is the projected expense?

N/A.

- c.** Has a White Paper been submitted to the Judicial Council Standing Committee on Budget (if applicable)?

N/A.

- d.** Will this legislation have a fiscal impact on counties or municipalities?

The legislation may have a fiscal impact on some counties or municipalities given that it would likely result in more lawsuits against counties or municipalities being decided on the merits instead of dismissal on complex procedural grounds.

- 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.

N/A.

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

**Council/Organization:** Council of Probate Court Judges

**Session:** 2023-2024 ☒

**Subject Matter:** Probate Court Fees

**Code Section(s):** O.C.G.A. § 15-9-60

**Submitted as an:** Action Item *(for position of support)* ☒ Informational Item ☐

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

The Council of Probate Court Judges of Georgia wishes to update its fee schedule for the primary purpose of streamlining fees in order implement e-filing in our courts. The draft legislation eliminates fees for recording, hearings and amendments and implements uniform base filing fees for Petitions and other filings for estates, minor guardianships and conservatorships, adult guardianships and conservatorships, and mental health filings. The filing fees for marriage licenses, weapons carry licenses, and court miscellaneous fees remain largely unchanged.

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

**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). **Self-represented litigants, Civil Bar, County Commissions, Third-party court management software providers, Court personnel**
- b. Which are likely to support this request? **Civil Bar, Self-represented litigants, Third-party court management software providers, Court personnel**
- c. Which are likely to oppose this request? **It is unknown whether ACCG would oppose this.**
- d. Which have not voiced support or opposition? **No.**

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

**The consensus of our members is that they are overwhelmingly in support of revisions to the fee schedule for probate courts for the following reasons:**

- a. Greater accuracy and consistency in the calculation of fees
- b. Decrease in the amount of time required by probate clerks to calculate fees.
- c. Less variability in fee calculations from one county to the next
- d. More streamlined to allow for the implementation of electronic filing.
- e. Decrease the confusion for practitioners and self-represented litigants as to the actual fees.

**Judicial Council of Georgia**  
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5. **Additional impact:** Will this request require a constitutional amendment or new court rule?  
**No.**
6. Explain why the purpose of the bill cannot be achieved without legislation, if applicable.  
**Only permitted by statute.**
7. **Budget:**
- a. Will this legislation have a fiscal impact on the state? **No.**
  - b. If yes, what is the projected expense? **N/A**
  - c. Has a White Paper been submitted to the Judicial Council Standing Committee on Budget (if applicable)? **N/A**
  - d. Will this legislation have a fiscal impact on counties or municipalities? **This legislation would have a negligible fiscal impact on counties.**
8. **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.  
**All other classes of court have a more streamlined fee structure.**  
**Other states have fee schedules that are more streamlined, like what is proposed with this legislation.**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to court  
2 fees, so as to provide for a simplified and updated probate court fee schedule; to  
3 clarify certain related matters; to provide for definitions; to amend various titles  
4 of the Official Code of Georgia Annotated, so as to provide for conforming  
5 changes; to correct cross-references and remove obsolete or improper references;  
6 to provide for related matters; to provide for an effective date; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I**  
**SECTION 1-1**

10 Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to  
11 probate courts, is amended by repealing in its entirety Code Section 15-9-60,  
12 relating to probate court fees, and enacting a new Code Section 15-9-60 to read  
13 as follows:

14 “15-9-60

15 (a) The judges or clerks of the probate courts of this state shall charge and  
16 collect the fees enumerated in this Code section.

17 (b) All sums that the probate courts may be required to collect pursuant to  
18 Code Sections 15-23-7, 15-9-60.1, and 36-15-9 and all other sums required  
19 by law shall be in addition to the fees provided in this Code section. The fees  
20 in this Code section are in addition to any costs for service of process, fees  
21 for publication of citation or notice, or any other sums that may be required  
22 by law.

23 (c) The fees in this Code section shall be paid into the county treasury or  
24 otherwise remitted as provided by law.

25 (d) Unless a party files an affidavit of indigence stating that he or she is  
26 unable to pay fees because of indigence, all fees in this Code section shall be  
27 paid at the time of filing or when other specified services are rendered. In

28 accordance with Code Section 15-9-61, a filing party may pay a \$30.00 fee  
 29 deposit before filing any item listed in subsections (e), (f), (g), or (h) of this  
 30 Code section except that no deposit shall be paid if no fee is required.

31 (e) As used in this subsection, “fiduciary compliance report” shall include all  
 32 reporting as required by Code Sections 53-7-30 or 53-7-67. For each estate  
 33 filing, as provided in Title 53, the filing fee shall be as follows:

- 34 (1) Petition.....\$175.00  
 35 (2) Motion, response, request, citation, or caveat.....75.00  
 36 (3) Fiduciary compliance report with assets.....40.00  
 37 (4) Fiduciary compliance report with no assets.....No fee

38 (f) As used in this subsection, “fiduciary compliance report” shall include all  
 39 reporting as required by Code Sections 29-3-30, 29-3-60, or 29-3-61. For  
 40 each conservatorship of minor or guardianship of minor filing, as provided  
 41 in Title 29, the filing fee shall be as follows:

- 42 (1) Petition, except petition to terminate guardianship of  
 43 minor.....\$175.00  
 44 (2) Motion, response, request, citation, or caveat.....75.00  
 45 (3) Petition to terminate guardianship of minor ..... 40.00  
 46 (4) Fiduciary compliance report with assets.....40.00  
 47 (4) Fiduciary compliance report with no assets.....No fee

48 (g) As used in this subsection, “fiduciary compliance report” shall include  
 49 all reporting as required by Code Sections 29-5-30, 29-5-60, or 29-5-61. For  
 50 each conservatorship of adult or guardianship of adult filing, as provided in  
 51 Title 29, the filing fee shall be as follows:

- 52 (1) Petition.....\$175.00  
 53 (2) Motion, response, request, citation, or caveat.....75.00  
 54 (3) Fiduciary compliance report with assets.....40.00  
 55 (4) Fiduciary compliance report with no assets.....No fee

56 (h) For each sterilization, involuntary treatment, habilitation, or temporary  
 57 placement filing, the filing fee shall be as follows:

- 58 (1) Petition.....\$175.00  
 59 (2) Motion, response, request, citation, or caveat.....75.00  
 60 (3) Petition in support, affidavit in support, or issuance of an order to  
 61 apprehend.....No fee

62 (i) For each account accepted by the judge of the probate court as custodian  
 63 for a minor, incapacitated adult, or missing or unknown heir or beneficiary,  
 64 a one-time fee of 8 percent of the fund shall be deducted from the fund when  
 65 first accepted.

66 (j) For all services rendered by the judge or clerk of the probate court in the  
 67 exercise of concurrent jurisdiction pursuant to Code Section 15-9-127 for  
 68 which no cost is set forth in this Code section, the sums charged shall be the  
 69 same as those charged for such services in the superior court pursuant to  
 70 Code Section 15-6-77 or other applicable law.

71 (k) For each miscellaneous and administrative item, the fee shall be as  
 72 follows::

73 (1) Issuance of veteran's license.....No fee  
 74 (2) Issuance of writ of fieri facias (fi. fa.).....No fee  
 75 (3) Copies (per page)..... \$1.00  
 76 (4) Certificate of residence.....10.00  
 77 (5) Certified copy of letters (including copy cost).....10.00  
 78 (6) Certification of publication for insurance company charter....10.00  
 79 (7) Certification under seal of copies (excluding copy cost).....10.00  
 80 (8) For filing a bond of official, officer, or employee of any:  
 81 (A) Municipality or authority within county.....10.00  
 82 (B) For filing of bond of county official or officer.....No fee  
 83 (9) For examination of records or files by employee of the probate court  
 84 to provide abstract of information contained therein or to provide copies  
 85 therefrom (per estate or  
 86 name).....10.00  
 87 (10) Junk dealer registration.....10.00  
 88 (11) Application for weapons carry license (exclusive of fees charged by  
 89 other agencies for the examination of criminal records and mental health  
 90 records) .....\$30.00  
 91 (12) Application for weapons carry license to retired law enforcement  
 92 officer.....6.00  
 93 (13) Replacement of weapons carry license(lost, stolen, name change, or  
 94 address change).....6.00

95	(14) Personal identification cards to a judge or Supreme Court	
96	justice.....	Fee shall be determined by Council
97	of Probate Court Judges of Georgia pursuant to Code Section 15-25-3.	
98	(15) Marriage license with premarital counseling pursuant to Code	
99	Section 19-3 30.1.....	No Fee
100	(16) Marriage license without premarital counseling . . . . .	\$40.00
101	(17) Marriage certificate.....	10.00
102	(18) Subpoena. . . . .	10.00
103	(19) Creditor's claim.....	15.00
104	(20) Declination to serve of nominated personal representative....	15.00
105	(21) Exemplification.....	15.00
106	(22) Recording of marks and brands (each) . . . . .	15.00
107	(23) Renunciation of right of succession.....	15.00
108	(24) Will filed for safekeeping.....	15.00
109	(25) Petition for declaration of exemptions.....	25.00
110	(26) Appeal to superior court (petition for review).....	30.00
111	(27) Preparation of record and transcript to the Supreme Court and Court	
112	of Appeals (per page).....	1.00
113	(28) For appeals to the Supreme Court or Court of Appeals, where a	
114	transcript of the evidence and proceedings is filed with the clerk and does	
115	not require recopying, the clerk shall not receive the fee herein prescribed	
116	with respect to such transcript but shall receive, for filing and	
117	transmission of such transcript.....	35.00
118	(29) Petition to establish lost papers.....	50.00
119	(30) Fireworks application.....	50.00
120	(31) Application for writ of habeas corpus.....	75.00
121	(32) Petition for Authority to Open Safety Deposit Box . . . . .	75.00
122	(33) Petition to amend marriage license application . . . . .	75.00
123	(34) Petition to amend vital record.....	75.00
124	(35) Any other petition filed in the Probate Court outside of those	
125	proceedings and actions set forth in Title 29 and Title 53 and not	
126	specifically set forth in paragraphs (e) – (k) . . . . .	75.00
127		



128

**PART II**

129

**SECTION 2-1**

130 Code Section 15-9-60.1 of the Official Code of Georgia Annotated, relating to  
 131 additional marriage license fee for Children's Trust Fund, is amended as follows:

132 "In addition to any fees required in subsection (l) of Code Section 15-9-60  
 133 for ~~receiving~~ marriage applications, ~~issuing marriage licenses, and recording~~  
 134 ~~relative thereto~~, the judge of the probate court shall charge an additional fee  
 135 of \$15.00 for issuing a marriage license. No amount of this additional fee  
 136 shall be paid into the Judges of the Probate Courts Retirement Fund of  
 137 Georgia provided for in Chapter 11 of Title 47 or be used for the purpose of  
 138 calculating retirement benefits for judges of the probate courts. Each judge  
 139 of the probate court shall collect the additional fees for issuing marriage  
 140 licenses as provided in this Code section and shall pay such moneys over to  
 141 the Georgia Superior Court Clerks' Cooperative Authority by the last day of  
 142 the month there following, to be deposited by the authority into the general  
 143 treasury for the Children's Trust Fund. The authority shall, on a quarterly  
 144 basis, make a report and accounting of all funds collected pursuant to this  
 145 Code section and shall submit such report and accounting to the Office of  
 146 Planning and Budget, the House Budget and Research Office, and the Senate  
 147 Budget and Evaluation Office no later than 60 days after the last day of the  
 148 preceding quarter."

149

**SECTION 2-2**

150 Code Section 15-21A-6 of the Official Code of Georgia Annotated, relating to  
 151 additional filing fees, application fee for indigent defense services, and  
 152 remittance of funds, is amended by revising subsection (b) as follows:

153 "(b)

154 (1) As used in this subsection, the term 'civil action' means:

155 (A) With regard to decedents' estates, only the following  
 156 ~~proceedings~~ petitions: petition for letters of administration; petition  
 157 to probate a will in solemn form; petition for an order declaring no  
 158 administration necessary; petition to probate a will in solemn form

159 and for letters of administration with will annexed; petition to  
 160 probate a will in common form; and petition for year's support;  
 161 (B) ~~With regard to~~ A petition in a minor guardianship or  
 162 conservatorship matter, as set forth in paragraph (1) of subsection (f)  
 163 of Code Section 15-9-60, ~~the proceeding by which the jurisdiction~~  
 164 ~~of the probate court is first invoked~~;  
 165 (C) ~~With regard to~~ A petition in an adult guardianship or  
 166 conservatorship matter, as set forth in paragraph (1) of subsection  
 167 (g) of Code Section 15-9-60, ~~the proceeding by which the~~  
 168 ~~jurisdiction of the probate court is first invoked~~; and  
 169 (D) An application for writ of habeas corpus, as set forth in  
 170 paragraph (31) of subsection (k) of Code Section 15-9-60.  
 171 (2) In addition to all other legal costs, there shall be charged to the filing  
 172 party and collected by the clerk an additional fee of \$15.00 in each civil  
 173 action filed in the probate court. For the purposes of the imposition of  
 174 the civil filing fee required by this subsection, the probate court shall  
 175 collect the civil filing fee on each ~~proceeding~~ petition listed in  
 176 subparagraph (A) of paragraph (1) of this subsection involving a  
 177 decedent but once only in an adult or minor guardianship or  
 178 conservatorship matter involving the same ward or an application for  
 179 writ of habeas corpus involving the same applicant.”

### 180 **SECTION 2-3**

181 Code Section 25-10-4 of the Official Code of Georgia Annotated, relating to  
 182 fireworks fees, is amended by revising subsection (e) as follows:

183 “(e) ~~The judge of the probate court shall receive \$10.00 for his or her services~~  
 184 ~~in granting or refusing the original permit and \$1.00 for each copy issued, to~~  
 185 ~~be paid by the applicant.~~ The judge of the probate court shall provide the  
 186 Safety Fire Commissioner a copy of each permit granted prior to the  
 187 proposed date of the public exhibition or display.”

### 188 **SECTION 2-4**

189 Code Section 29-6-7 of the Official Code of Georgia Annotated, relating to  
 190 compensation of judges, is amended as follows:

191 “The judges of the probate courts shall receive as compensation for their  
192 services under Code Section 29-6-1 the fee specified in subsection ~~(j)~~ (i) of  
193 Code Section 15-9-60.”

194 **PART III**  
195 **SECTION 3-1**

196 This Act shall become effective on July 1, 2024, and shall apply to fees paid in a  
197 probate court on or after such date.

198 **SECTION 3-2**  
199 All laws and parts of laws in conflict with this Act are repealed.

DRAFT

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

**Court/Council/Commission/Agency:** Council of Accountability Court Judges

**Session:** 2023-2024 ☒

**Subject Matter:** Provide statutory authority for CACJ to have oversight of juvenile treatment courts

**Code Section(s):** New section added to Title 15, small amendment to OCGA § 15-1-18

**Submitted as an:** Action Item *(for position of support)* ☒ Informational Item ☐

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

Currently, state funding for juvenile drug courts and mental health courts flows through CACJ, which provides funding to these courts via a competitive grant application overseen by CACJ's Funding Committee. However, there is no enabling legislation that formally authorizes CACJ to certify and peer review these courts, as there is for the other types of accountability courts (drug courts, mental health courts, veterans courts, DUI courts, and family treatment courts). The proposed legislation, attached hereto, mirrors the existing accountability court statutes, and combines juvenile drug and mental health courts into one court type: juvenile treatment courts. The goal of the legislation is to provide the same framework for support and oversight of juvenile drug and mental health courts that exists for all the other state-funded accountability court types. The legislation brings the existing juvenile drug and juvenile mental health courts under the CACJ umbrella and provides the same level of staff support and oversight that the other state-funded accountability courts are provided. It does not create a new type of accountability court that does not currently exist in Georgia's juvenile courts.

**2. Priority:** Is this legislation of high, medium, or low importance to your Court/Council/Commission/agency?

Medium. While this is not mission critical the way some legislation is to fix constitutional or other fundamental issues with enabling legislation, the number of juvenile drug and juvenile mental health courts has more than doubled since CACJ began operations. CACJ would like to begin providing the same support and oversight to these courts that are provided to the other types of state-funded accountability courts under CACJ's purview.

**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).
- b. Which are likely to support this request?
- c. Which are likely to oppose this request?
- d. Which have not voiced support or opposition?

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Since this proposal does not create a new type of state-funded accountability court but simply would allow CACJ to begin certification and peer review for the state's existing juvenile drug and mental health courts under the umbrella of juvenile treatment courts, the legislation will not change day-to-day operations significantly for any stakeholder groups outside of these courts. The juvenile judges presiding over these programs are in favor of this change. Staff and CACJ leadership are working to coordinate with the Council of Juvenile Court Judges. This legislation would not place any additional burden on counties, prosecutors, defense attorneys, DJJ officers, etc.

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

There are currently ten juvenile drug courts and seven juvenile mental health courts that receive state funding via CACJ. CACJ cannot provide the same support for these programs that it can for other state-funded accountability courts without statutory authority enabling it to provide certification, peer review, and other training and technical assistance for these courts. The juvenile court judges that preside over these programs desire to have this support as well, so that their programs can deliver the highest quality of services to justice-involved children and further the goals of reducing recidivism and incarceration costs.

- 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.

No, it will not require a constitutional amendment or new court rule. CACJ wishes to provide certification and peer review oversight to the juvenile drug and mental health court programs in the state but requires a statutory mandate to do so.

**6. Budget:**

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

This legislation would require an additional Certification Officer on CACJ staff to perform the work of the certification and peer review process. The projected expense at this time is estimated to be \$125,000. This includes salary and benefits, as well as operational funds. This expense is anticipated to be needed starting in FY26, because of a delay in implementation for CACJ to

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**Standing Committee on Legislation**  
**Legislative Support Request/Informational Item**

develop standards and a peer review process. Thus, a white paper has not been submitted at this time. CACJ does not anticipate this having a fiscal impact on counties or municipalities.

- 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.

This legislation is almost identical to the other existing accountability court statutes that provide for oversight of the state-funded types of accountability courts (drug courts, mental health courts, veterans courts, DUI courts, and family treatment courts). The only similar legislation is the other accountability court statutes.

1 (a) (1) As used in this subsection, the term “risk and needs assessment” means an actuarial tool,  
2 approved by the Council of Accountability Court Judges of Georgia and validated on a targeted  
3 population, scientifically proven to determine an individual’s risk to recidivate and to identify  
4 criminogenic risk factors that, when properly addressed, can reduce such individual’s likelihood  
5 of committing future delinquent or criminal behavior.

6  
7 (2) As used in this subsection, the term “child” means a child as defined in Code Section 15-  
8 11-2.

9  
10 (3) Any juvenile court may establish a juvenile treatment court division to provide an  
11 alternative to the traditional judicial system for the disposition of juvenile delinquency and  
12 child in need of services cases. The goal of a juvenile treatment court division is to reduce the  
13 likelihood of family disruption, removal to alternative placement, reduce the use of detention  
14 and commitments to the state, reduce recidivism, and increase likelihood of successful  
15 rehabilitation through early, continuous, intense judicially supervised treatment by:

16 (A) Reducing alcohol or drug abuse and addiction in the child;

17 (B) Treating the mental and behavioral health and related needs of the child;

18 (C) Increasing the educational, personal, familial, and societal accountability of the child;

19 (D) Preventing and reducing gang involvement and affiliation; and

20 (E) Promoting effective intervention and use of resources among child welfare personnel,  
21 law enforcement agencies, treatment providers, community agencies, the department of  
22 juvenile justice, independent probation officers, and the courts.

23  
24 (4) In any delinquency or child in need of services proceeding, when the child meets the  
25 eligibility criteria for the juvenile treatment court division, such case may be assigned to the  
26 juvenile treatment court:

27 (A) Prior to the entry of adjudication or disposition, if the prosecuting attorney or other  
28 petitioner consents;

29 (B) As part of a disposition in a case; or

30 (C) Upon modification or revocation of probation or a new petition for a Violation of  
31 Probation.

32  
33 (5) Each juvenile treatment court division shall establish a planning group to develop a work  
34 plan. The planning group shall include the judges, prosecuting attorneys, sheriffs or their  
35 designees, public defenders, community supervision officers, probation officers, and may  
36 include other individuals and agencies that the court finds have expertise in services available  
37 to children. The work plan shall address the operational, coordination, resources, information  
38 management, and evaluation needs of the juvenile treatment court division. The work plan  
39 shall include juvenile treatment court division policies and practices related to implementing  
40 the standards and practices developed pursuant to paragraph (5) of this subsection. The work  
41 plan shall ensure a risk and needs assessment is used to identify the likelihood of recidivating  
42 and identify the needs that, when met, reduce recidivism. The work plan shall include  
43 eligibility criteria for the juvenile treatment court division. The juvenile treatment court  
44 division shall combine judicial supervision, treatment of juvenile treatment court division  
45 participants, drug testing, and mental health treatment.

46  
47 (6)(A) The Council of Accountability Court Judges of Georgia shall establish standards and  
48 practices for juvenile treatment court divisions, taking into consideration guidelines and  
49 principles based on current research and findings that are published by experts on the health  
50 needs and treatment options for children. Standards and practices shall include, but shall not  
51 be limited to, the use of a risk and needs assessment to identify the likelihood of recidivating  
52 and identify the needs that, when met, reduce recidivism. The Council of Accountability Court  
53 Judges of Georgia shall update its standards and practices to incorporate research, findings,  
54 and developments in the juvenile treatment court field. The Council of Accountability Court  
55 Judges of Georgia may further adopt standards and practices for separate tracks of juvenile  
56 treatment courts such as, but not limited to, a juvenile drug court track or a juvenile mental  
57 health court track. Each juvenile treatment court division shall adopt policies and practices that  
58 are consistent with the standards and practices published by the Council of Accountability  
59 Court Judges of Georgia.

60  
61 (B) The Council of Accountability Court Judges of Georgia shall provide technical  
62 assistance to juvenile treatment court division to assist them with the implementation of



policies and practices, including, but not limited to, guidance on the implementation of risk and needs assessments in the juvenile treatment court division.

(C) The Council of Accountability Court Judges of Georgia shall create and manage a certification and peer review process to ensure juvenile treatment court divisions are adhering to the Council of Accountability Court Judges of Georgia’s standards and practices and shall create a waiver process for juvenile treatment court divisions to seek an exception to the Council of Accountability Court Judges of Georgia’s standards and practices. The Council of Accountability Court Judges of Georgia shall create a certification process to allow a court to demonstrate its need for additional state grant funds, as authorized by Code Section 15-11-52, for one or more part-time judges to operate a juvenile treatment court division. In order to receive state appropriated funds, any juvenile treatment court division established on and after **(24 months after statutory enactment)**, shall be certified pursuant to this subparagraph or, for good cause shown to the Council of Accountability Court Judges of Georgia, shall receive a waiver from the Council of Accountability Court Judges of Georgia.

(D) On and after **(24 months after statutory enactment)**, the award of any state funds for a juvenile treatment court division shall be conditioned upon a juvenile treatment court division attaining certification or a waiver by the Council of Accountability Court Judges of Georgia. On or before **(30 months after statutory enactment)**, the Council of Accountability Court Judges of Georgia shall publish an annual report listing certified juvenile treatment court divisions.

(E) The Council of Accountability Court Judges of Georgia shall develop and manage an electronic information system for performance measurement and accept submission of performance data in a consistent format from all juvenile treatment court divisions. The Council of Accountability Court Judges of Georgia shall identify elements necessary for performance measurement, including, but not limited to, entry into foster care or removal of child to non-family placement, recidivism or re-arrest of participants in juvenile treatment court division, drug testing results, drug testing failures, number of moderate-

risk and high-risk participants in a juvenile treatment court division, participant education improvement, the number of participants who successfully complete the program, and the number of participants who fail to complete the program.

(F) On or before (24 months after certification starts), and every three years thereafter, the Council of Accountability Court Judges of Georgia shall conduct a performance peer review of the juvenile treatment court divisions for the purpose of improving juvenile treatment court division policies and practices and the certification and recertification process.

(7) The court instituting the juvenile treatment court division may request any of the following individuals to serve in the juvenile treatment court division:

(A) One or more prosecuting attorneys designated by the prosecuting attorney for the jurisdiction;

(B) One or more assistant public defenders designated by the public defender.

(8) The clerk of the juvenile court that is instituting the juvenile treatment court division or such clerk's designee shall serve as the clerk of the juvenile treatment court division.

(9) The court instituting the juvenile treatment court division may request other employees of the court, including but not limited to, community supervision officers, probation officers, Department of Juvenile Justice probation officers, to perform duties for the juvenile treatment court division. Such individuals shall perform duties as directed by the judges of the juvenile treatment court division.

(10) The court instituting the juvenile treatment court division may enter into agreements with other courts and agencies for the assignment of personnel and probation supervision from other courts and agencies to the juvenile treatment court division.

(11) Expenses for salaries, equipment, services, and supplies incurred in implementing this Code section may be paid from state funds, funds of the county or political subdivision

implementing such juvenile treatment court division, federal grant funds, and funds from private donations.

(b)(1) Each juvenile treatment court division shall establish criteria which define the successful completion of the juvenile treatment court division program.

(2) If the juvenile treatment court division participant successfully completes the juvenile treatment court program as part of a bond condition or otherwise prior to disposition, the case against the juvenile treatment court participant may be dismissed.

(3) If the juvenile treatment court division participant successfully completes the juvenile treatment court program as part of an adjudication or disposition, the disposition imposed may be reduced or modified.

(4) Any admission of guilty or nolo contendere entered pursuant to this Code section shall not be withdrawn without the consent of the court.

(c) Any statement made by a juvenile treatment court division participant as part of participation in such court division, or any report made by the staff of such court division or program connected to such court division, regarding a participant's substance usage shall not be admissible as evidence against the participant in any legal proceeding or prosecution; provided, however, that, if the participant violates the conditions of his or her participation in the program or is terminated from the juvenile treatment court division, the reasons for the violation or termination may be considered in sanctioning, sentencing, or otherwise disposing of the participant's case.

(d) Notwithstanding any provision of law to the contrary, juvenile treatment court division staff shall be provided, upon request, with access to all records relevant to the treatment of the juvenile treatment court division participant from any state or local government agency. All such records and the contents thereof shall be treated as confidential, shall not be disclosed to any person outside of the juvenile treatment court division, and shall not be subject to Article 4 of Chapter 18 of Title 50, relating to open records, or subject to subpoena, discovery, or introduction into evidence in

any civil or criminal proceeding. Such records and the contents thereof shall be maintained by the juvenile treatment court division and originating court in a confidential file not available to the public.

(e) Any fees received by a juvenile treatment court division from a juvenile treatment court division participant as payment for substance abuse treatment and services shall not be considered as court costs or a fine.

(f) The court may have the authority to accept grants, donations, and other proceeds from outside sources for the purpose of supporting the juvenile treatment court division. Any such grants, donations, or proceeds shall be retained by the juvenile treatment court division for expenses.

## SECTION 2.

Said chapter is further amended by revising subsection (a) of Code Section 15-1-18, relating to Council of Accountability Court Judges of Georgia, as follows:

"(a) As used in this Code section, the term:

(1) 'Accountability court' means a superior, state, or juvenile court that has a drug court division, mental health court division, veterans court division, juvenile treatment court division, or operating under the influence court division or a juvenile court that has a family treatment court division.

(2) 'Council' means the Council of Accountability Court Judges of Georgia."

## SECTION 3.

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

# TAB 4



## **Judicial Council of Georgia**

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

**Chief Justice Michael P. Boggs**  
*Chair*

**Cynthia H. Clanton**  
*Director*

Date: August 04, 2023

To: Judicial Council Members

From: Standing Committee on Budget  
Justice Charlie Bethel, Chair

RE: Judicial Council Budget and Financial Report

This report will provide an update on the Judicial Council's Fiscal Year 2023 budget and the Amended Fiscal Year 2024 and Fiscal Year 2025 enhancement requests.

#### **Fiscal Year 2023**

The Fiscal Year 2023 Budget closed on July 21, 2023. The Judicial Council Fiscal Year 2023 Financial Report is attached.

#### **Amended Fiscal Year 2024 and Fiscal Year 2024 Judicial Council Enhancement Requests**

The Judicial Council Standing Committee on Budget met on July 20, 2023, to consider Amended Fiscal Year 2024 and Fiscal Year 2025 enhancement requests. The White Paper for each enhancement request is attached.

#### **Amended Fiscal Year 2024 (AFY24) Enhancement Requests:**

- The Judicial Council Standing Committee on Access to Justice submitted an enhancement request of \$125,000 to commission an economic impact study on Access to Justice initiatives in Georgia and throughout the country.
- The Judicial Council Standing Committee on Grants has submitted an enhancement request for \$419,000 to fully fund the grants for civil legal services for families of indigent patients program. The Legislature funded \$200,000 to start the program in the FY 2024 General Budget.
- The Council of Municipal Court Judges has submitted an enhancement request of \$18,951 to increase funds for Council operations to both restore and enhance funds for the Council.

If the three enhancement requests totaling \$562,951 are approved, the Judicial Council budget will increase from \$20,187,869 to \$20,750,820. This would represent a 2.79% increase to the Judicial Council's budget.

**Fiscal Year 2025 (FY25) Enhancement Requests:**

- The Judicial Council Standing Committee on Grants has submitted an enhancement request for \$419,000 to fully fund the grants for civil legal services for families of indigent patients program. The Legislature funded \$200,000 to start the program in the FY 2024 General Budget.
- The Council of Municipal Court Judges has submitted an enhancement request of \$18,951 to increase funds for Council operations to both restore and enhance funds for the Council.
- The Administrative Office of the Courts has submitted an enhancement request of \$83,807 for one project coordinator position to provide logistical and project management support the work of the Judicial Council's many Committees.
- The Council of Magistrate Court Judges has submitted an enhancement request of \$10,723 to increase funds for Council operations.
- The Council of Accountability Court Judges has submitted an enhancement request of \$32,444 to fully annualize the funds for the Medication-Assisted Treatment (MAT) Statewide Coordinator position which was approved in the FY 2024 General Budget.
- The Resource Center has submitted an enhancement request of \$100,000 for one staff attorney position to help offset reductions in other funding sources as well as to help the Center better manage its caseload due to staffing shortages.

If the six enhancement requests totaling \$664,925 are approved, the Judicial Council budget will increase from \$20,187,869 to \$20,852,794. This would represent a 3.29% increase to the Judicial Council's budget.

**Attachments:**

FY2023 Judicial Council Budget and Financial Report

White Papers for AFY24:

Economic Impact Study for Access to Justice Initiatives

White Papers for AFY24 and FY25:

Civil Legal Services for Families of Indigent Patients

Council of Municipal Court Judges

White Papers for FY25  
Administrative Office of the Courts  
Council of Magistrate Court Judges  
Council of Accountability Court Judges  
Resource Center  
AFY24 and FY25 Budget Comparison Reports



**Fiscal Year 2023 - Judicial Council Operations**  
**June 30, 2023**

Department	Project	FY 2023 Budget	YTD Expenditures	Remaining
<b>Administrative Office of The Courts</b>		<b>\$ 8,533,893</b>	<b>\$ 8,311,645</b>	<b>\$ 222,248</b>
Legal Services for Domestic Violence	103	\$ 3,000,000	\$ 3,000,000	\$ -
Georgia Council of Court Administrator	141	\$ 16,389	\$ 16,389	\$ -
Council of Municipal Court Judges	142	\$ 13,919	\$ 16,206	\$ (2,287)
Child Support Collaborative	174	\$ 134,425	\$ 131,107	\$ 3,318
Council of Magistrate Court Judges	204	\$ 211,066	\$ 200,919	\$ 10,147
Council of Probate Court Judges	205	\$ 205,754	\$ 205,754	\$ -
Council of State Court Judges	206	\$ 279,450	\$ 262,287	\$ 17,163
Council of State Court Judges Ret.	207	\$ 2,588,814	\$ 2,588,814	\$ -
Legal Services for Kinship Care Families	1103	\$ 750,000	\$ 750,000	\$ -
<b>Other Judicial Council Subprograms</b>		<b>\$ 7,199,817</b>	<b>\$ 7,171,476</b>	<b>\$ 28,341</b>
Accountability Court Council	195	\$ 737,944	\$ 725,684	\$ 12,260
CACJ-Peer Review Process	199	\$ 74,374	\$ 72,756	\$ 1,618
Inst of Continuing Jud Ed Administration	301	\$ 705,484	\$ 705,484	\$ -
Judicial Qualifications Commission	400	\$ 1,181,371	\$ 1,017,534	\$ 163,837
Resource Center	500	\$ 800,000	\$ 800,000	\$ -
<b>Separate Judicial Council Programs</b>		<b>\$ 3,499,173</b>	<b>\$ 3,321,458</b>	<b>\$ 177,715</b>
<b>TOTAL JUDICIAL COUNCIL</b>		<b>\$ 19,232,883</b>	<b>\$ 18,804,579</b>	<b>\$ 428,304</b>



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **REQUEST SUMMARY:**

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program is requesting this Enhancement?

**Judicial Council - Administrative Office of the Courts**

2. Enhancement Name/Descriptor:

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input checked="" type="checkbox"/> Amended FY 2024	\$0	\$ 125,000	\$0
<input type="checkbox"/> FY 2025	\$ 0	\$ 0	\$0

3. What will the enhancement accomplish?

The funding will allow the JC/AOC to enter into a contract with the Carl Vinson Institute of Government for the purpose of exploring improvements for GA citizens to better access civil justice.

4. What is unable to be accomplished without the enhancement?

We would not be able to do the study.

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

- ☐ Salaried staff  
☒ Operating Funds (includes contractors)



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request		FY 25 Enhancement Request	
<b>Personnel Services:</b>	\$	0 -	\$	0 -
<b>Operating Costs:</b>				
Postage	\$	-	\$	-
Motor Vehicle Expenses	\$	-	\$	-
Printing, Publications, Media	\$	-	\$	-
Supplies and Materials	\$	-	\$	-
Repairs and Maintenance	\$	-	\$	-
Equipment < \$5,000	\$	-	\$	-
Energy	\$	-	\$	-
Rents Other Than Real Estate	\$	-	\$	-
Insurance and Bonding	\$	-	\$	-
Freight	\$	-	\$	-
Other Operating	\$	-	\$	-
Travel – Employee	\$	-	\$	-
Real Estate Rentals	\$	-	\$	-
Professional Services (Per Diem)	\$	-	\$	-
Professional Services (Expenses)	\$	-	\$	-
Other Contractual Services (Non State)	\$	-	\$	-
Contracts – State Orgs	\$	\$125,000	\$	0 -
IT Expenses	\$	-	\$	-
Voice/Data Communications	\$	-	\$	-
Grants	\$	-	\$	-
Indirect Costs	\$	-	\$	-
Transfers	\$	-	\$	-
Total Operating Budget	\$	\$125,000	\$	-
<b>TOTAL OVERALL BUDGET</b>	\$	125,000 -	\$	-



# JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

State Funds	\$ 125,000	\$ -
Other Budgeted Funds	\$ 0 -	\$ -

## **Part 1 – Detailed Explanation of Request**

### **1. Proposal:**

See attached proposal from the Carl Vinson Institute of Government

### **2. Geographic Impact: Where does the request impact the state?**

☒ Statewide or list counties below:

### **3. Current Status:**

- a. What is the budget unit currently doing to address this issue?  
none
- b. Will those activities continue if this request is funded?  
Will be a new effort of work/study

### **4. Supporting Data:**

- a. Provide any supporting data, evaluations, and/or research for this request.  
The Judicial Council's Committee on Access to Justice (A2J) is seeking supporting data and an evaluation to find out what civil justice initiatives provide the best ROI (Return on Investment) for the state. The A2J Committee has worked with many partners to create resource online, see: <https://georgiacourts.gov/a2j/self-help-resources-highlighted-by-a2j/> but online resources are not enough to help Georgia citizens represent themselves as we have learned from our pilot project in Albany. To that end, the A2J committee contracted with Georgia State University in 2022 to seek a ROI but the study was not extensive enough to show a state benefit. See: <https://drive.google.com/file/d/1K36DKTBqu56sjWdwjLOIESF6RHXY4Nyl/view?usp=sharing>. Thus, we are trying again.
- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.  
See the studies cited in the Carl Vinson proposal.

### **5. Performance Measures:**



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

- a. What measures are or will be used to evaluate the impact of this change?  
To be determined by the Carl Vinson study
- b. If an enhancement, what is the projected cost savings or return on investment?  
Not an enhancement
- c. What efficiencies will be realized?  
To be determined by the Carl Vinson study

### 6. Stakeholders & Constituents:

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

Constituents and stakeholders include: Citizens in rural counties or legal deserts where it is not easy to obtain legal resources, a lawyer, as well as judges, court staff, legislators, community leaders, the private bar, especially in rural and remote areas.

- b. Which are likely to support this request? All
- c. Which are likely to oppose this request? None
- d. Which have not voiced support or opposition? None

### 7. Legislation or Rule Change:

- a. Is legislation or a rule change required if this request is implemented? If so, please explain. No
- b. Is this request a result of legislation or rule change? If so, please explain.  
No

### 8. Alternatives:

What alternatives were considered and why are they not viable?

The JC/AOC does not have sufficient funds to contract with Carl Vinson at this time and sees this study as a long-term effort to improve civil access to justice in Georgia.

## **Part 2 - BUDGET**

### 9. Requested and Projected Resources:

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

- Number of Positions and Salary Information:



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- Operational needs: \$125,000 to cover the proposal for the work of the Carl Vinson

- b. What are your out-year projections (budget impact on future years)?  
\$0

### **10. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections. See attached proposal
- b. How did you arrive at the amounts? See attached proposal
- c. What time period does the request cover (i.e., the number of months)? 12 months

### **11. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy, etc.). No impact**

### **Part 3 - OTHER INFORMATION**

### **12. Discuss any historical or other relevant factors that should be considered.**

Beginning in 1999, the Georgia General Assembly appropriated funds to the Judicial Council of Georgia for grants to provide civil legal services to victims of family violence, then later legal services to prevent foster care placement and medical/legal services to children. Thus, there is a history of the JC/AOC working in partnership with Georgia entities to improve justice in this state. The Judicial Council adopted general guidelines to govern the granting of these funds which are filed with the Georgia Secretary of State. It has also delegated to its Judicial Council Standing Committee on Grants (Grants Committee) the duty of accepting and evaluating grant applications and awarding grants if a justice improvement program was developed as a consequence of the Carl Vinson study.



# **JUDICIAL COUNCIL OF GEORGIA**

## **FY 2024 AMENDED REQUEST FORM**

## **FY 2025 ENHANCEMENT REQUEST FORM**

**REQUEST SUMMARY:** *For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

Medical-Legal Partnerships offer an innovative, cost-efficient, cross-disciplinary approach to integrated healthcare, proven to improve child and family health and economic outcomes. Using this approach, medical professionals and lawyers work together to address and prevent health-harming civil legal barriers that comprise a person's health outcomes and quality of life.

1. Which Program is requesting this Enhancement?

**Judicial Council - Administrative Office of the Courts**

2. Enhancement Name/Descriptor: **Medical-Legal Partnerships Program for Indigent Patients**

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input checked="" type="checkbox"/> Amended FY 2024	\$ 200,000	\$ 419,000	\$ 619,000
<input checked="" type="checkbox"/> FY 2025	\$ 200,000	\$ 419,000	\$ 619,000

3. What will the enhancement accomplish?

- This funding will provide additional funding to expand medical-legal partnerships (MLPs) which serve as healthcare delivery models that integrate legal assistance as a vital component of patient care.
- Attorneys will handle a wide variety of cases which may include securing better housing conditions for individuals, particularly kids, with asthma; handling custody and guardianship matters required for patients to receive medical care, accessing special education benefits for disabled children, and obtaining disability benefits and medical coverage for eligible individuals of all ages.
- It is expected over 400 new cases would be opened each year with this new funding.

4. What is unable to be accomplished without the enhancement?

(a.) The health of young patients and their families is affected by social and environmental conditions that cannot be addressed through medical care alone. This funding will



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

provide civil legal services to help indigent hospitalized patients - particularly medically fragile children and others who lack access to benefits, services and supports and face other barriers to health care – address social determinants of health. These patients are often endangered by lack of resources, poor housing conditions, or lack of access to healthcare, school, or social supports.

- (b.) Without the requested enhancement, the capacity for legal service providers to work with healthcare providers to improve public health while reducing costs and burdens on the healthcare system will be limited. Patients will continue to face significant barriers to positive medical outcomes, and hospitals will continue to incur significant expenses linked to high rates of uncompensated care and Medicaid readmission penalties.

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

- ☒ Salaried staff  
☐ Operating Funds (includes contractors)





# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
<b>Personnel Services:</b>	\$ -	\$ -
<b>Operating Costs:</b>		
Postage	\$ -	\$ -
Motor Vehicle Expenses	\$ -	\$ -
Printing, Publications, Media	\$ -	\$ -
Supplies and Materials	\$ -	\$ -
Repairs and Maintenance	\$ -	\$ -
Equipment < \$5,000	\$ -	\$ -
Energy	\$ -	\$ -
Rents Other Than Real Estate	\$ -	\$ -
Insurance and Bonding	\$ -	\$ -
Freight	\$ -	\$ -
Other Operating	\$ -	\$ -
Travel – Employee	\$ -	\$ -
Real Estate Rentals	\$ -	\$ -
Professional Services (Per Diem)	\$ -	\$ -
Professional Services (Expenses)	\$ -	\$ -
Other Contractual Services (Non State)	\$ -	\$ -
Contracts – State Orgs	\$ -	\$ -
IT Expenses	\$ -	\$ -
Voice/Data Communications	\$ -	\$ -
Grants	\$ 419,000	\$ 419,000
Indirect Costs	\$ -	\$ -
Transfers	\$ -	\$ -
Total Operating Budget	\$ -	\$ -
<b>TOTAL OVERALL BUDGET</b>	<b>\$ 419,000</b>	<b>\$ 419,000</b>
State Funds	\$ -	\$ -
Other Budgeted Funds	\$ -	\$ -



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **Judicial Council - Administrative Office of the Courts**

### **Part 1 – Detailed Explanation of Request**

1. Proposal: This funding will enhance the support to providers of civil legal services for children and families with low incomes who are being treated at Georgia hospitals through Medical-Legal Partnerships. Medical-Legal Partnerships (MLPs) combine the health care expertise of hospital professionals with the legal expertise of attorneys to reduce health disparities and address social determinants of health. Lawyers are embedded in hospitals to facilitate seamless access to both health care and legal assistance. MLPs foster collaboration between health care and legal professionals, improve health outcomes for patients, and result in lower costs to hospitals as a result of uncompensated care and Medicare readmission penalties.

The legal needs of families with low incomes can impact the health and well-being of the entire family, particularly children. This funding will increase the capacity of legal providers to provide patients and families with critical legal assistance to help overcome legal barriers to a healthy, safe environment needed to improve their physical health. For instance, addressing sub-standard housing conditions can help individuals with asthma. Attorneys can help an adult obtain legal authority necessary to authorize needed medical treatment. Attorneys can also provide representation to help individuals obtain financial benefits, government support, safe housing and, for at-risk children, educational access and special education services.

Certain services would be specifically excluded, including:

- Class action suits;
- Criminal defense;
- Deportation proceedings;
- Juvenile delinquency;
- Indirect legal services – such as attorney training;
- Matters to be adjudicated in courts outside of Georgia; and
- Other proceedings not related to client safety, stability, or economic security.

2. Geographic Impact: Where does the request impact the state?

☒ Statewide or list counties below:



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

### **3. Current Status:**

- a. What is the budget unit currently doing to address this issue? For FY24 the Georgia General Assembly appropriated funds, in the amount of \$200,000 to the Judicial Council of Georgia for a grant to provide civil legal services to patients and families with low-incomes who are being treated at Georgia hospitals through Medical-Legal Partnerships.
- b. Will those activities continue if this request is funded? Yes, if this request is funded it will allow for expansion of these activities.

### **4. Supporting Data:**

- a. Provide any supporting data, evaluations, and/or research for this request.

According to the National Center for Medical-Legal Partnerships (2020), about 60% of a person's health is determined by social factors, including household income, education, employment, and family stability. Georgia ranks 38th in the nation in child and family well-being, according to the 2021 Kids Count Data Book. According to the American Health Rankings' state findings for 2021, the overall health outcomes for children ranked 33rd in the nation, with socioeconomic factors (38th in the nation), economic resources (44th), and children in poverty (33rd) being significant factors for poor outcomes. Similarly, a 2018 report from Voices for Georgia's Children regarding barriers to healthcare stated that Georgia had the 7th highest rate for uninsured children and determined that the key barriers to healthcare that children faced were poverty, health literacy, and system navigation.

Patients with access to medical-legal partnerships see improvements in health outcomes, reductions in healthcare expenditures, and increased access to government benefits. A survey conducted by Atlanta Legal Aid's medical-legal collaborative, Health Law Partnership (HeLP), with Children's Healthcare of Atlanta and Georgia State University found that, from 2006 to 2018, 657 children with neurodevelopmental disabilities were able to have their legal concerns addressed through the program; as a result, they obtained and retained benefits exceeding 4.9 million. These services also resulted in improved access to education resources, as well as short- and long-term financial cost savings for both families and the healthcare system. Studies around the country have found similar results for a variety of patient populations including children, high-frequency users of healthcare services, and those experiencing chronic medical conditions.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

Atlanta Legal Aid's medical-legal collaborative, HeLP consists of 4 attorneys and 1 paralegal. From 2020-2021, HeLP handled over 1,600 cases which resulted in over \$2 million of measurable outcomes; this included over \$500,000 gained from education services provided, nearly \$420,000 in SSI benefits, over \$200,000 in healthcare benefits, and over \$270,000 in preservation of affordable housing benefits. Through its "MedLaw" medical-legal partnership Georgia Legal Services Program (GLSP) has an attorney embedded in Atrium Health Navicent in Macon. In 2021 and 2022, MedLaw handled 187 cases resulting in over \$324,000 in measurable outcomes, including over \$210,000 in Medicaid services, over \$88,750 in public benefits, and over \$20,000 in housing/probate matters; patients also received assistance with emergent family law issues. In 2022, GLSP added a second MLP by establishing a relationship with McKinney Medical Center in Waycross, GA.

- c. Performance Measures:

- a. What measures are or will be used to evaluate the impact of this change?

Providers will measure the success of the project by tracking and reporting semi-annually to the Judicial Council on the numbers of patients and families served, including the types of legal representation provided. They will also track the demographics of those served, including geographic location, gender and racial breakdown, and the amount of financial benefits secured for the patient and their household.

- b. If an enhancement, what is the projected cost savings or return on investment?

MLPs provide a substantial return on investment (ROI) by moving patients from uncompensated to compensated care, avoiding Medicaid readmission penalties, and freeing resources currently allocated to providing care for patients with preventable health issues. A longitudinal study of over 2,200 patients conducted in March 2022 by the Cincinnati Children's Hospital Medical Center found the median predicted hospitalization rate for children in the year following referral to their MLP was 37.9% lower if the child received legal intervention than if they did not. A one-year study of high-need, high-use patients at Lancaster General Health in Lancaster County, Pennsylvania found that when these patients had their civil legal problems addressed, inpatient and Emergency Department use dropped 50% and overall health care costs decreased by 45%.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

Additionally, communities have also been shown to receive a significant economic benefit when MLPs assist patients in obtaining governmental assistance. Studies have shown every additional dollar of SSI benefit result in \$1.95 of additional economic activity; every dollar of additional SNAP assistance leads to an economic impact of \$1.70.

Similar results have been obtained through existing MLP efforts in Georgia. HeLP in Atlanta secured over \$640,000 in potentially unreimbursed payments between 2006 and 2010. In a single Medlaw Macon case, a lawyer's intervention with one patient recovered over \$500,000 for the hospital by avoiding continued hospital admissions.

**c. What efficiencies will be realized?**

MLPs help communities reduce costs by making patients more likely to disclose health-harming social determinants of health which account for 60% of negative patient outcomes, have a significant impact on chronic health issues, which have been shown to cost Georgia an estimated \$40 billion annually. Studies indicate that receiving services through an MLP makes patients 39% more likely to disclose underlying issues related to these social determinants so they can be ameliorated. This helps communities reduce costs by avoiding readmittance penalties, moving patients to compensated care, freeing up bed space by resolving the underlying causes of health issues, and helping avoid preventable deaths from chronic health issues.

**5. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).**

Constituents and stakeholders include: Hospitals and other medical providers, community leaders, the private bar, juvenile and civil court judges, patients in Georgia's healthcare systems, and other social service agencies and coalitions in Georgia. The impacts of this enhancement will be felt statewide, especially amongst our most vulnerable populations, such as medically-fragile patients, children, seniors and low-income individuals and families.

- b. Which are likely to support this request?**

All stakeholders are likely to support this request because they each see the need to reduce health disparities in children by addressing the social determinants of health through legal services delivered in collaboration with hospital professionals.



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

- c. Which are likely to oppose this request? The Council is unaware of any opposition to this request.
- d. Which have not voiced support or opposition? None

### 6. Legislation or Rule Change:

- a. Is legislation or a rule change required if this request is implemented? If so, please explain.

No.

- b. Is this request a result of legislation or rule change? If so, please explain.

No.

### 7. Alternatives:

What alternatives were considered and why are they not viable?

The cost of civil legal services is too high for most low-income families who are also facing serious health conditions; the logistical and other burdens related to medical treatment can also present additional burdens that prevent them from seeking legal assistance. There are, unfortunately, no other viable alternatives to address this combination of factors.

## **Part 2 - BUDGET**

### 8. Requested and Projected Resources:

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

- Number of Positions and Salary Information:

5 positions (attorneys and paralegals) at various salaries.

- Operational needs:



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

The enhancement request for state funding to \$619,00 will allow for personnel to be added to expand MLPs to medical partners throughout the state of Georgia and serve an additional 400 patients.

- b. What are your out-year projections (budget impact on future years)? \$419,000

**9. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections.

Increasing state funding to \$619,000 will make it possible for 5 legal staff positions including lawyers and paralegals, to provide legal services for one year (twelve months) at hospitals and health centers in various regions around the State.

- b. How did you arrive at the amounts?

Based on Atlanta Legal Aid's and Georgia Legal Services Program's current budgets covering salary and fringe benefit expenses for a total of 5 experienced attorneys and paralegals.

- c. What time period does the request cover (i.e., the number of months)?

Twelve months.

**10. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy, etc.).**

None

**Part 3 - OTHER INFORMATION**

**11. Discuss any historical or other relevant factors that should be considered.**

Beginning in 1999, the Georgia General Assembly appropriated funds to the Judicial Council of Georgia for grants to provide civil legal services to victims of family violence. Beginning in 2017, the Georgia General Assembly appropriated funds to the Judicial Council of Georgia for grants to provide civil legal services to kinship care families. In May 2023, the Georgia General Assembly appropriated funds to the Judicial Council of Georgia for a grant to provide civil legal services to patients and families with low incomes who are being treated at Georgia hospitals through Medical-Legal Partnerships. The Judicial Council adopted general guidelines to govern the granting of these funds, which are filed with the Georgia Secretary of State. It has also





# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

delegated to its Judicial Council Standing Committee on Grants (Grants Committee) the duty of accepting and evaluating grant applications and awarding grants. The recent grant award for Medical-Legal Partnerships will be divided statewide, in an effort to impact each of Georgia's forty-nine circuits.



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **REQUEST SUMMARY:**

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program is requesting this Enhancement?

### **Judicial Council - Council of Municipal Court Judges**

2. Enhancement Name/Descriptor:

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input checked="" type="checkbox"/> Amended FY 2024	\$13,919	\$ 18,951	\$32,870
<input checked="" type="checkbox"/> FY 2025	\$13,919	\$ 18,951	\$32,870

3. What will the enhancement accomplish?

In response to an anticipated reduction in state revenues, due to the pandemic, the Council of Municipal Court Judges budget was reduced by \$2,266 in FY 2021. Now that the State of Emergency has been lifted, the Council is returning to in-person meetings, training conferences and regular operations.

Per O.C.G.A§36-32-40(b) the Council of Municipal Court Judges purpose is to effectuate the constitutional and statutory responsibilities conferred upon it by law, to further the improvement of the municipal courts and the administration of justice, to assist the judges of the municipal courts throughout the state in the execution of their duties, and to promote and assist in the training of such judges. Through its executive committee, which meets on a quarterly basis, the policy making body of the Council conducts the business of body, authors, promulgates, and executes the Council's strategic plan that is aligned with the Judicial Council's plan. These measures ensure a strong bench that provides consistent due process and justice in every jurisdiction.

With inflation, the cost to conduct its business outpaced the Council for years, forcing members who hail from every region in Georgia to not seek reimbursements (per diem); forfeiting certain engagements and using private funds for expenditures that appropriated funds should cover e.g. the facilitation of the strategic business and IT plan updates. During the pandemic, Council operations were virtual, and, therefore, less expensive. That is no longer the case. Although technology has provided the capability to meet in a hybrid environment, there are costs associated with that access as well. Additionally, there are occasions where that is not the most advantageous way to conduct



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

business. Receiving this enhancement will assist with the realization of its goals through proper planning and that better representation of the Council is met, to fulfill its mandate and mission.

4. What is unable to be accomplished without the enhancement?  
Without this enhancement, the Council will be unable to properly fulfill its mission to set standards and policies, and to provide information and education services to the Municipal Courts of Georgia so they can more efficiently and effectively operate their courts, administer justice, and serve the public. Inadequate funding may prevent access to the allocated resources to attain strategic goals.
5. Does the enhancement include salaried staff and/or operations, which includes contractors?
  - ☐ Salaried staff
  - ☒ Operating Funds (includes contractors)



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
<b>Personnel Services:</b>	\$ -	\$ -
<b>Operating Costs:</b>		
Postage	\$ -	\$ -
Motor Vehicle Expenses	\$ -	\$ -
Printing, Publications, Media	\$ -	\$ -
Supplies and Materials	\$ 200	\$ 200
Repairs and Maintenance	\$ -	\$ -
Equipment < \$5,000	\$ -	\$ -
Energy	\$ -	\$ -
Rents Other Than Real Estate	\$ -	\$ -
Insurance and Bonding	\$ -	\$ -
Freight	\$ -	\$ -
Other Operating	\$ 1,000	\$ 1,000
Travel – Employee	\$ 1,000	\$ 1,000
Real Estate Rentals	\$ -	\$ -
Professional Services (Per Diem)	\$ -	\$ -
Professional Services (Expenses)	\$ 6,751	\$ 6,751
Other Contractual Services (Non State)	\$ 10,000	\$ 10,000
Contracts – State Orgs	\$ -	\$ -
IT Expenses	\$ -	\$ -
Voice/Data Communications	\$ -	\$ -
Grants	\$ -	\$ -
Indirect Costs	\$ -	\$ -
Transfers	\$ -	\$ -
<b>Total Operating Budget</b>	<b>\$ 18,951</b>	<b>\$ 18,951</b>
<b>TOTAL OVERALL BUDGET</b>	<b>\$ 18,951</b>	<b>\$ 18,951</b>
State Funds	\$ 18,951	\$ 18,951
Other Budgeted Funds	\$ -	\$ -



# JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

## Part 1 – Detailed Explanation of Request

### 1. Proposal:

During the height of the pandemic all our meetings were virtual. Now that the State has reopened, in-person meetings and training are scheduled. We complied with the 14% reduction required in FY21 during the emergency. That time has passed. Moreover, at no point since 2014 has the Council received an enhancement, operating on the \$16,185 allocation. The proposal restores the pre-pandemic allocation of \$16,185, allows for the equivalent of a COLA increase of 2% per year since FY21 (\$1,685), and \$15k for the facilitation of strategic planning, totaling \$32,870.

### 2. Geographic Impact: Where does the request impact the state?

☒ Statewide or list counties below:

### 3. Current Status:

- What is the budget unit currently doing to address this issue?
- Will those activities continue if this request is funded?

### 4. Supporting Data:

- Provide any supporting data, evaluations, and/or research for this request.

The Council's State appropriations have been the following for the last ten years:

Council of Municipal Court Judges											
State Appropriations (01/142)											
State Fiscal Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Appropriation	16,185	16,185	16,185	16,185	16,446	16,185	16,185	13,919	13,919	13,919	13,919

Data Obtained from BCR

The Judiciary's budget is 1.01% of the State budget and the Council of Municipal Court Judge's budget is 0.005% of the judicial budget.

The Georgia Office of Planning and Budget uses the state strategic planning process to coordinate within and between agencies to make sure Georgia continues to move forward in key areas. Agencies update their strategic plan information annually.

<https://opb.georgia.gov/planning-and-evaluation/strategic-planning>



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

### **5. Performance Measures:**

- a. What measures are or will be used to evaluate the impact of this change?
- b. If an enhancement, what is the projected cost savings or return on investment?
- c. What efficiencies will be realized?  
The Council's ability to attain better adeptness that lends to a more consistent and uniform judicial system throughout.

### **6. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).  
Council of Municipal Court Judges Executive Committee, various CMu CJ committee members, and Municipal Court Judges representatives on Judicial Council committees.
- b. Which are likely to support this request?  
Judicial Council of Georgia  
Administrative Office of the Courts  
Georgia Municipal Association
- c. Which are likely to oppose this request?  
The Council is unaware of any opposition.
- d. Which have not voiced support or opposition?

### **7. Legislation or Rule Change:**

- a. Is legislation or a rule change required if this request is implemented? If so, please explain.  
No.
- b. Is this request a result of legislation or rule change? If so, please explain.

### **8. Alternatives:**

What alternatives were considered and why are they not viable?



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **Part 2 - BUDGET**

### **9. Requested and Projected Resources:**

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

- Number of Positions and Salary Information:
- Operational needs:

- b. What are your out-year projections (budget impact on future years)?  
Moving forward \$32,870 would be the new base budget for the Council.

### **10. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections.
- b. How did you arrive at the amounts?
- c. What time period does the request cover (i.e., the number of months)?

### **11. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy, etc.).**

## **Part 3 - OTHER INFORMATION**

### **12. Discuss any historical or other relevant factors that should be considered.**

See 4A. The Council has not obtained or requested appropriations increase in well over ten years. Services and per diems have increased significantly over the last decade therefore increasing the cost of conducting the business of the Council.



# JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

## REQUEST SUMMARY:

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program is requesting this Enhancement?

### Judicial Council – Administrative Office of the Courts

2. Enhancement Name/Descriptor:

One Project Coordinator position to provide logistical, administrative, and policy support to the Director's Division and various Committees of the Judicial Council.

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input type="checkbox"/> Amended FY 2024	\$	\$	\$
<input checked="" type="checkbox"/> FY 2025	\$8,927,849	\$83,807	\$9,011,656

3. What will the enhancement accomplish?

The enhancement will allow the Administrative Office of the Courts (AOC) to better serve the evolving needs and complex policy issues facing the judiciary. As staff to the Judicial Council, AOC provides subject-matter expertise on policy, court innovation, legislation, and court administration to all Georgia courts. Staffing the various Committees of the Judicial Council often includes aspects of all these responsibilities. Due to this, the work of the Committees requires an unsustainable and significant allocation of AOC's most important resource, it's personnel.

In addition to discretion to add to the Judicial Council's current slate of Standing Committees, the Chief Justice also reserves the right to create Ad Hoc Committees, which are often aimed at complex policy issues facing the courts but work on a shorter timeline than Standing Committees. These Committees bring together a diverse set of stakeholders that often extends beyond the Judicial Branch, requiring substantial coordination. There are currently ten Standing Committees and three Ad Hoc Committees requiring resources and driving the need for this enhancement.

The following Committees have been created since May 2020: the Judicial Council Standing Committee on Judicial Security, the Judicial COVID-19 Task Force (sunset December 31, 2022), the Judicial Council Ad Hoc Committee on American Rescue Plan Act Funding, the Judicial Council Ad Hoc Committee on Judicial Emergency Preparedness, and the Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements (sunset August 31, 2023). (For a full listing of the Committees the AOC staffs, please see item 13 below.)





## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

As the administrative body of the Judicial Council, the staffing of all Committees rests with the AOC. Supporting these Committees requires the dedication of at least one senior staff member per committee, with some requiring as many as three, to provide the expertise and support necessary to fulfill their respective missions. The AOC is a very lean agency and is therefore limited as to what staff can be assigned. The senior staff take on these committee assignments in addition to their regular operational roles within the agency. For example, the Senior Assistant Director is currently serving as primary staff to one Standing Committee and two very data-heavy, labor-intensive Ad Hoc Committees; the Chief Budget Officer and the Chief Technology Officer also serve as staff to Ad Hoc Committees in addition to their role as primary staff to Standing Committees.

With SB 272 effective July 1, 2023, AOC stands ready to staff and support the Criminal Data Exchange Board and welcomes its addition to our responsibilities. While this is not a committee but an Advisory Board, this new assignment will require the support of at least two existing staff members. (OCGA § 15-5-24).

AOC staff is consistently overextended in carrying out not only the Committees' policy-related work, but in many cases the logistical support and coordination, with particular bottlenecks during the Legislative Session, fiscal year end, and the four annual Judicial Council meetings. It should also be noted that the number of Committees could continue to increase while the work of already existing Committees is ongoing and the scope and nature of the work is dynamic and fluid, deeming this request proactive as well as addressing an immediate need.

The Judicial Council is appreciative of the Policy Analyst position funded in FY 2024 to serve as a senior-level position in support of the Judicial Council and its committees. The addition of a Project Coordinator position would provide necessary logistical and administrative support in staffing committees as well as freeing up policy and other staff to focus their attention and time on the complex subject matters of each Committee. Our senior staff also serve as the Judicial Council's legislative team, strategic plan implementation leads, and support the agency Director on day-to-day operations, so the addition of a Project Coordinator position would provide relief agency-wide.

#### **4. What is unable to be accomplished without the enhancement?**

As a service agency, the Administrative Office of the Courts takes its direction from the Judicial Council, the Supreme Court, and statute, and does not directly control the work assigned to it by the Judicial Council. The AOC must harness and allocate its resources to address the important work assigned to it. Currently the AOC must dedicate more of its senior level staff's time to this work, making it difficult to balance with their existing responsibilities. Without this enhancement, the AOC will continue to stretch its staff to meet policy needs that are increasing in both quantity and complexity.



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

☒ Salaried staff

☐ Operating Funds (includes contractors)

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
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<b>Personnel Services:</b>	\$ -	\$ 83,807
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<b>Operating Costs:</b>			
	Postage	\$ -	\$ -
	Motor Vehicle Expenses	\$ -	\$ -
	Printing, Publications, Media	\$ -	\$ -
	Supplies and Materials	\$ -	\$ -
	Repairs and Maintenance	\$ -	\$ -
	Equipment < \$5,000	\$ -	\$ -
	Water/Sewage	\$ -	\$ -
	Energy	\$ -	\$ -
	Rents Other Than Real Estate	\$ -	\$ -
	Insurance and Bonding	\$ -	\$ -
	Freight	\$ -	\$ -
	Other Operating	\$ -	\$ -
	Travel – Employee	\$ -	\$ -
	Real Estate Rentals	\$ -	\$ -
	Professional Services (Per Diem)	\$ -	\$ -
	Professional Services (Expenses)	\$ -	\$ -
	Other Contractual Services (Non State)	\$ -	\$ -
	Contracts – State Orgs	\$ -	\$ -
	IT Expenses	\$ -	\$ -
	Voice/Data Communications	\$ -	\$ -
	Grants	\$ -	\$ -
	Indirect Costs	\$ -	\$ -
	Transfers	\$ -	\$ -
<b>Total Operating Budget</b>		<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL OVERALL BUDGET</b>		<b>\$ -</b>	<b>\$ 83,807</b>

State Funds	\$ -	\$ 83,807
Other Budgeted Funds		



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

Which Program is requesting this Enhancement?  
**Judicial Council - Administrative Office of the Courts**

## **Part 1 – Detailed Explanation of Request**

### **1. Proposal:**

The Project Coordinator position would provide invaluable logistical and project management support to the AOC to manage the work of these Committees. The proposed starting salary for this position is \$50,000 plus fringe benefits. Judicial Council Committees bring together large groups of stakeholders that require an extensive amount of communication and coordination. For example, the Standing Committee on Judicial Security has 25 members from various organizations that are part of, or interface with, the Judicial Branch. Having a full-time position dedicated to coordinating the administrative details and work of these Committees and their many stakeholders will ensure the work moves forward as well as lifting a large administrative burden from current staff.

The Judicial Council's Committees provide value to the State by addressing complex issues that face all classes of courts. For example, the work of the COVID-19 Task Force was instrumental in developing procedures that allowed all classes of courts to continue to provide access and administer justice in a time of absolute disruption to normal business procedure. The Ad Hoc Committee on Judicial Emergency Preparedness will benefit the State by providing the resources for courts throughout the State to be prepared for all types of emergencies moving forward and to avoid disruption to State business. The newly created Standing Committee on Judicial Security looks to address a long-standing issue that has come to the forefront both in Georgia and nationally. The Judicial Council's ability to pull stakeholders from across the Judiciary and beyond will allow for fully realized solutions that address this complex issue from all sides. The investment into the position funded in the FY24 General Budget and the \$83,807 being requested in FY25 will ensure the AOC's ability to provide these valuable services to the Judiciary, policymakers, and the State as a whole.

These positions would be organized within the Director's Division.

### **2. Geographic Impact: Where does the request impact the state?**

☒ Statewide or list counties below:

### **3. Current Status:**

#### **a. What is the budget unit currently doing to address this issue?**

Currently, senior staff level positions are serving as primary staff to the Committees, which creates a heavy workload for these positions and takes valuable time away from their daily responsibilities. We have met some of these needs on an interim basis through contractors on a project-by-project basis, but a full-time staff position is needed for consistency.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- b. Will those activities continue if this request is funded?

The AOC is a service agency and will continue to provide staffing to these Committees without this enhancement. However, it will continue to pose challenges to AOC from best aligning its resources to meet its goals of improving the administration of justice in the State of Georgia. Continually asking staff to carry this heavy workload is unsustainable long-term and may lead to attrition, followed by additional time and resources to fill vacant positions and train new staff.

**4. Supporting Data: N/A**

- a. Provide any supporting data, evaluations, and/or research for this request.
- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

**5. Performance Measures: N/A**

- a. What measures are or will be used to evaluate the impact of this change?
- b. If an enhancement, what is the projected cost savings or return on investment?
- c. What efficiencies will be realized?

**6. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

This enhancement would benefit all members of the Judicial Council, as well as the membership and work of its committees and its members – many of whom represent external governmental and non-governmental entities.

- b. Which are likely to support this request? Judicial Council and the membership of its Committees.
- c. Which are likely to oppose this request? None
- d. Which have not voiced support or opposition? None



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

### 7. Legislation or Rule Change:

- a. Is legislation or a rule change required if this request is implemented? If so, please explain.

No legislation or rule changes will be required if this request is implemented.

- b. Is this request a result of legislation or rule change? If so, please explain.

No.

### 8. Alternatives:

What alternatives were considered and why are they not viable?

The AOC is always looking for ways to utilize contracts to manage its workload and maintain lean staffing levels. We currently contract with some providers to provide services to certain Committees when we see the opportunity. We do not see contracting for this level of work as a proper alternative. The need is for someone that can dedicate their full-time to the work of these Committees and to be able to staff and coordinate the work of more than one Committee at a time. Our clients also appreciate the ability to build relationships with full-time staff and the ability to call on them at any time. The impermanence of an at-will contractor offers less continuity in staffing the Committees, and we have experienced disruption due to a contractor's departure in the past.

We will continue to seek part-time and contract staff on a case-by-case basis to supplement the work of our full-time staff.

## **Part 2 - BUDGET**

### 9. Requested and Projected Resources:

- a. For enhancements and certain base adjustments, describe the additional resources are you requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

- Positions: 1
- Operational needs: AOC is not requesting any operational expenses for these positions. Current resources will allow the AOC to cover associated operational expenses for these positions.

- b. What are your out-year projections?



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

### 10. Methodology/Assumptions:

- a. Provide the methodology and assumptions behind the requested amount and out-year projections.
- b. How did you arrive at the amounts?
- c. What time period does the request cover (i.e., the number of months)?

### 11. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy, etc.).

### **Part 3 - OTHER INFORMATION**

### 12. Discuss any historical or other relevant factors that should be considered.

Below is a list of all the active Committees that AOC staffs as of May 2023. \*The asterisk denotes that the Committee has been created since May of 2020. ^The COVID-19 Task Force sunset as of 12/31/2022, but was extended twice during its term; the high-volume, pace, and level of work done by this Committee and its support staff at AOC set a new standard for Ad Hoc Committees so, while sunset, it is worth noting here to acknowledge the staff resources dedicated to this work over the course of its two-and-a-half-year life.

#### **Standing Committees**

- Judicial Security\*
- Interpreters
- Access to Justice
- Strategic Planning
- Grants
- Education and Training (*inactive*)
- Budget
- Court Reporting Matters
- Judicial Workload Assessment
- Legislation
- Technology

#### **Ad Hoc Committees**

- Judicial Salaries and Supplements\*
- American Rescue Plan Act Funding (ARPA)\*
- COVID-19 Task Force\*^
- Judicial Emergency Preparedness\*



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **REQUEST SUMMARY:**

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program is requesting this Enhancement? Council of Magistrate Court Judges

2. Enhancement Name/Descriptor: Inflation adjustment

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input type="checkbox"/> Amended FY 2024	\$	\$	\$
<input checked="" type="checkbox"/> FY 2025	\$ 214,457	\$ 10,723	\$225,180

3. What will the enhancement accomplish?

This enhancement is to keep up with inflation. For example: mileage and travel rates for the state have gone up recently and so have general supplies and services. This enhancement would help the Council with basic operating expenses.

4. What is unable to be accomplished without the enhancement?

It will be difficult to keep up with our basic operating expenses.

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

☐ Salaried staff

☒ Operating Funds (includes contractors) we do not have contacted staff this is just for operating funds.



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
<b>Personnel Services:</b>	\$ -	\$ -
<b>Operating Costs:</b>		
Postage	\$ -	\$ 250
Motor Vehicle Expenses	\$ -	\$ -
Printing, Publications, Media	\$ -	\$ -
Supplies and Materials	\$ -	\$ 3,000
Repairs and Maintenance	\$ -	\$ -
Equipment < \$5,000	\$ -	\$ -
Energy	\$ -	\$ -
Rents Other Than Real Estate	\$ -	\$ 2,500
Insurance and Bonding	\$ -	\$ -
Freight	\$ -	\$ -
Other Operating	\$ -	\$ 973
Travel – Employee	\$ -	\$ 1,000
Real Estate Rentals	\$ -	\$ 500
Professional Services (Per Diem)	\$ -	\$ 1,500
Professional Services (Expenses)	\$ -	\$ -
Other Contractual Services (Non State)	\$ -	\$ -
Contracts – State Orgs	\$ -	\$ -
IT Expenses	\$ -	\$ 500
Voice/Data Communications	\$ -	\$ 500
Grants	\$ -	\$ -
Indirect Costs	\$ -	\$ -
Transfers	\$ -	\$ -
Total Operating Budget	\$ -	\$ -
<b>TOTAL OVERALL BUDGET</b>	<b>\$ -</b>	<b>\$ 10,723</b>
State Funds	\$ -	\$ 10,723
Other Budgeted Funds	\$ -	\$ -





# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **Part 1 – Detailed Explanation of Request**

1. Proposal: This request is for an increase in operating funds to keep up with higher than normal inflationary pressures on the Council's budget.
2. Geographic Impact: Where does the request impact the state?  
☒ Statewide or list counties below:
3. Current Status:
  - a. What is the budget unit currently doing to address this issue?  
New projects have been put on hold to ensure we can meet our other basic operating expenses. For instance, the Council was in the process of working with the Office of Dispute Resolution to explore implementing an online dispute resolution form for all magistrate courts, so that people might be able to resolve their small claims without having to come to court and have a trial. With current resources the Council lacks the ability to provide state-wide resources that can help improve and simplify judicial processes throughout the State.
  - b. Will those activities continue if this request is funded?  
No, further adjustments to Council operations would be necessary if inflation persists.
4. Supporting Data:
  - a. Provide any supporting data, evaluations, and/or research for this request.  
NA
  - b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.  
This is not a project request this is a basic needs request.
5. Performance Measures:
  - a. What measures are or will be used to evaluate the impact of this change?  
The ability to continue providing a service to the magistrate courts of Georgia and the public, including through projects like the aforementioned state-wide form to improve judicial processes.
  - b. If an enhancement, what is the projected cost savings or return on investment?  
NA
  - c. What efficiencies will be realized?



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

NA.

## **6. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities). Magistrate court judges and by extension the public at large.
- b. Which are likely to support this request? The Council hopes everyone would support.
- c. Which are likely to oppose this request? The Council is not aware of any opposition.
- d. Which have not voiced support or opposition? None.

## **7. Legislation or Rule Change:**

- a. Is legislation or a rule change required if this request is implemented? If so, please explain. No
- b. Is this request a result of legislation or rule change? If so, please explain. No

## **8. Alternatives:**

What alternatives were considered and why are they not viable? NA

## **Part 2 - BUDGET**

## **9. Requested and Projected Resources:**

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*
  - Number of Positions and Salary Information: none
  - Operational needs: Supplies, tech, meetings, rent, travel and projects. All basic operating expenses.

- b. What are your out-year projections (budget impact on future years)? NA

## **10. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections. NA
- b. How did you arrive at the amounts? Inflation has been upwards of 10% for over a year. It has finally dropped to 5% but it is still stuck there. The Council believes it will likely continue at this level and prices will not drop.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- c. What time period does the request cover (i.e., the number of months)? This request is for a full year of operating expenses, which would then become a part of the Council's base budget moving forward.

**11. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy, etc.). NA

### **Part 3 - OTHER INFORMATION**

**12.** Discuss any historical or other relevant factors that should be considered.

This is a basic needs request to keep up with inflation. It is a well-established fact that we have been experiencing very high inflation for the last two years. While inflation has decreased from a high of 10%, it has still not dropped to the more normal range of 2-3%. Additionally, goods and services would likely not drop to pre pandemic levels, thus making it difficult to continue to pay for basic costs.

The fact remains that especially in the retail and service sector, prices have remained at their higher level. The increase has impacted the Council in many ways from the purchase of basic supplies, the costs to conduct Executive Committee meetings, increased cost of travel reimbursement which have placed limits on the Council's ability to perform any work above its most basic functions. The Council hopes that this increase will allow the Council to better absorb these costs and allow the Council the ability to look into projects that can provide real statewide value to not only Judges but the general public who interact with the Courts on a daily basis.



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **REQUEST SUMMARY:**

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program requests this Enhancement?

**Council of Accountability Court Judges - CACJ**

2. Enhancement Name/Descriptor:

**Medication-Assisted Treatment (MAT) Statewide Coordinator Position.**

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input type="checkbox"/> Amended FY 2024	\$	\$	\$
<input checked="" type="checkbox"/> FY 2025	\$ 926,606.00	\$ 32,444.00	\$ 959,050.00

3. What will the enhancement accomplish?

**CACJ currently has a federal fiscal year 2019 Bureau of Justice (BJA) grant that funds the MAT Statewide Coordinator position through September 30, 2023. CACJ received three quarters of funding for this position's salary, benefits, and operating costs as part of the FY24 budget. The BJA grant will support the position for the first quarter of FY24.**

**CACJ is requesting the fourth quarter funds for this position's salary, benefits, and operating costs in FY25.**

**The purpose of the position is to develop and guide the implementation of MAT services to accountability courts throughout Georgia. The position conducts research, develops and provides technical assistance to the courts throughout the state, assists in implementation efforts, and evaluates MAT programming within the accountability courts.**

**Per the Substance Abuse and Mental Health Services Administration (SAMHSA), medication-assisted treatment (MAT) is the use of medications, in combination with counseling and behavioral therapies, to provide a "whole-patient" approach to the treatment of substance use disorders. Medications used in MAT (such as Vivitrol and Suboxone) are approved by the Food and Drug Administration. MAT programs are clinically driven and tailored to meet each participant's needs.**



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

**Research shows that a combination of medication and therapy can successfully treat these disorders, and for some people struggling with addiction, MAT can help sustain recovery and reduce recidivism. MAT is also used to prevent or reduce opioid overdose.**

**Further, the continuation of this position after the federal funding ends will support CACJ's ability to help ensure accountability court compliance with the Americans with Disabilities Act (ADA) by confirming courts are not prohibiting or limiting the use of lawfully prescribed medication to treat program participants diagnosed with an opioid use disorder (OUD). On February 24, 2022 the Justice Department filed suit against the Unified Judicial System of Pennsylvania for violating the ADA when treating an individual with an opioid use disorder. As part of this suit, one individual with an OUD alleged that a court required that they stop using prescribed OUD medication in order to graduate from drug court.**

**A copy of the press release related to this suit can be found using the link provided below.**

**[Justice Department Files Suit Against Pennsylvania Court System for Discriminating Against People with Opioid Use Disorder | OPA | Department of Justice](#)**

4. What is unable to be accomplished without the enhancement?

**Without the continuation of this position, CACJ will be hindered in efforts to enforce accountability court best practices. Per state standards, Georgia's accountability courts shall not exclude any participant solely on the basis of his or her use of a prescribed addiction or psychotropic medication. Programs shall consider these services for participants where clinically appropriate and where resources are available (e.g., Drug Court Standard 4.13). Additionally, CACJ would be limited in its ability to train and educate accountability court staff about the importance of developing and implementing policies and procedures that do not discriminate against the use of MAT medications prescribed for OUD.**

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

- ☒ Salaried staff
- ☒ Operating Funds (includes contractors)



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
<b>Personnel Services:</b>	\$ -	\$ 27,319.00
<b>Operating Costs:</b>		
Postage	\$ -	\$ 1,000.00
Motor Vehicle Expenses	\$ -	\$ -
Printing, Publications, Media	\$ -	\$ -
Supplies and Materials	\$ -	\$ -
Repairs and Maintenance	\$ -	\$ -
Equipment < \$5,000	\$ -	\$ -
Energy	\$ -	\$ -
Rents Other Than Real Estate	\$ -	\$ 875.00
Insurance and Bonding	\$ -	\$ -
Freight	\$ -	\$ -
Other Operating	\$ -	\$ -
Travel – Employee	\$ -	\$ 3,000.00
Real Estate Rentals	\$ -	\$ -
Professional Services (Per Diem)	\$ -	\$ -
Professional Services (Expenses)	\$ -	\$ -
Other Contractual Services (Non-State)	\$ -	\$ -
Contracts – State Orgs	\$ -	\$ -
IT Expenses	\$ -	\$ -
Voice/Data Communications	\$ -	\$ 250.00
Grants	\$ -	\$ -
Indirect Costs	\$ -	\$ -
Transfers	\$ -	\$ -
Total Operating Budget	\$ -	\$ 5,125.00
<b>TOTAL OVERALL BUDGET</b>	<b>\$ -</b>	<b>\$ 32,444.00</b>
State Funds	\$ -	\$ -
Other Budgeted Funds	\$ -	\$ -



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **Part 1 – Detailed Explanation of Request**

### **1. Proposal:**

**This enhancement request is pursuant to O.C.G.A 15-1-18, in that it supports CACJ's purpose to effectuate the constitutional and statutory responsibilities conferred upon it by law and to further the improvement of accountability courts, the quality and expertise of the judges thereof, and the administration of justice.**

**If approved, the request will support the continuation of sufficient staffing levels to train courts to either implement or enhance MAT programming within accountability courts. The request will also support CACJ's ability to provide MAT model fidelity technical assistance to the courts to help ensure the courts achieve and/or maintain compliance with best practices and state standards.**

### **2. Geographic Impact: Where does the request impact the state?**

☒ **Statewide or list counties below:**

**In addition to the statewide impact of this request, the adult accountability courts that have reported that they are NOT able to make MAT services accessible to participants due to a lack of resources are listed below:**

**Alapaha Circuit Drug and Mental Health Court  
Appalachian Juvenile Drug Court  
Bartow Family Treatment Court  
Carroll County Drug Court  
Cherokee Circuit Mental Health Court  
Cherokee County Family Treatment Court  
Cherokee County Treatment Accountability Court  
Clayton County Drug Court  
Clayton County DUI Court  
Cobb County DUI Court  
Conasauga Drug Court  
DeKalb County DUI Court Program  
Gwinnett County Drug Court  
Houston Mental Health Court  
Jefferson County Adult Felony Drug Court**



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

**Lowndes County DUI Court  
Ogeechee Judicial Circuit Drug Court  
Ogeechee Judicial Circuit Mental Health Court  
Paulding Judicial Circuit Mental Health Court  
Rockdale County Juvenile Drug Court  
Southwestern Judicial Circuit Accountability Court  
Toombs Judicial Circuit Adult Felony Drug Court**

**In summary, as reported in fiscal year 2023, MAT was not accessible in 12.3% of Georgia’s adult accountability courts. Some of the lack of resources cited by the courts include certified providers not being available in their jurisdiction, insufficient funding, and team member objections.**

**3. Current Status:**

- a. What is the budget unit currently doing to address this issue?

**As of FY24, the state budget unit (salaried and operations) currently supports this enhancement request for three quarters of the fiscal year.**

**BJA initially funded this position, but the grant is scheduled to end on September 30, 2023.**

- b. Will those activities continue if this request is funded?

**The activities that will continue if this request is funded include: the further development and implementation of MAT services in accountability courts throughout Georgia. The position conducts research, develops and provides technical assistance to the courts throughout the state, assists in implementation efforts, and evaluates MAT programming within the accountability courts.**

**4. Supporting Data:**

- a. Provide any supporting data, evaluations, and/or research for this request.

**According to the National Institute on Drug Abuse (NIDA), MAT “increases patient retention and decreases drug use, infectious disease transmission, and criminal activity” (NIDA, 2021). MAT services for justice-involved persons complement existing evidence-based treatment practices by providing medication that blocks opioids’ euphoric effects and reduces relapse-inducing cravings. The American Association for the Treatment of Opioid Dependence, Inc. (2017) cites many authorities, including the Office of National Drug Control Policy, the National Institute of Health, and SAMHSA’s Einstein Expert Panel in support of**





## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

the use of MAT in the justice system. MAT's quick evolvement from philosophical disagreement of "replacing one drug for another" to the understanding of addiction as a disease and the impact on brain function, particularly as it relates to reward and motivation, learning and memory, and behavior control, is supported by research. In particular, SAMHSA's Treatment Improvement Protocol (TIP) Number 63 notes studies' support of the view that "opioid addiction is a medical disorder that can be treated effectively with medications administered under conditions consistent with their pharmacological efficacy, when treatment includes comprehensive services, such as psychosocial counseling, treatment for co-occurring disorders, medical services, vocational rehabilitative services, and case management services" (SAMHSA, 2021).

While it is understood MAT is an evidence-based practice, there is more nuance as it relates to the federally approved medications to treat opioid use disorder, as well as other effective medications for other substance use disorders. This request will support the ongoing research needed to fully understand MAT services and the ability of CACJ to provide technical assistance for the expansion and enhancement of this evidence-based practice for accountability court participants.

- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

The research support of MAT services in drug courts is well established (Friedman & Wagner-Goldstein, 2016); however, at the time of this request, CACJ is unaware of any other non-unified governed state who has embarked on a statewide rollout of MAT services for accountability courts. While much can be learned by previous research conducted for MAT services in drug courts, such as that of the Center for Court Innovation and the Legal Action Center in their study of MAT services in New York's unified court system, Georgia's court system presents unique challenges that would benefit from one, coordinated effort. Just as Georgia's state drug court standards recommend "drug courts should provide a continuum of services through partnership with a primary treatment provider(s) to deliver treatment, coordinate ancillary services, and make referrals as necessary" (1.10), CACJ believes the Statewide MAT Coordinator position will allow for a streamlined and efficient approach to the expansion of MAT services in the state of Georgia where a non-unified government exists.

In addition to the support of MAT service expansion, this request would support the continued improvement of MAT data collection to allow for more rigorous evaluation, with the goal of eventual publication to further the growing body of research in support of a continuum of evidence-based services for justice-involved persons.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

### **5. Performance Measures:**

- a. What measures are or will be used to evaluate the impact of this change?

**The impact of this change will be measured through improved program outcomes. Quarterly data is collected from each court then analyzed to determine the effectiveness of each program. The MAT specific data points include the number of participants screened and prescribed MAT, the type of MAT prescribed, and the delivery method, length of MAT services, and the number of participants prescribed MAT that complete the accountability court program. CACJ continues to improve MAT data collection and better understand MAT effectiveness in Georgia's accountability courts.**

**Between FY2021 and the third quarter of FY20223 there were 1,202 accountability court participants utilizing MAT as part of their treatment plan.**

- b. If an enhancement, what are the projected cost savings or return on investment?

**The return on the enhancement request is in the form of an investment, which is best demonstrated by the improvement and quality of the accountability courts in Georgia.**

**Our most recent analysis from FY22 shows that for every dollar invested into an adult accountability court, there is \$4.20 saved. This amounts to an average annual savings per/adult participant of \$13,667.**

**The average annual state amount spent on an adult accountability court participant is \$3,885. This is compared to the annual incarceration amount of \$19,276 per/adult using the rate of \$52.81 per/day.**

**Our most recent analysis (data collected between 2016-2021 and includes a sample of 28,400 Georgia accountability court participants) shows that participant recidivism rates remain low compared to similarly situated offenders. As an example, for an adult felony drug court graduate, three years post completion, the rearrest rate for a new felony is 27%. For an adult mental health court graduate, it is 26%. The 2014 Georgia Prisoner Reentry Initiative reports that offenders with similar characteristics (those that are moderate to high risk) have a 60-81% recidivism rate for a felony offense.**

- c. What efficiencies will be realized?

**The CACJ staff will be able to continue to offer MAT dedicated services to Georgia's accountability courts with this enhancement request.**



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

**Without this position, CACJ would not have the dedicated resources to support MAT programming, and therefore not be able to provide efficient training and technical assistance to accountability courts.**

**6. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

**The Judicial Council/Administrative Office of the Courts, the Criminal Justice Coordinating Council, the Department of Corrections, the Department of Community Supervision, the Department of Behavioral Health & Developmental Disabilities, the Public Defenders Standards Council, the Prosecuting Attorneys' Council, the Georgia Division of Family and Child Services, the Council of Superior Court Judges, the Council of State Court Judges, and the Council of Juvenile Court Judges.**

- b. Which are likely to support this request?

**All of the above-listed entities are likely to support the request, in that each is considered a stakeholder group for accountability courts.**

- c. Which are likely to oppose this request?

**It is believed that there will be no opposition to this request.**

- d. Which have not voiced support or opposition?

**None.**

**7. Legislation or Rule Change:**

- a. Is legislation or a rule change required if this request is implemented? If so, please explain.

**Legislation or a rule change is not required if this request is implemented.**

- b. Is this request a result of legislation or a rule change? If so, please explain.

**This request is not the result of legislation or a rule change.**

**8. Alternatives:**

What alternatives were considered and why are they not viable?



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

The alternative is to apply for other federal funds to support the position after the BJA grant ends and state funding runs out on April 30, 2025. Additionally, CACJ has had some discussion with other state agencies about the distribution of the funds that will be made available through the statewide opioid settlement agreement. At the time that this enhancement request was due, information about the distribution of these funds for state agencies was not made available to CACJ.

## **Part 2 - BUDGET**

### **9. Requested and Projected Resources:**

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

- Number of Positions and Salary Information:

**CACJ respectfully requesting funds to maintain this full-time position. Please see the CACJ Statewide MAT Coordinator job description attached at the end of the enhancement request.**

- Operational needs:

**CACJ respectfully requests one quarter of the operating funds to support this full-time position.**

- b. What are your out-year projections (budget impact on future years)?

**\$129,775**

**(\$109,275 for personnel and \$20,500 for operations.)**

### **10. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections.

**The methodology used to generate the personnel request is based on the current budget amount for this position. The annual personnel amount is \$109,275. The amount requested in personnel represents one quarter of funding (\$27,319). In FY24, CACJ received three quarters of state funding (\$81,956) to support this position.**



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

**The methodology used to generate the operating costs are based on current office rent, estimated technical assistance visits, supplies and material costs, and equipment needed to support the position.**

- b. How did you arrive at the amounts?

**The amount was arrived at by reviewing the salary for the Statewide MAT Coordinator position and current operating expenses.**

- c. What time period does the request cover (i.e., the number of months)?

**This request covers a portion of state FY2025. The dates are April 1, 2025 – June 30, 2025 (quarter #4). The first three quarters will be funded by state funds appropriated in FY24 for the position.**

- 11. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy, etc.).**

**Current federal funds that support this enhancement request end on September 30, 2023. No other federal funds or other funds will be impacted by this request at this time.**

### **Part 3 - OTHER INFORMATION**

- 12. Discuss any historical or other relevant factors that should be considered.**

**CACJ started its work to inform, educate, and train accountability courts on the usage of MAT in 2017 with a pilot project in the Northeastern Judicial Circuit and in the Western Judicial Circuit. The focus of the pilot was to begin to develop MAT programming and develop medical provider relationships. This work stemmed from the National Association of Drug Court Professionals (NADCP) Board of Directors resolution directing drug courts to learn the facts about MAT and obtain expert consultation from trained addiction psychiatrist or addiction physicians. Based on the 2017 pilot project, fiscal year 2019 federal funds were pursued and awarded to support expansion, to include the Statewide MAT Coordinator position. Since 2019, CACJ has worked to train the accountability court workforce on MAT best practices, develop relationships with provider networks (such as the federally qualified health care centers and community service boards), and provide technical assistance on how to implement and sustain MAT programming within an accountability court.**

**Should funds be provided for this enhancement request, CACJ will have the opportunity to continue this important work in all fifty judicial circuits within the state. CACJ has**



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

strategic plans to amend state standards, certification, and peer review to further incorporate MAT. Additionally, beginning in FY2023 CACJ added four new MAT-related data elements that courts will be required to collect to further determine programming effectiveness. CACJ also has plans to train accountability courts on the use of OUD-specific participant assessments to ensure proper treatment planning and dosage.

Per Centers for Disease Control data from January 2022, Georgia saw a 29.4% increase in drug overdose deaths between June 2020 and June 2021. Additionally, the Georgia Department of Public Health reports from 2019-2021, the total number of opioid-related overdose deaths increased from 853 to 1,718, an increase of 101%. These increases were driven largely by fentanyl. From 2019 to 2021, fentanyl-related drug overdose deaths increased 124%, from 614 to 1,379. In 2021, there were 2,390 drug overdose deaths in Georgia; and 71% (n=1,718) were attributed to opioids and 57% (1,379) were attributed to fentanyl. Non-fatal drug overdoses are also increasing in Georgia. From 2019 to 2021, Emergency department visits and hospitalizations for drug overdoses increased 10%, from 24,886 to 27,388.

This enhancement request will support Georgia's ability to prevent overdose deaths and hospitalizations among the accountability court population, contribute to cost savings, and continue to support low participant recidivism rates.



# Council of Accountability Court Judges

**Job Title: Statewide Medication Assisted Treatment (MAT) Coordinator**

**Closing Date:**

**Salary Plan:** Pay Grade K (salary will be commensurate with the experiences and technical skills required by the position, but not greater than the maximum salary for the position grade).

**Benefits:** (Funded by employee premiums and employer contributions).

- Health and Flexible Benefits Available
- 12 paid state holidays
- Annual & Sick Leave

This position is primarily located at the Council of Accountability Court Judges, 244 Washington Street, SW, Atlanta, Georgia 30334

Secondary work location will be located at the Criminal Justice Coordinating Council, 104 Marietta Street, NW, Atlanta, Georgia 30303

## **Job Description:**

The Council of Accountability Court Judges (CACJ) seeks a full-time Medication Assisted Treatment (MAT) Coordinator who will provide leadership, management, and administrative support to develop and guide the rollout of MAT services to Accountability Courts throughout Georgia. Under broad supervision, the position conducts research, develops, or modifies technical assistance to courts throughout the state, assists in implementation, and evaluates programs. The expansion of MAT services will require training and hands-on technical assistance. NOTE: Some overnight and out of state travel required as well as flexible work hours, including some weekends and evenings. The position will be based in Atlanta but will require travel to courts throughout Georgia.

## **Key Duties & Responsibilities:**

- Performs job responsibilities with minimal supervision.
- Serves as a MAT expert and/or organization resource in assigned areas.
- Work with treatment providers to develop, pilot, and study new interventions for Opioid Use Disorder.
- Work with clients, providers, outside vendors, court personnel and management to assist in the development and implementation of MAT services.
- Build interagency partnerships.

- Coordinates project activities and performs research, evaluation, and analysis of operational issues.
- Develops standards and procedures to be used in project development and implementation.
- May oversee or participate in policy, procedure, and processes development.
- Plans, develops, implements, and maintains a system designed to coordinate and provide continuous and systematic evaluations for programs.
- Develop operating policies and procedures that are based on best practice.
- Assess stakeholder training needs and implement needed programs.
- Close coordination and collaboration with CJCC, grant partners and national TTA provider.
- When applicable, compile and submit all progress reports to grantors.
- Collaborate with CJCC Staff/Grants Specialist to manage the project budget and approve allowable expenditures.
- Prepare and submit grant applications for continuation funding.
- Monitor compliance with grant stipulations and program progress through on-site evaluations, documentation review, and reporting.
- Attend all mandatory training and technical assistance events and coordinate logistics.
- Serve as staff to assigned CACJ committees and/or subcommittees.
- Provide support to the CACJ annual training calendar.

NOTE: The above job description represents the general nature, primary duties and responsibilities, and qualifications for the work performed by employees within this job, but it is not a comprehensive and exhaustive list. Employees may be required to perform other duties assigned, and specific duties, responsibilities, and activities within the core nature of the job may change at any time with or without notice. Employees must be able to perform the essential functions of the job, as specified by the employing entity, with reasonable accommodation.

### **Entry Qualifications:**

Bachelor's degree in a related field from an accredited college or university AND one year of related experience with accountability court(s) OR completion of an apprenticeship/internship that sufficiently supplied experience to understanding the basic principles relevant to the major duties of the position.

### **Preferred Qualifications:**

Bachelor's degree in criminal justice, public administration, social science, sociology, social work, humanities or a related field from an accredited college or university **AND** two or more years of related experience in one or more of the following areas: grant writing, accountability court services, project evaluation/monitoring, and program management.





# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **REQUEST SUMMARY:**

*For use as talking points during conversations with funding and policy-making bodies to include the Judicial Council, General Assembly, and Office of the Governor.*

1. Which Program is requesting this Enhancement?

### **Resource Center**

2. Enhancement Name/Descriptor: Staff attorney position

FISCAL YEAR	Current state funds received	Amount Requesting	If granted, a new state funding level
<input type="checkbox"/> Amended FY 2024			
<input checked="" type="checkbox"/> FY 2025	\$800,000.00	\$ 100,000.00	\$900,000.00

3. What will the enhancement accomplish?

The enhancement will allow the Resource Center to hire an additional attorney to handle capital cases and return to its previous staffing level.

4. What is unable to be accomplished without the enhancement?

Without the enhancement, the Resource Center cannot maintain its previous staffing level, in line with the [ABA's Guidelines](#) for the Appointment of Defense Counsel in Death Penalty Cases, which require at least two attorneys per capital case. Without another attorney on staff, the quality of representation we provide our clients will be negatively impacted.

5. Does the enhancement include salaried staff and/or operations, which includes contractors?

- ☒ Salaried staff
- ☐ Operating Funds (includes contractors)



# JUDICIAL COUNCIL OF GEORGIA

## FY 2024 AMENDED REQUEST FORM

## FY 2025 ENHANCEMENT REQUEST FORM

Budget Categories	FY 24 Amended Request	FY 25 Enhancement Request
<b>Personnel Services:</b>	\$ -	\$ -
<b>Operating Costs:</b>		
Postage	\$ -	\$ -
Motor Vehicle Expenses	\$ -	\$ -
Printing, Publications, Media	\$ -	\$ -
Supplies and Materials	\$ -	\$ -
Repairs and Maintenance	\$ -	\$ -
Equipment < \$5,000	\$ -	\$ -
Energy	\$ -	\$ -
Rents Other Than Real Estate	\$ -	\$ -
Insurance and Bonding	\$ -	\$ -
Freight	\$ -	\$ -
Other Operating	\$ -	\$ -
Travel – Employee	\$ -	\$ -
Real Estate Rentals	\$ -	\$ -
Professional Services (Per Diem)	\$ -	\$ -
Professional Services (Expenses)	\$ -	\$ 100,000.00
Other Contractual Services (Non State)	\$ -	\$ -
Contracts – State Orgs	\$ -	\$ -
IT Expenses	\$ -	\$ -
Voice/Data Communications	\$ -	\$ -
Grants	\$ -	\$ -
Indirect Costs	\$ -	\$ -
Transfers	\$ -	\$ -
Total Operating Budget	\$ -	\$ -
<b>TOTAL OVERALL BUDGET</b>	<b>\$ -</b>	<b>\$ 100,000.00</b>
State Funds	\$ -	\$ 100,000.00
Other Budgeted Funds	\$ -	\$ -



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

## **Part 1 – Detailed Explanation of Request**

### **1. Proposal:**

Founded in 1988 in partnership with the Georgia Supreme Court, the State Bar of Georgia, the federal judiciary, and GSU College of Law, the Georgia Resource Center directly represents and/or secures *pro bono* representation for people on Georgia's death row in state and federal habeas proceedings, and in clemency proceedings before the Georgia Board of Pardons and Paroles – representation not otherwise guaranteed under Georgia law. Georgia is the only state in the country that does not by law provide at least an opportunity for the provision of counsel to people on death row in post-conviction proceedings.

The Resource Center respectfully requests an enhancement in the FY 2025 budget of \$100,000 to restore a junior level staff attorney position. This enhancement will support the staff attorney's salary, benefits, travel, and training.

The Resource Center is funded through three primary sources. Our baseline funding, which comprises more than 65% of our overall budget, comes from the state legislature, in the amount of \$800,000. This amount has not changed in more than 20 years, excluding a few years of reductions due to extraordinary circumstances.<sup>1</sup> The other two primary sources of funding are: 1) the Georgia Bar/the Georgia Bar Foundation, and 2) compensation from vouchers under the Criminal Justice Act (CJA) for our work in federal court. We have seen reductions in both of these sources in recent years, and expect those trends to continue. Combined, these substantial declines in funding have not allowed our office to fill two key positions including a staff attorney position.

The State Bar has reduced the longtime funding it has provided to our office as a result of shifting priorities in its funding of external programs, and the Bar leadership has strongly encouraged us to seek additional funding from the legislature. From 2010 to 2021, the Bar provided funding to our office each year in an amount between \$100,000 and \$110,000. This funding has now been halved, to \$55,166, and it is possible that in future years, the entire

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<sup>1</sup>The Resource Center has received \$800,000 starting in FY 2002 through FY 2008, and then from FY 2013 through FY 2023. From FY 2009 to FY 2012, the Resource Center received a significant reduction in state funding due to the financial crisis, which was ultimately restored. In FY 2021 and 2022, the Resource Center saw a small reduction in its funding due to the pandemic cuts experienced across all state agencies and organizations that receive state funding. In those two years, we received \$775,000 from the State. This reduction was restored in FY 2023.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

funding will be cut. We will continue to advocate for the preservation of this support from the State Bar.

As for our federal funds, as the pipeline of capital cases in federal court declines, the money we receive from CJA vouchers, which has always varied from year to year and depends not only on our docket at the time but also on the court's discretion, will continue to decline. In FY 2023, the Resource Center only received \$156,867.70 in federal compensation – the lowest amount in 20 years. In comparison, in the previous three fiscal years, the average annual federal compensation was \$362,871.89. As the number of cases in federal court decreases, the funds received in FY 2023 will be a more representative amount of federal compensation that the Resource Center can expect in the next few years, if not less.

Given these declines in other funding sources, as well as rising costs, including increases in staff salaries in order to remain competitive in the Atlanta public service market,<sup>2</sup> under its current budget, the Resource Center has not been able to fill recent vacancies in its staff positions, as staff have moved on to other, higher-paying nonprofit opportunities. In March 2022, the Resource Center had a staff of eleven: six attorneys (including the Executive Director), four investigators, and an office manager. Today, we have six employees: the Executive Director, a staff attorney, two investigators, an office manager, and a law graduate who must still pass the Georgia Bar. In other words, we have two attorneys managing our entire capital caseload at the moment. Later this year, we will welcome a new attorney with four years of experience and another law graduate; both must take the Georgia Bar this summer.

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<sup>2</sup> To recruit and retain attorneys, the Resource Center has raised its starting attorney salary to \$70,000, which is in line with the recently-announced statewide increase in starting salaries for public defenders from the Georgia Public Defender Council. (As a comparison, and to show the budget impact, a Resource Center attorney with 3 years of experience was making \$60,500 in 2019, before the salary increase.) Still, starting salaries for public defender positions in metro Atlanta are often much higher, due to additional funding sources available to certain offices. For example, Fulton County is currently advertising for an Assistant Public Defender I position (only requiring one year of experience) with a starting salary of \$84,139. *See* <https://gapubdef.org/position/atlanta-judicial-circuit-assistant-public-defender-i/>. Resource Center salaries at the senior level are not always competitive either, relative to other, similar opportunities in the area. For example, Fulton County is advertising an Assistant Public Defender IV position at \$147,761, requiring only nine years of experience. *See* <https://www.governmentjobs.com/careers/fulton/jobs/4036115/assistant-public-defender-iv-grade-k11>. Neither senior attorney in our office – our Executive Director (with 17 years of experience) or our Senior Counsel (with 29 years of experience) – makes close to that amount. In the last few years, even with modest salary increases, we have had many talented applicants who have declined job offers for financial reasons, and who have chosen (or remained in) other nonprofit or public service jobs.



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

Meanwhile, the demand on our office has increased. There are currently forty-one people under a sentence of death from twenty-six counties in various stages of the post-conviction process. All of our clients are indigent. We have several new clients, as people have recently entered state habeas proceedings. At the later stage of the post-conviction process, ten people are currently eligible for an execution warrant (though an injunction prohibiting the State from moving forward with warrants remains in place for now<sup>3</sup>), and more people are nearing the end of their federal habeas proceedings, which means there could be even more people eligible for a warrant in the near future. Cases in both the early stages of state habeas proceedings and in the late stages as they near clemency proceedings place enormous demands on the Resource Center's budget and staff, as they both require extensive investigation, litigation, and expert costs. Even if the Resource Center is able to hire an additional staff attorney with the approval of additional funds, the office will still be operating at a reduced staffing level from just a year ago. However, the restoration of a staff attorney position would lighten the load tremendously on its current staff and allow the Resource Center to do what it does best – ensure that every person on Georgia's death row receives counsel with the expertise to handle these complex cases.

The Resource Center thus respectfully requests that the Judicial Council enhance the FY 2025 budget with the addition of \$100,000 for a staff attorney position.

**2. Geographic Impact: Where does the request impact the state?**

☒ Statewide or list counties below:

**3. Current Status:**

a. What is the budget unit currently doing to address this issue?

Generally, the Resource Center has always operated on a very lean budget and will continue to look for ways to reduce expenses in order to provide more for our clients. We have never had support staff beyond our office manager who handles all administrative needs for the entire office, including accounting, HR issues, benefits, file maintenance, and much more. We have taken many steps to decrease expenses in recent years, even in the face of rising costs. For example, we have re-evaluated certain benefits we provide to staff and were able to reduce health insurance costs significantly by changing our provider and plan. We moved to the Bar building in downtown Atlanta, with below-market rental rates. Rather than replacing a staff investigator position when a vacancy arose, the Resource Center hired an experienced capital investigator on a contract basis in order to save on costs. The Resource Center also recruits *pro bono* counsel to co-counsel with our office on capital cases, which can reduce the demands on staff time, and sometimes (though not often) involves *pro bono* counsel covering a portion of case expenses.

b. Will those activities continue if this request is funded?

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<sup>3</sup> See *State of Ga. v. Fed. Defender Program, Inc.*, 315 Ga. 219 (2022).



## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

Yes, the Center will continue to find ways to decrease expenses even if this request is funded. The Center has been applauded in the past for its leanness and efficiency.

#### 4. Supporting Data:

- a. Provide any supporting data, evaluations, and/or research for this request.

The Resource Center has been found to be the most efficient and cost-effective means of moving capital cases to final adjudication. The Resource Center has always operated on a lean budget. A performance audit requested by the Georgia Senate Appropriations Committee and conducted by the Department of Audits in 2005 found that Resource Center attorneys handled more cases and expended less money per case than similar organizations providing post-conviction representation to death-sentenced prisoners in other states. This remains true today. For example, the State of Mississippi, which has slightly fewer people on death row (35 people) as Georgia (41 people), funds the Office of Capital Post-Conviction Counsel, a state agency, with a staff of nine full-time employees, at more than double the state budget of the Resource Center (\$1,985,529 in FY 2024, which does not even include operating expenses). *See* Mississippi Legislative Budget Office, FY 2024 Miss. Legislative Budget Recommendation Report, Office of Capital Post-Conviction Counsel, *available at* <https://www.lbo.ms.gov/PublicReports/GetBudgetRequestDetailReport/6129?report=Detail&fiscalYear=2024>.

- b. Include information on similar successful programs or evaluations in other jurisdictions that are relevant to this request. N/A

#### 5. Performance Measures:

- a. What measures are or will be used to evaluate the impact of this change?

The primary measure will be the Resource Center's ability to continue to provide high-quality representation, given the many demands on its resources. As recent examples, the Resource Center has been successful in its last three state habeas cases to be adjudicated in Superior Court, winning sentencing phase relief for each client. (One client's grant of relief was later reversed by the Georgia Supreme Court; the second client was resentenced to life in prison; and the third client's case is currently pending before the Georgia Supreme Court on the State's appeal.) The Resource Center also successfully litigated, with *pro bono* counsel, *Nance v. Ward*, 142 S. Ct. 2214 (2022), in the United States Supreme Court.

- b. If an enhancement, what is the projected cost savings or return on investment?

The enhancement of funds to support a staff attorney position will ensure the Resource Center's ability to provide high-quality representation for people on Georgia's death row, which will, in turn, help uphold the effectiveness, efficiency, and credibility of Georgia's death penalty system.



## **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

- c. What efficiencies will be realized?

Even with the restoration of the staff attorney position, the Resource Center will operate at a lower staffing level than a year ago, and overall, the Center will continue to remain lean and efficient.

### **6. Stakeholders & Constituents:**

- a. Describe the constituent and stakeholder groups affected by this change (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

The Georgia Supreme Court, the State Bar of Georgia, the federal judiciary, and the GSU College of Law partnered together to found the Resource Center in 1988 to ensure the representation of people on Georgia's death row in post-conviction proceedings. The members of the Board of the Resource Center are appointed by the Georgia Supreme Court and the President of the State Bar of Georgia. The current members are: Amelia Rudolph (Chair) (Atlanta); Jamila Hall (Vice-Chair) (Atlanta); Sarah Gerwig-Moore (Secretary) (Macon); John P. Batson (Augusta); Jonathan Chally (Atlanta); William A. Erwin (Camilla); John B. Long (Augusta); Luke Moses (Hinesville); Robert Remar (Atlanta); Theodore Sawicki (Atlanta); Gary Spencer (Atlanta); Jill Travis (Decatur); and Bryan Tyson (Atlanta). Both the Indigent Defense and Access to Justice Committees of the State Bar have also supported the Resource Center's appropriation requests to the legislature for many years.

- b. Which are likely to support this request?

All of the above are likely to support this request.

- c. Which are likely to oppose this request?

None are likely to oppose this request.

- d. Which have not voiced support or opposition?

The Board Directors have voiced support for the request. The leadership of the State Bar has voiced support for legislative enhancements to the Resource Center's budget for many years. The State Bar has regularly (and unanimously) supported the Resource Center's baseline legislative appropriation request, through its Advisory Committee on Legislation. The other entities have provided general support in the past for appropriations for the Resource Center but have not been asked about a position on this specific request.

### **7. Legislation or Rule Change:**

- a. Is legislation or a rule change required if this request is implemented? If so, please explain.



# **JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM**

No.

b. Is this request a result of legislation or rule change? If so, please explain.

No.

## **8. Alternatives:**

What alternatives were considered and why are they not viable? N/A

## **Part 2 - BUDGET**

### **9. Requested and Projected Resources:**

- a. For enhancements and certain base adjustments, describe the additional resources you are requesting. *\*Ensure descriptions and amounts align with the budget chart on page 2.*

The Resource Center requests an enhancement to the FY 2025 budget with the addition of \$100,000 in support of salary, benefits, travel, and training for a staff attorney position.

- Number of Positions and Salary Information: One position: \$100,000 to include salary, benefits, travel, and training.
- Operational needs: N/A

b. What are your out-year projections (budget impact on future years)?

The Resource Center plans to continue to operate on a lean and efficient budget with hopes that the Resource Center can retain talented attorneys and investigators with salaries that reflect the public service market rate for their work, and provide the necessary litigation support through experts and other contractual services for our clients.

### **10. Methodology/Assumptions:**

- a. Provide the methodology and assumptions behind the requested amount and out-year projections.

Salary, benefits, and expenses for staff attorneys at the Resource Center with current budgetary restraints.

b. How did you arrive at the amounts?

Base salary of \$75,000 (for hiring an attorney with approximately 4-6 years of experience); \$4,500 ER FICA; \$16,500 benefits; \$3,000 litigation travel expenses; \$1,000 training.





## JUDICIAL COUNCIL OF GEORGIA FY 2024 AMENDED REQUEST FORM FY 2025 ENHANCEMENT REQUEST FORM

c. What time period does the request cover (i.e., the number of months)?

Twelve (12) months

**11. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy, etc.).

As mentioned above, the Resource Center receives no outright federal funding. However, the Center receives compensation for its work on federal habeas cases at the discretion of the courts. This is a variable amount from year to year, depending on the status of cases on the Resource Center's docket, and often district court judges do not approve all of the hours that Resource Center attorneys have spent working on a case. For example, in a recent case, a federal district court judge significantly reduced the number of hours the office could bill for a junior attorney to review the extensive record in the case.

### **Part 3 - OTHER INFORMATION**

**12.** Discuss any historical or other relevant factors that should be considered.

The Resource Center provides an essential safeguard against wrongful death sentences in the state, as the risk of error in capital cases remains high. According to a study of error rates in capital cases from 1973 to 1995, Georgia had an 80% reversal rate. *See* James S. Liebman et al., *A Broken System: Error Rates in Capital Cases, 1973-1995* (June 12, 2000), *available at* [https://scholarship.law.columbia.edu/faculty\\_scholarship/1219/](https://scholarship.law.columbia.edu/faculty_scholarship/1219/). Since 1996, 63 death penalty cases in Georgia have been reversed by the state or federal courts; in that same time, 57 executions have taken place. Accordingly, for every one execution carried out in Georgia, approximately 1.1 death sentences have been reversed. The work of the Resource Center remains critical to ensuring the fairness and efficacy of Georgia's death penalty system.

## Amended FY 2024 - Budget Comparison

### Judicial Council Standing Committee on Budget Report

Judicial Council Program & Subprograms	FY 2024 Budget	AFY24 Enhancement Requests	AFY 2024 Budget	% Change
Administrative Office of the Courts	\$ 8,927,849		\$ 9,052,849	1.40%
<i>Increase funds for an economic impact study on access to justice initiatives</i>		\$ 125,000		
Legal Services for Victims of Domestic Violence	\$ 3,000,000		\$ 3,000,000	
Legal Services for Families of Indigent Patients	\$ 200,000		\$ 619,000	209.50%
<i>Increase funds fo Civil Legal Services for families of Indigent Patients</i>		\$ 419,000		
Legal Services for Kinship Care Families	\$ 750,000		\$ 750,000	
GA Council of Court Administrators	\$ 16,389		\$ 16,389	
Council of Municipal Court Judges	\$ 13,919		\$ 32,870	136.15%
<i>Increase funds for Council operations</i>		\$ 18,951		
Child Support Collaborative	\$ 137,818		\$ 137,818	
Council of Magistrate Court Judges	\$ 214,457		\$ 214,457	
Council of Probate Court Judges	\$ 209,145		\$ 209,145	
Council of State Court Judges	\$ 2,871,655		\$ 2,871,655	
<b>Judicial Council Programs and Subprograms Total</b>	<b>\$ 16,341,232</b>	<b>\$ 562,951</b>	<b>\$ 16,904,183</b>	<b>3.44%</b>
<b>Other Programs</b>				
Accountability Courts	\$ 926,606		\$ 926,606	
Inst of Continuing Jud Ed Operations	\$ 822,352		\$ 822,352	
Judicial Qualifications Commission	\$ 1,297,679		\$ 1,297,679	
Resource Center	\$ 800,000		\$ 800,000	
<b>Other Programs Total</b>	<b>\$ 3,846,637</b>	<b>\$ -</b>	<b>\$ 3,846,637</b>	<b>0.00%</b>
<b>Judicial Council Totals</b>	<b>\$ 20,187,869</b>	<b>\$ 562,951</b>	<b>\$ 20,750,820</b>	<b>2.79%</b>

FY 2025 - Budget Comparison				
Judicial Council Standing Committee on Budget Report				
Judicial Council Program & Subprograms	FY 2024 Budget	FY25 Enhancement Requests	FY 2025 Budget	% Change
Administrative Office of the Courts	\$ 8,927,849		\$ 9,011,656	0.94%
<i>Increase funds for one Project coordinator position</i>		\$ 83,807		
Legal Services for Victims of Domestic Violence	\$ 3,000,000		\$ 3,000,000	
Legal Services for Families of Indigent Patients	\$ 200,000		\$ 619,000	209.50%
Increase funds for Civil Legal Services for families of Indigent Patients		\$ 419,000		
Legal Services for Kinship Care Families	\$ 750,000		\$ 750,000	
GA Council of Court Administrators	\$ 16,389		\$ 16,389	
Council of Municipal Court Judges	\$ 13,919		\$ 32,870	136.15%
<i>Increase funds for Council operations</i>		\$ 18,951		
Child Support Collaborative	\$ 137,818		\$ 137,818	
Council of Magistrate Court Judges	\$ 214,457		\$ 225,180	5.00%
<i>Increase funds for Council operations</i>		\$ 10,723		
Council of Probate Court Judges	\$ 209,145		\$ 209,145	
Council of State Court Judges	\$ 2,871,655		\$ 2,871,655	
<b>Judicial Council Programs and Subprograms Total</b>	<b>\$ 16,341,232</b>	<b>\$ 532,481</b>	<b>\$ 16,873,713</b>	<b>3.26%</b>
<b>Other Programs</b>				
Accountability Courts	\$ 926,606		\$ 959,050	3.50%
<i>Increase funds for one MAT Statewide Coordinator position</i>		\$ 32,444		
Inst of Continuing Jud Ed Operations	\$ 822,352		\$ 822,352	
Judicial Qualifications Commission	\$ 1,297,679		\$ 1,297,679	
Resource Center	\$ 800,000		\$ 900,000	12.50%
<i>Increase funds for one Staff Attorney position</i>		\$ 100,000		
<b>Other Programs Total</b>	<b>\$ 3,846,637</b>	<b>\$ 132,444</b>	<b>\$ 3,979,081</b>	<b>3.44%</b>
<b>Judicial Council Totals</b>	<b>\$ 20,187,869</b>	<b>\$ 664,925</b>	<b>\$ 20,852,794</b>	<b>3.29%</b>

# TAB 5



## 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: Final Committee Report

DATE: August 11, 2023

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Since the Committee delivered its Initial Report to the Judicial Council at its December 9, 2022, General Session, it has continued work on its charge. At the request of the committee, an order was issued on May 11, 2023, extending the committee's term to August 31, 2023, to allow more time to continue its work – specifically to expand on a proposed compensation model and present the model for the consideration of the Judges of the Superior Court.

The Committee presents this final report to the Judicial Council of Georgia as the culmination of the Committee's efforts to provide an update on the current state of judicial compensation in Georgia. As mentioned in the initial report, persistent obstacles include the absence of a uniform compensation structure or standard requiring that compensation be regularly reported or published. While the initial report focused largely on the first two purposes of the Committee, this final report is largely dedicated to the third purpose: developing, evaluating, and recommending options to revise or eliminate the system of county-paid supplements.

In completing each of the tasks required by the Supreme Court Order creating it, the Committee and the assigned Judicial Council/AOC staff have endeavored to provide a transparent process, to be open to suggestions and criticism from all stakeholders and to craft a solution to these long-standing problems which is fair and beneficial to all concerned and serves to improve the administration of justice. The Committee, therefore, submits this final report which includes its proposal for compensation reform set forth in Section 5.

Attachment

**Judicial Council of Georgia  
Ad Hoc Committee on  
Judicial Salaries and Supplements**

**Final Report**

**August 18, 2023**



## Section 1: Introduction/Committee Background

The Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements was created by Supreme Court Order, on May 26, 2022, for the following purposes:

1. To update and expand upon the December 16, 2016 report of the General Assembly's Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for justices of the Supreme Court, judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials' salaries or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The committee's initial term was set June 1, 2022 through May 31, 2023, unless extended by further order. At the request of the committee, an order was issued on May 11, 2023,<sup>1</sup> extending the committee's term to August 31, 2023, to allow more time to continue its work. An initial report<sup>2</sup> was provided to the Judicial Council on December 9, 2022. Led by Co-Chairs Justice Charles J. Bethel and Chief Judge Russell Smith, the committee includes representatives from every class of court, district attorneys, public defenders, local government, constitutional officers, court administrators, and the State Bar of Georgia, as voting members, and advisory members.

The committee held six meetings – July 12, 2022, September 22, 2022, November 17, 2022, April 28, 2023, July 25, 2023, and August 10, 2023. Following discussion at the July 12, 2022, meeting, the co-chairs created three subcommittees to organize and advance the committee's work: Outreach and Feedback, Metrics and Measures, and Trial Courts of Limited Jurisdiction. The Trial Courts of Limited Jurisdiction Subcommittee met on October 12, 2022, and sought to bring together disparate trial court compensation data.<sup>3</sup> The Outreach and Feedback Subcommittee met on February 6, 2023, to plan for a

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<sup>1</sup> The Extension Order appears as Appendix A of this report.

<sup>2</sup> The Initial Report appears as Appendix I of this report.

<sup>3</sup> See Trial Courts of Limited Jurisdiction overview appears as Appendix B of this report.

survey of superior court judges. The survey was open for responses from March 15, 2023, to March 31, 2023; the results of which were presented at an April 13, 2023, meeting of the subcommittee. The findings were presented to the full committee on April 28, 2023.<sup>4</sup>

The December 15, 2016, Report of the Commission on Judicial, District Attorney and Circuit Public Defender Compensation and the Initial Report of this Committee issued in December 2022 are part of the appendix to this report. While there is, therefore, no need to reiterate them in full, a brief summary may be helpful in providing context to the information contained in this Final Report.

The 2016 Report was issued by a committee created by the General Assembly. Among other things, it extensively outlined the history of judicial, district attorney, and public defender compensation in the state and concluded that this state's system of compensating these officials was "riddled with anomalies and inconsistencies." The Commission noted that not only was there a vast disparity (at that time \$75,200) between the pay of the highest and lowest paid superior court judges, but also that many superior court judges earned substantially more than judges of the Court of Appeals and justices of the Supreme Court. The Commission identified as negative consequences of these problems the "reasonable perception" that the compensation structure was unfair, which the report notes can lead to decreased morale and increased turnover.

It further declared that Georgia's system was "an outlier among outliers" as no other state system results in such a disparity in pay; and recommended that the system of compensating all such officials be reformed.

The 2016 Commission and the current Judicial Council committee have both focused on the system whereby judges and attorneys who are state employees may receive a salary "supplement" from their counties in addition to their state salary as a central element producing the negative consequences identified in the 2016 Report.

This Committee's initial report noted that the inconsistencies and disparity noted in the 2016 Report still persist: currently 59 percent of superior court judges earn more than Supreme Court justices and judges of the Court of Appeals. In Georgia, the 8<sup>th</sup> largest state by population, the compensation of justices of the Supreme Court ranked 31<sup>st</sup> (which has now fallen to 35<sup>th</sup>) in the Nation and that of Court of Appeals judges ranked 21<sup>st</sup> (now 23<sup>rd</sup>).

The disparity of pay between the highest and lowest paid superior court judges stands at \$68,200. As a consequence, Georgia superior court judges could be ranked fourth or 43<sup>rd</sup> among our sister states depending solely on the local supplement provided by their local governments. Meanwhile, *the state paid portion* of the salary of Georgia superior court judges was the second lowest in the nation, with only West Virginia being lower. The report further noted that an additional disparity among the superior court judges exists

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<sup>4</sup> See Superior Court Judge Salary Survey appears as Appendix H of this report.



related to their retirement compensation as approximately half of the judges do not receive any retirement on the county supplements which they receive.

The Committee presents this final report to the Judicial Council of Georgia as the culmination of efforts to provide an update on the current state of judicial compensation in Georgia. As mentioned in the initial report, persistent obstacles include the absence of a uniform compensation structure or standard requiring that compensation be regularly reported or published. While the initial report focused largely on the first two purposes of the Committee, this final report is largely dedicated to the third purpose: developing, evaluating, and recommending options to revise or eliminate the system of county-paid supplements.

In completing each of the tasks required by the Supreme Court Order creating it, the Committee and the assigned Judicial Council/AOC staff have endeavored to provide a transparent process, to be open to suggestions and criticism from all stakeholders and to craft a solution to these long-standing problems which is fair and beneficial to all concerned and serves to improve the administration of justice. The Committee, therefore, submits its proposal for compensation reform set forth in section 5 of this report.

## Section 2: Updates Since the December 2022 Report

This Section will provide a brief overview of the changes in judicial compensation that have occurred since the Committee's initial report in December 2022. This includes changes during the 2023 Legislative Session as well as review of the most recent National Center for State Courts (NCSC) Salary Tracker tool.

### 2023 Legislative Session

HB 19, or the FY 2024 General Budget, included a \$2,000 cost-of-living adjustment, which included all judges of the appellate, superior courts, and State-wide Business Court. This year's increase was a simple \$2,000 salary increase for all employees, effective July 1, 2023. The table below shows the updated state-paid salaries for judges following the passage of HB 19:

**Table 1: HB 19 Impact on Judicial Salaries**

	<b>FY23</b>	<b>FY24</b>
<b>Supreme Court</b>	<b>\$184,112</b>	<b>\$186,112</b>
<b>Court of Appeals</b>	<b>\$182,990</b>	<b>\$184,990</b>
<b>State-wide Business Court</b>	<b>\$182,990</b>	<b>\$184,990</b>
<b>Superior Court</b>	<b>\$139,970</b>	<b>\$141,970</b>

In addition to HB 19, two pieces of local legislation passed during the 2023 legislative session which updated local supplements to superior court judges. HB 265 updated the

supplement for superior court judges in the Rockdale Judicial Circuit from \$25,253 to \$30,000.

HB 694 updated the supplement in the Stone Mountain Judicial Circuit as well as the salaries for the many positions tied to superior court judges in that circuit. The legislation increased the Stone Mountain Judicial Circuit's supplement to \$80,200, bringing them up to the highest current supplement amount on par with the Augusta and Columbia Circuits.

In addition to local legislation, at least three other circuits have increased their supplements since the 2022 Report (Flint, Piedmont, and Western).<sup>5</sup>

### **January 2023 NCSC Salary Comparison**

The 2022 Initial Report referenced the July 2022 NCSC salary tracker for all comparisons. In the time since, NCSC has released its January 2023 report (at the time of the drafting of this report the NCSC is currently drafting its July 2023 report, but it is unlikely to be published before the expiration of this Committee)<sup>6</sup>.

The January 2023 Report ranked Georgia 35<sup>th</sup> for Courts of Last Resort (31<sup>st</sup> in July 2022), 23<sup>rd</sup> for Intermediate Appellate Courts (21<sup>st</sup> in the July 2022 Report), and 24<sup>th</sup> for Court of General Jurisdiction (23<sup>rd</sup> in the July 2022 Report). These amounts do not reflect the COLA amounts mentioned in the previous section due to the timing of the Report, however it is notable that, as a result of recent increases in judicial salaries in other states, all classes of court saw a decrease in their rankings since the writing of the initial report. As the initial report emphasized, because of Georgia's unique system of compensation it is difficult to compare the salary of superior court judges to that of general jurisdiction trial court judges in other states. The National Center uses a median salary for superior court judges in its rankings.

## **Section 3: National Landscape**

Staff to the Committee conducted research to assess the various models and mechanisms by which individual states determine judicial salaries. The overarching finding is that no two states are exactly alike in the manner salaries are set, with each state utilizing its own, tailor-made methodology to best reflect its respective values and legislative nuances. Even with the variance in models, other than Georgia, each state still has a well-defined system in place with certain structures gaining popularity over others.

This research assesses the most common models within the perspective of comparative states to Georgia in terms of population, and geographic location. These states include North Carolina, Michigan, Virginia, Illinois, Ohio, Pennsylvania, and Tennessee. Ultimately, this research demonstrates the various options employed by other states,

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<sup>5</sup> For the full updated compensation for superior court judges see Appendix G.

<sup>6</sup> <https://www.ncsc.org/salarytracker>

providing a range of methodologies for the possible adoption of a new judicial salary and supplement system within the state of Georgia.

Base Model Format: Statute, Appropriations, or Commission

States use three different base formats to structure judicial salary determinations, with some states adopting a hybrid format. These methods include statute, annual appropriations or salary legislation, and judicial salary commission oversight.

### *Salary Setting Via Statute*

Several states set judicial salaries via statute. To amend the salaries beyond the amount provided in statutory language, the state legislature must pass a new statute. Importantly, when salaries are fixed purely in this manner, there are no set review periods; rather, it is entirely at the state legislature's discretion. This model sets judicial compensation under the control of state legislatures. Some version of a statutory model is by far the most common approach among the various states, with thirty-one out of the fifty states adopting this format.

Various methods of statutory salary setting are used across the different states (e.g., computational or correlation with federal district court judicial salaries) with some states adopting hybrid measures to account for changes in economic conditions or other fluctuations. While these various methods address the lack of routine review inherent within a statutory judicial salary scheme, the statutory format still allows the legislature to maintain strict control over the timing of any reviews and subsequent updates. Many of the states that opt for a statutory format will include an expiration date within the statute itself. For example, Ohio's judicial salaries are set via O.R.S. § 141.04 which stipulates salaries through 2028. By this same token, desired changes to the statutory code require the political capital and procedural process for realization. As such, this method is typically less adaptable or flexible to meet the more immediate needs of the state as a whole and state judiciary.

### *Statute Format in Comparative States*

Of the comparative states, Tennessee, Pennsylvania, Ohio, and Michigan employ a purely statutory format for judicial salary and supplement setting. Virginia utilizes a quasi-statutory approach combined with an appropriations bill determining annual judicial salaries. In this method, the statute codified in Virginia Code § 17.1-415 sets the Virginia Court of Appeals salary as equal to ninety-five percent of the Virginia Supreme Court salary. All other judicial salaries are established via the general appropriations act each year.

Notably, Illinois previously used the statutory method but transitioned to an annual appropriations bill in 2015. These changes occurred against a backdrop of legal disputes between Illinois lawmakers and the judicial and executive branches citing a lack of consistency in judicial salaries that reflected state budgetary allotments. Currently,

judicial salaries in Illinois are subject to continuing appropriation, with automatically renewing percentage-based salary increases built into the budget.<sup>7</sup>

### *Salary Setting Via Appropriations Bill*

Alternatively, eleven state legislatures determine judicial salaries within the greater state budget via routine appropriations legislation. Undoubtedly, this format provides the most opportunity for review and amendment in accordance with state budgetary allowances based on present economic conditions. On the other hand, states that adopt this method rarely have judicial input, relegating judicial compensation determinations to the state assembly as part of broader budgetary strategy. Some exceptions to this apply; such as in Delaware, where a commission recommends the appropriate range for the legislature to determine the specific figures within its general appropriations bill.

### *Appropriations Bill Format in Comparative States*

Only two comparative states adopt a pure appropriations bill format: North Carolina and Illinois. Neither state has a commission providing judicial input or review. In fact, Illinois abolished its commission in 2009 prior to the sweeping format changes mentioned previously in 2015. As also previously mentioned, Virginia adopted a quasi-statutory and appropriations approach in which salaries beyond the percentage formula of the Virginia Court of Appeals are specified in the general appropriations act each year.

While not an official comparative state, South Carolina utilizes a hybrid statute and appropriations bill format. Essentially, the legislature sets the chief justice base and then S.C. Code 14-1-200 requires all other judicial salaries to be set as a percentage of the chief justice as detailed within the statute.

### *Salary Setting via Appointed Commission*

Finally, ten states use a format in which a specially delegated commission is assigned to review and determine judicial salaries. The composition, authority, and timing requirements of these commissions vary state-by-state. Some states elect to have multibranch representation on the commission, while select others only appoint representatives from the judiciary (i.e., New York, Oklahoma, Maryland, and Louisiana). Importantly, states with a salary commission format empower them with binding authority (except for Louisiana). Within each commission format state in which binding authority is granted to the oversight body, the legislature still retains the power to override the commission's final decision by majority vote.

The required timing of review varies across each commission format state. For example, Arizona and Oklahoma have specific review requirements determined by the legislature in its grant of authority to the commission, whereas the commissions of Arkansas, Delaware, Hawaii, and Missouri have no set timing requirement. Oklahoma requires its Board on Judicial Compensation, a commission comprised of members of the judiciary

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<sup>7</sup> <https://www.civicfed.org/iifs/blog/why-illinois-lawmakers-stand-receive-pay-increases>

only, to review judicial salaries every third Tuesday of September in every odd-numbered year.

Some states have a commission to provide oversight, though it is not their primary format for setting state judicial salaries. For example, Connecticut has a Commission on Judicial Compensation with advisory (non-binding) authority and comprised exclusively of members of the state judiciary. However, the state's primary format for setting judicial salaries is codified within its statutory scheme. New Hampshire has a statutory scheme but is currently reviewing a possible transition to the commission format entirely as of 2023.

### *Commission Format in Comparative States*

As previously stated, no comparative state leverages the commission format; and only Michigan still maintains a commission with advisory, non-binding authority. The stated purpose of this commission, the State Officers Compensation Commission, is to provide routine oversight and recommendations for judicial compensation to the state legislature for review. The multibranch commission is required to meet no more than fifteen days after January 31<sup>st</sup> of every odd-numbered year. While the commission's recommendations were originally automatic and binding, they were changed in favor of a statutory format in 2002. Since that time, judges, and other state officers subject to the commission, have found it more difficult to receive pay increases.<sup>8</sup>

Base Model Methods: Computational; Standalone Bill; Federal/Other State Correlation

Within the three previously detailed model formats, states further utilize several different methods to determine judicial salaries. While these methods vary significantly, a few key approaches have been most widely adopted including: computational (specific figures or percentage structure), standalone bill, or tie to federal or other states' judges.

### *Salary Setting via Computation*

In this context, a computational structure stipulates the salaries for each judicial role, often also outlining any salary increase structure within the statutory framework. For example, Tennessee Code § 8-23-103 fixes the chancellors, circuit court judges, criminal court judges, and law and equity salary at \$78,000 per annum.<sup>9</sup> Within the same statute, any change in increase is determined by a formula provided in Tennessee Code § 8-23-101. This method is the most common among states implementing any of the formats previously discussed. Twenty-five states have implemented at least a partial computational component to their judicial salary structure. Legislatures will often include an expiration date at which point the legislature must review and then renew or update the statute accordingly.

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<sup>8</sup> <https://www.lansingstatejournal.com/story/news/2021/05/07/commission-recommends-2-percent-raise-michigan-governor-sos-ag-legislature-justices/4988214001/>

<sup>9</sup> Per NCSC the pay for such judges is \$194,808 as of 1/1/2023

## Section 4: Superior Court Salary Survey

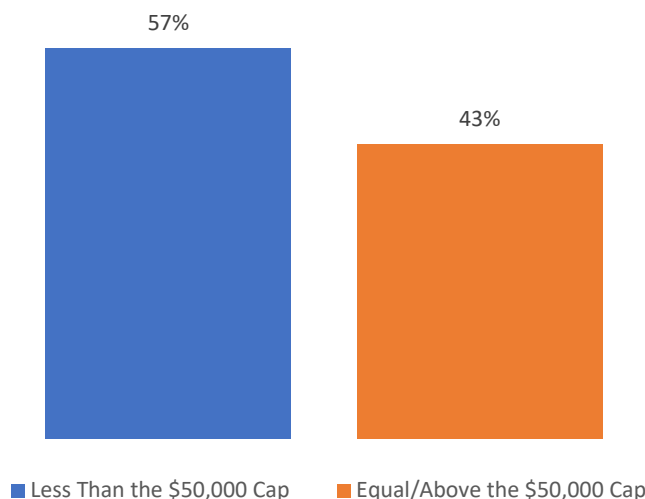
The Outreach and Feedback Subcommittee of the Ad Hoc Committee on Judicial Salaries and Supplements administered a survey from March 16, 2023, through March 30, 2023. The results of this survey were distributed to all Judicial Council members and formally presented to the Ad Hoc Committee on Judicial Salaries and Supplements on April 28, 2023. The survey asked questions regarding tenure profile, local supplements, number of counties per circuit, retirement on local supplements, and general questions about the overall compensation system. The response rate was strong with 187 (84 percent) superior court judges responding.

### Demographics

The first four questions of the survey asked respondents demographic questions. The first question, regarding years of service as a superior court judge, did not indicate any association with other answers in the survey. On the other hand, the question regarding local supplements did show some grouping on certain questions. As such, the results of question #2 are displayed below in Figure 1.

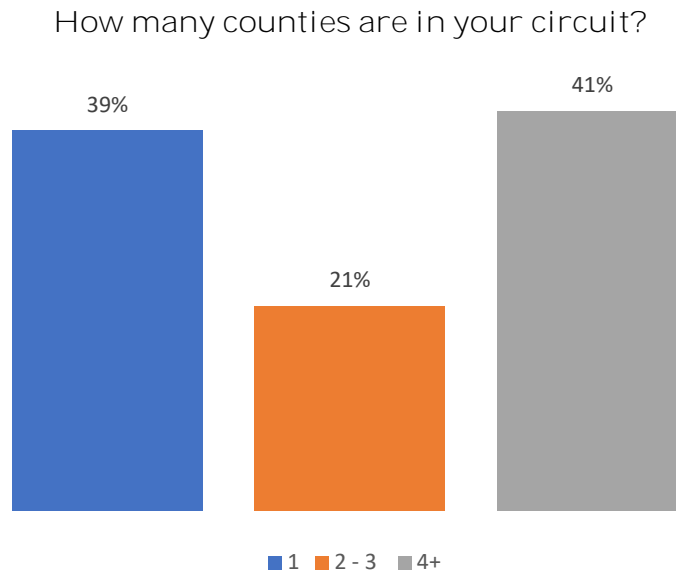
**Figure 1: Question #2 Superior Court Salary Survey**

Are the local supplements paid by your circuit/counties?



This response rate shows that while response rates for both groups were strong, judges who make less than the \$50,000 cap were more likely to respond. A few trends exhibit an association with how judges responded to this question. Similarly, the number of counties in the judge's circuit showed an association with other survey responses. The results to this question can be found below in Figure 2.

**Figure 2: Question #3 Superior Court Salary Survey**



Of the responding judges, most judges come from a circuit comprised of two or more counties. One-county circuit judges had a 76 percent response rate, two/three-county circuits had an 85 percent response rate, and the four or more category had a 94 percent response rate. This indicates judges from circuits with multiple counties were more likely to respond to the survey overall.

#### Compensation

Judges were asked to rate their compensation satisfaction with one of the following: extremely satisfied, very satisfied, somewhat satisfied, dissatisfied, or very dissatisfied. The most common response at 44 percent was “somewhat satisfied.” All in all, 63 percent were at least somewhat satisfied with their compensation.

The survey also asked if the current compensation system is fair to all superior court judges. With a strong majority, 81 percent stated they did not believe the system is fair to all superior court judges. Similarly, another question asked respondents if they think Georgia appellate judges should receive a higher compensation than trial court judges. Another strong majority of 70 percent stated appellate court judge salaries should be higher than trial court judge salaries. These two responses indicate a widespread desire for reform to fairness in judge compensation in Georgia.

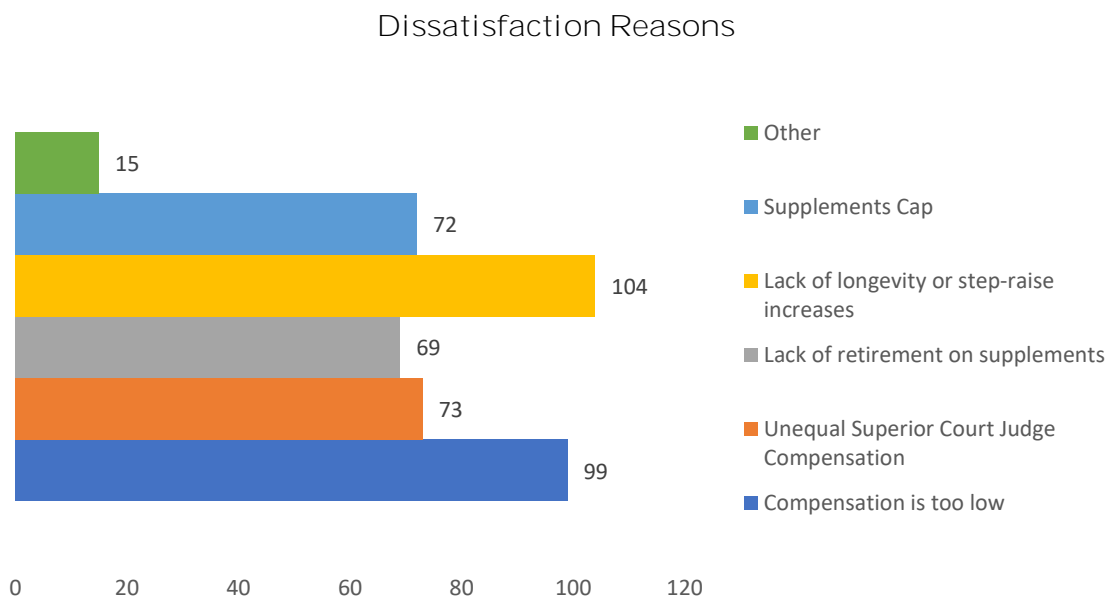
Another question asked if the respondents believed the current compensation system adversely affects the ability to attract and retain qualified lawyers to the bench. Overwhelmingly, 151 (81 percent) reported that they believe current compensation rates discourage qualified lawyers from joining their circuit bench. A later section of this report outlines some of the key differences between judges receiving a supplement below the cap versus those receiving a supplement equal to or above the cap. Importantly, there appears to be strong agreement between both groups on this issue. 85 percent of those below the

cap and 75 percent of those equal/above the cap believe current compensation discourages qualified lawyers.

#### Overall Dissatisfaction

Taking a closer look at the issues with compensation, respondents were asked to select from a slate of concerns. The results of which can be found below in Figure 3. It's important to note that while only 70 respondents reported being dissatisfied or very dissatisfied with their compensation, 164 of the 187 respondents gave a dissatisfaction reason.

**Figure 3: Question #7 Superior Court Salary Survey**



The two dominant selections were a lack of longevity or step-raise increases (104) followed by compensation (99). This question shows that while issues like retirement benefits and supplements play a role in the issues, most superior court judges take issue with their direct compensation.

The judges were also asked if they have ever considered leaving their position due to their compensation. While 38 percent stated they have never considered leaving their position for this reason, a combined 62 percent of respondents indicated they at least occasionally make the consideration.

#### Supplements

Since all judges now receive a local supplement in addition to state compensation, this survey also included important information related to supplements. As outlined above, the second question of the survey asked if respondents received at least \$50,000 in local supplements. Another question asked if respondents felt the current system of supplements should be modified, eliminated, or phased out in favor of a uniform system



of compensation. 57 percent stated a new uniform system should replace the current supplement system.

There is some association between the number of counties per circuit and support for reforming to a uniform compensation system. 82 percent of respondents in circuits with four or more counties supported the uniform system approach. There was a slight decrease among the two to three county circuit respondents, with 51 percent favoring the reform. Only 35 percent of respondents from single-county circuits supported modifying, eliminating, or phasing out the current supplement system in favor of a uniform system of compensation.

Respondents were also asked about their support for a cost-of-living supplement tied to an objective measure such as the Consumer Price Index. 71 percent of judges supported this measure. Interestingly, there was very little disparity between the two cohorts surrounding the supplement cap issue. 73 percent of respondents receiving equal to or above the supplement cap supported a cost-of-living supplement. Similarly, 67 percent of those receiving less than the supplement cap supported the cost-of-living supplement. This is not surprising considering current rates of inflation.

#### Supplement Cap

As mentioned above, 57 percent of respondents reported receiving less than the supplement cap while 43 percent receive a supplement equal to or above the cap. As a result, the former had a response rate of 92 percent, and the latter had a response rate of 75 percent – compared to the overall response rate of 84 percent. This means judges who receive a supplement less than the \$50,000 cap were more likely to respond to the survey. Similarly, 94 percent of that same group felt the current system of compensation is unfair – as opposed to the overall response of 81 percent.

78 percent of those receiving a supplement of at least \$50,000 also agreed that appellate court judges should receive higher compensation than trial court judges compared to the overall 70 percent support from all respondents. Only 27 percent of this group supported reforming the current supplements with a uniform supplement system. Interestingly, 79 percent of those receiving less than the \$50,000 cap supported reforming.

#### Retirement

The survey showed retirement benefits are a critical component in superior court judge compensation. Overall, about half (52 percent) of respondents reported receiving retirement benefits on both their salary and supplement compensation. Judges receiving at least \$50,000 in supplements, but no retirement benefits on those supplements, were more likely (68 percent) to support reforming the current supplement system for a uniform one. Juxtaposing the overall 27 percent of those at the supplement cap who support reforming the supplement system, this shows supplement retirement is important to both those receiving supplements. Moreover, the fact that almost half of the judges receive no retirement on their supplements (including some who receive high supplements), is an additional source of disparity, dissatisfaction, and frustration.

## 2016 Report Recommendations

One of the final survey questions asked judges for their views on the recommendations made in the 2016 Report of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission. Regarding these recommendations, 40 percent agreed, 26 disagreed, and 34 percent did not know their opinion. As with other questions, this question indicated grouping based on whether the judge receives a supplement of at least \$50,000. 53 percent of respondents receiving less than the supplement cap agreed with the 2016 recommendations – 10 percent disagreed while 37 percent did not know. In contrast, 26 percent of those receiving at least the \$50,000 supplement cap agreed with the recommendations while 46 percent disagreed, and 31 percent did not know.

## Other Concerns

The final question of the survey allowed judges to include additional comments or concerns. Some of the prominent suggestions in these responses included:

- Tie pay to federal judge compensation;
- Update the base salary while still allowing some local supplements;
- Remove/modify the cap on local supplements;
- Introduce mechanisms to have all judges receive retirement on their full compensation;
- Create ways to automate salary increases through tenure or through CPI adjustments;
- Follow the recommendations of the CSCJ Compensation Committee

The proposal included in this final report takes into account much of the input received from the survey of superior court judges and attempts to build a plan that would address many of the concerns highlighted in this Section.

## Conclusions

This survey showed divergent viewpoints on two major distinctions. The most consistent division was dependent on whether a judge reported receiving at least \$50,000 in local supplement compensation. If they received less than the cap, then they probably had a stronger appetite for reform to overall compensation and uniform standards for supplements. Opposite that, those receiving at least \$50,000 in local supplements were mostly concerned with reforming retirement benefits – if they had major concerns at all. The other point of divergence was along number of counties per circuit. The more counties in a circuit, the more likely a judge was to prefer reforms to supplements or overall salaries.

All in all, the most agreement came on two questions in the survey. More than four out of five judges agreed that the current compensation system is unfair. The exact same percent (81 percent) also agreed the current compensation system is an obstacle to attracting and retaining qualified lawyers to the benches across Georgia. The ultimate recommendations of this report seek to address all the concerns found in this survey, bring more fairness to the system, and seek out the next generation of jurists.

## Section 5: Compensation Plan Proposal/Proposed Salary Structure

As the committee has continued to gather research and seek out the opinion of superior court judges, it has undertaken the effort to develop and evaluate proposals to revise or eliminate the system of county-paid supplements. The committee sought the input of all superior court judges through its survey conducted in March 2023 and welcomed proposals at and following its April 28, 2023, meeting. At the April meeting various concepts and proposals were presented and discussed by the Committee. Following discussion, the Committee voted to further explore and expand upon a concept presented by Committee Co-Chair Justice Bethel. In the wake of that decision, the co-chairs created a working group to further develop the proposal. This Section highlights the proposal and the efforts of the working group to add necessary detail.

**Through the committee's work on the** initial report and the responses to the survey of superior court judges, it has been clear that any proposal would need to: (1) Correct the substantial, long-standing disparity in the compensation of superior court judges (2) bring stability to the compensation structure of state-paid judges, (3) address the stagnation in judicial pay, and (4) account for differences in cost-of-living. In addition to these considerations, any plan is also limited by constitutional provisions protecting the compensation of superior court judges as well as preventing the General Assembly from binding future sessions of the legislature.

These considerations, in addition to the **committee's interest in protecting vested and** expectation interests of sitting public servants, drive the form of the proposed compensation model. One of the key elements of this proposal is to begin with a base salary with the prospect for steady increases over time. This model couples that base salary with the opportunity for a maximum authorized salary subject to the General **Assembly's** appropriations process. The model accounts for how to grandfather sitting judges into their current compensation and retirement benefits. The proposal uses a benchmark to create certainty for budget submissions at the beginning of each fiscal year. It does not attempt to provide the legislative framework that would be needed should this model be supported by the Judicial Council and superior court judges.

### Creating a Base Rate Salary Structure

The idea of creating a base rate to which judicial salaries can be tied is a very important piece **to the proposed model. Currently, Georgia's judicial salaries are set by statute. To** update the underlying salary for state-paid judges, a bill making statutory changes must **pass the General Assembly and receive the Governor's signature.** Moreover, an approved adjustment often cannot be funded in the budget process without reducing another expenditure in the draft budget. Judges are eligible for and at times receive pay raises or adjustments that apply generally to state employees through the appropriations process, but there is no procedure in place for the salaries of Supreme Court justices, judges of the Court of Appeals and superior court judges to be adjusted regularly as there is for other state employees. This is particularly important for these judges who receive no longevity

increases in pay-the rate of pay is the same for judges with 1 year of service as it is for judges who have served for 30 years. Also, for example, other state employees may receive increases in compensation as a result of longevity increases built into their pay structure, because of increases mandated by law (as is the case with constitutional officers) or as a result of an increase in compensation that results from an increase or change in the amount budgeted. None of these are currently applicable to Georgia appellate or superior court judges. **This structure is one reason that the statutory salary for Georgia’s judges** has remained unchanged since HB 279 (2015). Setting salary via statute appears to be a major contributor to the stagnation of judicial salaries over time. It is also believed to be the primary reason that there was no increase in statutory salary of superior court judges from 1999 until 2015 – a period of 16 years.

This model addresses this problem by providing for a system of regular potential salary adjustments and by limiting the locality pay to a defined maximum percentage of total compensation.

The proposed compensation model would set the maximum authorized salaries of the appellate and superior court judges as a percentage of the compensation of federal district court judges. Additionally, it provides for adjustments to the amount authorized as the pay of district court judges increases, based on the given percentages, but always subject to the discretion of the legislature.

This creates more consistent compensation across the Judiciary and provides certainty for both the judges themselves and appropriators. Additionally, it helps eliminate some of the uncertainty around a statutory salary that may become decreasingly suitable over time. The proposed percentages can be seen below. While specific application differs by state, New York, South Carolina, Utah, and Missouri use federal judicial salaries to set base rates for judicial compensation.

Table 2: Proposed Base Rate Salary Model

	<b>% of Federal District Court</b>	<b>Potential Salary</b>	<b>Current Salary (FY24)</b>
<b>Supreme Court</b>	<b>100%</b>	<b>\$223,400</b>	<b>\$186,112</b>
<b>Court of Appeals</b>	<b>95%</b>	<b>\$212,230</b>	<b>\$184,990</b>
<b>State-wide Business Court</b>	<b>92%</b>	<b>\$205,528</b>	<b>\$184,990</b>
<b>Superior Court</b>	<b>90%</b>	<b>\$201,060</b>	<b>\$141,970</b>

The true benefit of tying salary to federal judicial pay is that it creates a system that builds in potential increases in the base salary rate. The Federal Ethics Reform Act of 1989 ensures that federal judges receive annual adjustments in their pay so that their compensation is not eroded by inflation. By using district court pay as the base rate, the plan will remove the need for standalone salary increase bills in the General Assembly and address salary stagnation concerns. As previously mentioned, the statutory salary of

state-paid judges **hasn't changed since 2015**; the table below shows how federal judicial pay has changed over that time.

**Table 3: Federal Judge Salaries 2016-2023**

Year	District Judges	Circuit Judges	Associate Justices	Chief Justice
2023	\$232,600	\$246,600	\$285,400	\$298,500
2022	\$223,400	\$236,900	\$274,200	\$286,700
2021	\$218,600	\$231,800	\$268,300	\$280,500
2020	\$216,400	\$229,500	\$265,600	\$277,700
2019	\$210,900	\$223,700	\$258,900	\$270,700
2018	\$208,000	\$220,600	\$255,300	\$267,000
2017	\$205,100	\$217,600	\$251,800	\$263,300
2016	\$203,100	\$215,400	\$249,300	\$260,700

*Source: uscourts.gov*

To account for the timing and appropriations process differences between the state and federal governments, the proposal contemplates setting the base rate as the first date of the fiscal year preceding the fiscal year in which the budget is presented. State agencies must submit their budget each fall (September 1) for the fiscal year that begins the following July. The model could work with linking the base rate to the first day of the prior fiscal year or any other point as defined by the policy making branches. The key element is the predictability of a date preceding the initiation of the budget process.

**It should also be noted that the new base rate salary structure would replace the current combination of statutory pay and accountability court supplements, creating a single uniform state salary. As noted in the initial report, all judges currently receive the additional \$6,000 accountability court supplement. Obviously, if the policy making branches discern the continuing need to specifically incentivize accountability court creation, a targeted supplement for that purpose could be incorporated into the model.**

### Maximum Authorized State Salary Concept

The base rate salary structure answers many of the needs outlined in the initial report and the survey. However, a successful compensation plan must ensure it is legislatively and constitutionally compliant. In Georgia, the General Assembly cannot pass laws that bind future sessions of the General Assembly. Any means to create salary escalation must adhere to these principles.

To do this, the proposed plan adopts the concept of a maximum authorized state salary. This ensures that any salary increase is subject to appropriation while also creating a floor **of the previous year's salary. This would require that, each year, the maximum authorized salary for each position is equal to the aforementioned percentage of the federal district courts.** This brings certainty to the budget submission process by giving the courts a

framework for salaries they will request each year; however, it does not bind the legislature to approve the funding for any requested increases.

For example, due to abnormally high inflation, the salaries of federal district court judges increased at an above average rate from 2022 to 2023. The courts could request the full increase for each judge; however, the legislature retains full discretion to fund any amount **between the maximum authorized salary (\$232,600) and the previous year's salary (\$223,400).**

## Locality Pay

Throughout this process it has been very clear that, while the supplement system has created issues throughout the State, the cost of living may vary from circuit to circuit or even within a circuit.

The 2016 Report called for the eventual elimination of county supplements. The Chief Justice's Order which established this Committee requires it to **"...develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements..." [emphasis supplied]. The Chief Justice's Order goes on to provide that options identified by the Committee must be "practically and politically feasible."** Whether or not it is preferable to completely eliminate county supplements, the enormous disparity in compensation between the highest and lowest paid Superior Court judges has rendered it practically and politically infeasible to completely eliminate any form of county-paid compensation.

This proposal introduces the idea of an authorized locality pay which would permit but not require counties to offer a set percentage of the state pay to offset an increased cost-of-living in their circuit.

The proposal would include an optional locality pay of up to ten percent of the state salary paid to superior court judges. The ten percent limit prevents the system from devolving into a more muted version of the current compensation system. While the committee discussed tying locality pay to an objective economic indicator, it ultimately decided to include locality pay as an option for counties. That way, each county in each circuit can choose to bolster the salary of judges in areas where cost of living may be higher.

By setting the locality pay as a relatively small percentage of the state salary, the county-paid compensation does not become a salary replacement. Most importantly, however, notwithstanding the inclusion of such a provision, the proposal dramatically reduces the disparity in compensation. It also ensures that the compensation of superior court judges does not exceed that of the justices of the Supreme Court and will not substantially exceed that of Court of Appeals judges.

In addition, the committee proposes that it should be left to the counties to decide if they would like to pay additional retirement benefits based on the locality pay. For multi-county circuits, the locality pay would be divided by the counties in the manner they so

choose, similarly to the way supplements are paid today. Judges in multi-county circuits would not be entitled to receive total locality pay exceeding the ten percent limit. The table below shows the impact of ten percent locality pay for the maximum authorized salary in FY24 and FY25.

Table 4: Potential Locality Pay in FY 2024 and FY 2025

<b>FY</b>	<b>Maximum Authorized Salary</b>	<b>10% Locality Pay</b>	<b>Total Salary</b>
<b>2024</b>	<b>\$201,060</b>	<b>\$20,106</b>	<b>\$221,166</b>
<b>2025</b>	<b>\$209,340</b>	<b>\$20,934</b>	<b>\$230,274</b>

Ultimately, this would create a system not unlike Texas where counties are able to offer a supplement, but the amounts are strictly capped on a yearly basis to prevent a wide disparity amongst its judges. Locality pay ensures counties that feel the state salary is not enough to be competitive in their area may continue to offer additional incentives, while still eliminating many of the negative aspects of the current supplement system.

In addition, to protect annual compensation of sitting judges the proposal acknowledges that certain circuits currently offer additional supplements to chief judges above the total circuit supplement. This proposal suggests that any existing supplements for chief judges be allowed to continue at the maximum supplement at the time of implementation of the plan (see Compensation Commission section for further recommendations related to Chief Judge compensation).

## Grandfathering

One of the most important and challenging aspects of proposing a compensation model is grandfathering sitting judges to ensure their compensation is protected. For example, in the 2016 Report, the final plan proposed a state salary of \$175,000<sup>10</sup> and allowed judges to either accept the new state pay while giving up their local supplement or to continue their current compensation plan. All new judges would have received the first option, eventually replacing judges who chose to remain in their current compensation plan until all judges were included in the new state pay option.

**This committee's proposal will also require some level of grandfathering to ensure it meets constitutional approval.** Since no plan can reduce the compensation of a sitting judge, the plan seeks to fully ensure no judge experiences a reduction in compensation. The proposal also recognizes that because many different circuits offer different levels of retirement benefits on local supplements, protections should also be made to ensure that no judge loses any retirement benefits they earned prior to the enactment of the legislation.

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<sup>10</sup> Per the U.S. Bureau of Labor Statistics CPI Inflation Calculator, that amount (\$175,000), adjusted for inflation would be equivalent to \$216,851 as of January 2023.

To meet constitutional standards and to address concerns from judges about their current retirement plans, the grandfathering portion of the proposal has three tenets: (1) allowing sitting judges to remain under their current compensation with an opt-in clause, (2) ensuring the same annual compensation for all sitting judges, and (3) ensuring that no judge loses any retirement benefits earned prior to the enactment of the legislation.

### *Opt-In*

**As noted, the Georgia Constitution protects an incumbent judge's salary, allowance, or supplement** from being decreased during their term of office. To comply with this provision, the committee is proposing that all sitting judges will have the option to opt-in to the plan at the time of its effective date. Any judges who do not opt-in will remain under their current compensation plan for the duration of their service. Judges who decide to remain in their current plan would continue to receive their current state salary and county supplement, with the ability to increase the supplement to the maximum supplement amount at the time of implementation of the plan. However, it is important that each judge have the ability to evaluate their unique circumstances and make the best financial decision for themselves. By allowing judges to make the decision to opt-in to the new system or continue to receive their current State salary and county supplements, the proposal ensures that all judges can make the choice that best suits them.

All judges taking office after the effective date of the legislation would be subject to the new compensation plan.

### *Annual Compensation*

Depending on the timing of implementation and the level of funding, a small number of judges may need to be partially grandfathered into their local supplement. For example, if this plan was implemented in FY 2024 with the salary of \$201,060, 69 judges would currently receive a higher salary without the proposed model due to local supplements. If a ten percent locality pay were adopted in each circuit, that figure could drop to as low as 18 judges in the first year of the plan.

Due to the nature of the model, these circuits would be caught up quickly depending on **the legislature's willingness to fund the maximum authorized salary in FY 2025**. If the new maximum authorized salary were adopted in FY 2025, the number of judges currently receiving a higher salary drops to 49. Depending on the locality pay, it could drop to as low as zero.

By creating the potential for more regular increases, this plan would, foreseeably result in the amount of compensation under the **"new system" being equal to or exceeding that of the maximum total compensation under the "old" system within a few years, if not immediately**. Under the 2016 plan, the state would have remained under two different compensation systems for a much longer period. This committee feels that a shorter period with two compensation systems will lead to greater simplicity and equity.



## *Retirement*

**One of the major concerns that has arisen over the course of the committee's work on a new compensation model** is how any change in the supplement structure could impact the retirement benefits of sitting judges. As outlined in the initial report and confirmed through the survey of superior court judges, the current retirement landscape for superior court judges has very little uniformity on a circuit-to-circuit basis, let alone throughout the state. Fifty-two percent of survey respondents reported receiving retirement on their supplements; however, that figure was fifty-nine percent for judges receiving at least \$50,000 (the cap) in supplements. The report also noted that there was a subset of judges who received at least \$50,000 in supplements but felt the system needed to be revised. Many of these judges pointed to frustrations with retirement benefits not capturing their full earnings.

**By shifting compensation largely into the state's purview, judicial retirement benefits** would be greatly improved by capturing their full compensation through the state and the Judicial Retirement System. However, any plan must also consider those judges who currently receive varying degrees of retirement benefits on their supplement. While this plan aims to eliminate or reform supplements, it is not the intention of the committee to negatively impact benefits that have been offered to sitting judges.

To accomplish this, the model proposes grandfathering existing retirement benefits that have been offered to sitting judges. This could lead to judges in counties with generous retirement benefits receiving a substantial increase in their state retirement benefits while also being paid retirement on a supplement that they may no longer receive. However, because commitments have been made and resources have already been dedicated, those plans should be protected.

Judges who are vested in their county retirement benefits should receive the full amount of those benefits. In addition, sitting judges would be permitted to continue to participate in their existing county retirement systems even if they opt-in to the new compensation plan as authorized by their county plans.

The proposal also does not seek to limit any current non-retirement, or fringe benefits, that are currently offered to judges by their counties. Counties that currently offer health, dental, life insurance or other benefits should be allowed to continue to offer such benefits after implementation.

## Potential Expansion of the Model

**The committee's Initial Report, in building out from the 2016 Report, highlighted that** the disparate compensation landscape is not limited to superior court judges. District attorneys, assistant district attorneys, circuit public defenders and assistant public defenders are also involved in the complexities of the current compensation model. While this final report is largely focused on superior court judges, this model could certainly be adapted to include both groups in time. Studying the national and in-state county-to-

county differences for these positions was beyond the scope and resources of this committee. However, the maximum authorized salary structure for district attorneys and circuit public defenders could be set up in a similar manner with percentages tied to federal district court pay. Current pay scales for assistant district attorneys and circuit public defenders could be altered to fit within the new district attorney and circuit public defender salary amounts.

The committee recognizes this would include additional resources as well as the will of both these groups and policy makers to pursue this change to their existing compensation model. This plan is created to be adaptable to cover these positions in addition to superior court judges.

### Compensation Commission

**As this report's review of the national judicial compensation landscape** has shown, many States have commissions specifically designed to either review or propose recommendations on judicial compensation. While this plan creates a structure for state paid judges that may not require yearly alterations, the complexities of judicial compensation require attention more often than what is currently offered. This committee has found it beyond its scope and resources to identify compensation for every judge of a court of limited jurisdiction. The initial report compiled enough data to reveal that district attorneys and public defenders also experience great difficulties and disparities in compensation under the current system. A commission with the ability to further study the issues surrounding these groups would benefit the state.

The Committee also believes that potential legislation should add reporting requirements to shed further light on the parts of the judicial system this report was unable to fully explore. A permanent commission could provide additional transparency to the public around compensation and the recruitment and retention challenges facing the judiciary, district attorneys, and public defenders.

It is further proposed that as one of the first matters of business the Compensation Commission should study the current landscape of additional supplements offered to chief superior court judges throughout the State. In addition to collecting information the Commission should weigh the idea of creating state-paid supplements for chief superior court judges, as well as both the Chief Judge of the Court of Appeals and the Chief Justice of the Supreme Court to compensate them for their substantial administrative duties.

Any potential commission should include membership from all three branches of government and the general public. The creation of a commission would also ensure that issues around judicial compensation are addressed on a more consistent and effective basis. The status quo seems to be different commissions, or in this case a committee, being established by different groups over irregular periods of time to find similar issues with the judicial compensation system. Continuing to evaluate and review the compensation system at regular intervals would prevent any plan from falling into a state of disrepair.

## Impact of Implementation

Implementing a plan that will fundamentally change the way judges are paid in the State is no small endeavor. Decisions such as these are not made in a vacuum and must fit within the larger fiscal and budgetary picture of the State. The Committee has urged attention not to focus on the final estimated cost projections, but the model itself. However, the price tag is an important piece of actual implementation of the plan. If the plan were implemented in FY 2024 the estimated cost to the State would be \$21,183,726. See below, for estimates by court.

**Table 5: Cost Estimates**

Court Type	Estimated FY24 Cost
Supreme Court	\$ 666,164
Court of Appeals	\$ 811,087
State-wide Business Court	\$ 30,506
Superior Courts	\$ 19,675,969

While some may argue that this is a small percentage of State spending, the committee recognizes that this amount would be a significant request of the legislature. The hope is that the merits of the plan and bringing order to the judicial compensation system will outweigh the costs of the plan.

Arguments may also be made that this is a large salary increase for Georgia's judges. It is indisputable that a large number of judges will receive an increase in their annual compensation. The reality is that the plan is a shifting of the burden of compensation from the counties to the State. The new state compensation will be lower than the current annual compensation for 31 percent of Georgia's superior court judges (locality pay will help offset this difference as mentioned in the Grandfathering Section). Due to the current \$68,200 range in salary, there is no way to implement a plan eliminating supplements that would not result in a substantial salary increase for many judges. However, focusing on those judges who may be receiving large salary increases risks losing sight of what the goal of the proposal is. The proposal largely transfers the responsibility of paying for superior court judges to the State, eliminating the current disparate system which creates so many issues throughout the State. By doing so counties will experience a significant reduction in costs upon the implementation of the plan.

The estimated cost of county supplements for FY 2024 is \$11,007,862 which doesn't even account for any benefits counties may pay on those supplements. That figure means that 26 percent of the annual compensation paid to superior court judges in FY 2024 would be from county governments. \$11,007,862 also represents 56 percent of the estimated cost of implementation for superior court judges. While under this plan counties will still have the option to provide locality pay, it will become what the Committee believes it was

originally intended to be, a supplement to offset cost of living, not more than a quarter of the total salary paid to judges in this State.

### **Courts of Limited Jurisdiction**

An Appendix to this Report will provide further updates on the research into salaries for courts of limited jurisdiction. For the purposes of the proposal, the Committee does not intend to decide for the counties whether they should continue to tie local official salaries to those of superior court judges. For some local officials who are currently tied to the state salary and the county supplement amount of superior court judges, changes made by the plan may be minimal, and in others that may tie salary simply to the state salary, changes could be dramatic. The Committee does not feel that it should dictate to those counties how they should handle any changes resulting from proposals made by this Committee.

As previously noted, the Committee does feel that further study is needed for the compensation of judges in limited jurisdiction courts. The committee believes a new Compensation Commission should further study this issue to address data collection challenges experienced by this committee, as well as the potential for reporting requirements to provide transparency on judicial compensation.

To prevent any disruption the implementation of this plan could have on positions that are currently linked to superior court judge compensation, the proposal would include a delayed implementation date of one year for its impact on local legislation as it pertains to coupled salaries. This delay in implementation would allow local governments time to assess any changes they may need/want to make to their local compensation plans.

### **Section 6: Survey of Superior Court Judges to Determine the Extent of Support for the Committee Proposal**

The final task assigned to the Ad Hoc Committee directed that any plan proposed be “deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.” In accordance with that charge, the committee presented the judicial compensation proposal outlined above both in the form of a written summary and a more detailed narrative, both of which were available at the Council of Superior Court Judges (CSCJ) Summer Conference which took place from July 31 to August 3, 2023. Justice Bethel, Co-Chair, outlined the plan in person at the conference and answered questions, both at the CSCJ Compensation Committee meeting and again in a specially scheduled 2-hour session on August 1. Both sessions were recorded and made available to all superior court judges.

Following the conclusion of the conference, on August 4, all active superior court judges were emailed a poll in which they were asked to respond yes or no to the following question:

“Do you support the proposal of the Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements to revise the system of compensation for Superior Court Judges and other State paid judges in Georgia?”

While individual responses remained anonymous, to ensure the integrity and security of the survey, each judge responding was also required to certify that they were an active, sitting judge. Judges also provided their name, email, and judicial district so that staff could confirm that submitted responses conformed to the identity of the actual sitting judges. At the time of the conduct of the poll, there were 220 active superior court judges.<sup>11</sup>

The survey closed at 11:59 p.m. on August 10, 2023. 212, or 96 percent of active superior court judges responded to the survey. 191 (90 percent) of those judges responded “Yes”, indicating their support of the Committee Proposal and 21 (10 percent) voted “No”, indicating that they do not support the proposal. The votes in support, therefore, represent 191/220 (87 percent) of the active superior court judges.

The Order which created the Committee does not define the term “supermajority.” The Merriam-Webster online dictionary describes a supermajority as “more than a majority, such as two-thirds or three-fifths, that is more than a simple majority.” The Committee respectfully submits that, according to any commonly used measure, a supermajority of the Judges of the Superior Court has expressed support for this plan. Of course, it is for the Judicial Council to determine whether the plan will be recommended by the Council to the General Assembly.

## Conclusion

Georgia is currently the eighth largest state by population.

Georgia’s superior court judges have particularly broad jurisdiction. They preside over all felony criminal cases, including those in which the death penalty is sought as well domestic relations cases, such as divorce, custody, adoption, family violence and stalking. Under certain circumstances superior court judges also hear appeals from the magistrate, probate, and municipal courts.

Superior courts also hear civil cases of every kind and description, including contract and business disputes, and including exclusive jurisdiction as to matters of equity, actions involving title to land, etc.

The compensation of our state judicial officers is a matter of serious concern for the long-term health of our shared State. High-quality court services are essential to the success of Georgia – governmentally, socially, and economically. The work of this committee and

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<sup>11</sup> The polling period opened with 219 judges. One judge was sworn in during the pendency of the poll. Two seats were vacant during the duration of the poll.

prior review demonstrates significant vulnerabilities linked to our compensation model for state judicial officers. Examination of the opportunity costs for judicial candidates and officers as well as a review of appropriate comparators reveal the need for reform. In the interest of attracting and retaining high quality judges and promoting a stable, predictable, and organized system of justice, action before critical design flaws become dangerous impediments to these goals is the wisest course of action.

The Committee's proposal would address the issues that have long been present in our system. Documented efforts to study and revise the supplement system date back to at least 1971.

The 2016 report discussed extensively the adverse consequences resulting from the flaws in the current compensation system. It is not necessary to reiterate them here. Judges are public servants and, as such, are aware that there is a degree of sacrifice to be expected, as such is the nature of "service." No judge should, therefore, seek out the role of a public servant on account of the compensation it provides. Nor, however, should qualified candidates who would serve the State with honor and distinction be dissuaded from serving as the result of a system long in need of reform.

The Committee recommends the proposal to the Judicial Council as:

- Remedying the broad disparities in judicial compensation;
- Protecting the vested interests of judges and ensuring that no judge suffers a reduction in compensation or benefits (as is constitutionally required);
- Reforming the current system primarily by reallocating primary responsibility for the payment of compensation to Judges who are State officers, to the State, as their employer and not simply by increasing the salary of all of the judges as, in fact, many judges will not realize an increase in compensation;
- Fulfilling the charge of the Committee to develop and recommend a feasible plan for reforming the system of judicial compensation that has the support of a supermajority of Superior Court judges; and providing a uniform, predictable, and equitable compensation plan that will benefit the administration of justice in this state.

The Committee recommends to the Judicial Council for consideration its Proposal for Judicial Compensation Reform. This proposal has been prepared by the committee in accordance with its charge and is supported by what the committee submits is more than the required supermajority of superior court judges.

## Next Steps

Having fulfilled the requirements set forth in the Committee's Order, the full report, including the proposal, will be presented to the full Judicial Council at its August 18, 2023, General Session. Should the Judicial Council decide to advance this proposal to the General Assembly, while the work of this Ad Hoc Committee will have been completed,

the next steps would likely include the Judicial Council working to transform the proposal into an actionable item for the consideration of the General Assembly.

With this final report, the committee has now completed to the best of its ability the three tasks set out in its order. As recounted in the report, the committee acknowledges that there is still more information to be uncovered in this field through the creation of a permanent compensation commission, and that continued study will be a benefit to the state.

**Throughout this process, the Committee's Co-Chairs** have acknowledged the challenges of collecting data from so many different sources and **hopes that the Committee's work** sheds additional light on the topic but also on those challenges themselves.

Co-Chairs Justice Charlie Bethel and Judge Rusty Smith and the committee as a whole would like to express sincere appreciation to AOC staff Andrew Zoll, Tracy Mason, Shimike Dodson, and Robby Lee, and AOC contractor Grace Gluck, for their hard work and dedication to this effort. We also extend thanks to the many partners in state and county government, including particularly the staff of the Association of County Commissioners of Georgia, who helped the committee sort through the remarkably challenging process of identifying, categorizing, and documenting the varied compensation structures attached to court related offices in Georgia. Special thanks are also in order to Judge John Morse, President of the Council of Superior Court Judges, Judge Arthur Smith, Immediate Past President of the Council of Superior Court Judges, Shannon Weathers, Executive Director of the Council of Superior Court Judges, the Members of the Compensation Proposal Working Group, including Judge Melanie Cross and Judge Greg Adams, as well as all of the judges who participated in the compensation surveys or provided feedback and input to the Committee. Thank you!

# APPENDICES



# Appendix A: Ad Hoc Committee on Judicial Salaries and Supplements Extension Order



## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Michael P. Boggs  
*Chair*


Cynthia H. Clanton  
*Director*

### Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements Extension Order

Upon request of the Ad Hoc Committee on Judicial Salaries and Supplements for an extension of the initial term of the committee for the purpose of allowing the committee to continue its work on a proposal for modeling compensation for judicial pay, the request is granted and the term is hereby extended from May 30, 2023, until August 31, 2023.

This the 11<sup>th</sup> day of May, 2023

  
Chief Justice Michael P. Boggs  
Chair, Judicial Council of Georgia

  
Presiding Justice Nels S.D. Peterson  
Vice-Chair, Judicial Council of Georgia

## Appendix B: Trial Courts of Limited Jurisdiction

The Trial Courts of Limited Jurisdiction Subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Judicial Salaries and Supplements committee's charge and making recommendations for further study. On December 9, 2022, the subcommittee's Initial Report outlined available information related to this charge. Moving forward, the subcommittee determined the need for the following three data points:

1. How many/which courts have salaries tied to superior court; what is the tie – percentage, salary only, or does it include supplements?
2. What is the specific amount of compensation for each individual court; at a minimum, what is the range of compensation within each class of court?
3. Should there be further study/reform for each class of court in the future?

A summary of these requested data points and other helpful context is provided below. This data comes from three main sources: the 2022 Council of Juvenile Court Judges (CJCJ) Juvenile Court Judges Salary Survey, the 2022 ACCG Salary Survey, and the 2022 Council of State Court Judges (CStCJ) Salary Survey.

### State Court

The following information is from the 2022 CStCJ Salary Survey<sup>12</sup>, including responses from 72 full-time and seven part-time state judges. Excluding one part-time judge, all reporting state courts tied salaries to a percentage of superior court judge salaries. Among full-time courts, the percentage ties ranged from 60 to 100 percent. The resulting estimated (only percentages were reported) salaries ranged from \$83,874 to \$204,413 (at the time of the survey), depending on the tie percentage and local supplements. The average reported estimated full-time salary was \$156,167. The six part-time courts reported a percentage range of 40 percent to 85 percent. Judges fall into a range of supplement circumstances across the responding courts.

This data represents the survey responses of 79 of the 133 state court judges. The Committee does not currently have data on the other 41% of state court judges and how their salaries are determined, leading to a helpful but less than complete picture of compensation for state court judges. Further study is required to determine confident descriptive statistics about this class of court.

### Juvenile Court

The 2022 CJCJ Juvenile Court Judges Salary Survey<sup>13</sup> included responses from 67 judges representing 40 circuits. 28 circuits indicated their salaries were not tied to superior court judge salaries. The 12 circuits that tied juvenile court salaries to the superior courts reported a range of 75 percent to 90 percent tie to the superior court judge salary. SB 315,

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<sup>12</sup> The 2022 CStCJ Salary Survey appears as Appendix C of this report.

<sup>13</sup> The 2022 CJCJ Juvenile Court Judges Salary Survey data appears as Appendix D of this report.

passed in the 2023 Legislative Session, raised one circuit to 92 percent. Like other courts of limited jurisdiction, the survey responses indicated a variety of compensation circumstances. Responses indicated that salaries ranged from a percentage of the superior court salary supplement, the accountability court supplement, a longevity supplement, a local supplement, or no supplement at all. Across all reported full-time salaries, the average juvenile judge salary was \$143,431, ranging from \$100,000 to \$182,270. The most typical (median) full-time salary was \$139,547. The part-time average salary was \$66,650, ranging from \$50,000 to \$99,000.

The CJCJ survey represents 40 of the 50 judicial circuits in Georgia as of July 2021. Supplement data for the 28 circuits who do not tie their salaries to the superior court is incomplete. Even among the 12 circuits tied to superior courts, this subcommittee would benefit from greater context on the compensation details for each juvenile court judge. For example, it is unclear which salaries may be tied to the state salary of superior court judges or the state plus local supplement amount of superior court judges. With an average full-time salary that is 43 percent higher than the lowest salary, more complete data on all 50 judicial circuits would depict statewide juvenile court salaries with greater clarity.

#### Probate Court

The 2022 ACCG Salary Survey<sup>14</sup> provides the best estimate of probate court salaries in Georgia. Their survey received responses from 121 of the 159 probate courts in the state<sup>15</sup>. No responses indicated any probate judge salaries are linked to superior court salaries. Instead, probate judge salaries are determined by county population per state statute. The average reported probate judge salary was \$91,283, with salaries ranging from \$58,524 to \$179,907. Since some probate judges also perform magistrate duties, the ACCG survey median average statistics were split into two groups: judges with magistrate duties (24 judges) and those without (97 judges). Probate judges with magistrate duties had a median average salary of \$81,760, while those without magistrate duties had a median of \$84,478. While most probate court judge salaries are based on population, existing local supplements or local legislation make this a poor indicator of salary overall.

As with the other classes of court, this assessment would benefit from a survey with a higher response rate. Notably missing from the data are Fulton, Gwinnett, DeKalb, and other populous metro counties. Considering the effect of population on the probate judge salary, these counties would give better context for the overall landscape.

#### Magistrate Court

The 2022 ACCG Salary Survey<sup>16</sup> provides the best available insight into Chief Magistrate court judge salaries as well. While Chief Magistrate base pay is set in statute by population (OCGA § 15-10-23), the total negotiated magistrate salaries across the state are very diverse. Based on the survey responses, very few salaries are linked to superior court judge

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<sup>14</sup> The 2022 ACCG Salary Survey data for probate court data appears as Appendix E of this report.

<sup>15</sup> This data is for the elected probate court judges in each county.

<sup>16</sup> The 2022 ACCG Salary Survey data for magistrate court data appears as Appendix F of this report.

salaries. Each magistrate that also serves as the clerk for the magistrate court receives an additional \$4,724 supplement. Local supplements range from \$1,200 to \$52,416. Some counties have no supplement but also receive a salary over \$150,000. All in all, salaries ranged from \$54,558 to \$191,368, averaging \$88,750. The median was \$79,375.

Due to logistical and comparison issues, this report only pertains to full-time chief magistrate judges, 21 of which are also probate judges. More information on the remaining magistrate judge salaries might shed light on the broader magistrate judge salary landscape. Similar to the available probate court data, Fulton, Gwinnett, DeKalb, and other large metro counties are absent from the survey responses. Since individual counties set such a wide range of salaries for magistrate judges, some of these counties are important to conduct a full analysis.

### Municipal Court

There was interest in collecting municipal court compensation data but as of the publication of this report, no survey has been conducted.

### Recommendations

This committee has made attempts to expand upon the available body of data concerning salaries of the trial courts of limited jurisdiction. No reliable data is currently available concerning municipal court judge salaries. Along with that, adding additional details to the existing state, juvenile, probate, and magistrate salary data would be beneficial. The Proposal assigns the task of further study as well as possible reporting requirements to the proposed Compensation Commission. ACCG conducts an annual survey on magistrate and probate judge salaries. The proposed Compensation Commission should work with ACCG to provide better data on these and all classes of courts where possible. The ultimate recommendation concerning trial courts of limited jurisdiction is that more information is required to better understand the salary landscape, and that the method for which these county and municipal level positions are funded is an issue that the Committee doesn't wish to dictate to those counties and municipalities. Furthermore, the Committee proposes a delayed implementation date for local salaries that are currently tied to superior court judge salary to provide ample time for local governments to study the impact of any changes to compensation.

## Appendix C: Council of State Court Judges Salary Survey - 2022

COUNTY	FULLTIME/PART TIME	SALARY TIED TO STATE BASE	SALARY TIED TO BASE & CTY SUPP	IF SO, PERCENTAGE	# OF JUDGES	COUNTY PENSION PARTICIPATION FOR AMOUNT IN EXCESS OF \$120,252*
BIBB	Full time		Yes	Plus Bibb Supplement 90%	2	NO
CARROLL	Full time	Yes		90%	1	NO
CATOOSA	Full-Time		Yes	90%	1	
CHATHAM	Full time		Yes	95%	3	YES
CHEROKEE	Full time		Yes	95%	3	NO
CLARKE	Full time		Yes	90%	2	
CLAYTON	Full time		Yes	88-95% based on YOS	5	NO
COLQUITT	Full time	Yes		70%	1	
COWETA	Full time		Yes	90%	2	
DEKALB	Full time		Yes	90%	11	YES
DOUGHERTY	Full time		Yes	Plus Dougherty County Sup 90%	1	YES
EFFINGHAM	Full time		Yes	85%	1	
FAYETTE	Full time		Yes	90%	1	YES
FORSYTH	Full time		Yes	95%	2	
FULTON	Full time		Yes	90%	10	NO
GLYNN	Full time		Yes	Glynn County supp 100%	1	NO
GWINNETT	Full time		Yes	95%	7	YES
HALL	Full time		Yes	90%	3	NO
HENRY	Full time		Yes	90%	4	YES
LIBERTY	Full time	Yes		100%	1	
LOWNDES	Full time	Yes		100%	2	NO
MITCHELL	Full time	Yes		60%	1	
MUSCOGEE	Full time		Yes	90%	2	Not Sure
PAULDING	Full-Time	Yes		90%	1	
ROCKDALE	Full time	Yes		92.5%	2	NO

SPALDING	Full time		Yes	90%	1	YES - Employee 401K
TIFT	Full time	Yes	NO	90%	1	NO
TROUP	Full time		Yes	90%	1	
BARROW	Part Time	Yes		45%	1	
CHATTOOGA	Part Time	Yes		40%	1	
HABERSHAM	Part Time		Yes	80%	1	YES
TURNER	Part Time	Yes		40%	1	
WAYNE	Part Time		Yes	40%	1	
WORTH	Part Time	Yes		40%	1	
BRYAN	Part-Time	No			1	
EVANS	Part-Time	No				
PIERCE	Part-Time	No				
HOUSTON	Full-Time	No				
COBB	Full-Time	No				

## Appendix D: Juvenile Court Judges Salary Data - 2022

### I. Overview

Surveys Participants	Circuits Represented	Judges Status	Salary Tied to Superior Court Judges	2021 Total Salary (Range)	Percentage (Range) of Salary Tied to Superior Court Judges
67	40	Full-Time (52) Part-Time (14) Judge (1)	Yes (23) No (42) In Part (1) Unsure (1)	\$41,250 - \$182,270	75% - 92%

### II. Judicial Circuits with Salary Tie to Superior Court Judges (23 Judges, 12 Circuits)

Circuit	Status	2021 Total Salary	Is Salary Tied to Superior Court Judges?	Salary Formula
Atlanta Judicial Circuit	Full-Time	\$171,000	Yes	86% of Superior Court judge's salary
Atlanta Judicial Circuit	Full-Time	\$173,000	Yes	90% of Superior Court Judge total salary
Atlanta Judicial Circuit	Full-Time	\$153,897	Yes	90% Superior Court Judges salary
Atlanta Judicial Circuit	Full-Time	\$170,000	Yes	75% of Superior Court judge's salary
Blue Ridge Judicial Circuit	Full-Time	\$162,200	Yes	90% of Superior Court judge's salary
Blue Ridge Judicial Circuit	Full-Time	\$162,200	Yes	90% of Superior Court judge's salary
Brunswick Judicial Circuit	Full-Time	\$124,500	Yes	\$18,000 from Superior Court Judges supplement
Chattahoochee Judicial Circuit	Part-Time	\$69,915	Yes	Statutory funding based on the number of Superior Court judges, not specifically tied to the grant
Clayton Judicial Circuit	Full-Time	\$159,000	Yes	89% of Superior Court judge's salary (1st year); increases by 1% each year until it reaches 95%
Coweta Judicial Circuit	Full-Time	\$148,110	Yes	80% of Superior Court judge's salary (\$138,326.58 [Coweta Co.] and \$9,783.63 [Heard Co.]

Eastern Judicial Circuit	Full-Time	\$180,247	Yes	90% of Superior Court judge's salary; excluding \$6,000 accountability court and longevity supplements
Eastern Judicial Circuit	Full-Time	\$179,887	Yes	90% of lowest Superior Court judge's salary
Eastern Judicial Circuit	Full-Time	\$175,387	Yes	90% of Superior Court judge's salary; excluding \$6,000 accountability court and longevity supplements
Flint Judicial Circuit	Full-Time	\$153,325	Yes	80% of Superior court Salary; plus a local supplement
Gwinnett Judicial Circuit	Full-Time		Yes	90% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$165,393	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$160,000	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$169,643	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$165,000	Yes	85% of Superior Court judge's salary
Rockdale Judicial Circuit	Full-Time	\$139,094	Yes	92% of Superior Court judge's salary <sup>1</sup>
Stone Mountain Judicial Circuit	Full-Time	\$169,281	Yes	90% of Superior Court Judge's Salary
Stone Mountain Judicial Circuit	Full-Time	\$170,000	Yes	90% of Superior Court Judge's Salary
Stone Mountain Judicial Circuit	Full-Time	\$173,251	Yes	90% of Superior Court judge's salary

III. Judicial Circuits with No Salary Tie to Superior Court Judges (42 Judges, 29 Circuits)

<b>Circuit</b>	<b>Status</b>	<b>2021 Total Salary</b>	<b>Is Salary Tied to Superior Court Judges?</b>	<b>Salary Formula</b>
Alapaha Judicial Circuit	Part-Time	\$80,000	No	
Alcovy Judicial Circuit	Full-Time	\$120,000	No	
Alcovy Judicial Circuit	Full-Time	\$140,000	No	
Atlantic Judicial Circuit	Part-Time	\$82,250	No	



Augusta Judicial Circuit	Part-Time	\$50,000	No	(also receives \$6,000 supplement contingent on MOU)
Augusta Judicial Circuit	Full-Time	\$132,000	No	
Augusta Judicial Circuit	Full-Time	\$140,000	No	
Augusta Judicial Circuit	Full-Time	\$132,000	No	
Bell-Forsyth Judicial Circuit	Full-Time	\$141,539	No	
Bell-Forsyth Judicial Circuit	Full-Time	\$141,348	No	
Brunswick Judicial Circuit	Full-Time	\$100,000	No	
Brunswick Judicial Circuit	Part-Time	\$99,000	No	
Brunswick Judicial Circuit	Full-Time	\$129,459	No	
Cherokee Judicial Circuit	Full-Time	\$126,000	No	
Cobb Judicial Circuit	Full-Time	\$175,000	No	
Cobb Judicial Circuit	Full-Time	\$182,270	No	
Cordele Judicial Circuit	Full-Time	\$106,000	No	
Coweta Judicial Circuit	Full-Time	\$116,000	No	
Coweta Judicial Circuit	Part-Time	\$60,781	No	
Griffin Judicial Circuit	Full-Time	\$138,000	No	
Houston Judicial Circuit	Full-Time	\$133,000	No	
Lookout Mountain Judicial Circuit	Full-Time	\$150,000	No	
Lookout Mountain Judicial Circuit	Part-Time	\$60,000	No	
Macon Judicial Circuit	Full-Time	\$115,000	No	
Middle Judicial Circuit	Full-Time	\$112,000	No	
Mountain Judicial Circuit	Full-Time	\$110,000	No	
Ocmulgee Judicial Circuit	Full-Time	\$125,000	No	
Oconee Judicial Circuit	Full-Time	\$105,000	No	
Ogeechee Judicial Circuit	Part-Time	\$50,000	No	
Ogeechee Judicial Circuit	Part-Time	\$50,000	No	
Paulding Judicial Circuit	Full-Time	\$118,000	No	
Piedmont Judicial Circuit	Full-Time	\$119,000	No	

Piedmont Judicial Circuit	Judge	\$103,500	No	
Rome Judicial Circuit	Full-Time	\$130,000	No	
South Georgia Judicial Circuit	Part-Time	\$62,450	No	
South Georgia Judicial Circuit	Part-Time	\$62,450	No	
Southern Judicial Circuit	Part-Time	\$41,250	No	
Southwestern Judicial Circuit	Full-Time	\$105,991	No	
Tifton Judicial Circuit	Full-Time	\$126,000	No	
Toombs Judicial Circuit	Part-Time	\$80,000	No	
Towaliga Judicial Circuit	Full-Time	\$125,000	No	
Western Judicial Circuit	Full-Time	\$122,000	No	

*\*Blank spaces indicate no data reported.*

IV. Judicial Circuit with In-Part Salary Tie to Superior Court Judges

<b>Circuit</b>	<b>Status</b>	<b>2021 Total Salary</b>	<b>Is Salary Tied to Superior Court Judges?</b>	<b>Salary Formula</b>
Atlantic Judicial Circuit	Part-Time	\$85,000	In-Part	Stipend from the state; with contribution from each county

V. Judicial Circuit Unsure of Salary Tie to Superior Court Judges

<b>Circuit</b>	<b>Status</b>	<b>2021 Total Salary</b>	<b>Is Salary Tied to Superior Court Judges?</b>	<b>Salary Formula</b>
Douglas Judicial Circuit	Full-Time	\$145,000	Unsure	

## Appendix E: Probate Court Judges Salary Data - 2022



### Calculating Probate Judge Salaries

- Establish statutory minimum base salary,
- Add statutory supplements:
  - \$4,631 for conducting elections,
  - \$5,787 for serving as judge for traffic cases,
- Add longevity increase of 5 percent for every 4-year term served,
- Add 2020 COLA of 2 percent,
- Add 2023 COLA of \$5,000,
- Add local supplement, if any,
- Additional compensation for serving as magistrate or clerk to magistrate court:
  - Add supplement of \$14,162 if they serve as magistrate or chief magistrate,
  - Add longevity increase of 5 percent for every 4-year term served as such,
  - Add magistrate court clerk supplement of \$4,724 (if probate judge serves as both magistrate and clerk to magistrate court), and
- Compare to local legislation.

### Schedule of Base Salaries

Population	Base Salary
0 – 5,999	\$35,576.65
6,000 – 11,889	\$48,856.63
11,890 – 19,999	\$55,344.71
20,000 – 38,999	\$59,296.04
29,000 – 38,999	\$63,247.38
39,000 – 49,999	\$67,203.60
50,000 – 74,999	\$75,327.48
75,000 – 99,999	\$92,237.91
100,000 – 149,999	\$86,381.94
150,000 – 199,999	\$92,237.91
200,000 – 249,999	\$100,722.08
250,000 – 299,999	\$109,336.93
300,000 – 399,999	\$120,695.99
400,000 – 499,999	\$125,596.32
500,000 or more	\$130,496.72

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Appling County	\$55,345	0%	2%	\$5,000	\$0	\$61,452
Baker County	\$35,577	25%	2%	\$5,000	\$28,214	\$80,166
Baldwin County	\$67,204	25%	2%	\$5,000	\$4,631	\$111,958
Banks County	\$55,345	5%	2%	\$5,000	\$5,787	\$70,472
Berrien County	\$48,857	25%	2%	\$5,000	\$23,490	\$92,374
Bleckley County	\$55,345	0%	2%	\$5,000	\$22,818	\$84,478
Brantley County	\$55,345	0%	2%	\$5,000	\$8,187	\$69,755
Bryan County	\$67,204	5%	2%	\$5,000	\$0	\$76,975
Butts County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Calhoun County	\$48,857	25%	2%	\$5,000	\$33,475	\$103,632
Candler County	\$48,857	10%	2%	\$5,000	\$12,748	\$70,630
Carroll County	\$86,382	0%	2%	\$5,000	\$23,663	\$116,773
Catoosa County	\$75,327	5%	2%	\$5,000	\$5,400	\$91,076
Charlton County	\$55,345	5%	2%	\$5,000	\$22,370	\$87,177
Cherokee County*	\$165,411					\$165,411
Clinch County	\$48,857	0%	2%	\$5,000	\$14,162	\$68,996
Coffee County	\$67,204	5%	2%	\$5,000	\$0	\$76,975
Colquitt County	\$67,204	20%	2%	\$5,000	\$4,631	\$92,925
Cook County	\$55,345	15%	2%	\$5,000	\$10,787	\$91,587
Coweta County**	\$140,599				\$7,500	\$148,099
Crawford County	\$55,345	20%	2%	\$5,000	\$5,787	\$79,826
Cusseta-Chattahoochee County	\$48,857	0%	2%	\$5,000	\$10,418	\$65,460
Dade County	\$55,345	10%	2%	\$5,000	\$5,787	\$73,590
Dawson County	\$59,296	30%	2%	\$5,000	\$5,787	\$93,027
Dooly County	\$55,345	15%	2%	\$5,000	\$46,577	\$117,498
Early County	\$48,857	5%	2%	\$5,000	\$14,162	\$76,920
Echols County	\$35,577	20%	2%	\$5,000	\$44,167	\$91,338
Emanuel County	\$59,296	20%	2%	\$5,000	\$0	\$77,578
Evans County	\$48,857	5%	2%	\$5,000	\$6,331	\$80,352
Fannin County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Fayette County	\$86,382	15%	2%	\$5,000	\$21,043	\$127,369
Forsyth County	\$109,337	0%	2%	\$5,000	\$31,778	\$155,802
Franklin County	\$59,296	10%	2%	\$5,000	\$13,287	\$85,524
Gilmer County	\$63,247	5%	2%	\$5,000	\$12,818	\$86,296
Glascocock County	\$35,577	0%	2%	\$5,000	\$30,148	\$71,645
Glynn County	\$80,856	25%	2%	\$5,000	\$4,000	\$112,091
Gordon County	\$75,327	15%	2%	\$5,000	\$5,787	\$100,148
Grady County	\$59,296	10%	2%	\$5,000	\$4,631	\$76,726
Greene County	\$55,345	45%	2%	\$5,000	\$31,670	\$121,297
Habersham County	\$67,204	15%	2%	\$5,000	\$625	\$84,455
Hancock County	\$48,857	10%	2%	\$5,000	\$5,757	\$66,311
Hart County	\$59,296	0%	2%	\$5,000	\$5,787	\$71,385

\* Cherokee County uses local legislation to calculate the Probate Judge salary.

\*\* Coweta County uses local legislation to calculate the Probate Judge salary.

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Houston County	\$92,238	0%	2%	\$5,000	\$0	\$133,400
Irwin County	\$48,857	10%	2%	\$5,000	\$5,787	\$66,311
Jasper County	\$55,345	0%	2%	\$5,000	\$10,418	\$72,078
Jefferson County	\$55,345	0%	2%	\$5,000	\$0	\$61,452
Jones County	\$59,296	25%	2%	\$5,000	\$61,607	\$127,205
Lamar County	\$55,345	35%	2%	\$5,000	\$8,187	\$93,262
Lanier County	\$48,000	25%	2%	\$5,000	\$22,703	\$90,278
Laurens County	\$67,204	0%	2%	\$5,000	\$20,418	\$94,174
Lincoln County	\$48,857	25%	2%	\$5,000	\$19,949	\$92,374
Macon-Bibb County	\$92,238	10%	2%	\$5,000	\$5,787	\$114,984
McDuffie County	\$59,296	15%	2%	\$5,000	\$5,787	\$81,343
McIntosh County	\$59,296	5%	2%	\$5,000	\$24,816	\$94,030
Mitchell County	\$59,296	10%	2%	\$5,000	\$8,700	\$80,230
Monroe County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Montgomery County	\$48,857	25%	2%	\$5,000	\$10,418	\$80,575
Morgan County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Murray County	\$67,204	5%	2%	\$5,000	\$5,787	\$83,173
Oconee County	\$83,751	0%	2%	\$5,000	\$9,503	\$100,119
Oglethorpe County	\$55,345	5%	2%	\$5,000	\$5,787	\$70,472
Paulding County	\$92,238	0%	2%	\$5,000	\$9,387	\$108,586
Peach County	\$59,296	5%	2%	\$5,000	\$7,522	\$75,189
Pickens County	\$63,247	10%	2%	\$5,000	\$23,804	\$100,473
Putnam County	\$59,296	0%	2%	\$5,000	\$0	\$65,482
Schley County	\$35,577	20%	2%	\$5,000	\$24,580	\$76,168
Screven County	\$55,345	35%	2%	\$5,000	\$4,631	\$87,586
Seminole County	\$48,857	5%	2%	\$5,000	\$25,288	\$83,354
Stephens County	\$59,296	25%	2%	\$5,000	\$0	\$80,602
Sumter County	\$63,247	5%	2%	\$5,000	\$0	\$70,238
Talbot County	\$35,577	0%	2%	\$5,000	\$19,949	\$61,353
Tattnall County	\$59,296	20%	2%	\$5,000	\$0	\$77,578
Telfair County	\$55,345	0%	2%	\$5,000	\$10,418	\$72,078
Terrell County	\$48,857	15%	2%	\$5,000	\$5,787	\$69,097
Tift County	\$67,204	20%	2%	\$5,000	\$0	\$87,257
Toombs County	\$59,296	0%	2%	\$5,000	\$0	\$65,482
Treutlen County	\$48,857	0%	2%	\$5,000	\$23,517	\$77,657
Turner County	\$48,857	25%	2%	\$5,000	\$6,987	\$75,871
Union County	\$59,296	30%	2%	\$5,000	\$5,787	\$91,301
Upson County	\$59,296	10%	2%	\$5,000	\$8,187	\$80,424
Walker County	\$75,327	10%	2%	\$5,000	\$0	\$89,517
Warren County	\$35,577	0%	2%	\$5,000	\$24,580	\$66,077
Wayne County	\$63,247	15%	2%	\$5,000	\$13,458	\$93,678
White County	\$63,247	0%	2%	\$5,000	\$8,187	\$77,815
Whitfield County	\$86,382	15%	2%	\$5,000	\$5,787	\$113,115
Wilcox County	\$48,857	5%	2%	\$5,000	\$19,949	\$78,394
Worth County	\$59,296	10%	2%	\$5,000	\$0	\$71,681

## Appendix F: Chief Magistrate Court Judges Salary Data - 2022



### Calculating Chief Magistrate Salaries

- Establish statutory minimum base salary,
- For full-time chief magistrates (40 hrs. per week), use statutory base salary,
- For part-time chief magistrates (less than 40 hrs.), use hourly equivalent of base salary,
- Add statutory supplement of \$4,724 if magistrate serves as clerk to the magistrate court,
- Add longevity increase of 5 percent for every 4-year term served,
- Add 2023 COLA:
  - For full-time magistrates, add \$5,000 to the total,
  - For part-time magistrates who are paid an hourly rate, add \$2.41 per hour for each hour worked (based on ACCG and the Magistrate Council of Georgia's interpretation)
- Add local supplement, if any, and
- Compare to local legislation.

### Schedule of Base Salaries

Population	Base Salary
0 – 5,999	\$36,288.19
6,000 – 11,889	\$49,833.79
11,890 – 19,999	\$56,451.65
20,000 – 38,999	\$59,934.60
29,000 – 38,999	\$64,512.39
39,000 – 49,999	\$68,547.73
50,000 – 74,999	\$76,834.09
75,000 – 99,999	\$82,472.75
100,000 – 149,999	\$88,109.64
150,000 – 199,999	\$94,082.74
200,000 – 249,999	\$102,736.58
250,000 – 299,999	\$111,523.74
300,000 – 399,999	\$123,109.97
400,000 – 499,999	\$128,108.37
500,000 or more	\$133,106.73

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Appling County	\$56,458	10%	2%	\$5,000	\$0	\$67,097
Banks County	\$56,452	20%	2%	\$5,000	\$0	\$72,742
Bleckley County	\$56,452	15%		\$5,000	\$2,400	\$72,319
Brantley County	\$56,452	20%	2%	\$5,000	\$2,400	\$75,142
Bryan County	\$68,548	0%		\$5,000	\$4,250	\$77,798
Butts County	\$59,935	20%	2%	\$5,000	\$0	\$76,922
Carroll County	\$88,110	0%	2%	\$5,000	\$22,891	\$116,001
Catoosa County	\$76,834	10%		\$5,000	\$9,241	\$99,231
Cherokee County*	\$165,411				\$0	\$165,411
Coffee County	\$68,548	5%		\$5,000	\$0	\$76,975
Colquitt County	\$68,548	20%		\$5,000	\$0	\$87,257
Cook County	\$56,452	5%		\$5,000	\$3,000	\$64,009
Coweta County**	\$148,870				\$0	\$148,870
Crawford County	\$56,452	5%	2%	\$5,000	\$4,724	\$69,234
Dade County	\$56,452	15%		\$5,000	\$4,724	\$75,352
Dawson County	\$59,935	15%	2%	\$5,000	\$9,815	\$85,932
Emanuel County	\$59,935	0%		\$5,000	\$4,500	\$69,435
Evans County	\$49,834	5%	2%	\$5,000	\$0	\$57,325
Fannin County	\$59,935	5%		\$5,000	\$4,800	\$72,731
Fayette County	\$88,110	25%	2%	\$5,000	\$21,043	\$127,369
Forsyth County	\$111,524	0%		\$5,000	\$40,119	\$156,642
Franklin County	\$59,935	10%		\$5,000	\$0	\$70,928
Gilmer County	\$64,512	0%		\$5,000	\$4,800	\$74,312
Gordon County	\$76,834	5%	2%	\$5,000	\$4,724	\$104,208
Grady County	\$59,935	5%	2%	\$5,000	\$0	\$67,931
Habersham County	\$68,548	20%	2%	\$5,000	\$0	\$87,257
Hancock County	\$49,834	0%		\$5,000	\$4,724	\$59,558
Hart County	\$59,935	10%		\$5,000	\$0	\$70,928
Henry County***	\$92,337				\$0	\$92,337
Houston County	\$94,083	15%	2%	\$5,000	\$4,724	\$128,409
Irwin County	\$49,834	10%		\$5,000	\$4,724	\$65,013
Jefferson County	\$56,452	25%		\$5,000	\$0	\$75,565
Lamar County	\$56,452	0%		\$5,000	\$0	\$61,452
Laurens County	\$68,548	0%		\$5,000	\$14,000	\$87,548
Lumpkin County	\$64,512	0%		\$5,000	\$0	\$69,512
Mitchell County	\$59,935	0%		\$5,000	\$0	\$64,935
Monroe County	\$59,935	15%		\$5,000	\$3,446	\$77,371
Montgomery County	\$49,834	10%		\$5,000	\$4,724	\$65,013
Morgan County	\$59,935	35%		\$5,000	\$6,724	\$94,289
Murray County	\$68,548	5%		\$5,000	\$2,400	\$79,375
Oglethorpe County	\$56,452	0%		\$5,000	\$4,724	\$66,176
Paulding County	\$70,562	20%		\$5,000	\$0	\$89,674

\* Cherokee County uses local legislation to calculate Chief Magistrate salary.

\*\* Coweta County uses local legislation to calculate Chief Magistrate salary.

\*\*\* Henry County uses local legislation to calculate Chief Magistrate salary.

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Peach County	\$49,722	30%	2%	\$5,000	\$5,516	\$89,063
Pickens County	\$64,512	5%		\$5,000	\$20,202	\$93,085
Putnam County	\$59,935	5%		\$5,000	\$4,724	\$70,675
Screven County	\$56,452	20%		\$5,000	\$0	\$73,742
Sumter County	\$64,512	0%		\$5,000	\$0	\$77,012
Tattnall County	\$59,935	0%		\$5,000	\$0	\$64,935
Telfair County	\$56,452	10%		\$5,000	\$0	\$67,097
Terrell County	\$49,834	30%		\$5,000	\$4,724	\$75,925
Tift County	\$68,548	10%		\$5,000	\$0	\$80,403
Turner County	\$49,834	0%		\$5,000	\$5,924	\$60,758
Union County	\$59,935	5%		\$5,000	\$4,724	\$72,891
Upson County	\$59,935	5%		\$5,000	\$4,724	\$72,891
Walker County	\$76,834	35%		\$5,000	\$6,724	\$117,103
Wayne County	\$64,512	15%		\$5,000	\$4,724	\$84,622
White County	\$64,512	20%	2%	\$5,000	\$2,400	\$84,815
Whitfield County	\$88,110	15%	2%	\$5,000	\$0	\$106,326
Worth County	\$59,935	0%		\$5,000	\$0	\$64,935



## Appendix G: Superior Court Compensation as of July 1, 2023

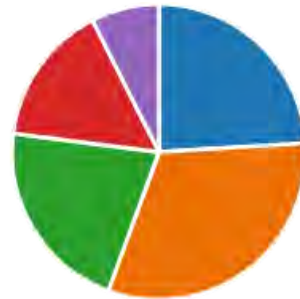
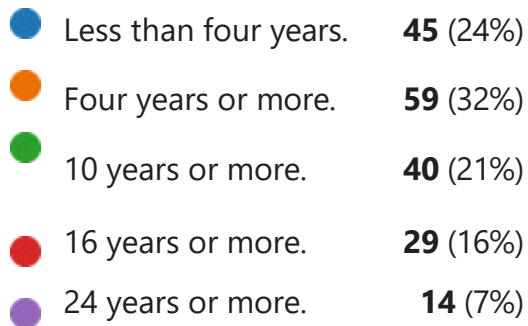
Circuit	Judges	Statutory Base (OCGA 45-7-4(20))	Merit Increase	FY22/23 COLA	FY24 COLA	State Accountability Court Supplement (OCGA 15-6-29.1(a))	Circuit Supplement (OCGA 15-6-29.1(c))	Total Compensation
Augusta	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Columbia	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Stone Mountain	10	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Cobb	11	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 73,614	\$ 215,404
Atlanta	20	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 72,112	\$ 213,902
Eastern	6	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 66,084	\$ 207,874
Northeastern	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 65,790	\$ 207,580
Brunswick	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 64,624	\$ 206,414
Flint	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 59,500	\$ 201,290
Ogeechee	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 55,000	\$ 196,790
Gwinnett	11	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 52,670	\$ 194,460
Macon	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,012	\$ 191,802
Clayton	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Blue Ridge	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Griffin	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Coweta	7	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Waycross	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,920	\$ 191,710
Western	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,786	\$ 191,577
Chattahoochee	7	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,535	\$ 191,325
Bell-Forsyth	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,500	\$ 191,290
Atlantic	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 48,600	\$ 190,390
Douglas	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 47,784	\$ 189,574
Cherokee	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 45,000	\$ 186,790
Alcovy	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 43,808	\$ 185,598
Houston	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 43,369	\$ 185,159
Piedmont	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,834	\$ 182,624
Appalachian	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,800	\$ 182,590
Southern	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,000	\$ 181,790
South Georgia	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,000	\$ 181,790
Rome	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 37,051	\$ 178,841
Alapaha	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 36,000	\$ 177,790
Tifton	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 32,800	\$ 174,590
Paulding	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,500	\$ 172,290
Dougherty	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,500	\$ 172,290
Rockdale	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,000	\$ 171,790
Mountain	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 28,947	\$ 170,737
Conasauga	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 25,000	\$ 166,790
Northern	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,600	\$ 166,390
Dublin	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Middle	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Ocmulgee	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Oconee	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Tallapoosa	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Southwestern	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 23,855	\$ 165,645
Towaliga	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 21,000	\$ 162,790
Cordele	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 20,000	\$ 161,790
Enotah	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 20,000	\$ 161,790
Lookout Mountain	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 16,000	\$ 157,790
Pataula	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 12,000	\$ 153,790
Toombs	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 12,000	\$ 153,790

## AD HOC COMMITTEE ON JUDICIAL SALARIES AND SUPPLEMENTS

### *Superior Court Salary Survey Results* March 2023

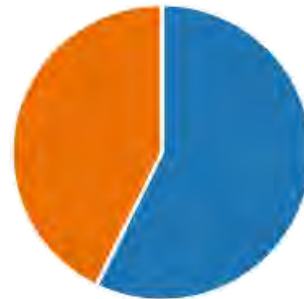
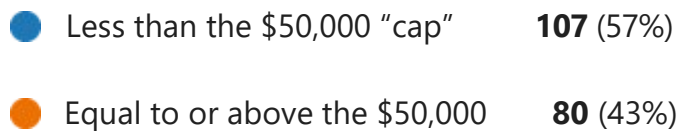
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#### 1. How long have you served as a Superior Court Judge?

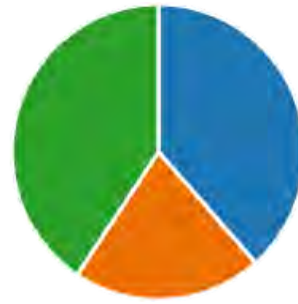
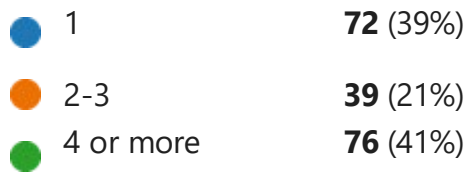


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#### 2. Are the local supplements paid by your Circuit/Counties:

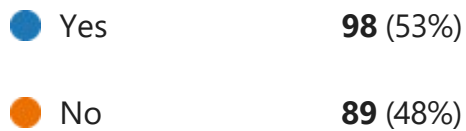


### 3. How many counties are in your circuit?



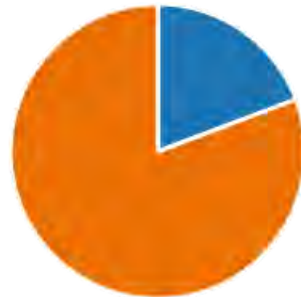
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### 4. Will you receive any retirement on your local supplements?



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



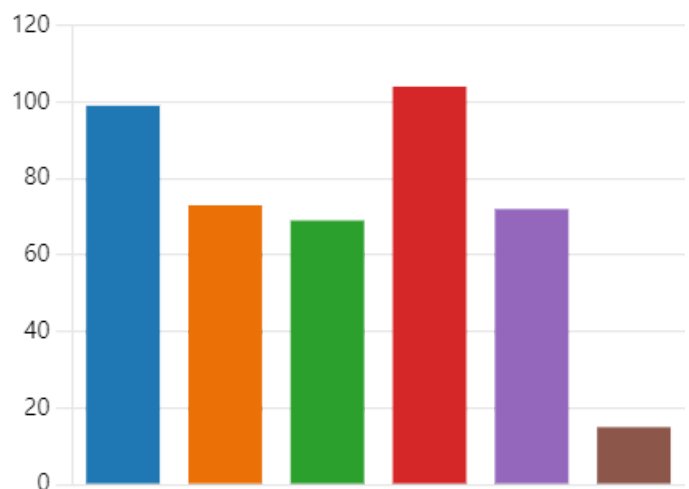
6. **How satisfied are you with your compensation:**

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



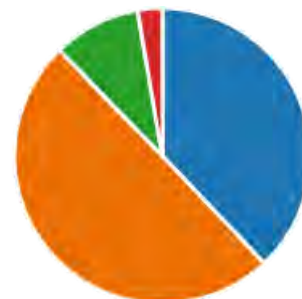
7. **If you marked that you are Dissatisfied, Very Dissatisfied, or if you selected one of the first three options, but have other concerns about your compensation, please mark all reasons that apply:** (See Appendix A for full response descriptions)

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

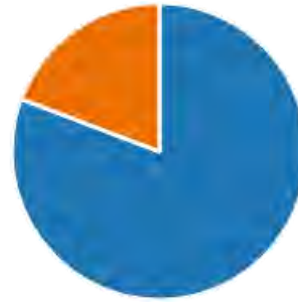


8. **Have you considered leaving your position due to your compensation?**

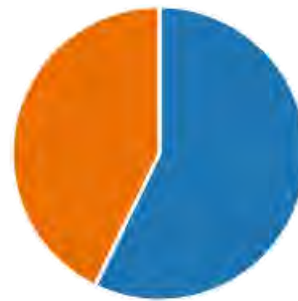
Never	71 (38%)
Occasionally	93 (50%)
Regularly	18 (10%)
Constantly	5 (3%)



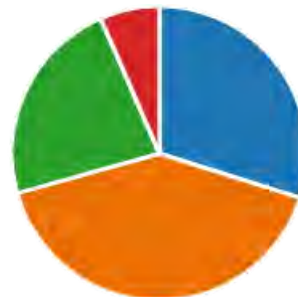
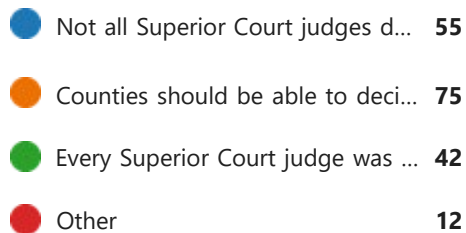
9. Do you believe the current compensation system adversely affects the ability to attract and retain qualified lawyers to the bench in your circuit?



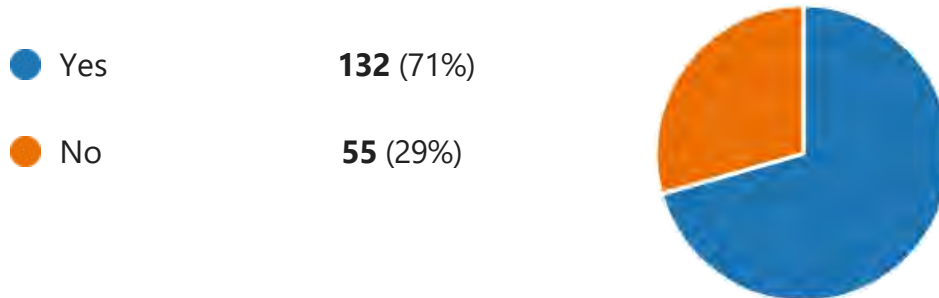
10. Should the current system of supplements be modified, eliminated or phased out in favor of a uniform system of compensation?



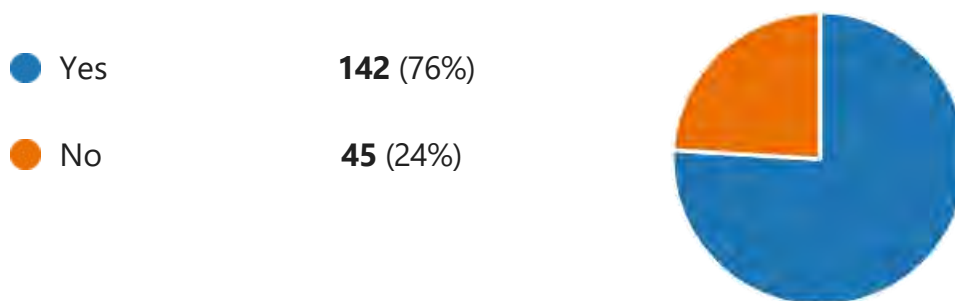
11. If you answered "No" to question 10, above, please mark all reasons that apply: (See Appendix A for full description of responses)



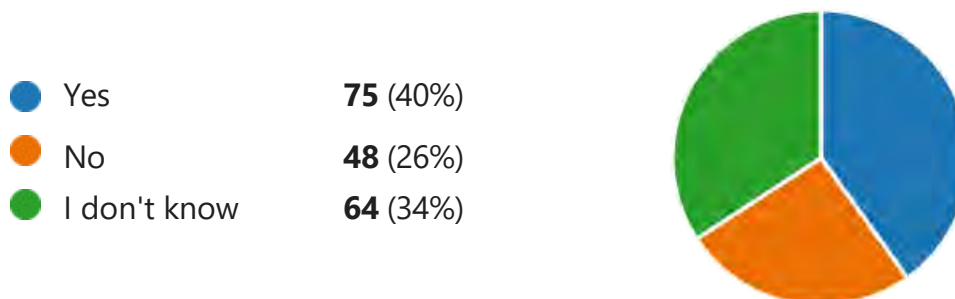
12. **Should judges in areas with a demonstrated higher cost-of-living be eligible for a cost-of-living local supplement or adjusted State pay to account for such regional differences as long as such supplement or pay adjustment were tied to an objective measure such as the Consumer Price Index, or another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



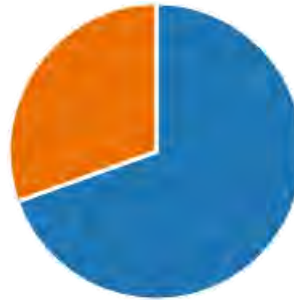
14. **Do you agree with the recommendations (assuming the recommended compensation amounts were updated to account for the time since the issuance of the report) set forth in the Judicial, District Attorney, and Circuit Public Defender Compensation Committee dated December 15, 2016? The recommendations 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.



# Appendix I

## **Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements**

### **Initial Report**

**December 9, 2022**



## Committee Mission

The Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements was created by Supreme Court Order on May 26, 2022, for the following purposes:

1. To update and expand upon the December 16, 2016 report of the General Assembly’s Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for Justices of the Supreme Court, Judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials’ salaries or salary or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The Committee’s term is set June 1, 2022, through May 31, 2023, unless extended by further order, and an initial report on these matters shall be provided to the Judicial Council by December 15, 2022. Led by Co-Chairs Justice Charles J. Bethel and Chief Judge Russell Smith, the Committee includes representatives from every class of court, district attorneys, public defenders, local government, constitutional officers, court administrators, and the State Bar of Georgia, as voting members, and advisory members<sup>1</sup>.

The Committee has held three meetings to date – July 12, September 22, and November 17, 2022. Following discussion at the July 12 meeting, the Co-Chairs created three subcommittees to organize the Committee’s work: Outreach and Feedback; Metrics and Measures; and, Trial Courts of Limited Jurisdiction<sup>2</sup>. The Trial Courts of Limited Jurisdiction Subcommittee met on October 12, 2022<sup>3</sup>, and the Outreach and Feedback Subcommittee met on November 2, 2022.

The Committee presents the following initial report to the Judicial Council of Georgia. While this report endeavors to provide an update on the current state of affairs regarding judicial compensation in Georgia, much work remains to be done due to the absence of a uniform compensation structure, as well as the lack of any uniform requirement that compensation be regularly reported or published. The collection of data has proven to be more complex and complicated than expected; the Committee acknowledges there is still much that is unknown, and will continue to identify, refine, and analyze as much data as possible to provide a comprehensive picture of

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<sup>1</sup> See Committee Orders and Committee Roster in Appendix A.

<sup>2</sup> See Subcommittee Charges and Rosters in Appendix B.

<sup>3</sup> See Initial Report of the Trial Courts of Limited Jurisdiction Subcommittee in Appendix C.

judicial compensation in Georgia, and recommended options for this system moving forward. We seek, and appreciate, the assistance of all classes of court, stakeholders, and partners, as we continue work on our mission.

## Data Collection Process and Methods

Throughout this process the Committee has sought data from many different sources and with the assistance of many different groups. The Association County Commissioners of Georgia (ACCG) initiated a survey that was sent out to all 159 counties on July 22, 2022. The ACCG survey has served as the backbone of the data collection efforts to the Committee and will be referenced many times throughout the Report.

Through the survey process it became clear that the Committee also needed to reach out directly to judicial branch partners to both ensure the accuracy of the survey information as well as filling in gaps for counties/circuits that didn't respond to the survey. To that end the Committee sent out surveys tailored to each superior court judicial circuit in the State through the ten District Court Administrators.

To assist the Committee in its work the Georgia Public Defender Council (GPDC) surveyed Circuit Public Defenders for information on their county supplements, whether Assistant Public Defenders received local supplements, and whether additional attorneys are employed above the State's allocation.

The Committee worked with the Prosecuting Attorneys' Council (PAC) to send out surveys to all 50 District Attorneys to collect information on supplements, retirement benefits, as well as personnel provided above the State's allocation.

The data used to compile this report leans on all these sources. It should be noted that due to the structure of the State's judiciary that all county level data was self-reported either by county personnel, a District Court Administrator, a Chief Superior Court Judge, a District Attorney, or a Circuit Public Defender.

In addition to data collected within the State this Report will make use of the National Center for State Courts' (NCSC) Judicial Salary Tracker project. NCSC conducts surveys twice a year to compile judicial salary information from across the country. <sup>4</sup> This data was used to compare Georgia salaries to judges from across the country. Unless otherwise noted, data is from the July 2022 version of the Report.

## Section 1: Updating the 2016 Report

### 2016 Report Overview

The first task of this Committee is to expand upon the December 16, 2016, report of the General Assembly's Judicial, District Attorney, and Circuit Public Defender Compensation Commission. The 2016 Commission was created by HB 279 (2015 Session) and was tasked with reviewing the conditions related to the efficient use of resources and caseload balance as well as the compensation paid to justices, judges, district attorneys, and circuit public defenders. The 2016 Report, which this Committee is focused on updating, focused solely on the compensation piece of that mission.

As stated by the Commission, the Report had one overarching mission in mind: "that the compensation of judges, district attorneys, and public defenders should advance the public interest." What the Commission found was that

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<sup>4</sup> <https://www.ncsc.org/salarytracker>

compensation in the justice system “is riddled with anomalies and inconsistencies.” The Commission’s Report examined not only the current salaries of the time, but also provided research into the history of the supplement system dating back to its origins in 1904.

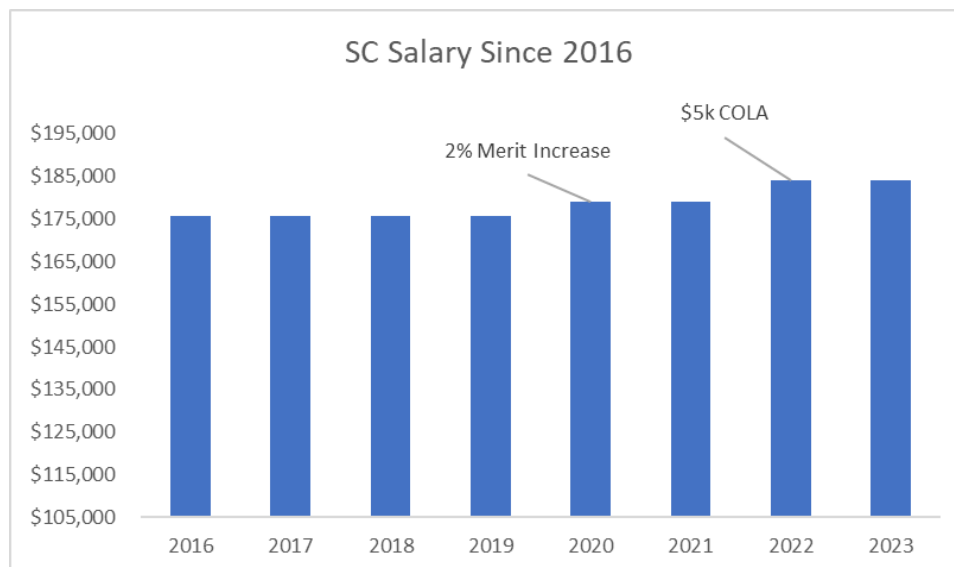
This report will not try to re-create the narrative and historical aspects of the 2016 Report, but rather provide an update on what changes (if any) have been made to the compensation structure that the Commission described in 2016. The goal of this initial Report of the Committee is to simply provide an update on the salary and supplement landscape from the 2016 Report so that the Committee will have the information needed to develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements.

The recommendations of the 2016 Report can be found in Appendix D.

### Supreme Court of Georgia

At the time of the Commission’s Report in December of 2016 the salary of a Justice of the Supreme Court was \$175,600. This was based on a recent 5% increase provided as a part of HB 279 (2015 Session). The bill provided 5% increases for not only Supreme Court justices but also to judges of the Court of Appeals, Superior Court Judges, District Attorneys, and Circuit Public Defenders. None of the statutory judicial salaries have been updated since the bill passed during the 2015 Session of the Georgia General Assembly. The first NCSC Salary Survey to rank the new salary (in January 2017) placed the \$175,600 salary as the 17<sup>th</sup> highest salary among Courts of Last Resort.

**Chart 1: Supreme Court Salaries since FY2016**



While the statutory salary has not changed since FY2016, there have been two instances in which the State pay has increased. A 2% merit-based pay increase was approved in the FY2020 General Budget, and then a \$5,000 cost-of-living-adjustment (COLA) was provided for all State employees in the FY2022 Amended and FY2023 General Budgets. These two increases have brought the current salary for Supreme Court justices to \$184,112. In

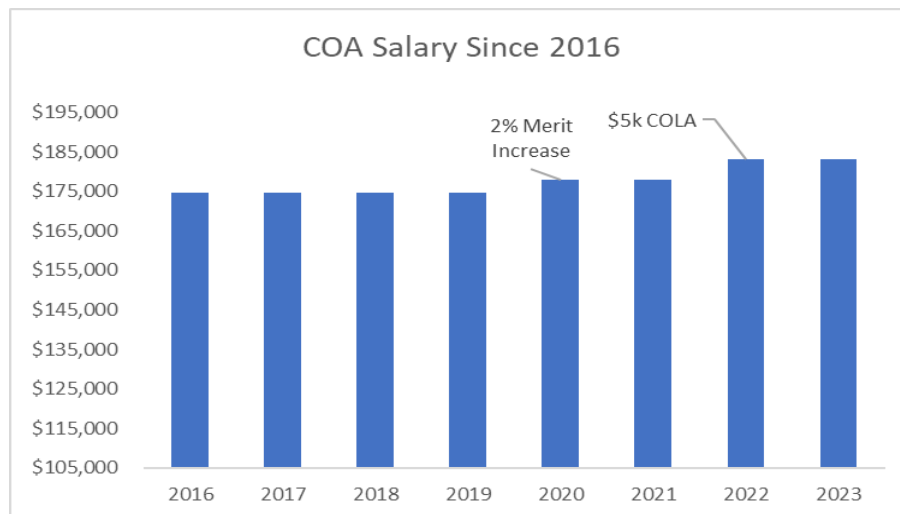
the latest NCSC data, compiled in July 2022, Georgia's Supreme Court ranked 31<sup>st</sup> in salary nationwide. The average salary for Courts of Last Resort in the July 2022 Survey was \$191,806, which would represent a more than 4% increase from the Court's current salary. The data from the July 2022 Survey can be found in Appendix E.

In addition to their salary, Justices of the Supreme Court are reimbursed for actual travel costs and the actual cost of lodging and meals while away from office on state business per OCGA § 45-7-20. Justices who reside 50 miles or more from the Judicial Building in Atlanta also receive a mileage allowance for the use of a personal motor vehicle when devoted to official business for not more than one round trip per calendar week to and from their residence to the Judicial Building during each regular and extraordinary session of court per OCGA § 15-2-3. In addition to travel expenses, Justices living 50 miles or further also receive the same daily expense allowance as members of the General Assembly receive for not more than 35 days during each term of court. According to a 2022 Survey by the National Conference of State Legislatures, the 2022 per diem for members of the General Assembly was \$247<sup>5</sup>.

### Court of Appeals of Georgia

The FY2016 salary for a judge of the Court of Appeals was \$174,500. In the January 2016 NCSC Salary Tracker data, this ranked Georgia's Court of Appeals 11<sup>th</sup> among all Intermediate Appellate Courts.

**Chart 2: Court of Appeals Salaries since FY2016**



With the merit increase and the recent COLA, Court of Appeals salaries now stand at \$182,990. Georgia's Intermediate Appellate Court salary now ranks 21<sup>st</sup> across the Country. The average salary nationwide was \$183,010. The salaries for Georgia's Appellate Courts have slipped by 14 and 10 spots respectively in the NCSC Salary Tracker rankings since the 2016 Report.

<sup>5</sup> <https://www.ncsl.org/research/about-state-legislatures/2022-legislator-compensation.aspx>

In addition to their salary, Judges of the Court of Appeals are eligible for the same travel, meal, and lodging reimbursements as Justices of the Supreme Court. Judges of the Court of Appeals who live 50 or more miles away from the Judicial Building are eligible for the same per diems and travel expenses as Justices of the Supreme Court per OCGA § 15-3-5.

#### State-wide Business Court

Since the Commission's Report in 2016, Georgia has created a new Court with state-wide Jurisdiction, the Georgia State-wide Business Court. The genesis of the State-wide Business Court began with Governor Nathan Deal's Court Reform Council in 2017. A Constitutional Amendment creating the Court was approved by voters in 2018, with authorizing legislation (HB 239) following in the 2019 Legislative Session.

Per OCGA § 15-5A-7 the Judge of the State-wide Business Court is appointed by the Governor subject to approval by a majority vote of the Senate Judiciary Committee and a majority vote of the House Committee on Judiciary. HB 239 (2019 Session) set the salary for the Judge of the State-wide Business Court at \$174,500, the same as a judge of the Court of Appeals. The salary remains at \$174,500 in statute, but as with the other classes of Court mentioned in this report, the Judge's salary has been increased by the merit-based pay raise and the \$5,000 COLA. The salary is now \$182,990. The NCSC salary tracker rankings do not have national salary rankings for Business Court Judges.

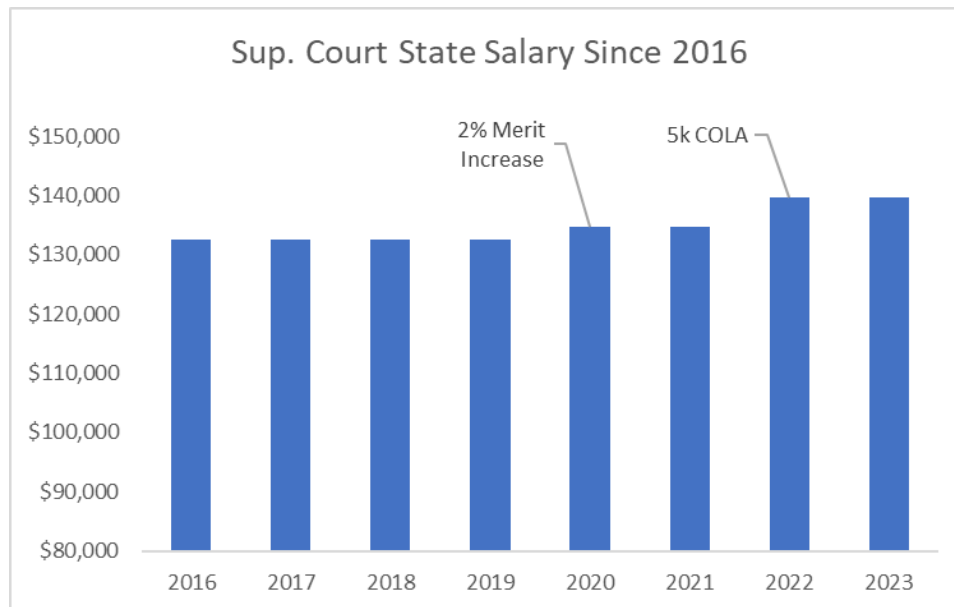
The Judge of the State-wide Business Court is eligible for the same travel and expense reimbursements as the Supreme Court and the Court of Appeals, including the 50-mile provisions, per OCGA § 15-5A-9.

#### Superior Courts

##### *State-Paid Salaries*

HB 279 not only increased the state-paid salaries for Superior Court Judges, but it also created an additional \$6,000 supplement to be paid to all Superior Court Judges in circuits which operated Accountability Courts. The supplement is also paid to both District Attorneys and Circuit Public Defenders. HB 279 increased the salary for Superior Court Judges to \$126,265, plus the \$6,000 supplement. At the time of the report there were three circuits which did not yet operate Accountability Courts. At the current date, all circuits operate at least one Accountability Court, and thus all receive the \$6,000 supplement. For salary calculation purposes, the supplement is considered separate to the statutory state-paid salary.

**Chart 3: Superior Court State Salaries since FY2016**



\*Includes \$6k Acc Court Supplement

The current total state compensation for Superior Court Judges is \$139,970. As will be discussed in the next section, there are now no Superior Court Judges in the State which receive *only* the state compensation. If the county supplement system did not exist Georgia's current state compensation would fall between 52<sup>nd</sup> ranked Kentucky and 53<sup>rd</sup> ranked West Virginia in Courts of General Jurisdiction salary. Only West Virginia and Puerto Rico would rank ahead of Georgia's Superior Court Judge pay based on its State contribution.

In addition to their salary, Superior Court Judges are reimbursed for their travel expenses incurred when sitting in a county in their circuit other than the county of their residence, when attending certain State functions, as well as if a Judge must sit in a county other than their residence outside of their circuit. Reimbursements include actual travel costs as well as meals and lodging. OCGA § 15-6-30 governs travel expenses for Superior Court Judges.

#### *Supplements*

The 2016 Report's description of a compensation structure "riddled with anomalies and inconsistencies" is due to the county supplements paid to not only Superior Court Judges, but also District Attorneys, Assistant District Attorneys, Circuit Public Defenders, and Assistant Public Defenders. The supplement system also impacts county officials and Senior Judges who in some instances have their salaries tied to the full compensation of a Superior Court Judge including their state pay and county supplement (see Section 2).

HB 279 placed a cap of sorts on local supplements by enshrining in statute that a county or counties comprising a judicial circuit could not increase the aggregate local supplement paid to a superior court judge if the supplement was at least \$50,000 as of January 1, 2016. At the time, this meant that seven of the 49 judicial circuits had their local supplement capped. The cap has not limited circuits who fell under the \$50,000 amount from increasing their local supplements. The number of circuits at the \$50,000 cap has more than doubled since the 2016 Report, from seven to 15. 67 percent of circuits (not including Columbia, which was established effective 7/1/2021) increased their county supplement since 2016, with an average increase of 23.2 percent. That increase compares to a 5.5 percent growth in the state-paid salary over the same period. See Appendix F for the current total

compensation for Superior Court Judges and Appendix G for a comparison of local supplements from 2016 to 2022.

**Table 1: Supplement Statistics from 2016 to 2022**

<b>Circuits with Supplement Increases since 2016</b>	33
<b>Number of Circuits at or above cap in 2016</b>	7
<b>Number of Circuits at or above cap in 2022</b>	15
<b>Average Rate of Supplement Increase per Circuit</b>	23.2%
<b>Range of Superior Court Judge Salary 2016</b>	\$132,265 - \$207,465*
<b>Range of Superior Court Judge Salary 2022</b>	\$151,790 - \$219,990*

\* Includes State-pay and local supplement pay

The data collected by this Committee also reveals that increases to supplements have been widespread since 2021. Twenty of the 50 Circuits have increased their supplements (including Alapaha, the last circuit to pay a supplement) since July 2021.<sup>6</sup> Of the eight circuits to meet or exceed the cap since 2016, five reached that level between 2021 and the time of this Report. See Appendix H for a full comparison of supplement data from July 2021 to October 2022.

Despite the cap on local supplements and the continued growth of supplements under that cap, the range of total compensation to Superior Court Judges is still vast. At the time of the 2016 Report the range of total compensation for Superior Court Judges was \$132,265 - \$207,465; today the range is \$151,790 - \$219,990. Georgia's highest paid Superior Court Judges would rank fourth in salary, while its lowest paid Judges would rank 43<sup>rd</sup> in the country.

Another factor created by the supplements that was highlighted in the 2016 Report was that 88 superior court judges had salaries greater than that of justices of the Supreme Court. Based on data gathered by the Committee that number is now 130 Judges, or 59 percent of all Superior Court Judges. This fact was highlighted in the 2016 Report as an example of the inconsistencies that exist in the compensation systems, and those conditions have not changed since 2016. It should also be noted that Superior Court Judges are not the only positions in the system that currently make more than Justices of the Supreme Court, just the most prevalent example. In the Appendices of this report there are examples of District Attorneys and Circuit Public Defenders whose compensation is more than that of Appellate Court Judges. At the time of this report there are also an undetermined number of Judges in Courts of Limited Jurisdiction who may also meet this criteria.

While beyond the scope of this Report, it is worth mentioning that many circuits or counties also pay supplements to state-paid law clerks or secretaries in addition to Judges.

### *Comparison to Other States*

Throughout this Report comparisons of Georgia salaries to other States are noted in their individual Sections. The 2016 Report relied upon NCSC data in its recommendations and noted limited research on other States which

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<sup>6</sup> 2021 Supplement information comes from data gathered by AOC, the Council of Superior Court Judges, and the District Court Administrators to report to NCSC.



provide county supplements to Judges. The Committee Order includes updating comparisons to other States and this Section will briefly elaborate on that charge.

The 2016 Report mentions that Texas is the only other State that continues to have county supplements to state-paid judges. Texas continues to allow county supplements to this day, although they are still capped to ensure that the level of supplement does not exceed the salary of the next level of Court in the state's Judicial Branch structure. It should also be noted that Alabama has been working to end the use of county supplements since 2000, but legislation and appropriations in the 2021 Session appear to have finally moved the State away from the practice for good. Just as in 2016, Georgia is largely alone in its reliance on local supplements.

As the Committee's focus moves from collecting data on the landscape of judicial compensation in Georgia to a recommendation phase, research into not only salaries but how states set those salaries will be of use to the Committee. This Section represents an initial foray into that research, which the Committee hopes to build on over time. To this point the research has largely been focused on judge compensation, mostly due to time constraints, and is open to further exploring comparisons to other States for the additional positions included under the Committee's scope moving forward.

Research into other states sought to compare Georgia in salaries and how compensation is set, as well as to explore mechanisms for the escalation of judicial salaries. The two initial comparison groups were contiguous states and states with similar populations.

**Table 2: Comparison of July 2022 NCSC Salary Data for Contiguous States**

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Alabama	\$ 178,500	35	\$177,990	24	\$142,800	50
Florida	\$239,442	3	\$202,440	9	\$182,060	22
Georgia	\$184,112	31	\$182,990	21	\$181,239*	23*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11
Average	\$198,648	23	\$189,007	18	\$174,902	27

**\* Due to Georgia's unique compensation the NCSC rankings are based on a median salary including local supplements. Georgia's Judges will range from the lowest-paid to the highest paid in this comparison group**

**Table 3: Comparison of July 2022 NCSC Salary Data for Contiguous States w/ Salary Range**

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Alabama	\$178,500	35	\$177,990	24	\$142,800	50
Florida	\$239,442	3	\$202,440	9	\$182,060	22
Georgia	\$184,112	31	\$182,990	21	\$151,790 - \$219,990*	4 - 43*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11
Average	\$198,648	23	\$189,007	18		

**\*Table 3 shows the current salary range for Georgia General Jurisdiction Courts, and how those salaries would rank in the NCSC rankings for General Jurisdiction Courts**

Of the two comparison groups, Georgia's Appellate Court pay falls below average. Georgia fares slightly better in General Jurisdiction Courts. In order to account for Georgia's unique compensation system Georgia's General Jurisdiction rankings are based on a median salary that includes local supplements. The rankings as they are compiled by the NCSC can be seen in Tables 2 and 4. However, the median salary does not tell the full story for Georgia due to the large salary discrepancies across the State. Tables 3 and 5 compare the salary ranges for Georgia's Superior Court Judges to their respective comparison groups to show the impact the full range has on these rankings. It should also be noted that the NCSC compiles rankings for General Jurisdiction Courts adjusted for cost of living. Georgia ranks fifth in these rankings, which are again based on a median salary due. The Committee feels that applying a state-wide cost-of-living to a median salary, which is based off the salary of four Judges, isn't necessarily an accurate depiction due to the hyper local salary structure as it exists today. As Tables 3 and 5 depict, Georgia would likely have Judges ranging from near the top of the scale to near the bottom of the scale.

Of the five contiguous states Georgia is one of only two that set their salaries by statute. Two states set their salaries by annual appropriations, with an additional State setting salaries yearly by appropriation as a percentage of the Supreme Court Salary. Three of the five contiguous states had a method to automatically increase Judge salaries. These varied from longevity raises to adjustments based on the Consumer Price Index.

**Table 4: Comparison of July 2022 NCSC Salary Data for States with Similar Populations**

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Illinois	\$258,456	2	\$243,256	2	\$223,219	3
Ohio	\$181,400	32	\$169,075	29	\$155,485	39
Georgia	\$184,112	31	\$182,990	21	\$181,239*	23*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10
Virginia	\$212,365	13	\$195,422	12	\$184,617	18
Average	\$203,608	22	\$193,131	18	\$182,349	22

**\* Due to Georgia's unique compensation the NCSC rankings are based on a median salary including local supplements. Georgia's Judges will range from the lowest-paid to the second highest paid in this comparison group**

**Table 5: Comparison of July 2022 NCSC Salary Data for States with Similar Populations w/ Salary Range**

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Illinois	\$258,456	2	\$243,256	2	\$223,219	3
Ohio	\$181,400	32	\$169,075	29	\$155,485	39
Georgia	\$184,112	31	\$182,990	21	\$151,790 - \$219,990*	4 - 43*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10
Virginia	\$212,365	13	\$195,422	12	\$184,617	18
Average	\$203,608	22	\$193,131	18		

**\*Table 5 shows the current salary range for Georgia General Jurisdiction Courts, and how those salaries would rank in the NCSC rankings for General Jurisdiction Courts**

Of the states with similar populations (which includes one repeat: North Carolina) Georgia is one of the three states that set their salaries by statute, but the only one who doesn't then include an automatic means of escalation. Georgia and Virginia are the only states in the population comparison that don't have an automatic means of salary escalation. The methods for escalation vary from language in an Appropriations Act to annual adjustments based on the Consumer Price Index. For the full comparisons of how salaries are set, please see Appendix I.

## District Attorneys and Assistant District Attorneys

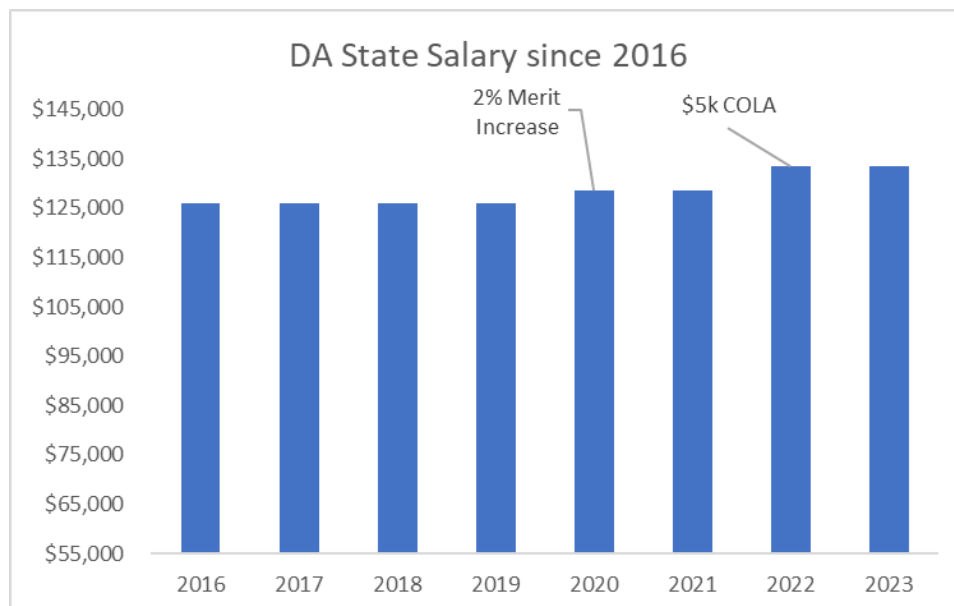
### State-Paid Salaries

District Attorney salaries have increased from \$126,072 to \$133,473 (including the Accountability Court Supplement) since the Commission's Report, by the same means as the aforementioned groups.

In addition to the State's 50 District Attorneys, the State also pays for a set amount of state-paid Assistant District Attorneys per Circuit. At the time of the 2016 Report there were approximately 385 state-paid ADAs. According to PAC that figure is now 426. In the years since the Report, PAC requested and the Legislature has funded additional ADAs to assist with the increased duties related to juvenile court caseloads in the wake of Juvenile Justice Reform.

Improvements have been made to the pay scale for ADAs since the time of the 2016 Report. At that time the first step on PAC's pay scale for ADAs was at \$44,828 with the pay scale maxing out at \$106,361. The most recent pay scale adopted for FY2023 starts at \$56,250 and tops out at \$117,786. However, many of the challenges reported with maintaining attorneys on the state pay scale remain and the use of supplements, County-Paid ADAs, and State-Paid County Reimbursed (SPCR) ADAs remains widespread throughout the state to both bolster salaries and the number of Attorneys. See the current ADA pay scale in Appendix J.

**Chart 4: District Attorney State-paid Salary since FY2016**



\*Includes \$6k Acc Court Supplement

District Attorneys and ADAs are also entitled to receive reimbursement for actual expenses incurred in the performance of their official duties from the Prosecuting Attorneys' Council in accordance with the rules adopted by the Council. The full statute outlining travel expenses for Prosecuting Attorneys is OCGA § 15-18-12.

### Supplements

Much like with Superior Court Judges the range of supplements paid to District Attorneys remains substantial in the wake of the 2016 Report. Forty six of the 50 District Attorneys responded to either the direct survey via PAC

or the initial ACCG Survey. Of those that did respond, 41 reported receiving a supplement, while four of those that didn't respond had paid supplements in the 2016 survey. At the time of the 2016 survey, eight circuits reported not having a supplement. Three of the circuits that did not previously pay supplements to District Attorneys reported that they now provide supplements. Of the 46 responses, 24 circuits reported an increase in their supplement amount. The current range in District Attorney compensation is \$133,473 to \$214,385. See the full breakout of District Attorney compensation in Appendix K.

Forty-four circuits responded directly to the PAC Survey, while five of the six that did not respond, responded to the ACCG Survey at least in part. Forty-one circuits reported paying supplements to state-paid Assistant District Attorneys. The range of how these supplements are paid varies greatly across the State. Of the respondents who provided the range, supplements varied from \$500 to over \$50,000. The way these supplements are paid also differs from circuit to circuit. In some instances, all counties within a circuit pay supplements, in others only one county within a circuit may pay an additional supplement to state-paid ADAs.

Thirty-seven of the responding circuits also responded that they pay for additional Assistant District Attorneys above the State's allocation. As with the supplements, these amounts varied significantly with many more rural circuits reporting having one additional ADA to 43 additional ADAs in Gwinnett and over 100 in Atlanta. It should also be noted that while many circuits noted ARPA-funded positions, it is possible that others didn't make this distinction when responding to the survey. The primary funding mechanism for these additional attorneys is directly through the county, and 12 circuits reported funding additional attorneys through the State Paid County Reimbursed model.

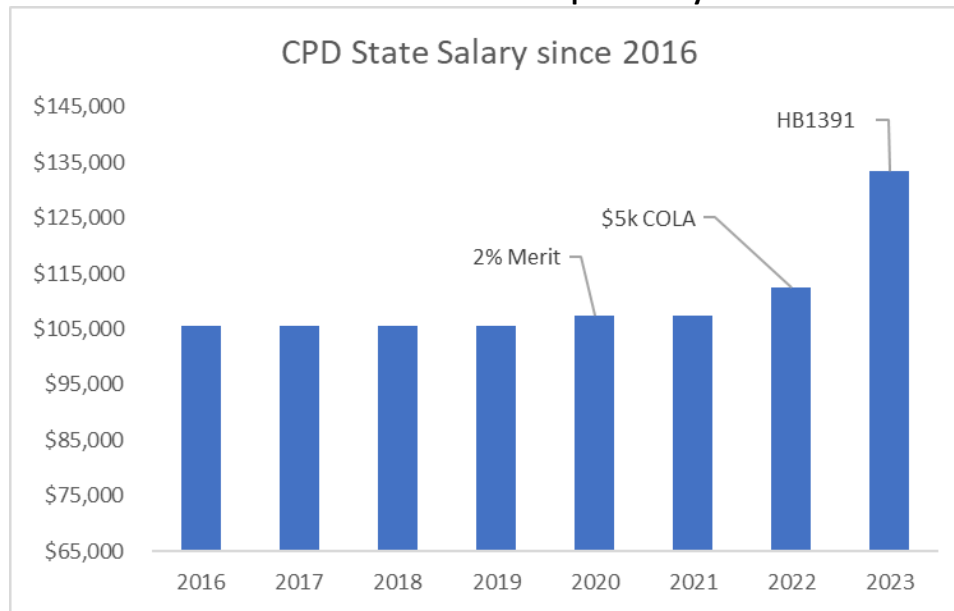
The salary ranges for these additional attorneys includes counties who tie their county pay scale to the State pay scale, to metro counties which pay well in excess of the State pay scale. Many of the circuits with lower numbers of additional attorneys have pay scales that exist within the State scale while the metro circuits with larger amounts of additional attorneys are more likely to have scales that exceed and sometimes greatly exceed the State scale.

It should also be noted that, while beyond the scope of this Report, some circuits reported paying supplements to positions such as state-paid Investigators in addition to District Attorneys and Assistant District Attorneys.

#### Circuit Public Defenders and Assistant Public Defenders

The salaries for both Circuit Public Defenders and Assistant Public Defenders are the areas where we see the most change since the 2016 Report. At the time of the Report, the statutory salary for Circuit Public Defenders was \$99,256 plus the \$6,000 Accountability Court Supplement, as compared to the District Attorney's salary of \$120,072 plus the supplement. HB 1391 (2022) tied the Circuit Public Defender salary to that of the District Attorney, creating parity in the State pay for the two positions.

**Chart 5: Circuit Public Defender State-paid Salary since FY2016**



\*Includes \$6k Acc Court Supplement

Assistant Public Defenders (APDs) have also seen improvements in their state-paid compensation. In the 2016 Report, APDs were on their own pay scale which was below that of Assistant District Attorneys. Over the years efforts have been made to create parity between the two pay scales and currently Assistant Public Defenders are on the same pay scale as ADAs. GPDC reports there are currently 194 State positions and 154 positions funded through county contracts. The 2016 Report cited a figure of “approximately 160 state-paid positions” and an unknown number of county-funded attorneys. Additional APDs have been funded to assist with juvenile court caseloads, as was reported for ADAs. Like ADAs, despite these improvements to the pay scale there still exists a structure of county-paid APDs and county-reimbursed APDs, as well as supplements to state-paid positions, to try to improve both the number of attorneys and the compensation of attorneys.

### *Supplements*

Survey information provided by the GPDC indicates that 29 Circuit Public Defenders currently receive county supplements. The South Georgia Circuit which has not yet responded to the Survey did provide a Supplement in 2016. Twenty circuits reported paying supplements in the 2016 Report. For the full list of Circuit Public Defender Compensation with county supplements see Appendix L.

Survey data indicates that 15 of the responding circuits paid supplements to Assistant Public Defenders. These supplements ranged from \$1,000 - \$16,740. The 2016 Report noted that “a handful of state-paid assistant public defenders receive small local supplements” This data would indicate that the practice has become slightly more common although still lags well behind local supplements paid to ADAs in both frequency and amount.

As with ADAs there exists a large population of positions funded outside of the state-paid pay scale. There are currently 156 additional APDs which are funded through contract agreements between the Public Defender Council and the individual circuits. In addition, GPDC surveyed circuits for information on attorneys funded solely by the counties, outside of the contract structure. Survey responses indicated circuits with their own county paid attorneys ranged in size from one county attorney to 63 attorneys with salary ranges in larger counties that exceeded the state scale.

## Section 2: County Paid Officials Linked to State-Paid Officials

An aspect of the judicial compensation structure that was largely neglected by the 2016 Report is the fact that in many counties across the State, local officials' salaries are often tied to Superior Court Judge compensation by either local act or local legislation. This Committee has been tasked with examining the prevalence of this salary hooking or tying at the county and local level. While this work is not yet complete, the work of the Trial Courts of Limited Jurisdiction Subcommittee will continue to shine a light on this practice so that the ripple effect of any changes to the supplement system can be better understood.

While the Committee continues to collect data to this effect, the ACCG Survey, as well as data provided by the Council of State Court Judges provides a snapshot of how this practice can differ across the counties. Of the 114 plus counties who responded to the ACCG Survey, 23 reported positions whose salary was set by reference to the Superior Court Judge's salary. The most common positions tied to the Superior Court Judges were State Court Judges, with 20 counties. The second most common were Solicitors General with seven counties.

The number of positions that the responding counties reported as linked to Superior Court Judges ranged from one to nine. In Gwinnett County, the Tax Commissioner, Sheriff, Probate Court Judge, Magistrate Court Judge, State Court Judge, Juvenile Court Judges, Recorder's Court Judges, and Clerk of Court all have salaries linked to the Superior Court Judge. Other counties link County Commissioner salaries to Superior Court Judge salaries. These salaries are in most cases linked to the judge's salary plus local supplement.

**Table 6: Select Examples of Counties with Positions Tied to Superior Court Judges**

County	Positions Tied to Superior Court Judge	How are these positions tied to the Superior Court Judge?	How is the salary used to calculate others?
Forsyth	Solicitor General, State Court Judge	Local Act	State Court Judge - Salary is 95% of Superior Court Judge salary (State Salary plus County Supplement); Solicitor General - Salary is 75% of Superior Court Judge salary (State Salary plus County Supplement)
Haralson	Juvenile Court Judge	County supplement tied to Superior Court Judge Supplement	Juvenile Court Judge salary supplement is 90% of Superior Court Judge supplement
Fayette	County commission chair, county commissioners, Solicitor General, State Court Judge	Local Act	State Court Judge- 90% of base pay and local supplement; Solicitor- 75% of base pay and local supplement; Commission Chairman- 21% of base pay Commissioner- 16.5% of base pay
Clayton	Probate Judge, State Court Judge, Juvenile Court Judge	Probate and State Court Judge: Local Act; Juvenile Court Judge: Local Policy Position	State Court Judges: 89% to 95% of salary and supplement. They start off at 89% and increase the next July 1 by 1% until they reach the maximum or 95%. Juvenile Court Judges: Same as State Court Judges. Probate Court Judge: Receives 90% of salary and supplement of Superior Court Judge.
Effingham	Solicitor General, State Court Judge	Local Act	85% of State Court Judge's Base salary plus 5% of State Court Judge's Base salary for Board of Commissioners authorized supplement

A Survey performed by the Council of State Court Judges provides further insight into the practice of linking State Court Judge salaries to Superior Court Judge salaries. The survey covers 78 State Court Judges across 34 counties whose salaries were linked. Of those, only eight of the full-time Judges had their salaries tied to the State salary amount. The remaining judges' salaries were all tied to the State salary plus local supplement (whether they include the \$6,000 accountability court supplement varies). The reported percentages of judges

tied to the salary and local supplement ranged from 85-100%, with the average percentage being 91%. Of the eight full-time judges tied to the State salary the percentages ranged from 60%-100%, with the average percentage being 87%.

As with much of the pay structure which has been described to this point, there seems to be little pattern or overarching explanation to offer on the reason behind why some counties have tied many local official salaries to Judges while others have no links at all. What is clear is that any changes to the supplement system will more disparately impact some counties than others across the State.

### Section 3: County Retirement and Senior Judges

One final aspect of the local supplement system that needs to be considered when developing recommendations is the fact that along with salary supplements some counties also provide additional retirement benefits above what the State offers. In addition to retirement benefits many circuits then pay an increased rate for Senior Judges above the pro-rated State amount. The 2016 Report neglected to mention these downstream effects of the current supplement system that will impact both current and former Judges if changes are made to the current system.

Respondents in 22 counties across 12 judicial circuits reported paying additional retirement benefits above the membership in the State's Judicial Retirement System (JRS). These plans varied in their coverages, but the most common type of plan was a Defined Benefit Plan or Pension Plan. Some counties offered additional benefits including Life Insurance and additional Health Insurance coverage. It is likely that these responses underrepresent the prevalence of additional benefits throughout the State but provide a useful snapshot. A consequence of the patchwork of retirement benefits is that many Judges will receive benefits based solely on their state-paid salary, while some of their peers will receive benefits more in line with their actual salary at the time they leave the bench. Based on the data collected it does seem fair to say that many Judges across the State receive retirement benefits that are based on less than their actual total compensation. NCSC now collects information on judicial retirement plans and this Committee will look to provide further information moving forward comparing JRS to plans across the Country.

District Attorneys are also eligible for JRS membership based on their State paid salaries, but there are also examples of counties or circuits providing additional retirement benefits based on their county supplements. A total of eight circuits reported paying county retirement benefits for District Attorneys. Plans included Defined Benefit Plans and 401(a) plans, and how those plans were calculated varied by the county or circuit offering the plan.

The local supplement system also has a significant impact in how Senior Judges are compensated across the State. Senior Judges are paid for each day of service from State funds a daily pro-rated amount of the annual state salary of a Superior Court Judge divided by 235 (OCGA § 15-1-9.2), in addition to a per diem or expense reimbursement. Additionally, some Senior Judges also receive a benefit from the applicable county(s) in the form of an annual amount equal to  $\frac{2}{3}$ <sup>rd</sup> of the supplement they received from the counties as a sitting Judge. The different forms of compensation again lead to a situation of the same position being compensated differently across the State.

Both the original survey sent to counties and follow-up surveys sent to the 50 judicial circuits asked whether supplements were paid to Senior Judges, as well as if the  $\frac{2}{3}$  pre-retirement benefits were paid to Senior Judges. Forty-nine counties reported paying an additional supplement amount to Senior Judges above the State amount.



The ranges of this additional compensation varied widely from additional county paid per diems from \$100 to \$700+, to large annual amounts up to almost \$50,000. Thirty-five counties reported paying the 2/3<sup>rd</sup> pre-retirement benefit amount to Senior Judges. As with the retirement benefit piece, these responses likely do not present an exhaustive list of Senior Judge compensation but indicates the wide range of circumstances that currently exist throughout the State.

## Next Steps

This initial Report is aimed at completing the Committee's first task of updating the 2016 report of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission. This Report does not conclude the Committee's efforts at continuing to collect all data relevant to Judicial compensation throughout the State of Georgia. The goal of this first phase of the Committee's work is to lay the foundation to be able to begin to develop possible policy recommendations related to salaries and supplements, with a full understanding of the structure, or lack thereof, as it exists today.

Many of the conditions that were reported on in the 2016 Report continue unabated in 2022. In fact, supplements have continued to increase across the State in the years since. In addition, two factors that were either not considered or outside of the scope of the 2016 Report are initially addressed in this Report. Supplements paid to Superior Court Judges impact the compensation of many County Officials both within and outside of the Judicial Branch. The Supplements also impact the retirement benefits of many Judges throughout the State, as well as the compensation of Senior Judges throughout the State. The goal of this report is not to comment on the merits of this decentralized system, but to try to compile a comprehensive statewide update on compensation as it stands in 2022. The Committee will then take this information and begin working towards developing, evaluating, and recommending options for revising or eliminating the system of county-paid supplements.

The Committee is still working on gathering all available information related to judicial compensation in Georgia. All subsequent data gathering and analysis will be included in the Committee's final Report. The Committee is still looking to gather the following:

- Further information detailing the prevalence of county positions whose salary is linked to Superior Court Judges
- More detailed information on the compensation of Judges of Courts of Limited Jurisdiction. The goal is to provide information on the links to Superior Courts as well as a salary range for each Class of Court. These efforts are underway, but not complete at the time of this Report
- Continuing to refine and collect any information regarding retirement and other benefit factors tied to local supplements and the state-paid salary that were not covered in the 2016 Report.

# Appendix A: Committee Roster & Committee Orders

## Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements

### Members

**Justice Charles J. Bethel**  
Co-Chair  
Supreme Court of Georgia

**Chief Judge Russell Smith**  
Co-Chair  
Superior Court, Mountain Judicial Circuit

**Judge Trenton Brown**  
Court of Appeals of Georgia

**Judge William G. Hamrick**  
**Judge Walter W. Davis** (*until 9/30/22*)  
Georgia State-wide Business Court

**Judge Jeffrey H. Kight**  
Superior Court, Waycross Judicial Circuit

**Judge A. Gregory Poole**  
Superior Court, Cobb Judicial Circuit

**Mr. Darius Pattillo**  
District Attorneys' Association of Georgia

**Ms. Omotayo Alli**  
Georgia Public Defender Council

**Mr. Michael O'Quinn**  
Association County Commissioners of Georgia

### Advisory Members

**Judge Alvin T. Wong**  
Council of State Court Judges

**Judge Vincent Crawford**  
Council of Juvenile Court Judges

**Judge Daisy Weeks-Marisko**  
Council of Probate Court Judges

**Mr. DeMetris Causer**  
Georgia Municipal Association

**Mr. J. Antonio DelCampo**  
State Bar of Georgia

**Mr. Peter J. Skandalakis**  
Prosecuting Attorneys' Council of Georgia

**Ms. Stacy Haralson**  
Constitutional Officers Association of Georgia

**Judge Connie Holt**  
Council of Magistrate Court Judges

**Judge Ryan Hope**  
Council of Municipal Court Judges

**Mr. Joshua Weeks**  
Georgia Council of Court Administrators



## **Judicial Council of Georgia**

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

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### **Judicial Council of Georgia**

#### **Ad Hoc Committee on Judicial Salaries and Supplements**

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 Chair shall create and charge ad hoc committees as are necessary to conduct the business of the Judicial Council.

Under that authority, I hereby establish the Ad Hoc Committee on Judicial Salaries and Supplements. The charge of the committee shall be as follows:

1. To update and expand upon the December 16, 2016 report of the General Assembly's Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for Justices of the Supreme Court, Judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials' salaries or salary or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The Ad Hoc Committee shall provide an initial report to the Judicial Council on these matters no later than December 15, 2022, unless the Committee determines that information on the matters related to charges 1 and 2 above that is needed to address charge 3 above is not reasonably available, in which case the Committee shall instead report on what Judicial Council, executive, and/or legislative action would be required to obtain such information.

Any and all proposals for legislation affecting the salary or supplements of a class of court that would affect the salaries or supplements of another class of court shall be first provided to the Ad Hoc Committee on Judicial Salaries and Supplements for consideration. Any recommendations

for legislation from the Ad Hoc Committee shall be presented to the Standing Committee on Legislation, which may then make recommendations to the full Judicial Council.

The following members are hereby appointed to the Ad Hoc Committee on Judicial Salaries and Supplements:

- Justice Charles J. Bethel, Supreme Court of Georgia, Co-Chair.
- Judge Russell (Rusty) Smith, Superior Court, Mountain Judicial Circuit, Co-Chair.
- One Judge of the Georgia Court of Appeals, chosen by the Chief Judge of the Court of Appeals.
- Georgia State-wide Business Court Judge, or a designee.
- Two Superior Court Judges -- one from a circuit with a salary supplement of more than \$50,000 and one from a circuit with a salary supplement below \$50,000 -- chosen by the President of the Council of Superior Court Judges.
- President of the District Attorneys' Association of Georgia, or a designee.
- Executive Director of the Georgia Public Defender Council, or a designee.
- Executive Director of the Association County Commissioners of Georgia (ACCG), or a designee.

In addition, designees from the following organizations are invited to participate as advisory members to the Committee:

- Council of State Court Judges.
- Council of Juvenile Court Judges.
- Council of Probate Court Judges.
- Council of Magistrate Court Judges.
- Council of Municipal Court Judges.
- Georgia Council of Court Administrators.
- Georgia Municipal Association.
- State Bar of Georgia.

Ad Hoc Committee membership may include additional advisory members appointed, as needed, by the Committee Co-Chairs. Advisory members may be heard but shall not be entitled to vote. The Administrative Office of the Courts shall provide staff support to the Committee.

The Ad Hoc Committee shall exist from June 1, 2022, until May 30, 2023, unless extended by further order.

So decided this 26<sup>th</sup> day of May, 2022.



Chief Justice David E. Nahmias  
Chair, Judicial Council of Georgia

*Michael P. Boggs*  
Presiding Justice Michael P. Boggs  
Vice-Chair, Judicial Council of Georgia



## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*


### Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

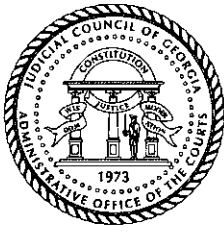
Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Prosecuting Attorneys' Council of Georgia

So decided this 6 day of JUNE, 2022.

  
Justice Charles J. Bethel  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

\_\_\_\_\_  
Chief Judge Russell (Rusty) Smith  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements



## **Judicial Council of Georgia Administrative Office of the Courts**

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### **Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment**

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Prosecuting Attorneys' Council of Georgia

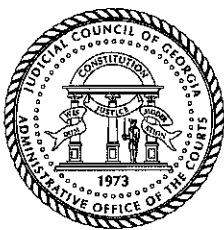
So decided this 10th day of June, 2022.

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Justice Charles J. Bethel  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

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Chief Judge Russell (Rusty) Smith  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements



## **Judicial Council of Georgia**

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

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### **Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements**

#### **Advisory Member Appointment**

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Constitutional Officers Association of Georgia

So decided this 13th day of July, 2022.

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Justice Charles J. Bethel  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

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Chief Judge Russell (Rusty) Smith  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements





## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*

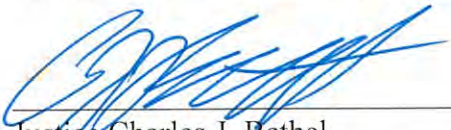
### Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Constitutional Officers Association of Georgia

So decided this 21<sup>st</sup> day of July, 2022.

  
\_\_\_\_\_  
Justice Charles J. Bethel  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

\_\_\_\_\_  
Chief Judge Russell (Rusty) Smith  
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

## **Appendix B: Subcommittee Charges & Rosters**

### **Outreach and Feedback**

This subcommittee is charged with coordinating efforts to acquire needed data and information, reviewing information received, and serving as the liaison for ideas and feedback from stakeholders.

Members:

- Judge Jeffrey Kight (Co-Chair)
- Judge A. Gregory Poole (Co-Chair)
- Judge Trenton Brown
- J. Antonio DelCampo
- Peter J. Skandalakis
- Joshua Weeks

### **Metrics and Measures**

This subcommittee is charged with synthesizing all data and information received and presenting a report/recommendation to the Committee.

Members:

- Omotayo Alli
- Judge William Hamrick
- Darius Pattillo

### **Trial Courts of Limited Jurisdiction**

This subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Committee's charge and making recommendations as to the need for further study. This may include surveys and outreach to individual classes of court.

Members:

- Judge Alvin T. Wong (Co-Chair)
- Michael O'Quinn (Co-Chair)
- DeMetris Causer
- Judge Vincent Crawford
- Judge Connie Holt
- Judge Ryan Hope
- Judge Daisy Weeks-Marisko
- Stacy Haralson

## Appendix C: Compensation Structure – Courts of Limited Jurisdiction

The Trial Courts of Limited Jurisdiction Subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Committee's charge and making recommendations as to the need for further study. This may include surveys and outreach to individual classes of court. The subcommittee met by Zoom on October 12; a summary of the information provided at that meeting, supplemented by some additional research, is provided below. The subcommittee will continue its work to refine this information, research statutory requirements, and identify compensation data for each class of court.

### **State Court**

State Court judges are paid by their respective counties (OCGA § 15-7-22). There are generally two categories by which state court judges' salary is structured: some judges salaries are tied to the superior court judges' salary (whether to the state base salary or the state base salary plus state/county supplements), while others' salaries are independent of the superior court. There are counties where the Chief Judge gets a local supplement, and some counties where the judges receive some, or a percentage, of the superior court judges' state accountability court supplement. Some judges who run State Court accountability courts have received additional compensation from their county through local legislation. Overall, the compensation for state court judges is unique to each county. There are 133 state court judges across 73 counties; 94 of those judges are full-time. According to 2021 data collected by the Council of State Court Judges (39 responses), 28 full-time and six part-time state courts were tied to superior court salaries.

### **Juvenile Court**

Juvenile court judges may be paid by a combination of state and county funds. State statute (OCGA § 15-11-52) provides for \$100,000 in state grants to circuits toward the salaries of full and part-time juvenile court judges. Each circuit with more than four superior court judges is eligible for an additional state grant of \$25,000, per superior court judgeship exceeding four in the circuit, for juvenile court judges' salaries. These funds are applied to the juvenile court judges' salaries as determined by the superior court, with the approval of the governing authority. In some counties, the juvenile court judge salary is tied to the superior court judge, and some may receive a salary plus local supplements. Full- and part-time associate juvenile court judges are compensated solely with county funds (OCGA § 15-11-60). There are currently 120 juvenile court judges (73 full-time, 26 part-time, 11 full-time Associate, 10 part-time Associate).

### **Probate Court**

Probate Court judges are county-paid and may serve as full-time or part-time. There are 159 elected probate court judges, and [insert number] associate judges. Unless otherwise provided by local legislation, the base pay for probate court judges is set in statute (OCGA § 15-9-63), based on population. Probate Judges serving as Chief Magistrate, Magistrate, and/or Clerk to Magistrate Court, and performing vital records or passport duties, receive add-on supplements or compensation for these duties. Counties can add on a local supplement to the base salary. Probate court judges also receive a five percent longevity increase upon completion of every term served. The compensation for associate probate court judges is determined by the elected probate court judge and may be a percentage of the elected judge's salary. Overall, the compensation for probate court judges is unique to each county. According to 2022 survey data collected by ACCG, the average median salary for a Probate Court Judge without magistrate duties

(97 responses) is \$84,478, and the average median salary for a Probate Court Judge with magistrate duties (24 responses) is \$81,760.

### **Magistrate Court**

Magistrate Court judges are county-paid. There are approximately 525 magistrate court judges (including 159 Chief Magistrates), who serve as both full-time and part-time. Unless otherwise provided by local legislation, the base pay for Chief Magistrates is set in statute (OCGA § 15-10-23), based on population. The pay for some full-time magistrate judges is linked to the salary of the Chief Magistrate and some may be paid by the hour. Some Part-time Chief Magistrates are paid a salary, and some part-time magistrates are paid by the hour or by the lowest amount set in statute. Some Chief Magistrates (for example, in the larger counties) have their salary linked to that of the superior court judge, and some do receive local supplements. Magistrates also receive a five percent longevity increase upon completion of every term served. Magistrates are required to work 40 hours per week. Overall, the compensation for magistrate court judges is unique to each county. According to 2022 survey data collected by ACCG, the average median salary for full-time Chief Magistrates (who do not also serve as the Probate Court Judge; [85 responses<sup>7</sup>]) is \$77,798.

### **Municipal Court**

There are more than 380 municipal court judges, the vast majority of which are practicing attorneys serving as part-time judges. There are full-time municipal courts, namely in the larger jurisdictions and consolidated governments, which are unique compared to the rest of the municipal courts and likely tied to the superior court judges' salaries. Overall, the compensation for municipal court judges is unique to each municipality, based on negotiations between the judge and the governing authority (OCGA § 36-32-2). Statute provides for a one-year minimum term/contract for municipal court judges but no salary guidelines.

### **Additional Considerations**

A small number of unique local jurisdiction specialty courts also exist (e.g., recorders courts and civil courts). These courts may identify as municipal courts, and additional research will be conducted to ascertain jurisdiction and compensation information.

At the time of this report, limited data for each class of court is available. To the extent a complete data set is collected, the Committee's final report will include this information.

### **Next Steps**

The Subcommittee defined the following three data points for each class of court to gather moving forward:

1. How many/which courts have salaries tied to superior court; what is the tie – percentage, salary only, or does it include supplements?
2. What is the specific amount of compensation for each individual court; at a minimum, what is the range of compensation within each class of court?
3. Should there be further study/reform for each class of court in the future?

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<sup>7</sup> 41 of the 85 respondents were from counties with a population of less than 28,999, so in addition to the incomplete survey responses, this set of responses may skew the findings for average median salary for Chief Magistrates.; 96 of Georgia's 159 counties (or 60%) have a population of less than 28,999 (U.S. Census 2020 - [https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2020-count-by-county-population--with-2010.pdf?sfvrsn=cbc99191\\_2](https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2020-count-by-county-population--with-2010.pdf?sfvrsn=cbc99191_2)).

## Appendix D: Summary of Recommendations from the 2016 Report

### Supreme Court

- **2016 Recommendation:** For the Supreme Court, the Commission recommended increasing the salary for the Chief Justice to \$205,000, and the salary for the remaining Justices to \$200,000. This would have made GA's Supreme Court Justices the eighth highest paid in the Country, comparable to Georgia's population rank, and to the salaries of Federal District Judges.
- As of January 2022, the NCSC Salary tracker ranked Georgia's Court of Last Resort 31st. For context the eighth highest salary in January 2022 was the Virgin Islands at \$226,564.

### Court of Appeals

- **2016 Recommendation:** For the Court of Appeals the Commission recommended paying the Chief Judge of the Court of Appeals \$195,000, and the other Judges of the Court of Appeals \$190,000. This would have made the Court of Appeals the seventh highest paid Intermediate Appellate Court in the Country.
- As of January 2022, Georgia's Court of Appeals ranked 23rd in compensation. The seventh highest salary was New Jersey at \$207,176.

### Superior Court Judges

- **2016 Recommendation:** For Superior Court Judges, the Report recommended a two-part compensation system aimed at phasing out local supplements. Judges would have had the choice between receiving their current state salary, accountability court supplement, and capped local supplement amount, or receiving a new state salary of \$175,000 in circuits with accountability courts, or \$165,000 in circuits without accountability courts and giving up their local supplements. All new Judges would immediately be compensated under the second option, thus phasing out option 1 over time.

The \$175,000 salary approximated an average salary including supplements and would have made Georgia the eighth highest paid General Jurisdiction Court.

### District Attorneys and Public Defenders

- For District Attorneys and Circuit Public Defenders the Commission made similar recommendations to those for Superior Court Judges. A two-part compensation scale with the choice to continue to receive their current compensation or to choose a new state salary of \$160,000 for those in circuits with an accountability court and \$150,000 for those in circuits without an accountability court. All new DAs and CPDs would automatically be placed under option 2. The recommended \$160,000 salary was based on being comparable to the starting base salary for first year associates at large Atlanta law firms, and the maximum salary paid to assistant U.S. attorneys.

### **Assistant District Attorneys and Assistant Public Defenders**

- The Commission recommended that the State fully fund the pay scale for Assistant District Attorneys and that there should be parity between the pay scale for ADAs and APDs. It recommended that this be done by statute, not just appropriation. The Commission recommended that counties continue to be able to pay supplements to ADAs and APDs, as well as hire additional attorneys due to the cost of the State taking on all of the county paid positions.

## Appendix E: NCSC Salary Tracker Rankings, July 2022

	Court of Last Resort		Int. Appellate		Gen. Jurisdiction		Gen. Jurisdiction adj. for Cost-of-Living		
State/Territory	Court of Last Resort	Ranking	Int. Appellate Court	Ranking	Gen. Jurisdiction	Ranking	Factor*	Adj. Salary	Ranking
Alabama	\$178,500	35	\$177,990	24	\$142,800	50	93.0	\$153,506	31
Alaska	\$205,176	17	\$193,836	14	\$189,720	14	131.9	\$143,876	42
American Samoa	No Response		No Response		No Response		Not Available		
Arizona	\$159,685	49	\$154,534	38	\$149,383	43	102.3	\$145,958	37
Arkansas	\$190,126	25	\$184,497	20	\$180,129	24	90.6	\$198,794	4
California	\$274,732	1	\$257,562	1	\$225,074	1	135.2	\$166,481	21
Colorado	\$199,632	21	\$191,724	17	\$183,816	20	111.1	\$165,481	22
Connecticut	\$209,770	14	\$197,046	11	\$189,483	15	127.0	\$149,216	35
Delaware	\$205,135	18	Not Applicable		\$192,862	12	110.1	\$175,215	15
District of Columbia	\$236,900	4	Not Applicable		\$223,400	2	160.0	\$139,602	44
Florida	\$239,442	3	\$202,440	9	\$182,060	22	101.3	\$179,771	11
Georgia	\$184,112	31	\$182,990	21	\$181,239	23	93.4	\$194,120	5
Guam	\$160,454	47	Not Applicable		\$144,110	49	Not Available		
Hawaii	\$229,668	6	\$212,784	6	\$207,084	6	150.2	\$137,838	48
Idaho	\$160,400	48	\$150,400	39	\$144,400	48	99.6	\$145,045	39
Illinois	\$258,456	2	\$243,256	2	\$223,219	3	100.0	\$223,212	1
Indiana	\$199,059	22	\$193,501	16	\$165,276	29	95.6	\$172,922	16
Iowa	\$187,326	27	\$169,765	28	\$158,056	36	97.7	\$161,711	26
Kansas	\$168,598	42	\$163,156	34	\$148,912	45	98.1	\$151,799	34
Kentucky	\$153,751	52	\$147,562	40	\$141,401	52	92.2	\$153,322	32
Louisiana	\$186,714	28	\$174,597	25	\$167,749	28	97.2	\$172,561	17
Maine	\$155,397	51	Not Applicable		\$145,642	47	116.9	\$124,554	51
Maryland	\$206,433	16	\$193,633	15	\$184,433	19	126.7	\$145,563	38
Massachusetts	\$200,984	20	\$190,087	18	\$184,694	17	133.0	\$138,890	46
Michigan	\$164,610	46	\$173,528	26	\$160,325	32	91.4	\$175,472	14
Minnesota	\$191,359	24	\$180,313	22	\$169,264	26	102.6	\$164,957	23
Mississippi	\$166,500	44	\$158,500	36	\$149,000	44	88.4	\$168,542	18
Missouri	\$189,198	26	\$172,937	27	\$163,082	30	90.5	\$180,285	10
Montana	\$155,920	50	Not Applicable		\$142,683	51	103.9	\$137,376	49
Nebraska	\$198,427	23	\$188,505	19	\$183,545	21	100.8	\$182,128	8
Nevada	\$170,000	40	\$165,000	31	\$160,000	33	112.4	\$142,369	43
New Hampshire	\$179,942	34	Not Applicable		\$168,761	27	120.9	\$139,576	45
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10	121.7	\$161,227	27
New Mexico	\$180,748	33	\$164,930	32	\$156,683	38	100.1	\$156,509	30
New York	\$233,400	5	\$222,200	3	\$210,900	4	112.4	\$187,708	7
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42	95.2	\$159,788	28
North Dakota	\$169,162	41	Not Applicable		\$155,219	40	107.8	\$143,958	41
Northern Mariana Islands	No Response		No Response		No Response		Not Available		
Ohio	\$181,400	32	\$169,075	29	\$155,485	39	92.6	\$167,932	20
Oklahoma	\$173,469	38	\$164,339	33	\$156,732	37	93.3	\$168,026	19
Oregon	\$171,408	39	\$168,108	30	\$158,556	35	119.1	\$133,143	50
Pennsylvania	\$227,080	7	\$214,261	4	\$197,119	9	102.3	\$192,661	6
Puerto Rico	\$120,000	54	\$105,000	42	\$89,600	54	Not Available		
Rhode Island	\$225,804	9	Not Applicable		\$210,860	5	128.6	\$164,024	24
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8	98.8	\$205,125	3
South Dakota	\$174,551	37	Not Applicable		\$163,036	31	99.5	\$163,865	25
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11	92.3	\$211,019	2
Texas	\$184,800	29	\$178,400	23	\$154,000	41	96.4	\$159,670	29
Utah	\$203,700	19	\$194,450	13	\$185,200	16	103.2	\$179,471	12
Vermont	\$184,771	30	Not Applicable		\$175,654	25	121.2	\$144,939	40
Virgin Islands	\$226,564	8	Not Applicable		\$191,360	13	Not Available		
Virginia	\$212,365	13	\$195,422	12	\$184,617	18	102.4	\$180,290	9
Washington	\$224,176	10	\$213,400	5	\$203,169	7	114.9	\$176,846	13
West Virginia	\$149,600	53	\$142,500	41	\$132,300	53	95.5	\$138,489	47
Wisconsin	\$165,772	45	\$156,388	37	\$147,535	46	100.4	\$147,016	36
Wyoming	\$175,000	36	Not Applicable		\$160,000	33	105.3	\$151,876	33
Mean	\$191,806		\$183,010		\$171,954				
Median	\$187,020		\$181,652		\$168,255				
Range	\$274,732		\$257,562		\$225,074				
*The figures presented use the C2ER Cost-of-Living Index. The Council for Community and Economic Research-C2ER is the most widely accepted U.S. source for cost-of-living indices, with nearly 400 reporting jurisdictions across America. C2ER does not provide cost of living index for U.S. Territories. Due to the rounding of C2ER factors to the nearest hundredth for publication purposes, user calculations of our adjusted salary figures may not equate to the published totals. More detailed information can be found at <a href="http://www.c2er.org">www.c2er.org</a> .									

## Appendix F: Total Superior Court Judge Compensation

Circuit	Judges	Statutory Base (OCGA 45-7-4(20))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement (OCGA 15-6-	Circuit Supplement (OCGA 15-6-29.1(c))	Total Compensation
Augusta	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 80,200	\$ 219,990
Columbia	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 80,200	\$ 219,990
Cobb	11	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 73,614	\$ 213,404
Atlanta	20	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 72,112	\$ 211,902
Eastern	6	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 66,084	\$ 205,874
Northeastern	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 65,790	\$ 205,580
Brunswick	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 64,624	\$ 204,414
Stone Mountain	10	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 58,711	\$ 198,501
Gwinnett	11	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 52,670	\$ 192,460
Macon	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,012	\$ 189,802
Clayton	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Blue Ridge	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Griffin	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Coweta	7	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Waycross	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,920	\$ 189,710
Chattahoochee	7	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,535	\$ 189,325
Bell-Forsyth	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,500	\$ 189,290
Flint	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,500	\$ 189,290
Atlantic	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 48,600	\$ 188,390
Douglas	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 47,784	\$ 187,574
Cherokee	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 45,000	\$ 184,790
Alcovy	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 43,808	\$ 183,598
Houston	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 43,369	\$ 183,159
Ogeechee	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 55,000	\$ 194,790
Western	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 41,449	\$ 181,239
Appalachian	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,800	\$ 180,590
Southern	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,000	\$ 179,790
South Georgia	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,000	\$ 179,790
Rome	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 37,051	\$ 176,841
Alapaha	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 36,000	\$ 175,790
Piedmont	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 34,064	\$ 173,854
Tifton	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 32,800	\$ 172,590
Paulding	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 30,500	\$ 170,290
Dougherty	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 30,500	\$ 170,290
Mountain	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 28,947	\$ 168,737
Rockdale	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 25,253	\$ 165,043
Conasauga	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 25,000	\$ 164,790
Northern	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,600	\$ 164,390
Dublin	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Middle	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Ocmulgee	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Oconee	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Tallapoosa	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Southwestern	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 23,855	\$ 163,645
Towaliga	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 21,000	\$ 160,790
Cordele	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 20,000	\$ 159,790
Enotah	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 20,000	\$ 159,790
Lookout Mountain	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 16,000	\$ 155,790
Pataula	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 12,000	\$ 151,790
Toombs	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 12,000	\$ 151,790



## Appendix G: 2016 to 2022 Supplement Comparison (Superior Court)

Circuit	2016 Supplement	2022 Supplement	% Increase	Increase?
Augusta	\$ 75,200	\$ 80,200	6.6%	yes
Columbia		\$ 80,200		
Cobb	\$ 73,614	\$ 73,614	0.0%	no
Eastern	\$ 66,084	\$ 66,084	0.0%	no
Northeastern	\$ 65,790	\$ 65,790	0.0%	no
Brunswick	\$ 64,624	\$ 64,624	0.0%	no
Stone Mountain	\$ 58,711	\$ 58,711	0.0%	no
Gwinnett	\$ 52,670	\$ 52,670	0.0%	no
Macon	\$ 49,996	\$ 50,012	0.0%	yes
Clayton	\$ 37,000	\$ 50,000	35.1%	yes
Atlanta	\$ 49,748	\$ 72,112	45.0%	yes
Bell-Forsyth	\$ 25,000	\$ 49,500	98.0%	yes
Chattahoochee	\$ 45,386	\$ 49,535	9.1%	yes
Douglas	\$ 45,700	\$ 47,784	4.6%	yes
Blue Ridge	\$ 25,750	\$ 50,000	94.2%	yes
Cherokee	\$ 32,300	\$ 45,000	39.3%	yes
Alcovy	\$ 38,992	\$ 43,808	12.4%	yes
Griffin	\$ 36,000	\$ 50,000	38.9%	yes
Ogeechee	\$ 41,490	\$ 55,000	32.6%	yes
Western	\$ 40,840	\$ 41,449	1.5%	yes
Houston	\$ 36,177	\$ 43,369	19.9%	yes
Southern	\$ 25,000	\$ 40,000	60.0%	yes
Appalachian	\$ 30,446	\$ 40,800	34.0%	yes
Flint	\$ 36,130	\$ 49,500	37.0%	yes
Rome	\$ 24,030	\$ 37,051	54.2%	yes
Piedmont	\$ 27,812	\$ 34,064	22.5%	yes
Paulding	\$ 30,500	\$ 30,500	0.0%	no
Atlantic	\$ 25,800	\$ 48,600	88.4%	yes
Coweta	\$ 30,000	\$ 50,000	66.7%	yes
Waycross	\$ 29,255	\$ 49,920	70.6%	yes
South Georgia	\$ 28,020	\$ 40,000	42.8%	yes
Dougherty	\$ 27,861	\$ 30,500	9.5%	yes
Mountain	\$ 25,517	\$ 28,947	13.4%	yes
Rockdale	\$ 23,953	\$ 25,253	5.4%	yes
Northern	\$ 24,600	\$ 24,600	0.0%	no
Dublin	\$ 24,000	\$ 24,000	0.0%	no
Middle	\$ 24,000	\$ 24,000	0.0%	no
Ocmulgee	\$ 18,000	\$ 24,000	33.3%	yes
Oconee	\$ 20,000	\$ 24,000	20.0%	yes
Tallapoosa	\$ 24,000	\$ 24,000	0.0%	no
Conasauga	\$ 23,400	\$ 25,000	6.8%	yes
Southwestern	\$ 20,854	\$ 23,855	14.4%	yes
Towaliga	\$ 21,000	\$ 21,000	0.0%	no
Enotah	\$ 20,000	\$ 20,000	0.0%	no
Cordele	\$ 20,000	\$ 20,000	0.0%	no
Pataula	\$ 12,000	\$ 12,000	0.0%	no
Toombs	\$ 12,000	\$ 12,000	0.0%	no
Tifton	\$ 17,400	\$ 32,800	88.5%	yes
Lookout Mountain	\$ 15,000	\$ 16,000	6.7%	yes
Alapaha	-	\$ 36,000		yes

## Appendix H: 2021 to 2022 Supplement Comparison (Superior Court)

Circuit	2021 County Supplement	2022 County Supplement	% Increase	Increase?
Augusta	\$ 80,200	\$ 80,200	0%	no
Columbia	\$ 80,200	\$ 80,200	0%	no
Cobb	\$ 73,614	\$ 73,614	0%	no
Eastern	\$ 66,084	\$ 66,084	0%	no
Northeastern	\$ 65,790	\$ 65,790	0%	no
Brunswick	\$ 64,623	\$ 64,624	0%	yes
Waycross	\$ 49,920	\$ 49,920	0%	no
Stone Mountain	\$ 58,711	\$ 58,711	0%	no
Gwinnett	\$ 52,670	\$ 52,670	0%	no
Macon	\$ 50,012	\$ 50,012	0%	no
Clayton	\$ 50,000	\$ 50,000	0%	no
Atlanta	\$ 49,748	\$ 72,112	45%	yes
Bell-Forsyth	\$ 49,500	\$ 49,500	0%	no
Chattahoochee	\$ 49,238	\$ 49,535	1%	yes
Douglas	\$ 47,784	\$ 47,784	0%	no
Blue Ridge	\$ 46,525	\$ 50,000	7%	yes
Cherokee	\$ 45,000	\$ 45,000	0%	no
Alcovy	\$ 43,808	\$ 43,808	0%	no
Griffin	\$ 43,000	\$ 50,000	16%	yes
Ogeechee	\$ 41,490	\$ 55,000	33%	yes
Western	\$ 41,449	\$ 41,449	0%	no
Houston	\$ 40,532	\$ 43,369	7%	yes
Southern	\$ 40,000	\$ 40,000	0%	no
Appalachian	\$ 38,858	\$ 40,800	5%	yes
Flint	\$ 36,000	\$ 49,500	38%	yes
Rome	\$ 35,000	\$ 37,051	6%	yes
Piedmont	\$ 33,630	\$ 34,064	1%	yes
Paulding	\$ 30,500	\$ 30,500	0%	no
Atlantic	\$ 30,000	\$ 48,600	62%	yes
Coweta	\$ 30,000	\$ 50,000	67%	yes
South Georgia	\$ 28,000	\$ 40,000	43%	yes
Dougherty	\$ 27,000	\$ 30,500	13%	yes
Mountain	\$ 25,517	\$ 28,947	13%	yes
Rockdale	\$ 25,253	\$ 25,253	0%	no
Northern	\$ 24,600	\$ 24,600	0%	no
Dublin	\$ 24,000	\$ 24,000	0%	no
Middle	\$ 24,000	\$ 24,000	0%	no
Ocmulgee	\$ 24,000	\$ 24,000	0%	no
Oconee	\$ 24,000	\$ 24,000	0%	no
Tallapoosa	\$ 24,000	\$ 24,000	0%	no
Conasauga	\$ 23,400	\$ 25,000	7%	yes
Towaliga	\$ 21,000	\$ 21,000	0%	no
Southwestern	\$ 20,855	\$ 23,855	14%	yes
Cordele	\$ 20,000	\$ 20,000	0%	no
Enotah	\$ 20,000	\$ 20,000	0%	no
Tifton	\$ 17,400	\$ 32,800	89%	yes
Lookout Mountain	\$ 16,000	\$ 16,000	0%	no
Pataula	\$ 12,000	\$ 12,000	0%	no
Toombs	\$ 12,000	\$ 12,000	0%	no
Alapaha	\$ -	\$ 36,000		yes

## Appendix I: Legal Basis for Judicial Salaries in Other States

Contiguous States			
State	How Salaries are Set	Salary Escalation?	Means of Escalation
<b>Alabama</b>	Set by statute	Yes	Longevity increases of 7.5% upon each re-election up to 18 years (six-year terms)
<b>Florida</b>	Set annually by appropriations	No	
<b>Georgia</b>	Set by statute	No	Eligible to receive pay raises received by other State employees at the will of the General Assembly
<b>North Carolina</b>	Set by Appropriations Act	Yes	Longevity raises which start at 4.8% after 5 years and max out at 24% after 25 years
<b>South Carolina</b>	Set annually by appropriations (salaries set by % of Justices of the Supreme Court)	No	
<b>Tennessee</b>	Computational, base salary set in statute adjusted annually based on CPI	Yes	Annual adjustment based on CPI, capped at 5% unless CPI increase exceeds 10%

Similar Population States			
State	How Salaries are Set	Salary Escalation?	Means of Escalation
<b>Illinois</b>	Computational, formerly set by Compensation Board	Yes	COLA based on Employment Cost Index, up to 5%
<b>Ohio</b>	Set by statute	Yes	1.75% yearly increase from 2020-2028 set via Appropriations Bill
<b>Georgia</b>	Set by statute	No	Eligible to receive pay raises received by other State employees at the will of the General Assembly
<b>North Carolina</b>	Set by Appropriations Act	Yes	Longevity raises which start at 4.8% after 5 years and max out at 24% after 25 years
<b>New Jersey</b>	Set by statute	Yes	Beginning in 2021 automatic adjustments based on CPI, capped at 2%
<b>Virginia</b>	Set by Appropriations Act	No	

# Appendix J: Assistant District Attorney State Pay Scale effective 6/01/2022

Step	Class 1	Class 2	Class 3	Class 4
1	\$ 56,250	\$ 67,233	\$ 81,301	\$ 97,660
2	\$ 57,788	\$ 69,729	\$ 83,592	\$ 100,438
3	\$ 59,889	\$ 72,312	\$ 86,734	\$ 104,256
4	\$ 62,093	\$ 75,008	\$ 90,008	\$ 108,218
5	\$ 63,528	\$ 76,760	\$ 92,135	\$ 112,353
6	\$ 64,983	\$ 78,544	\$ 94,303	\$ 115,572
7	\$ 66,480	\$ 80,379	\$ 96,543	\$ 117,786
8	\$ 68,017	\$ 82,265	\$ 98,370	Locked
9	\$ 69,596	\$ 84,197	\$ 100,248	Locked
10	\$ 71,215	\$ 86,180	\$ 102,144	Locked
11	\$ 72,865	\$ 88,210	\$ 103,400	Locked
Locked Steps are reserved pending future funding availability				

\*Information provided by PAC

## Appendix K: District Attorney Total Compensation

Circuit	Statutory Base (OCGA 45-7-4(21))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement	Circuit Supplement	Total Compensation
Cobb	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 80,912.00	\$ 214,385
Atlanta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 72,112.00	\$ 205,585
Macon	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 55,643.00	\$ 189,116
Gwinnett	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 52,670.00	\$ 186,143
Northeastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 51,139.00	\$ 184,612
Flint	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,500.00	\$ 182,973
Stone Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,241.72	\$ 182,715
Blue Ridge	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 46,525.00	\$ 179,998
Douglas	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 46,421.00	\$ 179,894
Clayton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 45,880.00	\$ 179,353
Brunswick	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 39,224.00	\$ 172,697
Augusta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 38,000.00	\$ 171,473
Columbia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 38,000.00	\$ 171,473
Cherokee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 36,000.00	\$ 169,473
Chattahoochee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 31,000.00	\$ 164,473
Paulding	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,500.00	\$ 163,973
Appalachian	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,000.00	\$ 163,473
Rome	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,980.20	\$ 160,454
Western	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 24,000.00	\$ 157,473
Southern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 22,500.00	\$ 155,973
Atlantic	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,600.00	\$ 155,073
Towaliga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,000.00	\$ 154,473
Dublin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 20,000.00	\$ 153,473
Rockdale	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,094.00	\$ 151,567
Coweta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Dougherty	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Oconee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Tallapoosa	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 17,953.00	\$ 151,426
Houston	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,585.00	\$ 149,058
Griffin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,000.00	\$ 148,473
Alcovy	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 14,472.00	\$ 147,945
Waycross	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 12,000.00	\$ 145,473
Bell-Forsyth	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,041.00	\$ 143,514
Toombs	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 9,600.00	\$ 143,073
Cordele	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 8,004.00	\$ 141,477
South Georgia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 8,000.00	\$ 141,473
Tifton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,667.00	\$ 140,140
Piedmont	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,424.00	\$ 139,897
Lookout Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000.00	\$ 139,473
Conasauga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,400.00	\$ 138,873
Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 2,404.00	\$ 135,877
Alapaha	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Enotah	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Northern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Pataula	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Southwestern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Eastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	Answered yes on ACCG Survey no figure provided	\$ 133,473
Middle	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No response, \$26,000 in 2016	\$ 133,473
Ocmulgee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No response, \$9,050 in 2016	\$ 133,473
Ogeechee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No Reponse, \$6,000 in 2016	\$ 133,473

## Appendix L: Circuit Public Defender Total Compensation

Circuit	Statutory Base (OCGA 17-12-25 (HB1391))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement	Circuit Supplement	Total Compensation
Atlanta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 72,112	\$ 205,585
Northeastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 52,139	\$ 185,612
Flint	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,500	\$ 182,973
Macon	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 43,000	\$ 176,473
Eastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 40,000	\$ 173,473
Brunswick	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 36,000	\$ 169,473
Augusta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 32,900	\$ 166,373
Columbia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,000	\$ 163,473
Cherokee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,467	\$ 159,940
Coweta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,000	\$ 159,473
Atlantic	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 25,000	\$ 158,473
Chattahoochee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 22,000	\$ 155,473
Towaliga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,000	\$ 154,473
Rome	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 20,570	\$ 154,043
Paulding	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000	\$ 151,473
Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,000	\$ 148,473
Southern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 14,300	\$ 147,773
Pataula	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 12,000	\$ 145,473
Dougherty	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Griffin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Middle	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Oconee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Piedmont	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 9,000	\$ 142,473
Alcovy	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Northern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Toombs	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Rockdale	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,000	\$ 138,473
Western	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,000	\$ 138,473
Tallapoosa	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 3,500	\$ 136,973
Alapaha	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Appalachian	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Clayton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Conasauga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Cordele	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Dublin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Enotah	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Lookout Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Ocmulgee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Ogeechee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Southwestern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Stone Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Tifton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Waycross	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Bell-Forsyth	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Blue Ridge	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Cobb	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Douglas	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Gwinnett	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Houston	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
South Georgia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	no response	no response

## Appendix J: 2016 report

### **JUDICIAL, DISTRICT ATTORNEY, AND CIRCUIT PUBLIC DEFENDER COMPENSATION COMMISSION**

#### **REPORT**

**DECEMBER 15, 2016**

**COMMISSION  
MEMBERS**

**GUS MAKRIS**  
CHAIR

**JOHNNY GRESHAM**  
MEMBER

**P. HARRIS HINES**  
MEMBER

**CHARLOTTE NASH**  
MEMBER

**RICHARD SMITH**  
MEMBER

**TERRY ENGLAND**  
EX-OFFICIO MEMBER

**JACK HILL**  
EX-OFFICIO MEMBER



December 15, 2016

Mr. Ryan Teague  
Executive Counsel  
Office of Governor

Ms. Teresa MacCartney  
Chief Financial Officer and Director  
Office of Planning and Budget

Honorable Terry England  
Chairman  
House Committee on Appropriations

Honorable Jack Hill  
Chairman  
Senate Appropriations Committee

Honorable Wendell Willard  
Chairman  
House Committee on Judiciary

Honorable Joshua McKoon  
Chairman  
Senate Judiciary Committee

Dear All,

The Judicial, District Attorney, and Circuit Public Defender Compensation Commission submits this report pursuant to O.C.G.A. § 15-22-4(a)(1).

Sincerely,

A handwritten signature in dark ink, appearing to read "Gus Makris". The signature is fluid and cursive, with the first name "Gus" and last name "Makris" clearly distinguishable.

Gus Makris

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### *EXHIBITS*

The chief justice of the Supreme Court of Georgia is the eighty-ninth highest paid judge in the state. Certain superior court judges are the highest paid trial court judges in the country, and other superior court judges are among the lowest paid trial court judges in the country. The pay of two assistant district attorneys, or two assistant public defenders, who have the same experience and do the same job, may differ by thousands of dollars.

This report addresses how this came to be and recommends how it can be improved.

## I. INTRODUCTION

Every day judges and district attorneys and public defenders address someone's life or liberty or property. They address life or liberty or property that has been affected by violence, government power, child abuse, elections, contract disputes, discrimination, family dissolution, fraud, taxes, negligence, and more. They are relied on to address these matters not arbitrarily, but evenly, independent of the parties involved, independent of public or political opinion, and constrained by the Constitution, the Georgia Code, and the decisions of other courts. In other words, they are relied on to uphold the rule of law.<sup>1</sup>

That reliance must be well placed. The judge who must set free a hated felon because his right to a fair trial was violated, the district attorney who must take on a murderous gang, the public defender who alone stands between the power of the state and the indigent accused – they must have character and intelligence. They must be well-qualified lawyers.

Recognizing this need, in 2015 the General Assembly passed and Governor Nathan Deal signed House Bill 279, which created the Judicial, District Attorney, and Circuit Public Defender Compensation Commission (the “Commission”). In broad terms, the law instructs the Commission to review compensation paid to justices, judges, district attorneys, and public defenders, to review the resources and caseload balance of the justice system, and to issue reports and recommendations to the executive counsel of the Governor, the Office of Planning and Budget, and the chairpersons of the House and Senate Appropriations and Judiciary Committees.

The Commission has been assigned a multi-year project. It submitted its first report on December 15, 2015, shortly after it was constituted. With this report it meets its obligation to submit a second report by December 15, 2016. Thereafter it must submit a report at least every two years.<sup>2</sup> The Commission dissolves on June 30, 2020, unless it is continued by the General Assembly prior to that date.<sup>3</sup>

In 2016 the Commission studied compensation. It held public meetings on January 11, May 4, and October 27, and it received reports from judges, district attorneys, and public defenders. It also conducted significant research on its own. This report contains its findings and recommendations. In subsequent years the Commission will study other matters, including the resources and caseload balance of the justice system.

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<sup>1</sup> We take this for granted. We shouldn't. See, e.g., Bearak, Max. “An entire generation of a city's lawyers was killed in Pakistan,” *The Washington Post*, August 9, 2016, (“A generation of lawyers has been wiped out in Quetta, and it will leave Baluchistan, in more ways than one, lawless.”)

<sup>2</sup> O.C.G.A. § 15-22-4.

<sup>3</sup> O.C.G.A. § 15-22-5.

## II. ANALYTICAL FRAMEWORK

In many ways the task of the Commission has been to compare. Compare this to that. Compare current compensation to past compensation. Compare compensation in this state to compensation in that state. Compare compensation in this circuit to compensation in that circuit. Compare public sector compensation to private sector compensation. And so on. Is the compensation equal? Should it be equal? Is it different? Should it be different? How different? These are difficult and complex questions, and they are part of an analysis that is perhaps more art than science.<sup>4</sup>

The Commission began its analysis with the basic economic principle that the level of compensation defines the pool of applicants.<sup>5</sup> If the pay is too low, fewer well-qualified candidates will apply, and so positions are more likely to be filled by others who are less-qualified. With this in mind the Commission collected relevant data to form an idea of the compensation necessary to attract well-qualified lawyers.

Not long ago federal judges undertook a similar analysis in an effort to raise their pay. It generated significant interest. In 2007 Chief Justice John Roberts said that the failure to raise judicial pay had created a “constitutional crisis” in the federal courts.<sup>6</sup> Justice Scalia remarked that as a result of insufficient pay “we cannot attract the really bright lawyers” because “it’s too much of a sacrifice.”<sup>7</sup> Justice Alito feared that “eroding judicial salaries will lead, sooner or later, to less capable judges and ultimately to inferior adjudication.”<sup>8</sup> Other judges, lawyers, and commentators largely agreed.<sup>9</sup> Some disagreed, however, and published studies purporting to show that pay had little effect on the quality of federal judges.<sup>10</sup>

These debates, now about ten years old, are not directly relevant to the Commission’s task, but they display how traditional economic analysis can fall short in evaluating compensation for well-qualified lawyers who choose to serve the public interest. The available tools to measure the quality of these lawyers and the effects of pay are, according to a prominent scholar, “so extremely crude that they cannot tell us much,” and so “it makes far more sense . . . to rely on basic economic intuition and more direct anecdotal evidence.”<sup>11</sup> The Commission basically agrees with this view.

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<sup>4</sup> These are difficult and complex questions for employers in the private sector, too. See Weber, Lauren. “Why there is No Science in Your Salary,” *The Wall Street Journal*, August 2, 2016.

<sup>5</sup> See, e.g., Corcoran, Kevin. “Judicial Salaries Loom as Big Issue; The Resignation of a Supreme Court Justice Spurs a Call for Better Pay for Indiana’s Judges,” *Indianapolis Star*, October 11, 1999.

<sup>6</sup> Chief Justice John G. Roberts, Jr., *2006 Year-End Report on the Federal Judiciary*, January 1, 2007. Available at: <https://www.supremecourt.gov/publicinfo/year-end/2006year-endreport.pdf>.

<sup>7</sup> Posting of Peter Lattman to *Wall Street Journal Law Blog* (December 14, 2006) (quoting a December 13, 2006 speech by Justice Scalia). Available at: <http://blogs.wsj.com/law/2006/12/14/justice-scalia-bemoans-judicial-pay>.

<sup>8</sup> Committee on the Judiciary, Subcommittee On Courts. *Federal Judicial Compensation: Hearing Before the House*. 110th Congress. 1st session, April 19, 2007.

<sup>9</sup> Parker, Laura. “Pay Gap Dismays Federal Judges,” *USA Today*, September 23, 2007.

<sup>10</sup> Scott Baker, *Should We Pay Federal Circuit Judges More?*, 88 B.U. L. Rev. 63 (2008); Stephen J. Choi, G. Mitu Gulati & Eric A. Posner, *Are Judges Overpaid? A Skeptical Response to the Judicial Salary Debate*, 1 J. of Legal Analysis 47 (2009).

<sup>11</sup> Frank B. Cross, *Perhaps We Should Pay Federal Circuit Judges More*, 88 B.U. L. Rev. 815 (2008) (comments were specific to judicial compensation).

The Commission undertook its analysis with one overall purpose in mind: compensation of judges, district attorneys, and public defenders should advance the public interest. That is the task.

Questions about whether this or that salary is “fair” or “unfair” have been evaluated in light of the overall purpose of advancing the public interest. Questions of fairness ask us to consider how people should be treated in relation to one another, and they are not new. In fact they are as old as the Greeks. They can be traced to Aristotle, who in his *Nicomachean Ethics* was the first to set forth the principle of equality, which is that “things that are alike should be treated alike, while things that are unlike should be treated unlike in proportion to their unalikehood.”<sup>12</sup> That principle has endured. It has a logical appeal, but that appeal is exceeded many times over by its emotive force. And so its violation, or perceived violation, stirs a response – indignation and the impression, whether true or not, that things have been arranged or manipulated unfairly. That tends to lower morale, lower effort, increase turnover and thereby lower the effectiveness and quality of, in this case, lawyers, which in turn negatively affects the public interest.<sup>13</sup> To this extent questions of fairness are important.

Another comment. As will be discussed, the compensation structure of the justice system is riddled with anomalies and inconsistencies; a few are set forth in the opening paragraph of this report. They present complicated problems that, nevertheless, share a core simplicity. Judges, district attorneys, and public defenders exercise and apply state authority, and so the state pays them, but the state also allows many of them to be paid by the counties in which they serve. Those payments – called local or county supplements – are numerous, varied, and miscellaneous. They are the result of thousands of people making thousands of disconnected decisions that may be influenced by any number of related factors, including local politics, the state budget, the county budget, the recent financial crisis, state compensation that is below-market, and a lack of cost-of-living adjustments. They present questions of “internal” consistency – how should judges and lawyers within the justice system be paid relative to one another? The answer to that question depends largely on one’s answer to another question that heretofore may not have been squarely addressed – to what extent is the justice system a state system, and to what extent is it a local system? The Commission also analyzed questions of “external” consistency – how should judges and lawyers within the justice system be paid relative to lawyers outside the justice system?

With these ideas in mind the Commission has sought to form a view of the way things should be, to understand the way things are, and to make recommendations that help draw the latter toward the former. Of course the Commission makes its recommendations without an opinion about all the things that must be funded by a necessarily limited state budget and, therefore, without the burden of choosing between two good things, weighing all the trade-offs, and reckoning the related long-term and second-order effects.

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<sup>12</sup> *Nicomachean Ethics*, v.3 1131a-31b (W. Ross trans. 1925). This principle is indeterminate until the categories of “alike” and “unalike” are defined. See Peter Westen, *The Empty Idea of Equality*, 95 Harv. L. Rev. 537 (1982); Erwin Chemerinsky, *In Defense of Equality: A Reply to Professor Westen*, 81 Mich. L. Rev. 575 (1983).

<sup>13</sup> See research in the area of behavioral economics (not to mention common sense). Frank B. Cross, *Perhaps We Should Pay Federal Circuit Judges More*, 88 B.U.L. Rev. at 824-25 (2008), citing Ernst Fehr & Simon Gächter, *Fairness and Retaliation: The Economics of Reciprocity*, 14 J. Econ. Persp. 159 (2000); George A. Akerlof & Janet L. Yellen, *The Fair Wage-Effort Hypothesis and Unemployment*, 105 Q.J. Econ. 255 (1990).

### III. STRUCTURE OF THE JUSTICE SYSTEM

#### A. Courts

Georgia is divided into forty-nine judicial circuits. Each circuit consists of one or more counties. The Atlanta Circuit, for example, consists of only Fulton County, while the Ocmulgee Circuit consists of Baldwin, Greene, Hancock, Jasper, Jones, Morgan, Putnam, and Wilkinson counties.<sup>14</sup>

Each circuit is home to one superior court. The superior court exercises general jurisdiction over civil and criminal cases and exclusive jurisdiction over other cases, including those relating to divorce and title to land. It may also review decisions of juvenile, magistrate, municipal, probate, and state courts, all of which are courts of limited jurisdiction.<sup>15</sup> These courts hear certain traffic cases, misdemeanors, civil disputes, and minor infractions. They preside over cases that arise within their geographic boundaries, and they are funded solely by the counties or cities in which they reside.<sup>16</sup>

Superior courts are permitted to establish “accountability courts” – drug, mental health, and veterans courts permitted to use alternative sentencing in an effort to rehabilitate nonviolent offenders. Accountability courts are established and run by the superior court judges themselves.<sup>17</sup>

Each superior court has a number of judges, including one chief judge. The Atlanta Circuit has twenty judges – more than any other circuit – and each of the Cobb, Gwinnett, and Stone Mountain circuits has ten judges. There are thirty-six circuits with four or fewer judges, but every circuit has at least two judges. In total there are two hundred twelve superior court judges.<sup>18</sup> Though they generally preside over cases in their circuit, superior court judges may preside in any court upon the request and with the consent of the judges of that court.<sup>19</sup>

Generally, decisions of the superior court may be appealed to the Court of Appeals, which exercises appellate jurisdiction in all cases not reserved to the Supreme Court or conferred on other courts by law.<sup>20</sup> Decisions of the Court of Appeals are binding as precedent on all courts other than the Supreme Court. The Court of Appeals consists of fifteen judges, including one chief judge. It sits in divisions consisting of three judges, and the chief judge

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<sup>14</sup> O.C.G.A. § 15-6-1. Georgia is the only state in which circuits are given a geographical name, rather than a numerical name.

<sup>15</sup> Ga. Const. 1983, Art. VI, Sec. IV, Para. I; O.C.G.A. § 15-6-8. Why the “superior” court? The court was given its title by the Constitution of 1777. The word “superior” was used by writers on English law to express the greater status accorded to the common law courts located in Westminster over all the other courts in the English galaxy of judicial bodies. The superior court was to be the ultimate court in Georgia and was superior to existing courts held by the justices of the peace at that date. Surrency, Edwin. *The Creation of a Judicial System: The History of Georgia Courts, 1733 to Present*. Gaunt, 2001, p. 62.

<sup>16</sup> In general, Ga. Const. 1983, Art. VI, Sec. I, Para. I and Title 15, chapters 7, 8, 9, 10, and 11.

<sup>17</sup> O.C.G.A. §§ 15-1-15 through 15-1-18.

<sup>18</sup> O.C.G.A. § 15-6-2.

<sup>19</sup> O.C.G.A. § 15-1-9.1.

<sup>20</sup> Ga. Const. 1983, Art. VI, Sec. V, Para. III.

assigns cases among the divisions in such a manner as to equalize their work.<sup>21</sup> The Court of Appeals is located in Atlanta.

The Supreme Court exercises appellate jurisdiction. It is the court of last resort on questions of Georgia law, and its decisions are binding as precedent on all other courts.<sup>22</sup> It consists of nine justices and is located in Atlanta.<sup>23</sup>

## **B. District Attorneys and Public Defenders**

### **1. District Attorneys**

Each circuit has one district attorney who is elected by the residents of the circuit. The district attorney represents the state in all criminal cases in the superior court of that circuit and in all cases appealed from that superior court to the Court of Appeals and the Supreme Court.

The district attorney in any given circuit may appoint one assistant district attorney for each superior court judge in that circuit, plus one additional assistant district attorney.<sup>24</sup> For example, the district attorney in the Macon Circuit may appoint six assistant district attorneys because that circuit has five superior court judges. The district attorney also appoints one special drug prosecutor. The district attorneys may appoint additional assistant district attorneys, subject to available funds.<sup>25</sup>

### **2. Public Defenders**

Public defenders represent indigent individuals accused of a crime. In Georgia that translates to public defenders representing between 80% and 90% of all criminal defendants in the superior, juvenile, and appellate courts.

The public defender program is administered by the Georgia Public Defender Council (“GPDC”). The GPDC is led by its director, who is appointed by the Governor. The director, in turn, appoints a circuit public defender in forty-three of the forty-nine judicial circuits in the state. There are six circuits – Bell-Forsyth, Blue Ridge, Cobb, Douglas, Gwinnett, and Houston – that opted out of the GPDC at its inception in 2003. Each of those circuits consists of a single county that continues to administer its own public defender program.

In each of the other forty-three circuits the circuit public defender is the lead public defender and is permitted to appoint one assistant public defender for each superior court judge in the circuit, other than the chief judge. For example, the Ocmulgee circuit has five superior court judges (including the chief judge), so the public defender may appoint four assistant public defenders. The GPDC may appoint additional assistant public defenders, subject to available funds.<sup>26</sup>

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<sup>21</sup> O.C.G.A. § 15-3-1.

<sup>22</sup> Ga. Const. 1983, Art. VI, Sec. VI, Para. VI.

<sup>23</sup> O.C.G.A. § 15-2-1.1.

<sup>24</sup> O.C.G.A. § 15-18-14(a)(1)(A).

<sup>25</sup> O.C.G.A. § 15-18-14(a)(1)(C).

<sup>26</sup> O.C.G.A. § 17-12-27(a)(2).

## IV. JUDICIAL COMPENSATION

### A. State Compensation

The state pays each Supreme Court justice an annual salary of \$175,600.<sup>27</sup> It pays each Court of Appeals judge an annual salary of \$174,500.<sup>28</sup> It pays each superior court judge an annual salary of \$126,265 as well as an additional \$6,000 to each superior court judge who presides in a circuit that has established an accountability court.<sup>29</sup> Accountability courts have been established in forty-six circuits.

Almost all superior court judges are paid additional compensation by the counties that comprise the circuits in which they preside. This additional compensation – referred to as a local or county supplement – is authorized by the Constitution and state law.<sup>30</sup>

### B. Local Supplements

#### 1. Introduction

House Bill 279, the same bill that created the Commission, capped local supplements by providing that a county or counties comprising a judicial circuit could not increase the aggregate local supplement paid to a superior court judge if the supplement was at least \$50,000 as of January 1, 2016.

Local supplements vary widely. For example, Burke, Columbia, and Richmond counties, which comprise the Augusta Circuit, together pay the judges of that circuit an annual supplement of \$75,200, which brings their total compensation to \$207,465. That makes them the highest paid trial court judges in the entire country, even after taking into account the pay of U.S. district judges. On July 1, 2017, the supplement will rise to \$80,200, and the total compensation will rise to \$212,465.<sup>31</sup> On the other hand, the counties comprising the Alapaha Circuit do not pay their superior court judges any supplement. The compensation detail for all two hundred twelve superior court judges is set forth in *Exhibit A*. Total local supplements come to \$8,514,496, which averages \$40,163 per superior court judge.<sup>32</sup>

Supreme Court justices and Court of Appeals judges are not paid local supplements. This leads to at least one result that is contrary to all reason and common sense: eighty-eight superior court judges are paid more than the Supreme Court justices and Court of Appeals judges who review their decisions.

<sup>27</sup> O.C.G.A. §§ 15-2-3(b)(1); 45-7-4(a)(18).

<sup>28</sup> O.C.G.A. §§ 15-3-5(b)(1); 45-7-4(a)(19).

<sup>29</sup> O.C.G.A. §§ 15-6-29, 15-6-29.1, 45-7-4.

<sup>30</sup> Ga. Const. 1983, Art. VI, Sec. VII, Para. V; O.C.G.A. § 15-6-29.

<sup>31</sup> In December of 2015, before the cap took effect on January 1, 2016, Burke and Columbia counties increased their local supplements by \$5,100 and \$10,000, respectively. See Hodson, Sandy, et al. “Augusta Judicial Circuit Superior Court judges getting pay raises,” *The Augusta Chronicle*, December 15, 2015.

<sup>32</sup> This calculation can be derived from *Exhibit A* by multiplying the supplement for each circuit by the number of judges in that circuit to find the total supplement for each of the forty-nine circuits, and then adding together the total supplements for each of the forty-nine circuits. That total is \$8,483,988, using \$80,200 for the supplement paid to the superior court judges of the Augusta circuit. Additional chief judge supplements total \$30,508. \$8,514,496 = \$8,483,988 + \$30,508.



Georgia is nearly alone in this regard, according to the National Center for State Courts (the “NCSC”). The NCSC is an independent not-for-profit organization dedicated to improving the administration of justice through leadership and service to state courts. It provides research, information, and consulting services to state courts on key policy issues. It was founded in 1971, and since 1974 it has monitored and analyzed state judicial salary trends. For several years it has published a semi-annual judicial compensation survey.

The NCSC informed the Commission that, to the best of its knowledge, judges of the general-jurisdiction trial courts receive local supplements in only three states – Georgia, California, and Texas.<sup>33</sup> Georgia stands as an outlier among these outliers.

In California compensation for judges is consistent throughout the state with respect to salaries. It is inconsistent only with respect to a hodge-podge of locally-provided fringe benefits, including health insurance, retirement benefits, transportation allowances, stipends, and “flex plans” that help judges defray health care costs.<sup>34</sup> In Texas counties may pay supplements to trial court judges, but the supplements are capped so that the maximum total salary of a trial court judge is no more than \$5,000 less than the salary of an appellate court justice. Counties may also pay supplements to appellate court justices, but the supplements are similarly capped so that the maximum total salary of an appellate court justice is no more than \$5,000 less than the salary of a Supreme Court justice. The result is that in 2016 the supplements for the trial court judges and appellate court justices were capped at \$18,000 and \$9,000, respectively.<sup>35</sup> Again, the NCSC is not aware of any other states that permit local supplements.

The Commission could not undertake a complete and exhaustive project to research judicial compensation in the other forty-nine states, but in its own research it did find that at least one other state allows supplements. In 1995 Indiana capped local supplements at \$5,000 per judge; that cap still applies.<sup>36</sup> The Commission also found that in 2000 Alabama phased out local supplements in “recognition of the disparity in compensation of [trial court] judges caused by varying amounts of local supplements . . . and the need for a uniform plan of compensation.”<sup>37</sup> As a result, Alabama trial court judges elected or appointed after October

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<sup>33</sup> Jarret Hann, Analyst, National Center for State Courts, email communication to Gus Makris, Chair of the Commission, August 11, 2016.

<sup>34</sup> Most judges receive relatively modest benefits, but the judges of the Superior Court of Los Angeles County receive significant benefits, approximately \$50,000 per year. In 2009 the California legislature, concerned about the disparity, asked the Judicial Council of California to study the issue and submit a report. It did so, but the legislature apparently did not heed the advice in the report, because in 2015 the Court of Appeals reiterated the advice in a decision about the legality of supplemental benefits. See Judicial Council of California, Historical Analysis of Disparities in Judicial Benefits: Report to the Senate Committee on Budget and Fiscal Review, the Assembly Committee on Budget, and both the Senate and Assembly Committees on Judiciary, (December 15, 2009); *Sturgeon v. County of Los Angeles*, (2015) 242 Cal. App. 4th 1437, 1450.

<sup>35</sup> State law sets minimum salaries. The actual salaries are set by the Texas Legislature in its General Appropriations Act. See Texas Government Code 659.102; Texas Report of the Judicial Compensation Commission, November 21, 2014, p. 5-6. The state pays an additional \$2,500 to a chief justice of an appellate court and the chief justice of the Supreme Court.

<sup>36</sup> Ind. Code Ann. §§ 36-3-6-3(c); 36-2-5-14(b) (“Beginning July 1, 1995, [a local supplement] made under this subsection may not exceed five thousand dollars (\$5,000) for each judge or full-time prosecuting attorney in any calendar year.”) See Ind. P.L. 279-1995 §§ 21, 22; Ind. P.L. 280-1995 §§ 23, 24; Ind. P.L. 2-1996 §§ 289, 291.

<sup>37</sup> Code of Ala. § 12-10A-1.

1, 2001 are paid by the state alone.<sup>38</sup> In a similar way, Wisconsin eliminated local supplements in 1980.<sup>39</sup>

## 2. Some History

Georgia introduced local supplements in 1904. An act approved in that year set the annual salaries of Supreme Court justices and superior court judges at \$4,000 and \$3,000, respectively.<sup>40</sup> (The Court of Appeals was not established until 1906.) The same act, as amended in 1905 and 1906, went on to say that superior court judges of judicial circuits containing a city with at least 34,000 people “shall receive a salary of five thousand dollars per annum, the difference [*i.e.*, \$2,000] . . . to be paid out of the treasury of the counties in which said cities are located.”<sup>41</sup> At that time only three cities – Atlanta, Augusta, and Savannah – had at least 34,000 people.<sup>42</sup>

In December of 1909, Walter A. Clark, the treasurer of Richmond County, which contains Augusta, stopped paying the \$2,000 supplement, apparently on the ground that it was unconstitutional. Henry C. Hammond, judge of the superior court of the Augusta Circuit, disagreed. He sued.<sup>43</sup>

He lost. At that time Article 6, Section 13 of the Constitution provided that the General Assembly could delegate to a county the power to tax only if the tax proceeds were used for certain purposes, including providing for schools, building roads, maintaining prisons, helping the poor, and paying for “expenses of the courts.” That phrase, according to the Supreme Court, did not include the salaries of superior court judges. It was therefore unconstitutional to require some counties to tax their residents to fund the salary of a superior court judge. In arriving at that conclusion the Court examined the history of judicial compensation in Georgia, and it found, with one brief exception, an “uninterrupted” and “uniform practice” of paying the salaries of judges from the state treasury only.<sup>44</sup>

The Supreme Court issued that decision on July 14, 1910. About three weeks later, on August 3, 1910, the General Assembly proposed that Article 6, Section 13 be amended. That amendment was ratified in an election held on October 5, 1910. It read as follows:

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<sup>38</sup> Op. Attorney General Alabama No. 2000-249 (2000).

<sup>39</sup> 74 Op. Attorney General Wisconsin 100 (1985) (“county supplements to judicial pay were abolished as of July 1, 1980” and “[t]he state thus became the sole provider of judicial compensation.”). In Michigan state law says that trial court judges receive a salary payable by the state “and may receive from any county in which he or she regularly holds court an additional salary as determined from time to time by the county board of commissioners,” but this is a county supplement in name only. State law sets state salary of trial court judges, and then it provides that if counties provide a supplement of exactly \$45,724, then the state will reimburse the county for that supplement. If, however, the counties provide a supplement that is more or less than \$45,724, the state will not reimburse the supplement. M.C.L.S. § 600.555. As a result, the Commission understands that all counties provide supplements and receive reimbursements of exactly \$45,724.

<sup>40</sup> Acts 1904, p. 72.

<sup>41</sup> Acts 1904, p. 73; Acts 1905, p. 100; Acts 1906, p. 56.

<sup>42</sup> The law referred to the population according to the 1900 census. The populations of Atlanta, Augusta, and Savannah were 89,872, 39,441, and 54,244, respectively.

<sup>43</sup> Clark v. Hammond, 134 Ga. 792 (1910).

<sup>44</sup> In 1865, after the Civil War ended, Georgia introduced district courts. It abolished them in 1872, but while they existed salaries of district judges were paid by the counties that comprised the district. See Clark v. Hammond, 134 Ga. at 795-96.

Provided, however, That the counties of Chatham, Fulton, and Richmond shall pay from their respective county treasuries to the Superior Court Judges of the Circuit of which they are a part . . . such sums as will, with the salaries paid each Judge from the State Treasury, make a salary of \$5,000.00 per annum to each Judge; and said payments are declared to be a part of the Court expenses of such counties, such payments to be made to the Judges now in office as well as their successors.<sup>45</sup>

In the subsequent eighteen years Article 6, Section 13 was amended ten more times.<sup>46</sup> By 1928 it required Chatham County to pay a \$5,000 supplement; it required Richmond County to pay a \$2,000 supplement; it required Muscogee County to pay a \$3,000 supplement; it permitted Fulton County to pay any supplement it wanted; and it permitted Clark, Floyd, Sumter, and Bibb counties to pay a supplement of up to \$1,000.

By 1945, when Georgia adopted a new Constitution, there were three provisions relating to local supplements. One granted to the General Assembly the right by legislative act to authorize counties to offer supplements without having to secure a constitutional amendment.<sup>47</sup> Another provided that any supplement in effect at the time the Constitution was adopted would remain in force until otherwise altered. The third provided that Richmond County had to pay a \$2,000 supplement to its superior court judges.<sup>48</sup>

Supplements continued to expand with apparently little study until 1971. In that year the General Assembly created the State Commission on Compensation (the “Old Commission”) “for the purpose of assisting the General Assembly in setting the compensation of constitutional State officers,” including judges and district attorneys.<sup>49</sup> The assistance included making “recommendations to the General Assembly concerning the elimination, increase or decrease of county supplements.”<sup>50</sup> After the Old Commission submitted its report, by law the legislature had to introduce a bill containing the recommendations in that report.<sup>51</sup>

The Old Commission submitted its first report on December 8, 1971 (attached as *Exhibit D*).<sup>52</sup> At that time Supreme Court justices and Court of Appeals judges were paid \$32,500, and superior court judges were paid \$24,800, plus local supplements. The Old Commission recommended that each Supreme Court justice be paid \$40,000 and that each Court of Appeals judge be paid \$39,500.<sup>53</sup> It also recommended that each superior court judge be paid \$26,500 “plus such county supplements as may now be or are hereafter fixed by law;

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<sup>45</sup> Acts 1910, p. 43; section 1099, *A Treatise on the Constitution of Georgia*, Walter McElreath, published 1912 by the Harrison Company.

<sup>46</sup> Constitution of the State of Georgia, 1877, Including All Amendments Through 1928, Compiled by Ella May Thornton, State Librarian, p. 101.

<sup>47</sup> *Houlihan v. Atkinson*, 205 Ga. 720, 729-30 (1949).

<sup>48</sup> Ga. Const. 1945, Art. VI, Sec. XII, Para. I.

<sup>49</sup> Acts 1971, p. 103. The Old Commission, though dormant, remains on the books. See O.C.G.A. §§ 45-7-90 through 45-7-96.

<sup>50</sup> 1971 Op. Attorney General Georgia No. 71-173.1; “Salary Cleanup,” *The Atlanta Constitution*, May 30, 1971.

<sup>51</sup> O.C.G.A. § 45-7-95(b).

<sup>52</sup> The Commission would like to thank Steven Engerrand, Deputy State Archivist of the Georgia Archives, for his excellent research assistance.

<sup>53</sup> Also see Shipp, Bill. “17.6 Pct. Pay Boost Is Asked for Carter,” *The Atlanta Constitution*, December 16, 1971.

provided, however, that no Act shall be passed or continued in force authorizing county supplements which, together with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective.”

That recommendation was not taken up. Instead the House passed a different bill that ultimately was not signed into law.<sup>54</sup>

The Old Commission submitted its second report on December 4, 1972 (attached as *Exhibit J*). It again recommended that each Supreme Court justice be paid \$40,000 and that each Court of Appeals judge be paid \$39,500. But this time it recommended that each superior court judge be paid \$32,500 without any cap on supplements; specifically, “plus such county supplements . . . as may now be provided by Law.” It did, however, attach an “unofficial opinion of this Commission” (emphasis in original). It read as follows:

The salary recommendations for Justices of the Supreme Court and Judges of the Court of Appeals and Judges of the Superior Court were made with the intent of establishing a proper salary level relationship among these various courts and with the knowledge that approximately 45% of the Superior Court Judges receive local salary supplements. If these recommendations of the Commission are adopted, the Commission recommends that the local salary supplements be adjusted so as not to create again an imbalance between the salaries of the justices and judges of the various courts herein dealt with. The Commission also recommends a similar reevaluation of supplements received by District Attorneys in the light of the increased salaries recommended for District Attorneys.

Presumably, the effect of including this statement as an “unofficial” opinion was that it was not required to be a part of the bill that by law had to be introduced in the legislature.

A few months later, in the 1973 legislative session, the General Assembly was flooded with twenty-four compensation bills, including at least one that contained recommendations in the 1972 Report. The bill that passed included the Old Commission’s recommendations on judicial and district attorney pay, but provisions that would have regulated local supplements were dropped during the legislative process.<sup>55</sup> The bill was later signed into law by Governor Jimmy Carter.<sup>56</sup>

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<sup>54</sup> Jordan, Bill. “House Ignores State Pay Plan,” *The Atlanta Constitution*, March 4, 1972 (“Ignoring recommendations from a special salary commission established to end fights over pay raises, the Georgia House has voted to give huge salary increases to state officials.”); Stewart, Jim. “\$600,000 State Officials’ Raises Studied,” *The Atlanta Constitution*, November 30, 1972 (“The figures [proposed in the 1972 Report] are virtual carbon copies of the same pay raises passed by the House last year but later knocked down by the Senate”).

<sup>55</sup> Dakin, Milo. “Pay Hike Bills Flood Legislature,” *The Atlanta Constitution*, January 18, 1973; Taylor, Ron. “Full Cost of Salary Boosts Kept Secret,” *The Atlanta Constitution*, February 25, 1973; Cutts, Ben. “Pay of 10 Judges Here Would Be Near Top in U.S.,” *The Atlanta Constitution*, February 27, 1973 (“A provision that would have limited the salaries of superior court judges was quietly deleted from a rough draft of Senate Bill 108 . . . the pay bill does not restrict local supplements paid to superior court judges.”).

<sup>56</sup> Acts 1973 Vol. 1, p. 701. The bill generated a colorful exchange between Court of Appeals Judge Randall Evans and Governor Jimmy Carter. In a letter dated February 26, 1973 Judge Evans requested that Governor Carter veto the “salary increase bill,” mostly because it established, for the first time, that Supreme Court justices would

The Old Commission recommended additional salary increases in 1976, but this time it made no recommendations to regulate local supplements. The next report that this Commission found was the one submitted in 1986. It shows that in that year 82% of superior court judges received supplements. The highest supplement was \$19,052, paid to the judges of the Atlanta circuit. The median supplement was \$9,000. (Note also that 39% of district attorneys received a supplement; the median was \$6,838.) The report submitted in 1990 also included a schedule of local supplements. It shows that 78% of superior court judges received supplements. The highest was \$30,000, again paid to the judges of the Atlanta circuit.<sup>57</sup>

The current Constitution, which was adopted in 1983, provides that judges shall receive compensation “as provided by law;” that “county supplements are hereby continued and may be granted or changed by the General Assembly;” that “County governing authorities which had the authority on June 30, 1983, to make county supplements continue to have such authority;” and that an “incumbent’s salary, allowance, or supplement shall not be decreased during the incumbent’s term in office.”<sup>58</sup>

### 3. Current Practice

This brief history provides some context for our current consideration. As far as the Commission can tell, the proliferation of local supplements has proceeded without any particular aim or pattern or necessity. Instead they seem to have expanded for reasons particular to the political histories of the various courts and counties.

Whatever the history, at present local supplements seem to be loosely based on several related ideas. The first is that supplements are necessary to mitigate the lack of cost-of-living-adjustments and raises that judges have endured in recent years. (See *Exhibit D*.) As discussed later in this report, that is a true concern, but it is a true concern for Supreme Court justices and Court of Appeals judges, too, and state law does not permit those judges to receive supplements. Accordingly, it does not seem that the General Assembly has permitted supplements to allay its concerns about its failure to increase judicial salaries.

The second idea is that different superior courts may have different caseload balances and that local supplements correspond to those differences. Whatever bearing this idea may have at first blush is overcome by the sheer impossibility of it. Counties that pay the supplements would have to monitor the caseload balance in their circuits, understand the total caseload balance in the entire state, and then come to a statewide agreement to pay supplements in proportion to the relative caseload balance in each circuit. Or perhaps the General Assembly would have to monitor the relative caseload and then allocate additional

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be paid more than Court of Appeals judges. Judge Evans added that “this legislation is more unpopular than any law that has been enacted in the past twenty years,” and that if a poll were taken, “excluding those of us who are directly affected and our near relatives,” it would reveal that “the people violently oppose this legislation in a ratio of something like fifty one.” In a letter dated the same day, Governor Carter replied that he did not intend to veto the bill and suggested that Judge Evans “dramatize [his] displeasure by refusing to accept the new salary recommended by the Commission.” Governor Carter added, “I thought it was generally accepted that the Supreme Court was the senior court, followed by the Court of Appeals, the Superior Court, etc.”

<sup>57</sup> The reports from 1976, 1986, and 1990 are available at the Georgia State Archives.

<sup>58</sup> Ga. Const. 1983, Art. VI, Sec. VII, Para. V.

compensation accordingly. Needless to say, that does not happen, and no one has suggested that it should.

That's because it shouldn't. The circuits should be organized in such a manner as to equalize their work. The Commission believes that is what the General Assembly referred to in House Bill 279 when it charged the Commission with studying the "caseload demands of judicial officers, prosecuting attorneys, and public defenders and the allocation of such officials, including staffing resources and jurisdictional structure."<sup>59</sup> This has long been the design. An ordinance adopted by the 1877 constitutional convention declared that "[t]here shall be sixteen judicial circuits in this State, and it shall be the duty of the General Assembly to organize and proportion the same in such manner as to equalize the business and labor of the judges in said several circuits, as far as may be practicable."<sup>60</sup>

As stated at the beginning of this report, this year the Commission studied compensation, not caseload balances and related topics, and so it does not at present have an opinion on these matters. Nevertheless, the Commission believes that compensation should be structured based on the premise that judges work equally. If upon further study that premise turns out to be incorrect, the solution would be to equalize the work, not unequalize the pay.

There may be a third idea that can go unexpressed. Aside from differences in the quantity of cases, across the state there are also differences in the nature and complexity of cases, and local supplements, the idea goes, correspond to those differences. The Commission rejects this idea. Legal disputes often do not lend themselves to easy comparison. Compare, for example, a complex business litigation case affecting thousands of jobs and sophisticated shareholders and millions of dollars, with a divorce case involving little money and several children with an abusive father or a drug-addicted mother. Which case requires more intelligence? Which case requires more wisdom? Which case is more important?

The fourth idea is that the salary of a superior court judge is a local concern and that local counties are better suited to address local concerns. Along the same lines, the fifth idea is that the cost of living varies dramatically across the state and that local supplements help mitigate those variations. These two ideas are addressed in turn.

It is true that superior court judges are elected locally and that the local community has an interest in retaining good judges, but in all relevant respects superior court judges are officers of the state. The superior court is one court among all the courts that comprise a single, statewide judicial system.<sup>61</sup> Its jurisdiction is set forth in the state Constitution.<sup>62</sup> Vacancies are filled by appointment of the Governor of the state.<sup>63</sup> The power to discipline and remove superior court judges is vested in the state Judicial Qualifications Commission.<sup>64</sup> Superior court judges may exercise judicial power in any court in the state upon the request and consent of the judges of that court.<sup>65</sup> Indeed, in certain circumstances a superior court

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<sup>59</sup> O.C.G.A. § 15-22-4(a)(2)(C).

<sup>60</sup> Clark, R.H., et al., *The Code of the State of Georgia*. Jas P. Harrison & Co., 1882, p. 1328.

<sup>61</sup> Ga. Const. 1983, Art. VI, Sec. I, Para. II.

<sup>62</sup> Ga. Const. 1983, Art. VI, Sec. IV, Para. I.

<sup>63</sup> Ga. Const. 1983, Art. VI, Sec. VII, Para. III.

<sup>64</sup> Ga. Const. 1983, Art. VI, Sec. VII, Para. VI.

<sup>65</sup> Ga. Const. 1983, Art. VI, Sec. I, Para. III.

judge can preside in place of a Supreme Court justice.<sup>66</sup> And superior court judges apply and interpret state law, often hearing cases in which a local county is a party. For these reasons superior court judges are officers of the state, and their compensation is a state concern.<sup>67</sup>

Regarding the cost of living, it is true that it differs from circuit to circuit, sometimes dramatically, and that local supplements may mitigate these differences. Nevertheless, for several reasons the Commission is not persuaded that these differences justify supplements.

First, and perhaps most importantly, if the purpose of local supplements is to mitigate differences in the cost of living, then they should be tied to the cost of living in each circuit as measured by a recognized index. But they are not tied to any index, they never have been, and no one has suggested that they should be. Indeed, it is difficult to see how local supplements could be even theoretically tied to differences in the cost of living, given that the supplements are issued at different times by different people in different counties with different budgets. Moreover, Supreme Court justices and Court of Appeals judges receive no supplements, even though most of them live in and around the area of the state with the highest cost of living. In short, the differences in local supplements bear no relationship to the actual differences in the cost of living because in fact there is no systematic plan or formula to mitigate differences in the cost of living.

Second, even if supplements were based on differences in the cost of living, it is not clear why that should be so, why judges should be compensated based on their cost of living. And it is *their* cost of living. They chose to live there before they became judges, presumably because they came to the conclusion that, whatever the cost, on balance the benefits were higher.<sup>68</sup> Their decision to live in a more expensive area should not influence their compensation any more than their decision to purchase anything else that is more or less expensive.

This principle is taken for granted in other contexts. Other officers or employees of the state are not compensated based on their local cost of living. Each member of the General Assembly is paid the same \$17,342, even though the cost of living varies widely among the legislative districts spread across the state.<sup>69</sup> Moreover, disparities in the cost of living are hardly unique to Georgia, and yet, to the best of the NCSC and Commission's knowledge, counties in this state are the only ones in the country that pay material supplements.<sup>70</sup> Indeed, when the entire country is considered, the disparities are far greater, and yet the salaries of federal judges are uniform. The judges of the U.S. District Court for the Southern District of New York are paid the same as the judges of the U.S. District Court for the District of Idaho.

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<sup>66</sup> O.C.G.A. § 15-2-2.

<sup>67</sup> See also Freeman v. Barnes, 282 Ga. App. 895 (2006) (Trial court did not err in determining that a deceased superior court judge was a state employee but not a county employee for purposes of the exclusive remedy provision under O.C.G.A. § 34-9-11(a) of the Georgia Workers' Compensation Act; the fact that the county paid the judge a local supplement did not make the judge a county employee.)

<sup>68</sup> It is true that areas with a higher cost of living generally offer employment with higher compensation, but, as countless commuting Georgians can attest, there is no requirement to live next-door to one's job.

<sup>69</sup> Legislators in certain leadership positions are paid more.

<sup>70</sup> With the exception of Los Angeles County and some counties in Texas. See notes 34 and 35 above.

This principle is taken for granted in other contexts because, even if local supplements provide some value by mitigating some problems, there are a number of competing values, and perhaps the most important one is the appearance of equal treatment.<sup>71</sup> Permitting one superior court judge to be paid tens of thousands of dollars more than another superior court judge who is vested with the same power and charged with the same duties is reasonably perceived, especially by the uninitiated, as unfair. It suggests that the state of Georgia attaches a different level of importance to its different superior courts, and that the level of importance varies depending on the budget of the local county. It also suggests that superior court judges are above the appellate judges who review their decisions. There is a reason no one questions whether federal district judges should be paid the same amount, or asks why federal appellate judges are paid more than federal district judges, or wonders why other states pay their trial court judges the same amount. It simply seems more fair.

*More fair, not fair.* A uniform rule providing for equal compensation of superior court judges would leave room for improvement. Leave that room. No general rule fits every corner; that is the nature of a *general* rule. To carve out this and then that exception in pursuit of perfect fairness inevitably carves the rule to pieces. The choice is not between the current compensation structure and an idealized alternative, whatever that may be. It is between the current compensation structure beset with anomalies and inconsistencies and an alternative compensation structure that is internally consistent and aligned with the rest of the country.

For these reasons the Commission believes that local supplements are fundamentally misconceived, and it recommends that they be phased out and eventually eliminated. However, as described in more detail later in this report, in recognition that many lawyers accepted judicial appointments or were elected to the bench with the understanding and expectation of a salary that included a local supplement, the Commission recommends that the current local supplements paid to current superior court judges be “grandfathered.”

One other comment. As noted later in this report, the Commission understands that assistant U.S. attorneys receive locality payments that are based on differences in the cost of living, but for a few reasons the Commission believes those payments are distinguishable from supplements paid to superior court judges. First, locality payments to assistant U.S. attorneys are actually based on cost-of-living indexes. Second, they are relatively minor in comparison. The locality pay of two federal prosecutors in Georgia who receive \$100,000 in base pay would differ by, at most, approximately \$5,000. Third, locality payments are controlled by the federal government – the employer of the federal prosecutors – not a government local to the area in which they happen to serve. A federal prosecutor in San Francisco receives locality payments from the federal government, not the San Francisco city council. And yet superior court judges receive local supplements not from the state, but from local counties. These features suggest that locality payments for federal prosecutors are necessary to attract and retain well-qualified lawyers to serve as federal prosecutors in all areas of the country.

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<sup>71</sup> See, e.g., Antonin Scalia, *The Rule of Law as a Law of Rules*, 56 U. Chi. L. Rev. 1175, 1178 (1989).



## V. DISTRICT ATTORNEY AND PUBLIC DEFENDER COMPENSATION

### A. District Attorneys and Circuit Public Defenders

The state pays each district attorney an annual salary of \$120,072.<sup>72</sup> It pays an additional \$6,000 to district attorneys who serve circuits that have established accountability courts.<sup>73</sup>

Counties are permitted to pay local supplements to district attorneys, too, and, like the supplements paid to superior court judges, they vary widely.<sup>74</sup> They are set forth in *Exhibit B*.

District attorneys have been permitted to receive local supplements since the establishment of the office of district attorney in 1968. In that year the Constitution was amended to change the name of the office of solicitor to the office of district attorney.<sup>75</sup> Also in that year the General Assembly passed a law that abolished the old fee-based compensation system for district attorneys (which also permitted local supplements),<sup>76</sup> prohibited district attorneys from engaging in the private practice of law, and made district attorneys full-time state officers with an annual salary of \$18,000.<sup>77</sup> The law also provided that “nothing contained within this Act shall be construed so as to prohibit any county or combination of counties from supplementing the salary” of a district attorney.<sup>78</sup>

The state pays each circuit public defender an annual salary of \$99,526.<sup>79</sup> It pays an additional \$6,000 to circuit public defenders who work in circuits that have established accountability courts.<sup>80</sup> Counties are also authorized to pay supplements to circuit public defenders.<sup>81</sup> They are set forth in *Exhibit C*.

For reasons previously discussed, the Commission believes that local supplements are fundamentally misconceived, and it recommends that they be phased out and eventually eliminated, as described in more detail later in this report.

### B. Assistant District Attorneys and Assistant Public Defenders

Since 1984 assistant district attorneys have been paid according to a pay schedule.<sup>82</sup> The schedule is developed annually by the Prosecuting Attorneys’ Council (“PAC”) as part of the yearly budget process. It designates a salary according to an assistant district attorney’s

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<sup>72</sup> O.C.G.A. §§ 15-18-10(a); 45-7-4(a)(21).

<sup>73</sup> O.C.G.A. § 15-18-10.1.

<sup>74</sup> O.C.G.A. § 15-18-10(b).

<sup>75</sup> The amendment was proposed by the General Assembly on April 8, 1968 and approved in an election held on November 5, 1968. Acts 1968, Vol. 1, pg. 1567; “23 Amendments Will Be On All Georgia Ballots,” *The Atlanta Constitution*, November 3, 1968. Cox, Calvin. “There’s Nothing to Do,” *The Atlanta Constitution*, November 9, 1968.

<sup>76</sup> Ga. Const. 1945, Art. VI, Sec. XII, Para. I.

<sup>77</sup> Acts 1968, p. 992.

<sup>78</sup> *Id.* at 994.

<sup>79</sup> O.C.G.A. § 17-12-25(a).

<sup>80</sup> O.C.G.A. § 17-12-25.1.

<sup>81</sup> O.C.G.A. § 17-12-25(b).

<sup>82</sup> O.C.G.A. §§ 15-18-14, 15-18-19(e).

“class,” of which there are four, and “step,” of which there are thirteen. Assistant district attorneys are assigned to classes and steps according to their knowledge and experience. Generally, an assistant district attorney advances one step for each year of experience and may advance to another class once he satisfies the requirements, but those decisions are largely within the discretion of the district attorney. The current pay schedule is attached as *Exhibit F*. Here is a summary.

	Class 1	Class 2	Class 3	Class 4
Step 1	\$44,828	\$48,062	\$53,032	\$61,344
Step 13	\$77,425	\$83,386	\$94,198	\$106,361

Currently, across the state’s forty-nine judicial circuits there are approximately 385 assistant district attorneys who are paid according to the pay schedule. They are referred to as “state-paid” assistant district attorneys.

There are approximately 160 similarly “state-paid” assistant public defenders that are paid according to their own pay schedule, which differs from the assistant district attorney pay schedule; assistant public defenders are paid slightly less. (Compare *Exhibits F* and *G*.) Also, the state salary of an assistant public defender is capped at 90% of the circuit public defender’s compensation, while an assistant district attorney’s compensation is not similarly capped.<sup>83</sup> Note also that prior to July 1, 2016, there was no pay schedule for public defenders. The law called for a schedule, but until recently the GPDC could not implement one because it did not receive sufficient funding from the state. Instead, each public defender office received a budget and made due as best it could.

It is not an exaggeration to say that a properly funded pay schedule is indispensable to the district attorney and public defender offices. It offers a future to lawyers who choose to serve the public interest. These lawyers did not choose their jobs to get rich, but with a properly funded pay schedule they can at least look to their future and plan. They can know that if they put in so many years here, or enough work there, they can expect to be paid that, by then. And that encourages these lawyers to make a career of serving the public interest, which indeed serves the public interest. Every lawyer can recount the uncertainty that accompanies the first couple years of practicing law, how much they learned in those initial years, and how much they relied on a more senior lawyer or mentor. It is the more senior lawyers who take on the most challenging work and have the knowledge and ability to develop and train the new and the inexperienced. If there is substantial uncertainty about whether the pay schedule will be properly funded, those senior lawyers do not make plans to stay, and they have less incentive to invest their time and energy in the future of the district attorney and public defender offices.

The question, then, is whether the pay schedule is sufficiently funded. There is evidence that it is not, that these lawyers are paid below market compensation, and that this negatively affects the public interest.

To begin with, in addition to the state-paid assistant district attorneys and assistant public defenders compensated under the pay schedule, across the state there are

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<sup>83</sup> Compare O.C.G.A. § 15-18-14(c)(4) with O.C.G.A. § 17-12-27(c)(4).

approximately 360 assistant district attorneys and an unknown number of (but at least one hundred) assistant public defenders who are hired and paid directly by the counties. The counties hire these “county-paid” lawyers for the simple reason that the state does not provide enough money for the district attorneys and public defenders to hire the number of lawyers that are needed to handle the caseload in their respective offices; they turn to the counties to fill the gap.

County-paid assistant district attorneys are concentrated in areas with higher populations. For example, while the Atlanta circuit has approximately twenty-five state-paid assistant district attorneys, it has approximately seventy-five county-paid assistant district attorneys. The Cobb, Columbus, Eastern, Gwinnett, and Stone Mountain judicial circuits each has between roughly twenty and forty county-paid assistant district attorneys.

In more populated areas, the salaries of county-paid lawyers generally exceed the salaries of state-paid lawyers, since the counties have difficulty hiring well-qualified lawyers at the salaries set forth in the state pay schedule. So, for example, a county may pay \$100,000 to an assistant district attorney, while the state may pay \$70,000 to another assistant district attorney with the same experience in the same county. In an effort to keep the salaries relatively even, and to avoid losing the state-paid lawyer, the district attorney often solicits funds from the county and uses the funds to pay, in this example, a \$30,000 supplement to the state-paid assistant district attorney.

Very few, perhaps a handful, of state-paid assistant public defenders receive small local supplements, although there is no official data available. On the other hand, local supplements paid to state-paid assistant district attorneys are widespread and vary significantly. An informal survey of district attorneys indicates that about half of the state-paid assistant district attorneys receive local supplements. In some circuits they may average between \$2,000 and \$5,000 per lawyer. In other circuits they are between \$7,000 and \$14,000. In a few cases senior prosecutors receive supplements as high as \$20,000 to \$40,000. Here are some of the comments from the district attorneys who responded to the survey.

- “County salaries are much higher than state pay . . . I have to provide supplements to keep them relatively even.”
- “Because we found we could not attract (and keep) new ADAs paying the state’s starting salary . . . our office adopted a new prosecutor pay scale . . . regardless of [the] employing entity.”
- “Our ADAs . . . receive no county supplements. I currently have a state position open that was vacated by a veteran prosecutor . . . All the résumés I am receiving are from recent graduates or non-prosecutors.”
- “[State-paid ADAs] have to be supplemented to keep up with what similarly county-paid . . . ADAs get paid.”

The problem has been exacerbated since FY2010, when the pay schedule was largely frozen. Between then and FY2017 assistant district attorneys were eligible to advance eight steps on the pay schedule, which would have resulted in a 44% increase in salary on average. Instead salaries have increased only 14% on average. (Assistant district attorneys also took twenty-four furlough days.) So, for example, according to the PAC there is a mid-level

assistant district attorney in Lowndes County who is paid \$46,662 and, based on the pay schedule, should be paid \$59,557. And there is an experienced assistant district attorney in Thomas County who is paid \$67,272 and, based on the pay schedule, should be paid \$87,543.

In addition to state-paid and county-paid prosecutors and public defenders, there is a third category. In some cases counties, typically rural counties, need to hire additional prosecutors or public defenders, but they may not want to undertake the obligation to process payments, withhold and pay taxes, and otherwise manage the payroll. In those cases the counties pay amounts to the PAC or the GPDC, as the case may be, which in turn hires these “state-paid county reimbursed” (“SPCR”) lawyers and pays them with the funds received from the counties. There are approximately 50 SPCR assistant district attorneys and 225 SPCR assistant public defenders. These lawyers are not paid according to the pay schedule. Instead they are paid according to the agreement the counties make with the PAC or the GPDC.

This tripartite pay structure can have dizzying effects and create administrative burdens. It is not uncommon for lawyers to move between the six different job categories – state-paid, county-paid, and SPCR assistant district attorneys and assistant public defenders – in search of increased compensation and better employment prospects. In this way the compensation structure encourages circuits to compete with one another. Put differently, the compensation structure encourages the justice system to compete with itself, where different divisions of the same organization attempt to hire away employees of other divisions. In general, lawyers are drawn toward circuits near Atlanta and other high-population areas that offer higher compensation and proximity to higher-paying private sector jobs.

In addition to these “internal” movements, there is evidence that many talented young lawyers leave for the private sector after three to five years. The Commission understands that there is a recent example of a young, promising assistant public defender with a few years of experience in a rural circuit who left to join a personal injury law firm in Atlanta to double his salary. He did not want to leave, and he enjoyed being a public defender, but he could not pass up the opportunity.

Stories like these are unavoidable, as public service rightly requires financial sacrifice. But as the stories pile up, and the anecdotal becomes the ordinary, the public interest begins to suffer. The turnover rates for assistant district attorneys for each year from FY2010 through FY2015 were 7%, 19%, 11%, 26%, 17%, and 18%, respectively. The turnover rates for assistant public defenders over the same period were 23%, 16%, 14%, 20%, 12%, and 14%, respectively. It is probably fair to say that these numbers understate the impact on the public interest, since it is the more experienced lawyers who leave the agencies, taking with them their knowledge and expertise. That is, if 15% of the public defenders leave, more than 15% of the total knowledge and expertise leaves with them.

There is something else to consider. In 2007 Congress passed and President Bush signed the College Cost Reduction and Access Act, which established, among other things, the Public Service Loan Forgiveness Program.<sup>84</sup> It provides that if, beginning on October 1, 2007, an individual is employed full-time by certain public service employers and makes one hundred twenty qualifying payments on his eligible federal student loans after that date (including payments under certain income contingent repayment plans), then the federal

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<sup>84</sup> Pub. L. 110-84, 121 Stat. 784, 800-01 (2007).

government will forgive that individual's federal student loans. Thus, the first loan balances will be forgiven in October 2017. At that time, district attorney and public defender offices may face a disproportionately high number of resignations (although it is not clear how many), since assistant district attorneys and assistant public defenders carry an average school debt burden of approximately \$110,000.

## VI. COMPENSATION SURVEY

In making its recommendations the Commission considered various data, including the following. Compensation figures are for the year 2016, unless otherwise noted.

Judicial and District Attorney Salaries Over Time. Salaries of justices, judges, and district attorneys have fluctuated significantly in real terms over the last thirty years. *Exhibits D and E*, which do not account for local supplements, set forth salaries from 1986 through 2016 in nominal and real (2016-adjusted) dollars. The schedules reveal that state compensation has steadily and significantly declined over the last fifteen or sixteen years. In real terms the compensation of Supreme Court justices and Court of Appeals judges has decreased by approximately \$32,000 since 2001. In real terms the compensation of superior court judges and district attorneys has decreased by approximately \$15,000 and \$5,000, respectively, since 2002, not taking into account local supplements. The decrease is due to the fact that cost-of-living-adjustments and raises over that period have not kept pace with the increased cost of living. In the Commission's view, the lack of cost-of-living-adjustments has in turn contributed to the growth of local supplements, as superior court judges and district attorneys have turned to counties to increase their compensation when the state has failed to do so.

Federal Judges. The chief justice of the United States is paid \$260,700. The associate justices of the U.S. Supreme Court are paid \$249,300. U.S. Circuit judges are paid \$215,400. U.S. district judges are paid \$203,100.<sup>85</sup>

Federal Prosecutors. Assistant U.S. attorneys are paid according to a salary scale that is administratively determined and based primarily on the number of years of professional experience. A prosecutor with no more than two years of experience is paid at least \$51,811, at most \$88,079, and on average \$69,945. A prosecutor with at least nine years of experience is paid at least \$79,717, at most \$135,519, and on average \$107,618. Prosecutors also receive "locality pay," an amount equal to a percentage of their base pay that differs depending on the area in which they live. The percentage for San Francisco is 35.75%, which is the highest in the country. The percentage for Atlanta is 19.58%. The minimum percentage for any area is 14.35%. So, for example, prosecutors in Georgia with a base pay of \$100,000 would receive additional locality pay between \$14,350 and \$19,580, depending on where they live. Total pay, including locality pay, is limited to \$160,200, regardless of where the prosecutor lives.<sup>86</sup>

State Judges. The National Center for State Courts publishes a semi-annual survey that sets forth judicial salaries in each of the fifty states. The most recent survey sets forth the compensation as of January 1, 2016. Information from that survey is set forth in *Exhibit*

<sup>85</sup> Retrieved from: <http://www.uscourts.gov/judges-judgeships/judicial-compensation>.

<sup>86</sup> Retrieved from: <https://www.justice.gov/usao/career-center/salary-information/administratively-determined-pay-plan-charts>.

*H.* Note that some information may be slightly outdated. For example, the survey says that the 2016 salaries of the Georgia Supreme Court justices and Court of Appeals judges are \$167,210 and \$166,186, respectively, but those were the 2015 salaries. Also, the survey says that the 2016 salary of New York trial court judges is \$174,000, but in 2016 that salary was raised to \$193,000, and the salaries of the intermediate appellate court and highest court were raised proportionally.<sup>87</sup> Also note that, due to the effect of local supplements, some Georgia superior court judges are the highest paid trial court judges in the country, while others are among the lowest paid.<sup>88</sup>

State Prosecutors and Public Defenders. In 2014 the National Association for Law Placement (NALP) conducted a national public sector and public interest attorney salary survey. The median salaries of prosecutors with no experience, five years of experience, and eleven to fifteen years of experience were \$51,100, \$63,600, and \$80,000, respectively. The median salaries for public defenders with no experience, five years of experience, and eleven to fifteen years of experience were \$50,400, \$63,000, and \$84,500, respectively.<sup>89</sup> Presumably these averages have increased since 2014.

Large Atlanta Law Firms. In 2016 the starting base salary for first-year associates of large Atlanta law firms was raised to \$155,000.<sup>90</sup> According to a 2016 survey conducted by Major, Lindsey, & Africa, a national legal recruiting firm, the average and median salaries of partners in Atlanta law firms are \$850,000 and \$701,000, respectively.<sup>91</sup>

Law Professors. The median salaries during the 2012-13 academic school year for University of Georgia Law School assistant professors, associate professors, and tenured professors were \$121,400, \$144,000, and \$180,765, respectively.<sup>92</sup>

Population and Economy. Georgia is the eighth most populous state in the country. Between 2014 and 2015 its population increased by approximately 118,000 people. Only Texas, Florida, and California had larger increases during that time.<sup>93</sup> The Atlanta metropolitan area is the ninth most populous metropolitan area in the country.<sup>94</sup> Georgia has the tenth largest gross domestic product among the states.<sup>95</sup>

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<sup>87</sup> Report of the New York Commission on Legislative, Judicial and Executive Compensation dated December 24, 2015. On April 1, 2016 the state of New York adopted the commission's recommendations. Retrieved from: [http://www.nysac.org/blog\\_home.asp?Display=58](http://www.nysac.org/blog_home.asp?Display=58).

<sup>88</sup> The survey says that Georgia superior court judges are paid \$156,252. Presumably that is an average figure, although it is not clear how it was calculated.

<sup>89</sup> NALP 2014 Public Sector and Public Interest Salary Report, Table 1. Retrieved from: <http://www.nalp.org/july14research#table1>.

<sup>90</sup> Hobbs, Meredith. "King & Spalding, Alston Raise Associate Pay," *Daily Report*, June 21, 2016. Hobbs, Meredith. "Troutman, Kilpatrick and Sutherland Raise Associate Pay," *Daily Report*, July 1, 2016.

<sup>91</sup> Lowe, Jeffrey. "2016 Partner Compensation Survey, Exhibit 1.4 – Total Compensation by City." *Major Lindsey & Africa*.

<sup>92</sup> Society of American Law Teachers, *SALT Equalizer*, Volume 2015, Issue 1. Retrieved from: <https://www.saltlaw.org/wp-content/uploads/2014/05/SALT-salary-survey-2015-final.pdf>.

<sup>93</sup> United States Census. (2015.) *North Carolina Becomes Ninth State With 10 Million or More People*, *Census Bureau Reports*. [Press Release]. Retrieved from: <http://www.census.gov/newsroom/press-releases/2015/cb15-215.html>.

<sup>94</sup> Annual Estimates of the Population of Metropolitan and Micropolitan Statistical Areas: April 1, 2010 to July 1, 2015. Retrieved from: <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>.

<sup>95</sup> U.S. Department of Commerce, Bureau of Economic Analysis, Gross domestic product by state. Retrieved from: <http://www.bea.gov/iTable/drilldown.cfm?reqid=70&stepnum=11&AreaTypeKeyGdp=5&GeoFipsGdp=XX&Class>

## VII. RECOMMENDATIONS

In light of the foregoing findings and analysis, the Commission makes the following recommendations with one purpose in mind – compensation of justices, judges, district attorneys, and public defenders should advance the public interest. These recommendations would advance the public interest by establishing a satisfactory compromise between the financial sacrifices that rightly attend public service and the need to attract well-qualified lawyers to serve in all forty-nine circuits. These recommendations would also establish a proper salary relationship among the various courts and are based on the understanding that Georgia attaches the same level of importance to the administration of justice in each of its forty-nine circuits.

### A. Supreme Court

The Commission recommends that the chief justice receive a salary of \$205,000 and that the other Supreme Court justices receive a salary of \$200,000. Compared to judges who serve on the highest courts of other states, this salary would make Georgia Supreme Court justices the eighth-highest paid in the country, in line with Georgia's population and GDP rankings. This salary would also be comparable to a U.S. district judge's salary, which is \$203,100. In real terms this salary would still be below the salary paid to Supreme Court justices from 1999 through 2003.

In total these salaries would cost the state an additional \$224,600.<sup>96</sup>

### B. Court of Appeals

The Commission recommends that the chief judge receive a salary of \$195,000 and that the other Court of Appeals judges receive a salary of \$190,000. Compared to judges who serve on the intermediate appellate courts of other states, this salary would make Georgia Court of Appeals judges the seventh-highest paid in the country. In real terms this salary would still be below the salary paid to Court of Appeals judges from 1999 through 2003.

In total these salaries would cost the state an additional \$237,500.<sup>97</sup>

### C. Superior Court

The Commission recommends that the General Assembly give superior court judges the choice to be compensated in one of two ways.

- (1) Continue to receive the current state salary of \$126,265, the current \$6,000 accountability court supplement, and any current local supplement, which shall be fixed at its current amount; or

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KeyGdp=NAICS&ComponentKey=200&IndustryKey=1&YearGdp=2015Q2&YearGdpBegin=-1&YearGdpEnd=-1&UnitOfMeasureKeyGdp=Levels&RankKeyGdp=1&Drill=1&nRange=5.

<sup>96</sup>  $(\$200,000 - \$175,600) \times 9 + \$5,000 = \$224,600$ .

<sup>97</sup>  $(\$190,000 - \$174,500) \times 15 + \$5,000 = \$237,500$ .

- (2) Receive a state salary of \$175,000, if an accountability court is established, or \$165,000, if an accountability court is not established, and no local supplements.

The Commission recommends that only current superior court judges be given the choice to be compensated under systems (1) or (2). Superior court judges elected or appointed after an effective date would be compensated under system (2) only. In addition, the Commission recommends that the state provide cost-of-living adjustments only to judges who are compensated under system (2).

Compared to judges who serve on the trial courts of other states, a state salary of \$175,000 (with no local supplements) would make Georgia superior court judges the eighth-highest paid in the country. Also, since the average local supplement paid to superior court judges is \$40,163, and therefore the average salary is \$172,428,<sup>98</sup> this salary recommendation approximates the current average salary of a superior court judge.

If all superior court judges were compensated under system (2), it would cost the state an additional \$9,304,820,<sup>99</sup> and it would save the counties \$8,514,496.<sup>100</sup> Thus, on net it would cost \$790,324.

Another recommendation. In many instances local law provides that the salaries of local officials or other employees bear a mathematical relationship to the state salary of a superior court judge. Thus, the General Assembly cannot adjust the salary of a superior court judge without also adjusting the salaries of an unknown number of local officials by an unknown amount. This is without reason, as far as the Commission can tell, and so it recommends that the relationship be severed and that state law instead tie these local salaries to an independent baseline – say, the “Local Salary Baseline” – that the General Assembly sets at \$126,265 (the current state salary of a superior court judge) and periodically adjusts as appropriate.

#### **D. District Attorneys and Circuit Public Defenders**

The Commission recommends that the General Assembly give district attorneys and circuit public defenders the choice to be compensated in one of two ways.

- (1) Continue to receive the current state salaries of \$120,072 and \$99,526, respectively, the current \$6,000 accountability court supplement, and any current local supplement, which shall be fixed at its current amount; or
- (2) Receive a state salary of \$160,000, if an accountability court is established, or \$150,000, if an accountability court is not established.

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<sup>98</sup>  $\$172,428 = \$132,265 + \$40,163$ . This calculation is based on the premise that all superior courts establish accountability courts.

<sup>99</sup> Calculation is based on all the assumption that accountability courts are established in every circuit. Total state compensation currently paid to superior court judges is  $\$28,040,180 = 212 \times \$132,265$ . If this recommendation were adopted, total state compensation paid to superior court judges would be  $\$37,345,000 = (212 \times \$175,000) + (49 \times \$5,000)$ .  $\$37,345,000 - \$28,040,180 = \$9,304,820$ .

<sup>100</sup> This calculation can be derived from *Exhibit A* by multiplying the supplement for each circuit by the number of judges in that circuit to find the total supplement for each of the forty-nine circuits, and then adding together the total supplements for each of the forty-nine circuits. The total is \$8,483,988. The total chief judge supplements are \$30,508.  $\$8,514,496 = \$8,483,988 + \$30,508$ .



Only current district attorneys and circuit public defenders would be given the choice to be compensated under systems (1) or (2). District attorneys and circuit public defenders elected or appointed after an effective date would be compensated under system (2) only. In addition, the Commission recommends that the state provide cost-of-living adjustments only to district attorneys and circuit public defenders who are compensated under system (2).

A state salary of \$160,000 would be comparable to the starting base salary for first-year associates at large Atlanta law firms and the maximum salary paid to assistant U.S. attorneys.

If all district attorneys were compensated under system (2), it would cost the state an additional \$1,662,472,<sup>101</sup> and it would save the counties \$990,870.<sup>102</sup> Thus, on net it would cost \$745,870.

If all circuit public defenders were compensated under system (2), it would cost the state an additional \$2,342,382,<sup>103</sup> and it would save the counties \$389,109. Thus, on net it would cost \$1,953,273.

#### **E. Assistant District Attorneys and Assistant Public Defenders**

The Commission recommends that the General Assembly fully fund the pay schedule for assistant district attorneys and that assistant public defenders be placed on the same pay schedule. This recommendation to equalize the pay of assistant district attorneys and assistant public defenders was jointly proposed by the PAC and the GPDC.

Based on information provided by the PAC, the Commission understands that it would cost the state approximately \$3.2 million to provide full “catch up” funding, which would increase the salaries of assistant district attorneys such that their salaries would match their designation on the pay scale. This figure takes into account salaries only; it does not take into account benefits.

Further, the Commission recommends that assistant district attorneys and assistant public defenders be placed on a single pay schedule not merely by appropriation but also by law. To implement this recommendation the General Assembly would need to amend and combine the two statutes that currently address the two pay schedules.<sup>104</sup>

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<sup>101</sup> Calculation is based on the premise that accountability courts are established in every circuit. Total state compensation currently paid to district attorneys is \$6,177,528 = 49 x \$126,072. If this recommendation were adopted, total state compensation paid to district attorneys would be \$7,840,000 = 49 x \$160,000. \$7,840,000 – \$6,177,528 = \$1,662,472.

<sup>102</sup> This calculation can be derived from *Exhibit B* by adding together all the local supplements paid to district attorneys.

<sup>103</sup> Calculation is based on the premise that accountability courts are established in every circuit. Total state compensation currently paid to circuit public defenders is \$4,537,618 = 43 x \$105,526. If this recommendation were adopted, total state compensation paid to circuit public defenders would be \$6,880,000 = 43 x \$160,000. \$6,880,000 – \$4,537,618 = \$2,342,382.

<sup>104</sup> See O.C.G.A. §§ 15-18-14 and 17-12-27.

The Commission also recommends that counties continue to be permitted to (i) pay local supplements to state-paid assistant district attorneys and assistant public defenders, (ii) hire county-paid assistant district attorneys and assistant public defenders, and (iii) fund SPCR assistant district attorneys and assistant public defenders. As described above, while this pay structure can impose costs and foster pay imbalances, many of these costs and imbalances would subside if the General Assembly would fully fund the pay schedule. And in any case, it would cost the state hundreds of millions of dollars to eliminate local supplements and undertake the obligation to pay assistant district attorneys and assistant public defenders from the state treasury only.

#### **F. Cost-of-Living Adjustments**

*Exhibits D and E* reveal years of salary stagnation interrupted by periodic, seemingly *ad hoc* “catch-up” increases. The Commission’s foregoing recommendations are based on the premise that, barring an extraordinary event like the financial crisis, the General Assembly intends to end this practice by providing, either by appropriation or new law, that justices, judges, district attorneys, circuit public defenders, assistant district attorneys, and assistant public defenders receive cost-of-living adjustments that reflect the actual increase in the cost-of-living. The failure to do so would over time lead to distortions, calls for local supplements, and fewer well-qualified lawyers interested in serving the public interest.

Perhaps a compensation commission would be established to study these matters.

# EXHIBIT A

## Superior Court Judges State and County Compensation

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation	Number of Judges in Circuit	Additional Chief Judge Supplement <sup>1</sup>	Longevity Supplement <sup>2</sup>
1 Augusta <sup>3</sup>	\$ 126,265	\$ 6,000	\$ 132,265	\$ 75,200	\$ 207,465	8	\$ 2,000	No
2 Cobb	\$ 126,265	\$ 6,000	\$ 132,265	\$ 73,614	\$ 205,879	10	\$ 10,396	No
3 Eastern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 66,084	\$ 198,349	6	\$ 5,000	\$1000 each 4 yrs
4 Northeastern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 65,790	\$ 198,055	4	No	No
5 Brunswick	\$ 126,265	\$ 6,000	\$ 132,265	\$ 64,624	\$ 196,889	5	No	No
6 Stone Mountain	\$ 126,265	\$ 6,000	\$ 132,265	\$ 58,711	\$ 190,976	10	No	No
7 Gwinnett	\$ 126,265	\$ 6,000	\$ 132,265	\$ 52,670	\$ 184,935	10	No	No
8 Macon	\$ 126,265	\$ 6,000	\$ 132,265	\$ 49,996	\$ 182,261	5	No	No
9 Atlanta	\$ 126,265	\$ 6,000	\$ 132,265	\$ 49,748	\$ 182,013	20	\$ 1,000	No
10 Douglas	\$ 126,265	\$ 6,000	\$ 132,265	\$ 45,700	\$ 177,965	3	No	No
11 Chattahoochee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 45,386	\$ 177,651	7	No	No
12 Ogeechee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 41,490	\$ 173,755	3	No	No
13 Western	\$ 126,265	\$ 6,000	\$ 132,265	\$ 40,840	\$ 173,105	4	No	No
14 Alcovy	\$ 126,265	\$ 6,000	\$ 132,265	\$ 38,992	\$ 171,257	5	No	No
15 Clayton	\$ 126,265	\$ 6,000	\$ 132,265	\$ 37,000	\$ 169,265	4	No	No
16 Houston	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,177	\$ 168,442	3	No	No
17 Flint	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,130	\$ 168,395	3	No	No
18 Griffin	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,000	\$ 168,265	4	No	No
19 Cherokee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 32,300	\$ 164,565	4	No	No
20 Paulding	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,500	\$ 162,765	3	No	No
21 Appalachian	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,446	\$ 162,711	3	\$ 5,312	No
22 Coweta	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,000	\$ 162,265	7	No	No
23 Waycross	\$ 126,265	\$ 6,000	\$ 132,265	\$ 29,255	\$ 161,520	4	No	No
24 South Georgia	\$ 126,265	\$ 6,000	\$ 132,265	\$ 28,020	\$ 160,285	2	No	No
25 Dougherty	\$ 126,265	\$ 6,000	\$ 132,265	\$ 27,861	\$ 160,126	3	\$ 2,000	No
26 Piedmont	\$ 126,265	\$ 6,000	\$ 132,265	\$ 27,812	\$ 160,077	4	No	No
27 Atlantic	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,800	\$ 158,065	4	No	No
28 Blue Ridge	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,750	\$ 158,015	3	No	No
29 Mountain	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,517	\$ 157,782	2	No	No
30 Bell-Forsyth	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,000	\$ 157,265	3	No	No
31 Southern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,000	\$ 157,265	5	No	No
32 Northern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,600	\$ 156,865	3	No	No
33 Rome	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,030	\$ 156,295	4	No	No
34 Dublin	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	3	No	No
35 Middle	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	2	No	No
36 Tallapoosa	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	2	No	No
37 Rockdale	\$ 126,265	\$ 6,000	\$ 132,265	\$ 23,953	\$ 156,218	2	No	No
38 Conasauga	\$ 126,265	\$ 6,000	\$ 132,265	\$ 23,400	\$ 155,665	4	No	No
39 Towaliga	\$ 126,265	\$ 6,000	\$ 132,265	\$ 21,000	\$ 153,265	2	No	No
40 Southwestern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,854	\$ 153,119	3	No	No
41 Cordele	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,000	\$ 152,265	3	No	No
42 Enotah	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,000	\$ 152,265	3	No	No
43 Ocmulgee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 18,000	\$ 150,265	5	No	No
44 Oconee	\$ 126,265	\$ -	\$ 126,265	\$ 20,000	\$ 146,265	3	No	No
45 Pataula	\$ 126,265	\$ 6,000	\$ 132,265	\$ 12,000	\$ 144,265	2	No	No
46 Toombs	\$ 126,265	\$ 6,000	\$ 132,265	\$ 12,000	\$ 144,265	2	No	No
47 Tifton	\$ 126,265	\$ -	\$ 126,265	\$ 17,400	\$ 143,665	2	\$ 4,800	No
48 Lookout Mtn.	\$ 126,265	\$ -	\$ 126,265	\$ 15,000	\$ 141,265	4	No	No
49 Alapaha	\$ 126,265	\$ 6,000	\$ 132,265	\$ -	\$ 132,265	2	No	No

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### Notes:

1. Additional Chief Judge Supplements are Not Included in Circuit County Supplement Amounts Listed.
2. Eastern Circuit County Supplement Amount Listed Does Not Include Longevity Increases.
3. On July 1, 2017, Augusta Circuit Supplement will rise to \$80,200.

**EXHIBIT B****District Attorneys  
State and County Compensation**

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation
1 Cobb	\$ 120,072	\$ 6,000	\$ 126,072	\$ 78,382	\$ 204,454
2 Stone Mountain	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,976	\$ 179,048
3 Gwinnett	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,670	\$ 178,742
4 Northeastern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,139	\$ 178,211
5 Atlanta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 49,382	\$ 175,454
6 Douglas	\$ 120,072	\$ 6,000	\$ 126,072	\$ 43,525	\$ 169,597
7 Augusta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 38,000	\$ 164,072
8 Macon	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,966	\$ 163,038
9 Eastern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,557	\$ 162,629
10 Brunswick	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,000	\$ 162,072
11 Flint	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,000	\$ 162,072
12 Clayton	\$ 120,072	\$ 6,000	\$ 126,072	\$ 35,020	\$ 161,092
13 Paulding	\$ 120,072	\$ 6,000	\$ 126,072	\$ 30,000	\$ 156,072
14 Chattahoochee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 27,503	\$ 153,575
15 Middle	\$ 120,072	\$ 6,000	\$ 126,072	\$ 26,000	\$ 152,072
16 Blue Ridge	\$ 120,072	\$ 6,000	\$ 126,072	\$ 25,239	\$ 151,311
17 Southern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 22,500	\$ 148,572
18 Dublin	\$ 120,072	\$ 6,000	\$ 126,072	\$ 21,600	\$ 147,672
19 Towaliga	\$ 120,072	\$ 6,000	\$ 126,072	\$ 21,000	\$ 147,072
20 Western	\$ 120,072	\$ 6,000	\$ 126,072	\$ 20,000	\$ 146,072
21 Cherokee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
22 Coweta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
23 Dougherty	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
24 Tallapoosa	\$ 120,072	\$ 6,000	\$ 126,072	\$ 17,950	\$ 144,022
25 Rockdale	\$ 120,072	\$ 6,000	\$ 126,072	\$ 16,654	\$ 142,726
26 Alcovy	\$ 120,072	\$ 6,000	\$ 126,072	\$ 14,472	\$ 140,544
27 Griffin	\$ 120,072	\$ 6,000	\$ 126,072	\$ 14,000	\$ 140,072
28 Rome	\$ 120,072	\$ 6,000	\$ 126,072	\$ 13,135	\$ 139,207
29 Appalachian	\$ 120,072	\$ 6,000	\$ 126,072	\$ 12,000	\$ 138,072
30 Waycross	\$ 120,072	\$ 6,000	\$ 126,072	\$ 12,000	\$ 138,072
31 Oconee	\$ 120,072	\$ -	\$ 120,072	\$ 18,000	\$ 138,072
32 Houston	\$ 120,072	\$ 6,000	\$ 126,072	\$ 10,000	\$ 136,072
33 Bell-Forsyth	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,800	\$ 135,872
34 Atlantic	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,600	\$ 135,672
35 Ocmulgee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,050	\$ 135,122
36 South Georgia	\$ 120,072	\$ 6,000	\$ 126,072	\$ 8,000	\$ 134,072
37 Toombs	\$ 120,072	\$ 6,000	\$ 126,072	\$ 8,000	\$ 134,072
38 Ogeechee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 6,000	\$ 132,072
39 Cordele	\$ 120,072	\$ 6,000	\$ 126,072	\$ 6,000	\$ 132,072
40 Conasauga	\$ 120,072	\$ 6,000	\$ 126,072	\$ 2,750	\$ 128,822
41 Tifton	\$ 120,072	\$ -	\$ 120,072	\$ 8,000	\$ 128,072
42 Piedmont	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
43 Mountain	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
44 Northern	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
45 Southwestern	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
46 Enotah	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
47 Pataula	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
48 Alapaha	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
49 Lookout Mtn.	\$ 120,072	\$ -	\$ 120,072	\$ -	\$ 120,072

# EXHIBIT C

## Circuit Public Defenders State and County Compensation

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation
1 Northeastern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 52,139	\$ 157,665
2 Middle	\$ 99,526	\$ 6,000	\$ 105,526	\$ 50,000	\$ 155,526
3 Eastern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 40,000	\$ 145,526
4 Augusta	\$ 99,526	\$ 6,000	\$ 105,526	\$ 32,000	\$ 137,526
5 Brunswick	\$ 99,526	\$ 6,000	\$ 105,526	\$ 31,719	\$ 137,245
6 Flint	\$ 99,526	\$ 6,000	\$ 105,526	\$ 31,555	\$ 137,081
7 South Georgia	\$ 99,526	\$ 6,000	\$ 105,526	\$ 24,396	\$ 129,922
8 Cherokee	\$ 99,526	\$ 6,000	\$ 105,526	\$ 18,000	\$ 123,526
9 Paulding	\$ 99,526	\$ 6,000	\$ 105,526	\$ 18,000	\$ 123,526
10 Mountain	\$ 99,526	\$ 6,000	\$ 105,526	\$ 15,000	\$ 120,526
11 Dougherty	\$ 99,526	\$ 6,000	\$ 105,526	\$ 14,000	\$ 119,526
12 Southern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 13,800	\$ 119,326
13 Griffin	\$ 99,526	\$ 6,000	\$ 105,526	\$ 12,000	\$ 117,526
14 Alcovy	\$ 99,526	\$ 6,000	\$ 105,526	\$ 6,500	\$ 112,026
15 Toombs	\$ 99,526	\$ 6,000	\$ 105,526	\$ 6,000	\$ 111,526
16 Towaliga	\$ 99,526	\$ 6,000	\$ 105,526	\$ 5,000	\$ 110,526
17 Western	\$ 99,526	\$ 6,000	\$ 105,526	\$ 5,000	\$ 110,526
18 Oconee	\$ 99,526	\$ -	\$ 99,526	\$ 10,000	\$ 109,526
19 Tallapoosa	\$ 99,526	\$ 6,000	\$ 105,526	\$ 3,000	\$ 108,526
20 Coweta	\$ 99,526	\$ 6,000	\$ 105,526	\$ 1,000	\$ 106,526
21 Alapaha	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
22 Appalachian	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
23 Atlanta	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
24 Atlantic	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
25 Chattahoochee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
26 Clayton	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
27 Conasauga	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
28 Cordele	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
29 Dublin	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
30 Enotah	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
31 Macon	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
32 Northern	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
33 Ocmulgee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
34 Ogeechee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
35 Pataula	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
36 Piedmont	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
37 Rockdale	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
38 Rome	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
39 Southwestern	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
40 Stone Mountain	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
41 Waycross	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
42 Lookout Mtn.	\$ 99,526	\$ -	\$ 99,526	\$ -	\$ 99,526
43 Tifton	\$ 99,526	\$ -	\$ 99,526	\$ -	\$ 99,526
44 Bell-Forsyth	OPT OUT				
45 Blue Ridge	OPT OUT				
46 Cobb	OPT OUT				
47 Douglas	OPT OUT				
48 Gwinnett	OPT OUT				
49 Houston	OPT OUT				

## EXHIBIT D

### State Compensation 1986 - 2016 Nominal Dollars (Not Adjusted for Inflation)

Year	Supreme Court Justices	Court of Appeals Judges	Superior Court Judges	District Attorneys	Circuit Public Defenders
1986	\$ 73,722	\$ 73,154	\$ 60,654	\$ 51,360	\$ -
1987	\$ 75,565	\$ 74,982	\$ 62,170	\$ 53,412	\$ -
1988	\$ 78,550	\$ 77,982	\$ 67,156	\$ 58,248	\$ -
1989	\$ 90,514	\$ 89,931	\$ 68,838	\$ 59,712	\$ -
1990	\$ 92,778	\$ 92,179	\$ 70,560	\$ 61,200	\$ -
1991	\$ 92,778	\$ 92,179	\$ 70,560	\$ 62,736	\$ -
1992	\$ 93,774	\$ 93,180	\$ 71,560	\$ 62,736	\$ -
1993	\$ 96,118	\$ 95,509	\$ 73,344	\$ 62,736	\$ -
1994	\$ 109,459	\$ 108,765	\$ 78,564	\$ 65,322	\$ -
1995	\$ 114,932	\$ 114,203	\$ 82,488	\$ 69,972	\$ -
1996	\$ 119,530	\$ 118,771	\$ 85,782	\$ 73,471	\$ -
1997	\$ 124,311	\$ 123,522	\$ 89,208	\$ 76,404	\$ -
1998	\$ 129,283	\$ 128,463	\$ 92,772	\$ 79,452	\$ -
1999	\$ 143,601	\$ 142,713	\$ 102,852	\$ 82,635	\$ -
2000	\$ 147,909	\$ 146,995	\$ 105,938	\$ 91,296	\$ -
2001	\$ 153,086	\$ 152,139	\$ 109,645	\$ 94,032	\$ -
2002	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2003	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2004	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2005	\$ 154,686	\$ 153,739	\$ 111,245	\$ 98,926	\$ -
2006	\$ 157,780	\$ 156,814	\$ 113,470	\$ 100,904	\$ 88,470
2007	\$ 162,340	\$ 161,346	\$ 116,750	\$ 100,904	\$ 90,686
2008	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,686
2009	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2010	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2011	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2012	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2013	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 93,693
2014	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2015	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2016	\$ 175,600	\$ 174,500	\$ 132,625	\$ 126,072	\$ 105,526

Notes:

1. This schedule does not include local supplements.
2. This schedule includes accountability court supplements.
3. If compensation was raised mid-year, this schedule reports the higher compensation for that year.
4. The GPDC was formed in 2003 but was not fully operational until 2006.

## EXHIBIT E

### State Compensation 1986 - 2016 2016 Dollars (Adjusted for Inflation)

Year	Supreme Court Justices	Court of Appeals Judges	Superior Court Judges	District Attorneys	Circuit Public Defenders
1986	\$ 162,396	\$ 161,144	\$ 133,609	\$ 113,136	\$ -
1987	\$ 160,594	\$ 159,355	\$ 132,127	\$ 113,514	\$ -
1988	\$ 160,306	\$ 159,147	\$ 137,053	\$ 118,873	\$ -
1989	\$ 176,231	\$ 175,096	\$ 134,028	\$ 116,259	\$ -
1990	\$ 171,379	\$ 170,272	\$ 130,338	\$ 113,048	\$ -
1991	\$ 164,458	\$ 163,396	\$ 125,075	\$ 111,206	\$ -
1992	\$ 161,366	\$ 160,344	\$ 123,140	\$ 107,956	\$ -
1993	\$ 160,592	\$ 159,575	\$ 122,542	\$ 104,818	\$ -
1994	\$ 178,316	\$ 177,186	\$ 127,986	\$ 106,414	\$ -
1995	\$ 182,072	\$ 180,917	\$ 130,675	\$ 110,848	\$ -
1996	\$ 183,925	\$ 182,757	\$ 131,996	\$ 113,053	\$ -
1997	\$ 186,992	\$ 185,805	\$ 134,189	\$ 114,929	\$ -
1998	\$ 191,488	\$ 190,273	\$ 137,410	\$ 117,681	\$ -
1999	\$ 208,099	\$ 206,812	\$ 149,048	\$ 119,750	\$ -
2000	\$ 207,372	\$ 206,090	\$ 148,528	\$ 127,999	\$ -
2001	\$ 208,691	\$ 207,400	\$ 149,471	\$ 128,187	\$ -
2002	\$ 205,443	\$ 204,172	\$ 147,145	\$ 130,613	\$ -
2003	\$ 200,865	\$ 199,623	\$ 143,866	\$ 127,702	\$ -
2004	\$ 195,655	\$ 194,445	\$ 140,134	\$ 124,390	\$ -
2005	\$ 191,221	\$ 190,051	\$ 137,520	\$ 122,291	\$ -
2006	\$ 188,951	\$ 187,794	\$ 135,887	\$ 120,839	\$ 105,948
2007	\$ 189,028	\$ 187,870	\$ 135,943	\$ 117,492	\$ 105,594
2008	\$ 187,499	\$ 186,351	\$ 134,843	\$ 128,232	\$ 101,690
2009	\$ 188,169	\$ 187,016	\$ 135,325	\$ 128,690	\$ 106,668
2010	\$ 185,132	\$ 183,998	\$ 133,141	\$ 126,613	\$ 100,574
2011	\$ 179,467	\$ 178,368	\$ 129,067	\$ 122,739	\$ 97,497
2012	\$ 175,829	\$ 174,752	\$ 126,450	\$ 120,250	\$ 95,520
2013	\$ 173,290	\$ 172,229	\$ 124,625	\$ 118,514	\$ 97,100
2014	\$ 170,524	\$ 169,480	\$ 122,635	\$ 116,622	\$ 96,666
2015	\$ 170,322	\$ 169,279	\$ 122,490	\$ 116,484	\$ 96,551
2016	\$ 175,600	\$ 174,500	\$ 132,625	\$ 126,072	\$ 105,526

**Notes:**

1. This schedule does not include local supplements.
2. This schedule includes accountability court supplements.
3. If compensation was raised mid-year, this schedule reports the higher compensation for that year.
4. The GPDC was formed in 2003 but was not fully operational until 2006.
5. Inflation adjustments were calculated using the Bureau of Labor Statistics CPI Inflation calculator.

## EXHIBIT F

### Pay Schedule State-Paid Assistant District Attorneys (Effective July 1, 2016)

Step	Class 1		Class 2		Class 3		Class 4
1	\$	44,828	\$	48,062	\$	53,032	\$ 61,344
2	\$	45,779	\$	50,471	\$	55,658	\$ 64,456
3	\$	48,062	\$	53,015	\$	58,451	\$ 67,678
4	\$	50,471	\$	55,658	\$	61,344	\$ 70,902
5	\$	53,015	\$	58,451	\$	64,456	\$ 74,484
6	\$	55,658	\$	61,344	\$	67,678	\$ 78,035
7	\$	58,451	\$	64,456	\$	70,870	\$ 81,854
8	\$	61,344	\$	67,678	\$	74,484	\$ 85,894
9	\$	64,456	\$	70,902	\$	78,035	\$ 90,169
10	\$	67,678	\$	74,484	\$	81,854	\$ 94,663
11	\$	70,902	\$	76,351	\$	85,894	\$ 99,227
12	\$	74,114	\$	79,818	\$	90,169	\$ 102,623
13	\$	77,425	\$	83,386	\$	94,198	\$ 106,361



## EXHIBIT G

### Pay Schedule State-Paid Assistant Public Defenders

(Effective July 1, 2016)

Step	Class 1		Class 2		Class 3		Class 4
1	\$	43,522	\$	46,662	\$	51,487	\$ 59,557
2	\$	44,446	\$	49,001	\$	54,037	\$ 62,579
3	\$	46,662	\$	51,471	\$	56,749	\$ 65,707
4	\$	49,001	\$	54,037	\$	59,557	\$ 68,837
5	\$	51,471	\$	56,749	\$	62,579	\$ 72,315
6	\$	54,037	\$	59,557	\$	65,707	\$ 75,762
7	\$	56,749	\$	62,579	\$	68,806	\$ 79,470
8	\$	59,557	\$	65,707	\$	72,315	\$ 83,392
9	\$	62,579	\$	68,837	\$	75,762	\$ 87,543
10	\$	65,707	\$	72,315	\$	79,470	\$ 89,573
11	\$	68,837	\$	74,127	\$	83,392	\$ 89,573
12	\$	71,955	\$	77,493	\$	87,543	\$ 89,573
13	\$	75,170	\$	80,957	\$	89,573	\$ 89,573

Note that pay of an assistant public defender is capped at 90% of the circuit public defender, so in circuits that have established an accountability court, assistant public defenders in class 4, steps 10 through 13, are paid \$89,573, \$94,052, \$94,973, and \$94,973, respectively, as \$94,973 is 90% of \$105,526.

## EXHIBIT H

### National Center for State Courts Judicial Salary Survey (As of January 1, 2016)

Highest Court			Intermediate Appellate Court		General-Jurisdiction Trial Court	
1	California	\$230,750	California	\$216,330	Dist. of Columbia	\$201,100
2	Illinois	\$220,873	Illinois	\$207,882	Hawaii	\$193,248
3	Hawaii	\$214,524	Hawaii	\$198,624	Illinois	\$190,758
4	Dist. of Columbia	\$213,300	Alaska	\$193,386	Alaska	\$189,720
5	Alaska	\$205,176	Pennsylvania	\$191,926	California	\$189,041
6	Pennsylvania	\$203,409	Alabama	\$178,878	Delaware	\$180,733
7	New York	\$192,500	New York	\$177,900	Pennsylvania	\$176,572
8	Virginia	\$192,458	Virginia	\$176,510	New York	\$174,000
9	Delaware	\$192,360	Tennessee	\$176,436	Tennessee	\$170,352
10	Connecticut	\$185,610	New Jersey	\$175,534	Connecticut	\$167,634
11	New Jersey	\$185,482	Connecticut	\$174,323	Virginia	\$166,136
12	Tennessee	\$182,508	Washington	\$170,808	New Jersey	\$165,000
13	Washington	\$179,432	Georgia	\$166,186	Washington	\$162,618
14	Maryland	\$176,433	Colorado	\$166,170	Arkansas	\$160,000
15	Massachusetts	\$175,984	Massachusetts	\$165,087	Nevada	\$160,000
16	Rhode Island	\$175,870	Nevada	\$165,000	Massachusetts	\$159,694
17	Colorado	\$173,024	Maryland	\$163,633	Colorado	\$159,320
18	Iowa	\$170,544	Arkansas	\$161,500	Rhode Island	\$158,340
19	Missouri	\$170,292	Utah	\$160,500	Georgia	\$156,252
20	Nevada	\$170,000	Indiana	\$160,468	Maryland	\$154,433
21	Utah	\$168,150	Texas	\$158,500	Nebraska	\$153,697
22	Texas	\$168,000	Nebraska	\$157,851	Utah	\$152,850
23	Alabama	\$167,685	Missouri	\$155,709	Wyoming	\$150,000
24	Georgia	\$167,210	Iowa	\$154,556	Texas	\$149,000
25	Arkansas	\$166,500	Florida	\$154,140	Louisiana	\$148,108
26	Nebraska	\$166,159	Louisiana	\$154,059	Missouri	\$146,803
27	Indiana	\$165,078	Minnesota	\$153,240	New Hampshire	\$146,236
28	Wyoming	\$165,000	Michigan	\$151,441	Florida	\$146,080
29	Michigan	\$164,610	Arizona	\$150,000	Arizona	\$145,000
30	Louisiana	\$164,590	South Carolina	\$140,508	Iowa	\$143,897
31	Minnesota	\$162,630	Wisconsin	\$139,059	Minnesota	\$143,851
32	Florida	\$162,200	Ohio	\$138,600	Michigan	\$139,919
33	New Hampshire	\$155,907	Oklahoma	\$138,235	Vermont	\$139,837
34	Arizona	\$155,000	Mississippi	\$134,883	North Dakota	\$139,679
35	North Dakota	\$152,436	North Carolina	\$134,109	Indiana	\$137,062
36	Ohio	\$148,700	Oregon	\$132,820	South Carolina	\$136,905
37	Wisconsin	\$147,403	Kansas	\$131,518	Alabama	\$134,943
38	Vermont	\$147,095	Kentucky	\$130,044	Oklahoma	\$131,835
39	Oklahoma	\$145,914	Idaho	\$130,000	Wisconsin	\$131,187
40	South Carolina	\$144,111	New Mexico	\$124,616	Mississippi	\$128,042
41	Mississippi	\$142,320	Delaware		Ohio	\$127,450
42	North Carolina	\$139,896	Dist. of Columbia		North Dakota	\$126,875
43	Montana	\$136,177	Maine		Montana	\$126,131
44	West Virginia	\$136,000	Montana		West Virginia	\$126,000
45	Kansas	\$135,905	New Hampshire		Kentucky	\$124,620
46	Oregon	\$135,688	North Dakota		Oregon	\$124,468
47	Kentucky	\$135,504	Rhode Island		Idaho	\$124,000
48	Idaho	\$135,000	South Dakota		South Dakota	\$123,024
49	South Dakota	\$131,713	Vermont		Maine	\$121,472
50	New Mexico	\$131,174	West Virginia		Kansas	\$120,037
51	Maine	\$129,626	Wyoming		New Mexico	\$118,384

**Notes:**

This survey can be obtained from the website of the National Center for State Courts. Some information is out of date. For example, the survey says that the 2016 salaries of the Georgia Supreme Court justices and Court of Appeals judges are \$167,210 and \$166,186, respectively, but those were the 2015 salaries. Also, the survey seems to understate the salaries of New York judges. See footnote 87.

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*John  
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W ASBURY STEMBRIDGE  
CORDELE, GEORGIA 31019

*For Governor  
219*

## STATE COMMISSION ON COMPENSATION

December 8, 1971

*NA  
FILE*

TO: Governor Jimmy Carter  
Lieutenant Governor Lester Maddox  
Speaker of the House of Representatives, George L. Smith  
Clerk of the House of Representatives, Glenn W. Ellard  
Secretary of the Senate, Hamilton McWhorter  
Legislative Counsel, Frank Edwards  
Chief Justice of the Supreme Court, Bond Almand  
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

Supplementing our formal report to you of this date, which includes our formal recommendations, the State Commission on Compensation wishes to make the following observation and informal suggestion to each of you.

It is hoped that this suggestion will be implemented by the introduction of legislation in the General Assembly and, of course, enactment into law.

With reference to the Judges of the Superior Courts of the State, it is the consensus of the Commission that the State itself should reimburse each Superior Court Judge for secretarial expenses actually incurred by him, up to a maximum of \$6,000 per year.

We would have included this in our formal recommendation, but we were advised by an opinion from the Attorney General that such a recommendation should not be included in our report, but might be made by a separate recommendation.

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: *Char. L. Gowen*  
Charles L. Gowen, Chairman

By: *Alex Mc Lennan*  
Alex McLennan, Vice Chairman

By: *Robert J. Lipshutz*  
Robert J. Lipshutz, Secretary

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STATE COMMISSION ON COMPENSATION

December 8, 1971

TO: Governor Jimmy Carter  
Lieutenant Governor Lester Maddox  
Speaker of the House of Representatives, George L. Smith  
Clerk of the House of Representatives, Glenn W. Ellard  
Secretary of the Senate, Hamilton McWhorter  
Legislative Counsel, Frank Edwards  
Chief Justice of the Supreme Court, Bond Almand  
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

The State Commission on Compensation has now completed its study pursuant to Section 5 of the Georgia Laws 1971, pp. 103-105.

The Commission does herewith file its report with each of you as required by Section 6 of said Law.

The Commission does hereby recommend, with reference to each of the following State Officers:

- (a) That all changes recommended herein become effective on July 1, 1972.
- (b) That all contingent expense allowances and subsistence allowance now authorized be terminated with the exception of the Secretary of State and the Adjutant General. As to the Secretary of State, we recommend that the contingent expense allowance for that office be terminated when the present incumbent is no longer in office.
- (c) That all allowances for longevity in office be terminated.
- (d) That the annual compensation be:
 

(1) Governor plus present mansion allowance	-	\$ 50,000
(2) Lieutenant Governor plus the same per diem expense allowance as authorized for each member of the General Assembly.	-	\$ 25,000

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## STATE COMMISSION ON COMPENSATION

Page 2

December 8, 1971

(3) Adjutant General	-	Same
method of determining compensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized		
(4) Commissioner of Agriculture	-	\$ 30,000
(5) Attorney General	-	\$ 37,500
(6) State Auditor	-	\$ 32,500
(7) Comptroller General	-	\$ 30,000
(8) Director of Corrections	-	\$ 30,000
(9) Director of Game and Fish Commission	-	\$ 25,000
(10) Director of State Highway Department	-	\$ 30,000
(11) Commissioner of Labor plus all additional compensation paid by the Federal Government	-	\$ 22,000
(12) Each member of the Board of Pardons and Paroles	-	\$ 12,500
Each member of the Board of Probation	-	\$ 12,500
Total for each member	-	\$ 25,000
(13) Director of Probation	-	\$ 22,500
(14) Director of State Parks	-	\$ 22,500

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STATE COMMISSION ON COMPENSATION

Page 3

December 8, 1971

(15) Director of Public Safety	-	\$ 30,000
(16) Each member of the Public Service Commission	-	\$ 32,500
(17) State Revenue Commissioner	-	\$ 30,000
(18) State Superintendent of Schools	-	\$ 32,500
(19) Secretary of State (plus the presently authorized contingent expense allowance of \$3600 per annum; provided, however, that this allowance be terminated when the present incumbent is no longer in office)	-	\$ 30,000
(20) Supervisor of Purchases	-	\$ 25,000
(21) State Treasurer	-	\$ 22,500
(22) Director of Veterans Services plus all additional compensation paid by the Federal Government	-	\$ 22,600
(23) Each Justice of the Supreme Court	-	\$ 40,000
(24) Each Judge of the Court of Appeals	-	\$ 39,500
(25) Each Judge of the Superior Court (plus such county supplements as may now be or are hereafter fixed by law; provided, however, that no Act shall be passed or continued in force authorizing county supplement which, together	-	\$ 26,800

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## STATE COMMISSION ON COMPENSATION

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December 8, 1971

with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective)

- |   |   |           |
|---|---|-----------|
| (26) District Attorneys<br>(plus such county supplements as may now be or are hereafter fixed by law; provided, however, that no Act shall be passed or continued in force authorizing county supplement which, together with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective). | - | \$ 24,800 |
| (27) Each member of the General Assembly plus a per diem allowance of \$35.00 in lieu of the present per diem allowance of \$25.00, for each day on which the General Assembly is in session.   | - | \$ 6,600  |
| (28) Speaker of the House plus the compensation and per diem allowance paid to him as a member of the General Assembly.   | - | \$ 18,400 |
| (29) President Pro Tem of the Senate plus compensation and per diem allowance paid to him as a member of the General Assembly.  | - | \$ 3,400  |
| (30) Speaker Pro Tem of the House plus compensation and per diem allowance paid to him as a member of the General Assembly  | - | \$ 3,400  |
| (31) Secretary of the Senate  | - | \$ 17,500 |

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W O DUVAL  
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ATLANTA, GEORGIA 30303



## COMMISSIONERS

DILLARD MUNFORD  
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BOX 7701, STATION C  
ATLANTA, GEORGIA 30309

DAVID PADGETT  
TRUST COMPANY OF GEORGIA  
DRAWER 4418  
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CECIL PASSMORE, JR.  
DEXTER, GEORGIA 31019

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W ASBURY STEMBRIDGE  
CORDELE, GEORGIA 31015

## STATE COMMISSION ON COMPENSATION

Page 5

December 8, 1971

(32) Clerk of the House

\$ 17,500

With reference to the following named Boards, it is recommended that each member of such Board be paid a per diem expense allowance, in lieu of all compensation, of \$35.00 for each day on which he attends a meeting of such Board, within such maximum limitation on the number of meetings held as now prescribed by law, plus additional travel expense as now provided: State Board of Education; State Medical Education Board; Board of Regents; State Board of Corrections; State Personnel Board; Board of Commissioners of the Department of Industry and Trade; State Game and Fish Commission; Veterans Service Board; and State Highway Board.

With reference to any other changes which might be authorized for consideration by this Commission, we do not recommend any changes at this time.

These recommendations are made subject to the effect of the Federal Wage-Price Control Program, and we recommend that these salaries be implemented July 1, 1972, or as soon thereafter as this can be done under State and Federal law.

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: Charles L. Gowen  
Charles L. Gowen, Chairman

By: Alex McLennan  
Alex McLennan, Vice Chairman

By: R. J. Lipshutz  
R. J. Lipshutz, Secretary

Enc.



## COMMISSIONERS

CHARLES L. GOWEN, CHAIRMAN  
TRUST COMPANY OF GEORGIA BUILDING  
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ALEX MC LENNAN, VICE CHAIRMAN  
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## STATE COMMISSION ON COMPENSATION

ROBERT J. LIPSHUTZ, SECRETARY

December 10, 1971

TO ALL MEMBERS OF STATE COMMISSION ON COMPENSATION:

For your information I am attaching a typewritten summary of the recommendation which we have now submitted, reflecting the present compensation paid and our proposed compensation.

Briefly, the effect of our recommendation is as follows:

	<u>NOW</u>	<u>PROPOSED</u>	<u>INCREASE</u>
STATE OFFICERS -----	\$ 700,222	\$ 820,432	\$ 120,210
LEGISLATURE -----	\$1,285,200	\$1,848,000	\$ 562,800
LEGISLATIVE LEADERS -----	\$ 42,200	\$ 60,200	\$ 18,000
JUDICIARY AND DISTRICT ATTORNEYS -----	\$3,093,600	\$3,423,100	\$ 329,500
TOTAL -----	<u>\$5,121,222</u>	<u>\$6,151,732</u>	<u>\$1,030,510</u>

ROBERT J. LIPSHUTZ  
Secretary

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## STATE COMMISSION ON COMPENSATION

STATE OFFICERS

	NOW	PROPOSED
Governor -----	\$ 42,500	\$ 50,000
Lieutenant Governor -----	\$ 20,000	\$ 25,000
plus per diem -----	None (+)	\$ 1,400
Adjutant General -----	\$ 28,332	\$ 28,332
Commissioner of Agriculture -----	\$ 24,900	\$ 30,000
Attorney General -----	\$ 34,000	\$ 37,500
State Auditor -----	\$ 32,500	\$ 32,500
Comptroller General -----	\$ 22,500	\$ 30,000
Director of Corrections -----	\$ 22,600	\$ 30,000
Director of Game & Fish Commission -----	\$ 21,900	\$ 25,000
Director of State Highway Department -----	\$ 25,800	\$ 30,000
Commissioner of Labor -----	\$ 17,600	\$ 22,000
(plus Federal Compensation)		
(3) Members of Boards of -----)	\$ 22,600	\$ 25,000
Pardons & Paroles and -----)	\$ 22,600	\$ 25,000
of Probation -----)	\$ 22,600	\$ 25,000
Director of Probation -----	\$ 15,600	\$ 22,500
Director of State Parks -----	\$ 20,000	\$ 22,500
Director of Public Safety -----	\$ 24,690	\$ 30,000
(5) Members of Public -----)	\$ 26,500	\$ 32,500
Service Commission -----)	\$ 26,500	\$ 32,500
(-----)	\$ 26,500	\$ 32,500
(-----)	\$ 24,900	\$ 32,500
(-----)	\$ 24,900	\$ 32,500
State Superintendent of Schools -----	\$ 28,000	\$ 32,500
State Revenue Commissioner -----	\$ 25,000	\$ 30,000
Secretary of State -----	\$ 30,100	\$ 33,600
Supervisor of Purchases -----	\$ 22,000	\$ 25,000
State Treasurer -----	\$ 22,500	\$ 22,500
Director of Veterans Services -----	\$ 22,600	\$ 22,600
(plus Federal Compensation)		
TOTAL -----	\$700,222	\$820,432
TOTAL INCREASE:	\$120,210	

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## STATE COMMISSION ON COMPENSATION

LEGISLATURE

	<u>Per Annum</u> <u>each</u>		<u>Per Annum</u> <u>total</u>	
	<u>Now</u>	<u>- Proposed</u>	<u>Now</u>	<u>- Proposed</u>
Members of the General Assembly (251 total now, 231 total after 1972)				
Salary -----	\$ 4,200	-	\$ 6,600	\$1,054,200 - \$1,524,600
Per Diem Allowance during session (40 days per year) -----	\$ 25	-	\$ 35	\$ 231,000 - \$ 323,400
Total Persons (251 now - 231 after 1972)	<u>TOTAL</u>		<u>\$1,285,200</u>	<u>\$1,848,000</u>

(TOTAL INCREASE OF \$562,800)

(\*) PLUS

	<u>NOW</u>	<u>PROPOSED</u>
Speaker of the House -----	\$ 11,800	\$ 18,400
President Pro-Tem, Senate -----	\$ 2,400	\$ 3,400
Speaker Pro -Tem, House -----	\$ 2,400	\$ 3,400
Secretary of Senate -----	\$ 11,600	\$ 17,500
Clerk of House -----	\$ 14,000	\$ 17,500
<u>TOTAL</u> -----	<u>\$ 42,200</u>	<u>\$ 60,200</u>

(\*) In Addition to compensation as a Member

TOTAL INCREASE OF \$18,000

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## STATE COMMISSION ON COMPENSATION

JUDICIARY AND DISTRICT ATTORNEYS

	<u>Per Annum</u> <u>Each</u>	(State's) (portion) <u>Now</u> - <u>Proposed</u> <u>(only)</u>	<u>Per Annum</u> <u>Total</u> <u>Now</u> - <u>Proposed</u>
Justices of Supreme Court (7) -----	\$ 32,500 - \$40,000		\$227,500 - \$280,000
Judges of Court of Appeals (9) -----	\$ 32,500 - \$39,500		\$292,500 - \$355,500
Judges of Superior Courts (67) -----	\$ 24,800 - \$26,800		\$1,661,600 - \$1,795,600
District Attorneys (40)	\$ 22,800 - \$24,800		\$ 912,000 - \$ 992,000
<u>TOTAL PERSONS - (123)</u>	<u>TOTAL</u> -----		<u>\$3,093,600 - \$3,423,100</u>

TOTAL INCREASE OF: \$329,500.

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## STATE COMMISSION ON COMPENSATION

December 4, 1972

TO: Governor Jimmy Carter  
Lieutenant Governor Lester Maddox  
Speaker of the House of Representatives, George L. Smith  
Clerk of the House of Representatives, Glenn W. Ellard  
Secretary of the Senate, Hamilton McWhorter  
Legislative Counsel, Frank Edwards  
Chief Justice of the Supreme Court, Carlton Mobley  
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

Please be advised that the State Commission on Compensation has now completed its study pursuant to Section 5 of the Georgia Laws 1971, pp. 103-105.

The Commission does herewith file its report with each of you as required by Section 6 of said Law.

The Commission does hereby make the following recommendations:

- (a) These recommendations are made subject to the effect of the Federal Wage-Price Control Program, and we recommend that these salaries be implemented July 1, 1973, or as soon thereafter as this can be done under State and Federal law, in accordance with the opinion of the Attorney General of Georgia (Exhibit A).
- (b) That all contingent expense allowances and subsistence allowances now authorized be terminated, except where specifically set forth hereinafter.
- (c) That all allowances for longevity in office be terminated.
- (d) That the annual compensation be:
 

(1) Governor	-	\$ 50,000
plus present mansion allowance		
(2) Lieutenant Governor	-	\$ 25,000
plus the same per diem expense allowance as authorized for each member of the General Assembly.		

## COMMISSIONERS

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## STATE COMMISSION ON COMPENSATION

Page 2

December 4, 1972

(3) Adjutant General method of determining compensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	same
(4) Commissioner of Agriculture	-	\$ 35,000
(5) Attorney General	-	\$ 40,000
(6) State Auditor	-	\$ 32,500
(7) Comptroller General	-	\$ 35,000
(8) Director of Corrections	-	\$ 32,500
(9) Commissioner of Labor method of determining compensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	\$ 35,000
(10) Each member of the Board of Pardons and Paroles (including compensation as a member of the Board of Probation, if applicable)	-	\$ 30,000
(11) Each member of the Public Service Commission	-	\$ 35,000
(12) State Revenue Commissioner	-	\$ 32,500
(13) State Superintendent of Schools	-	\$ 35,000

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## STATE COMMISSION ON COMPENSATION

Page 3

December 4, 1972

(14) Secretary of State	-	\$ 35,000
(15) State Treasurer (if applicable)	-	\$ 22,500
(16) Director of Veterans Services method of determining com- pensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	\$ 32,000
(17) Commissioner of Department of Banking and Finance	-	\$ 32,500
(18) Commissioner of Department of Administrative Services	-	\$ 32,500
(19) Each Justice of the Supreme Court	-	\$ 40,000
(20) Each Judge of the Court of Appeals	-	\$ 39,500
(21) Each Judge of the Superior Court (plus such county supplements and travel allowance as may now be provided by Law)	-	\$ 32,500
(22) District Attorneys (plus such county supplements and travel allowance as may now be provided by Law)	-	\$ 28,000
(23) Each member of the General Assembly - (plus a per diem allowance of \$36.00 in lieu of the present per diem allowance of \$25.00, for each day on which the General Assembly is in session).	-	\$ 7,200

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## STATE COMMISSION ON COMPENSATION

Page 4

December 4, 1972

(24) Speaker of the House (plus the compensation and per diem allowance paid to him as a member of the General Assembly)	-	\$ 17,800
(25) President Pro Tem of the Senate (plus compensation and per diem allowance paid to him as a member of the General Assembly).	-	\$ 2,800
(26) Speaker Pro Tem of the House (plus compensation and per diem allowance paid to him as a member of the General Assembly).	-	\$ 2,800
(27) Secretary of the Senate	-	\$ 17,500
(28) Clerk of the House	-	\$ 17,500

With reference to the following named Boards, it is recommended that each member of such Board be paid a per diem expense allowance, in lieu of all compensation, of \$36.00 for each day on which he attends a meeting of such Board, within such maximum limitation on the number of meetings held as now prescribed by law, plus additional travel expense as now provided: State Board of Education; State Medical Education Board; Board of Regents; State Board of Corrections; State Personnel Board; Board of Commissioners of the Department of Community Development; Board of Natural Resources; Board of Human Resources; Judicial Qualifications Commission; Veterans Service Board; and State Transportation Board.

With reference to any other changes which might be authorized for consideration by this Commission, we do not recommend any changes at this time.

With respect to paragraphs 19, 20, 21, and 22, above, we attach



COMMISSIONERS

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STATE COMMISSION ON COMPENSATION

Page 5

December 4, 1972

hereto an unofficial opinion of this Commission, marked Exhibit (B).

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: Charles L. Gowen  
Charles L. Gowen, Chairman

By: Alex McLennan  
Alex McLennan, Vice Chairman

By: R. J. Lipshutz  
R. J. Lipshutz, Secretary

EXHIBIT "A"

"This entire Act shall become effective July 1, 1973 unless the provisions of any federal law or the provision of any rules, regulations or orders promulgated or issued pursuant to federal law prevent it from becoming effective on said date. In that event, this entire Act shall become effective as soon after said date as will be permitted by such federal law or such rules, regulations or orders. In the event the entire amount of any increase for one or more of the officials designated herein shall be prevented from becoming effective on said date, any portion thereof which is allowed shall become effective on the above date or as soon as permitted."

Arthur K. Bolton  
Attorney General

August 25, 1972

EXHIBIT "A"

EXHIBIT "B"

The salary recommendations for Justices of the Supreme Court and the Judges of the Court of Appeals and Judges of the Superior Courts were made with the intent of establishing a proper salary level relationship among these various courts and with the knowledge that approximately 45% of the Superior Court Judges receive no local salary supplements. If these recommendations of the Commission are adopted, the Commission recommends that the local salary supplements be adjusted so as not to create again an imbalance between the salaries of the justices and judges of the various courts herein dealt with.

The Commission also recommends a similar reevaluation of supplements received by District Attorneys in the light of the increased salaries recommended for District Attorneys.

- END -

# TAB 6



## 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

DATE: August 7, 2023

---

The Judicial Council Standing Committee on Technology met on Thursday, July 20, 2023. The following report reflects the topics discussed during that meeting.

#### Old Business

##### *Rules Committee, Judge Altman*

Judge Altman provided the update from the Rules Committee. Judge Altman moved the Committee to recommend to the full Judicial Council, then the Supreme Court, that Rule 2B6 of the Judicial Council rules be removed. Judge Kelley mentioned that these rules are model rules, and the motion was seconded. The Committee engaged in a discussion regarding the rule and action needed.

#### *New Business*

##### *Protective Order Registry, Judge Altman*

Judge Altman provided an update on the POR project. He is working with GCIC to have a training link established; GCIS has requested a date for deployment. He asked that AOC provide assistance and be responsible for circulation to the executive directors for each council. The Committee engaged in discussion, highlighting concerns from the Sheriff's department and points of data entry. Judge Kelley mentioned including other agencies in the conversation and drafting a document explaining POR.

##### *AOC Updates-Mr. Ben Luke*

Mr. Luke provided an update regarding the technology projects of the Administrative Office of the Courts. He shared the progress of the GCR product continues; this tool supports court professionals, is receiving modernization, and moving to newer technology. 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. Mr. Luke and Ms. Jasmine Jackson presented a side-by-side comparison of the

georgiacourts.gov enhancements that are taking place, describing the focus continues to be on mobile ease of use and consistency of the JC/AOC brand. Mr. Colton Trent and Mr. Luke provided the Committee with an update and tour of the Virtual Calendar Call development. The VCC product is currently in beta testing and welcomes additional testers.

*Criminal Data Exchange, Mr. Ben Luke*

The Criminal Case Data Exchange Board is reviewing the approved standards and working towards a more concise version. The board is considering all classes of court and all stakeholders. The CDX board meets again on August 9 and will share the updates with the Committee during the September meeting.

*Update on Judicial Emergency Preparedness Committee, Mr. Ben Luke*

Mr. Ben Luke gave a status update on the Committee's effort, discussing the plan for a document outlining the best practices surrounding emergency preparedness at the local level. The Committee understands that each county's needs differ and would like to provide a starting guide. Once it has been reviewed by the full Committee and completed, State distribution will begin.

*Automated Data Collection project - Mr. Eric Miner, on behalf of Stephanie Hines*

Mr. Miner provided an update to the Committee regarding the project. He shared that he and Jeffery Thorpe have been hosting round table discussions with Clerks from all court classes to identify what data elements shall be collected as a part of the national open data standards. Thus far, a rough draft for Municipal Courts is complete. Work will continue on the remaining courts in the weeks ahead.

*Next Meeting*

The next committee meeting is scheduled for September 21, 2023.

# TAB 7





## 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 Robert Leonard II  
Chair, Standing Committee on Judicial Workload Assessment

RE: Judicial Workload Assessment Committee Report

DATE: August 11, 2023

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The Standing Committee on Judicial Workload Assessment met on July 14, 2023, and voted to recommend seven new judgeship requests to Judicial Council, plus the carryover circuit, Clayton Judicial Circuit.

A special called meeting was held on August 9 to address an issue with the accountability court data used in the July 14 workload assessment and to acknowledge the omission of two additional carryover judgeship requests, the Augusta and Douglas Judicial Circuits. The reanalyzed workload assessments resulted in a reduced judge workload value of 1.17 for Atlanta Judicial Circuit, making it ineligible to qualify for a new judgeship request based on the required 1.20 threshold. As a result of the change in eligibility status, the Atlanta Judicial Circuit withdrew its request, and the following new judgeship requests are for Judicial Council's consideration:

1. Alapaha Judicial Circuit
2. Houston Judicial Circuit
3. Northern Judicial Circuit
4. Stone Mountain Judicial Circuit
5. Tallapoosa Judicial Circuit
6. Tifton Judicial Circuit

The committee also reminds the Council that three standing judgeship requests remain. They are listed below in alphabetical order.

1. Augusta Judicial Circuit
2. Clayton Judicial Circuit
3. Douglas Judicial Circuit

In addition to the new judgeship requests, Ms. Keosha Donald and Dr. Laura van der Lugt with Justice Counts briefed the committee on its partnership with Georgia and five grantee award states through the Justice Counts Implementation Project. The initiative aims to make criminal justice data more accessible, reliable, and useful for future decision-making efforts. AOC Research staff gave a demo of the enhancements to the interactive caseload dashboards scheduled for rollout in November 2023 and reports on the casecount finalizations and clearance rate awards.

# **Alapaha Judicial Circuit**

**Alapaha Judicial Circuit Assessment 2022**

	<b>3 Year Avg Case Filing</b>	<b>Minutes per Filing</b>	<b>Total Minutes</b>
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.67	13,276.00	8,850.67
Serious Felony	45	601.00	27,245.33
Felony	938	42.00	39,382.00
Serious Traffic	81	48.00	3,904.00
Misdemeanor	1,102	20.00	22,040.00
Probation Revocation	543	25.00	13,583.33
<b>General Civil Cases</b>			
Complex Tort	1	1,205.00	1,606.67
General Tort	66	92.00	6,102.67
Contract Account	154	37.00	5,685.67
Real Property	12	37.00	431.67
Civil Appeal	10	37.00	382.33
Habeas Corpus	1	191.00	254.67
Other General Civil	301	24.00	7,224.00
<b>Domestic Relations Cases</b>			
Adoption	27	30.00	800.00
Divorce/Paternity/Legitimation	328	60.00	19,700.00
Family Violence	49	28.00	1,381.33
Support	450	6.00	2,702.00
Other Domestic	54	27.00	1,458.00
Domestic Contempt	35	32.00	1,120.00
Domestic Modification	33	100.00	3,266.67
<b>Special Cases</b>			
Accountability Courts	10	532.00	5,497.33
Parental Accountability Courts	0	307.00	0.00
<b>Total</b>	<b>4,243</b>	<b>16,757.00</b>	<b>172,618.33</b>

**NOTES**

**\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.**

<b>Circuit Values</b>		<b>Workload Value Simplified</b>	
Judges	2	$\frac{\text{Total Minutes}}{\text{Judge Year Value}} = \text{Judicial Need}$	
Counties	5		
Grand Total Minutes	172,618	$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}} = \text{Judge Workload Value}$	
Judge Year Value	69,875		
Judge Workload Value	<b>1.24</b>		
Threshold Value to Qualify	<b>1.20</b>		
Status:	<b>QUALIFIED</b>	$172,618/69,875 = 2.47$ $2.47/2 = \mathbf{1.24}$	

# **Augusta Judicial Circuit**

### Augusta Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.00	13,276.00	0.00
Serious Felony	108	601.00	65,108.33
Felony	2,321	42.00	97,482.00
Serious Traffic	93	48.00	4,464.00
Misdemeanor	117	20.00	2,333.33
Probation Revocation	1,018	25.00	25,450.00
<b>General Civil Cases</b>			
Complex Tort	16	1,205.00	18,878.33
General Tort	145	92.00	13,309.33
Contract Account	86	37.00	3,182.00
Real Property	135	37.00	4,995.00
Civil Appeal	21	37.00	777.00
Habeas Corpus	24	191.00	4,647.67
Other General Civil	590	24.00	14,168.00
<b>Domestic Relations Cases</b>			
Adoption	73	30.00	2,200.00
Divorce/Paternity/Legitimation	1,252	60.00	75,100.00
Family Violence	822	28.00	23,016.00
Support	905	6.00	5,430.00
Other Domestic	500	27.00	13,491.00
Domestic Contempt	237	32.00	7,573.33
Domestic Modification	347	100.00	34,733.33
<b>Special Cases</b>			
Accountability Courts	70	532.00	37,240.00
Parental Accountability Courts	26	307.00	7,982.00
<b>Total</b>	<b>8,906</b>	<b>16,757.00</b>	<b>461,560.67</b>

#### NOTES

\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.

Circuit Values		Workload Value Simplified	
Judges	5		
Counties	3		
Grand Total Minutes	461,561	$\frac{\text{Total Minutes}}{\text{Judge Year Value}}$	= Judicial Need
Judge Year Value	69,875		
Judge Workload Value	1.32	$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}}$	= Judge Workload Value
Threshold Value to Qualify	1.20		
Status:	QUALIFIED	$461,561 / 69,875 = 6.61$	
		$6.61/5 =$	1.32

# **Clayton Judicial Circuit**

# Clayton Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	1.00	13,276.00	13,276.00
Serious Felony	279	601.00	167,478.67
Felony	2,765	42.00	116,130.00
Serious Traffic	46	48.00	2,192.00
Misdemeanor	278	20.00	5,566.67
Probation Revocation	759	25.00	18,966.67
<b>General Civil Cases</b>			
Complex Tort	0	1,205.00	0.00
General Tort	37	92.00	3,373.33
Contract Account	128	37.00	4,723.67
Real Property	100	37.00	3,700.00
Civil Appeal	45	37.00	1,652.67
Habeas Corpus	11	191.00	2,101.00
Other General Civil	522	24.00	12,536.00
<b>Domestic Relations Cases</b>			
Adoption	27	30.00	820.00
Divorce/Paternity/Legitimation	1,426	60.00	85,540.00
Family Violence	1,158	28.00	32,424.00
Support	754	6.00	4,524.00
Other Domestic	146	27.00	3,942.00
Domestic Contempt	48	32.00	1,536.00
Domestic Modification	21	100.00	2,100.00
<b>Special Cases</b>			
Accountability Courts	33	532.00	17,378.67
Parental Accountability Courts	10	307.00	2,967.67
<b>Total</b>	<b>8,592</b>	<b>16,757.00</b>	<b>502,929.00</b>

## NOTES

*\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.*

Circuit Values		Workload Value Simplified	
Judges	5	$\frac{\text{Total Minutes}}{\text{Judge Year Value}} = \text{Judicial Need}$	
Counties	1		
Grand Total Minutes	502,929	$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}} = \text{Judge Workload Value}$	
Judge Year Value	74,820		
Judge Workload Value	<b>1.34</b>		
Threshold Value to Qualify	<b>1.20</b>		
Status:	<b>QUALIFIED</b>		
		$502,929 / 74,820 = 6.72$	
		$6.72 / 5 =$	<b>1.34</b>



# **Douglas Judicial Circuit**

# Douglas Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.67	13,276.00	8,850.67
Serious Felony	61	601.00	36,861.33
Felony	1,586	42.00	66,598.00
Serious Traffic	19	48.00	912.00
Misdemeanor	329	20.00	6,586.67
Probation Revocation	1,465	25.00	36,633.33
<b>General Civil Cases</b>			
Complex Tort	0	1,205.00	401.67
General Tort	49	92.00	4,477.33
Contract Account	187	37.00	6,919.00
Real Property	50	37.00	1,837.67
Civil Appeal	305	37.00	11,272.67
Habeas Corpus	4	191.00	700.33
Other General Civil	217	24.00	5,200.00
<b>Domestic Relations Cases</b>			
Adoption	43	30.00	1,280.00
Divorce/Paternity/Legitimation	812	60.00	48,700.00
Family Violence	240	28.00	6,720.00
Support	329	6.00	1,972.00
Other Domestic	193	27.00	5,220.00
Domestic Contempt	206	32.00	6,581.33
Domestic Modification	126	100.00	12,633.33
<b>Special Cases</b>			
Accountability Courts	55	532.00	29,082.67
Parental Accountability Courts	22	307.00	6,754.00
<b>Total</b>	<b>6,297</b>	<b>16,757.00</b>	<b>306,194.00</b>

## NOTES

*\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.*

Circuit Values		Workload Value Simplified	
Judges	3	$\frac{\text{Total Minutes}}{\text{Judge Year Value}} = \text{Judicial Need}$	
Counties	1		
Grand Total Minutes	306,194	$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}} = \text{Judge Workload Value}$	
Judge Year Value	74,820		
Judge Workload Value	<b>1.36</b>		
Threshold Value to Qualify	<b>1.20</b>		
Status:	<b>QUALIFIED</b>		
		$306,194 / 74,820 = 4.09$	
		$4.09 / 3 =$	<b>1.36</b>

# **Houston Judicial Circuit**

## Houston Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.33	13,276.00	4,425.33
Serious Felony	224	601.00	134,824.33
Felony	945	42.00	39,676.00
Serious Traffic	0	48.00	0.00
Misdemeanor	90	20.00	1,800.00
Probation Revocation	837	25.00	20,916.67
<b>General Civil Cases</b>			
Complex Tort	0	1,205.00	0.00
General Tort	77	92.00	7,053.33
Contract Account	67	37.00	2,479.00
Real Property	18	37.00	678.33
Civil Appeal	23	37.00	863.33
Habeas Corpus	2	191.00	382.00
Other General Civil	106	24.00	2,544.00
<b>Domestic Relations Cases</b>			
Adoption	61	30.00	1,820.00
Divorce/Paternity/Legitimation	896	60.00	53,760.00
Family Violence	95	28.00	2,669.33
Support	442	6.00	2,654.00
Other Domestic	100	27.00	2,691.00
Domestic Contempt	60	32.00	1,920.00
Domestic Modification	127	100.00	12,733.33
<b>Special Cases</b>			
Accountability Courts	30	532.00	16,137.33
Parental Accountability Courts	16	307.00	4,809.67
<b>Total</b>	<b>4,217</b>	<b>16,757.00</b>	<b>314,837.00</b>

### NOTES

*\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.*

Circuit Values		Workload Value Simplified	
Judges	3		
Counties	1		
Grand Total Minutes	314,837	Total Minutes	= Judicial Need
Judge Year Value	74,820	Judge Year Value	
Judge Workload Value	<b>1.40</b>	Then,	
Threshold Value to Qualify	<b>1.20</b>	Judicial Need	= Judge Workload Value
Status:	<b>QUALIFIED</b>	# of Authorized Judgeships	
		314,837/ 74,820 =	4.21
		4.21/3=	<b>1.40</b>

# **Northern Judicial Circuit**

**Northern Judicial Circuit Assessment 2022**

	<b>3 Year Avg Case Filing</b>	<b>Minutes per Filing</b>	<b>Total Minutes</b>
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.00	13,276.00	0.00
Serious Felony	74	601.00	44,273.67
Felony	1,623	42.00	68,152.00
Serious Traffic	117	48.00	5,632.00
Misdemeanor	821	20.00	16,426.67
Probation Revocation	831	25.00	20,766.67
<b>General Civil Cases</b>			
Complex Tort	2	1,205.00	2,811.67
General Tort	100	92.00	9,200.00
Contract Account	220	37.00	8,140.00
Real Property	37	37.00	1,369.00
Civil Appeal	19	37.00	715.33
Habeas Corpus	6	191.00	1,082.33
Other General Civil	286	24.00	6,856.00
<b>Domestic Relations Cases</b>			
Adoption	52	30.00	1,550.00
Divorce/Paternity/Legitimation	502	60.00	30,100.00
Family Violence	672	28.00	18,806.67
Support	268	6.00	1,606.00
Other Domestic	56	27.00	1,512.00
Domestic Contempt	98	32.00	3,146.67
Domestic Modification	67	100.00	6,666.67
<b>Special Cases</b>			
Accountability Courts	15	532.00	7,802.67
Parental Accountability Courts	17	307.00	5,321.33
<b>Total</b>	<b>5,881</b>	<b>16,757.00</b>	<b>261,937.33</b>

**NOTES**

**\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.**

<b>Circuit Values</b>		<b>Workload Value Simplified</b>	
Judges	3	$\frac{\text{Total Minutes}}{\text{Judge Year Value}} = \text{Judicial Need}$	
Counties	5		
Grand Total Minutes	261,937	$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}} = \text{Judge Workload Value}$	
Judge Year Value	69,875		
Judge Workload Value	<b>1.25</b>		
Threshold Value to Qualify	<b>1.20</b>		
Status:	<b>QUALIFIED</b>	$261,937 / 69,875 = 3.75$ $3.75 / 3 = \mathbf{1.25}$	

# **Stone Mountain Judicial Circuit**

# Stone Mountain Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.00	13,276.00	0.00
Serious Felony	622	601.00	374,022.33
Felony	2,417	42.00	101,500.00
Serious Traffic	0	48.00	0.00
Misdemeanor	19	20.00	386.67
Probation Revocation	916	25.00	22,900.00
Complex Tort	13	1,205.00	15,665.00
General Tort	148	92.00	13,646.67
Contract Account	594	37.00	21,965.67
Real Property	173	37.00	6,413.33
Civil Appeal	196	37.00	7,252.00
Habeas Corpus	13	191.00	2,546.67
Other General Civil	590	24.00	14,168.00
<b>Domestic Relations Cases</b>			
Adoption	117	30.00	3,500.00
Divorce/Paternity/Legitimation	2,942	60.00	176,520.00
Family Violence	3,057	28.00	85,586.67
Support	1,672	6.00	10,032.00
Other Domestic	687	27.00	18,549.00
Domestic Contempt	487	32.00	15,584.00
Domestic Modification	267	100.00	26,700.00
<b>Special Cases</b>			
Accountability Courts	28	532.00	14,896.00
Parental Accountability Courts	18	307.00	5,423.67
<b>Total</b>	<b>14,976</b>	<b>16,757.00</b>	<b>937,257.67</b>

## NOTES

*\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.*

Judges	10			
Counties	1			
Grand Total Minutes	937,258	Total Minutes	=	Judicial Need
Judge Year Value	74,820	Judge Year Value		
Judge Workload Value	1.25	Judicial Need	=	Judge
Threshold Value to Qualify	1.20	# of Authorized		Workload
		Judgeships		Value
Status:	QUALIFIED			
		937,258/ 74,820 =	12.53	
		12.53/10=	1.25	



# **Tallapoosa Judicial Circuit**

# Tallapoosa Judicial Circuit Assessment 2022

	3 Year Avg Case Filing	Minutes per Filing	Total Minutes
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.33	13,276.00	4,381.08
Serious Felony	27	601.00	16,026.67
Felony	1,044	42.00	43,834.00
Serious Traffic	106	48.00	5,088.00
Misdemeanor	868	20.00	17,360.00
Probation Revocation	324	25.00	8,100.00
<b>General Civil Cases</b>			
Complex Tort	0	1,205.00	0.00
General Tort	131	92.00	12,052.00
Contract Account	232	37.00	8,584.00
Real Property	25	37.00	925.00
Civil Appeal	15	37.00	542.67
Habeas Corpus	1	191.00	191.00
Other General Civil	215	24.00	5,152.00
<b>Domestic Relations Cases</b>			
Adoption	47	30.00	1,410.00
Divorce/Paternity/Legitimation	398	60.00	23,860.00
Family Violence	47	28.00	1,325.33
Support	264	6.00	1,584.00
Other Domestic	63	27.00	1,701.00
Domestic Contempt	12	32.00	394.67
Domestic Modification	47	100.00	4,700.00
<b>Special Cases</b>			
Accountability Courts	24	532.00	12,768.00
Parental Accountability Courts	15	307.00	4,707.33
<b>Total</b>	<b>3,905</b>	<b>16,757.00</b>	<b>174,686.75</b>

## NOTES

*\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.*

Circuit Values	
Judges	2
Counties	2
Grand Total Minutes	174,686.75
Judge Year Value	69,875
Judge Workload Value	<b>1.25</b>
Threshold Value to Qualify	<b>1.20</b>
Status:	<b>QUALIFIED</b>

Workload Value Simplified	
$\frac{\text{Total Minutes}}{\text{Judge Year Value}} = \text{Judicial Need}$	
$\frac{\text{Judicial Need}}{\text{\# of Authorized Judgeships}} = \text{Judge Workload Value}$	
$174,686.75 / 69,875 = 2.50$	
$2.50 / 2 =$	<b>1.25</b>

# **Tifton Judicial Circuit**

**Tifton Judicial Circuit Assessment 2022**

	<b>3 Year Avg Case Filing</b>	<b>Minutes per Filing</b>	<b>Total Minutes</b>
<b>Criminal Defendants</b>			
Death Penalty/Habeas*	0.67	13,276.00	8,850.67
Serious Felony	106	601.00	63,906.33
Felony	1,015	42.00	42,630.00
Serious Traffic	12	48.00	560.00
Misdemeanor	468	20.00	9,366.67
Probation Revocation	492	25.00	12,300.00
<b>General Civil Cases</b>			
Complex Tort	1	1,205.00	803.33
General Tort	43	92.00	3,956.00
Contract Account	49	37.00	1,813.00
Real Property	19	37.00	715.33
Civil Appeal	13	37.00	481.00
Habeas Corpus	1	191.00	254.67
Other General Civil	440	24.00	10,560.00
<b>Domestic Relations Cases</b>			
Adoption	24	30.00	710.00
Divorce/Paternity/Legitimation	211	60.00	12,640.00
Family Violence	96	28.00	2,697.33
Support	254	6.00	1,524.00
Other Domestic	155	27.00	4,176.00
Domestic Contempt	50	32.00	1,600.00
Domestic Modification	26	100.00	2,566.67
<b>Special Cases</b>			
Accountability Courts	15	532.00	7,802.67
Parental Accountability Courts	22	307.00	6,856.33
<b>Total</b>	<b>3,512</b>	<b>16,757.00</b>	<b>196,770.00</b>

**NOTES**

**\* 3-Year Average Case filings are rounded to the nearest full number, except for Death Penalty/Habeas.**

<b>Circuit Values</b>		<b>Workload Value Simplified</b>	
Judges	2		
Counties	4		
Grand Total Minutes	196,770	Total Minutes	
Judge Year Value	69,875	Judge Year Value	= Judicial Need
Judge Workload Value	<b>1.41</b>	Judicial Need	= Judge
Threshold Value to Qualify	<b>1.20</b>	# of Authorized Judgeships	Workload Value
Status:	<b>QUALIFIED</b>		
		196,770/ 69,875 =	2.82
		2.82/2=	<b>1.41</b>

For the letters of support for the judgeship  
recommendations please click [here](#).

# TAB 8



## Judicial Council of Georgia

### Administrative Office of the Courts

**Chief Justice Michael P. Boggs**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### Memorandum

TO: Judicial Council of Georgia

FROM: Judge Melanie Cross, Chair

RE: Standing Committee on Grants Report

DATE: July 26, 2023

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The Judicial Council Standing Committee on Grants met on June 23, 2023, and awarded \$2,910,000 in grants to seven nonprofit agencies for the Legal Assistance to Families Victimized by Domestic Violence Project (Domestic Violence Grant), \$727,515 in a grant to Atlanta Legal Aid Society, in partnership with Georgia Legal Services Program, for the Legal Assistance to Kinship Care Families Project (Kinship Care Grant), and \$194,000 in grants, split evenly between Georgia Legal Services and Atlanta Legal Aid for the Legal Assistance to Families of Indigent Patients Project (Medical-Legal Partnership Grant).

For Fiscal Year 2024, the following nonprofit agencies received Domestic Violence Grants:

Atlanta Legal Aid Society, Inc.	\$806,532.00
Cherokee Family Violence Center, Inc.	\$17,153.00
Gateway House, Inc.	\$15,300.00
Georgia Legal Services Program, Inc.	\$1,975,249.00
N.O.A.'s Ark, Inc./NOA/	\$43,600.00
Northwest Georgia Family Crisis Center, Inc.	\$43,500.00
Wayne County Protective Agency	\$8,666.00
<b>TOTAL FUNDS AWARDED</b>	<b>\$2,910,000.00</b>

The Georgia General Assembly first appropriated funds to the Judicial Council for its Domestic Violence Grant in 1999, and funding has continued each subsequent legislative session. This is the fifth year the General Assembly has appropriated funds to the Judicial Council for its Kinship Care Grant. The Domestic Violence Grant funds are used to provide direct civil legal assistance to low-income victims of domestic violence and their children. The Kinship Care Grant funds are used to

provide civil legal services to kinship caregivers and children living with caregivers who need support to maintain stable homes and care. This is the first year the General Assembly has appropriated funds to the Judicial Council for its Medical Legal Partnership Grant. The Medical Legal Partnership Grant funds are used to provide civil legal services to patients and families with low incomes who are being treated at Georgia hospitals.



# TAB 9



## Judicial Council of Georgia

### Administrative Office of the Courts

**Chief Justice Michael P. Boggs**  
*Chair*

**Cynthia H. Clanton**  
*Director*

#### **Memorandum**

TO: Judicial Council of Georgia

FROM: Judge Sara L. Doyle, Chair

RE: Strategic Plan Standing Committee Report

DATE: August 9, 2023

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The Strategic Plan Standing Committee met on June 6, 2023, for a wrap-up meeting. This was the final meeting of the current Committee.

Chief Justice Boggs and Presiding Justice Peterson attended the meeting and thanked the Committee for its work developing and carrying out the strategic plan.

The Committee heard a final update on key initiative 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.*

The Supreme Court is considering the process for a new plan. The current plan expired June 30, 2023.

A copy of the strategic plan is attached.

# TAB 10



## **Judicial Council of Georgia**

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

**Chief Justice Michael Boggs**  
*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: August 18, 2023

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 Justice Charles Bethel; the Georgia Commission on Child Support, chaired by Troup County Juvenile Court Judge Michael Key; and the Judicial Council Standing Committee on Access to Justice, chaired by Justice Verda Colvin. This Division also assists with general grant work for courts in partnership with the legal staff in the Director's Division. 2023 marks the 50th anniversary of the Judicial Council/Administrative Office of the Courts, and we have retained retired Judge Tain Kell as a one-year judicial fellow to help us announce, commemorate, and celebrate that milestone especially in an effort to educate the legal community and the public about the work of the Judicial Council/AOC. In addition, we have created a commemorative logo for pins, stationary, Zoom backgrounds, etc.; have created an archive of all 50 of the Judicial Council/AOC Annual Reports, issued press releases; are producing short videos featuring former and current Judicial Council members speaking on its work over the last five decades, gave a short presentation on the services provided by the Judicial Council/AOC at the Judicial Section luncheon during the State Bar Annual Meeting (June 2023); are planning a service project with Habitat for Humanity on 9/23/2023; and are organizing a wellness event for Judicial Council /AOC staff at our December All Staff Meeting.

Following is a brief synopsis of the current work.

- **Committee on Justice for Children (J4C):** Federal grant funding is in place through FY 2023. On June 26, 2023, Court Improvement Program (CIP) Director Diana Rugh Johnson submitted Georgia's Application for State Court Improvement Funds for Fiscal Year 20234, which included Georgia's Self-Assessment and updated Strategic Plan. The priorities for J4C now include:
  - The Court Process Reporting System (CPRS) meets the need for real-time data sharing between the Division of Family and Children Services (DFCS), the courts, and other child welfare professionals. CPRS also enables the uploading and e-filing of court orders, which all special assistant attorneys general (SAAGs) representing DFCS are required to do. CPRS functionality was recently expanded to provide a secure portal for use by Clerks of the Superior Courts to transmit statutorily-required adoption orders, pleadings, and other documents to the DFCS Adoption Unit. Court compliance with statutory timelines can now be tracked through CPRS and that functionality is being tested in several counties. J4C and DFCS are now working together to explore using CPRS to help DFCS comply with its statutory requirement to notify foster parents and relative caregivers of upcoming court hearings.
  - Georgia served as a pilot site for the Judicial, Court, and Attorney Measures of Performance (JCAMP) project, which is funded by the federal Children's Bureau through the Capacity Building Center for Courts. Georgia field tested performance measures relevant to statewide child welfare practice through court observations, court file reviews, and participant surveys. J4C has refined the pilot measures to more closely align with Georgia-specific practice and is beginning data collection in three metro counties. Data collected through JCAMP will assist J4C to understand current court practices and identify areas for improvement. JCAMP data will also provide information useful to the Statewide Assessment that DFCS will complete prior to the beginning of Round 4 of the Child and Family Services Review (CFSR) in January of 2024.
  - The Cold Case Project is a joint project of the J4C Committee and DFCS. Using a computer model, the Project identifies children in foster care whose cases are not moving toward permanency and convenes stakeholders in roundtable meetings to review the substantive due process rights of the children and to brainstorm ways to navigate around roadblocks to permanency. In addition to this case-specific work, J4C is focused on using lessons learned through the Cold Case Project to inform child welfare policy and practice.
  - The Court Improvement Initiative (CII) brings together leading juvenile court judges and court teams to review current child welfare data and the latest research on best practices in child welfare cases. CII will meet at Callaway Gardens in August 2023.
  - Georgia now has 66 attorneys and 10 judges who are certified Child Welfare Law Specialists (CWLS). J4C remains focused on the recruitment and retention of CWLSs and is offering financial assistance with application fees as well as annual renewal and recertification fees.

- J4C, DFCS, OCA, and GA CASA held their sixth annual statewide Child Welfare Law Summit on November 30 – December 2, 2022. This Summit offered in-person and virtual attendance options and all presentations remained available to attendees on-demand for 90 days after the Summit ended. This year’s Summit is scheduled for November 29 – December 1, 2023.
  - J4C also sponsors the Justice P. Harris Hines Awards for outstanding advocacy for children in dependency proceedings. Justice Charlie Bethel presented the 2023 Hines Awards at the State Bar Annual Meeting in June 2023 to attorney Dale Austin of the Mountain Judicial Circuit and the late Brenda Ford-Pratt of Tift and Turner County DFCS. Ms. Ford-Pratt's daughter, Shan Rowe, accepted the award on her mother’s behalf. Nominations for the 2024 Hines Awards will open in February 2024.
  - **The next J4C Committee meeting will be held on September 22, 2023 at the Nathan Deal Judicial Center.**
- **Communications:** Improving communication can improve justice in all Georgia courts through collaboration and innovation, so it is a priority under the Judicial Council’s Strategic Plan. One communication tool is our monthly e-newsletter—the Georgia Courts Journal—which may be found at <https://georgiacourtsjournal.org/>. At that website, in addition to back issues of the Georgia Courts Journal, you will find webpages dedicated to wellness and civics—providing many resources including links on everything from chair yoga to decision fatigue on the wellness page to a list of great read-aloud, civics-oriented books sorted by grade and subject matter on the civics page. We also promote and create positive content about Georgia’s judicial branch—every class of court—through our social media daily. Our aim with all stories about the judicial branch is to instill faith in our state’s court system and the rule of law. To foster community engagement, we focus on three civic holidays: Law Day (May 1st), Constitution Day (September 17th), and Bill of Rights Day (December 15th) working with judges and schools to host events—in person or virtual as needed. We also manage the Georgia 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:** By contract with Georgia’s Department of Human Services (DHS), our Child Support Team serves as staff to the Georgia Child Support Commission. In that work, staff provides all logistical support for all Commission and Subcommittee meetings, attends all meetings, and ensures compliance with Georgia’s Open Meetings Act. Staff also maintains an online child support calculator <https://csc.georgiacourts.gov/>, for court and public use, provides training on the child support guidelines statute, O.C.G.A. § 19-6-15, and the child support calculator for courts, lawyers, and the public, supports the Parental Accountability Courts (PAC) by providing evaluations of those programs, provides self-represented litigants and the courts with resources on Georgia’s Income Deduction Order (IDO) process in private cases, and generally supports the process and the law surrounding child support.
  - The last Child Support Commission Meeting was held on Tuesday, May 2, 2023 in a hybrid format, in person at the Nathan Deal Judicial Center and on Zoom. At that meeting, Rep. Chuck Efstration was sworn in as a Commission member and reports

were made by chairs of the Economic Subcommittee, the Technology & Calculator Subcommittee, and the Statute Review Subcommittee. At the request of the Commission, the AOC contracted with Dr. Jane Venohr, Center for Policy Research, Inc., Denver, Colorado, to identify the best option for Georgia when accounting for parenting time and low-income parents in the calculation of child support. Dr. Venohr is attending meetings with the Statute Review Subcommittee to accomplish this work. The next meeting of the Commission will take place on Friday, August 11, 2023, at 10 a.m. and will be conducted as a hybrid meeting in Zoom Webinar and in person at the Nathan Deal Justice Center.

- Legislation: The Commission did not submit a bill during the 2023 legislative session based on the results of the 2022 Economic Study of the Child Support Guidelines (O.C.G.A. 19-6-15) and the Basic Child Support Obligation Table, but has taken that study under advisement. The Commission, through its work with Dr. Venohr on the matters of the Basic Child Support Obligation Table, parenting time, and low-income parents, anticipates presenting a comprehensive bill for the General Assembly to consider during the 2024 legislative session.
- Study Committees: The Child Support Commission established a Parenting Time Deviation Study Committee and a Low-Income Deviation Study Committee at the end of 2018. The Low-Income Deviation Study Committee, chaired by Judge Emory Palmer, completed its work and submitted a report to the Commission in December 2020. The Parenting Time Deviation Study Committee, chaired by Attorney Kathleen “Katie” Connell, was extended through April 2022, and immediately submitted their report to the Commission. Members of both study committees, along with Judge Connie Williford, Co-Chair of the Statute Review Subcommittee, will be engaged with the Commission, as needed, on the work with Dr. Venohr.
- Subcommittees:
  - Economic Subcommittee - Chair, Dr. Roger Tutterow, held its most recent meeting on July 26, 2023, and discussed recommendations from Dr. Jane Venohr to update Georgia’s Basic Child Support Obligation Table. The Subcommittee voted to recommend that the Child Support Commission support updating the Basic Child Support Obligation Table using the Rothbarth methodology. Dr. Tutterow will present on this issue at the next full Child Support Commission meeting on August 11, 2023.
  - Statute Review Subcommittee - Co-Chair, Katie Connell, and Co-Chair, Judge Connie L. Williford, are conducting frequent meetings to identify any changes that may be needed to the statute, O.C.G.A. § 19-6-15. This effort includes potential amendments to the parenting time and low-income deviations. The next two meetings of this Subcommittee will be on August 18, 2023 at 1:30 p.m., and on September 21, 2023 at 10 a.m.
  - Technology and Calculator Subcommittee – Chair Regina Quick, Esq. The last meeting of this Subcommittee was held on December 16, 2022, and the members continue looking at items that may be improved upon in the Child Support Calculator, including instructions for the Low-Income Deviation

and instructions for pre-existing orders. There is not currently a next meeting scheduled for this Subcommittee.

- Child Support Calculator: Courts, attorneys, mediators, and the public alike use the calculator deployed on August 8, 2016. (The original calculators, web-based and Excel, were initially deployed at the end of December 2006.) Every Excel version of the child support calculator was permanently retired on October 1, 2018. Staff continues providing virtual training to court personnel, attorneys, mediators, DCSS (as requested), and the public on a routine basis. Staff has scheduled one in-person training event on August 23, 2023, at the State Bar Center in Atlanta. Trainings include, but are not limited to, using the child support calculator generally, the low-income deviation, steps to impute income, and how to avoid common mistakes identified in the 2022 case sampling. Online training is going well and all sessions (at least once a month) have been very well attended. Staff has prepared training videos for parents (self-represented litigants) that are available on demand on the Child Support Commission website under Training. We find that many people, including lawyers and their staff, access these videos as well. Staff is currently working with the Division of Child Support Services to create an on-line training video for their staff.
- Parental Accountability Court (PAC) evaluations: Staff continues to support the Parental Accountability Courts (PAC) with the Division of Child Support Services (DCSS). The PAC database was transferred to DCSS on September 15, 2022, and that agency now manages that database. Staff is working with DCSS on the next evaluation of six courts (by judicial circuit), those being: Atlanta, Dublin, Gwinnett, Mountain, Pataula, and Rockdale. The evaluation, when published, will be made available to the Superior Court Judges in the judicial circuits identified here as well with the federal Office of Child Support Services (formerly the Office of Child Support Enforcement).
- **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 promoting meaningful and effective access to courts and fairness to all. The A2J Committee is currently working on several projects:
  - The A2J Committee's Landlord/Tenant Working Group which includes: Magistrate Court Chief Judge Cassandra Kirk (Fulton), Magistrate Court Chief Judge Kristina Blum (Gwinnett), Magistrate Court Chief Judge Murphy (Cobb), Executive Director of GODR Tracy Johnson (representing mediation), the JC/AOC webmaster (representing IT), Judge Daphne Walker (representing DCA), and Ashley Clark (representing GLSP) are all working to research the current state of Georgia's housing crisis and creating possible statewide landlord/tenant rental assistance webinars. Judge Kasper (a past President of the Council of Magistrate Court Judges) recommended Judge Jennifer Lewis, as our rural judge for this working group. A webinar "lunch and learn" with DCA representative (Daphne Walker) was presented on November 5, 2021, for all Magistrate Judges. We have also disseminated, via the Council of Magistrate Judges' listserv, a statewide DCA regional contact list. The working group distributed a digital rental flyer to forward to all Magistrate Courts statewide. However, DCA abruptly discontinued rental



assistance throughout the state on October 28, 2022, therefore the team is researching other potential funding sources and will update this information as received. To date, no additional funds are available for the rental assistance program. Recently, we discovered a new NCSC Eviction Diversion Initiative and applied for a grant on behalf of three Magistrate Courts (Cobb, Fulton, and Clayton Counties), but we were not successful in this process. We are looking at some local funding opportunities to continue this project.

- The A2J Committee is continuing to partner with and has adopted the State Bar's Access to Justice Committee's Justice for All (JFA) Strategic Plan and suggested projects. Work to assist the Dougherty County Law Library has created a local-level model for assisting self-represented litigants. The Committee is focused 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 and the Director of the Dougherty County Law Library. Additionally, the AOC's Research Division is assisting with the metrics of the model's effectiveness. The A2J Committee recently received a grant in the amount of \$40,000.00 from the State Bar of Georgia's Commission on Continuing Lawyer Competency (CCLC) 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. In an effort to continue collaborative work, both Committees traveled to Alabama for a retreat and, as a result, several new initiatives emerged. We have partnered with the Georgia State University College of Law to host a six-part series of A2J webinars entitled "Minding the Justice Gap". Those webinars have been very successful and may be viewed here:

[Minding the Justice Gap: Webinar Series - Full Playlist](#)

- We have received a final draft of Georgia State University's ROI Study. See the final report: [GSU Economic Impact Report](#) This GSU Study has been instrumental in Dougherty County's Law Library/Self-Help Center's recent promotion for local fundraising efforts. Unfortunately, we are still searching for sustainable funding for this pilot project. On July 21, 2023 the Center celebrated its 5<sup>th</sup> anniversary, measured from when Georgia first received the NCSC seed grant. We are currently negotiating with the Carl Vinson Institute to compile limited data to assist in our efforts to obtaining sustainable funding for the Center.
- In 2019, we began hosting free Pop-up Legal Clinics, and the 3rd Clinic was planned for March 13, 2020 in Dalton but was canceled at the beginning of the COVID-19 outbreak. In light of our "new normal" under COVID-19 restrictions, we collaborated with the Georgia Justice Project and the State Bar Pro Bono Committee to continue these important services through a Virtual Free Legal/Record Restrictions Clinic. The State Justice Institute awarded the A2J Committee a grant to assist in funding our clinics throughout the state last year. This year, money was requested and granted from the Chief Justice's Commission on Professionalism to continue clinics. Some of that grant will be utilized to provide low bono pay to our volunteer attorneys. Our first virtual attorney training session was held on April 23, 2020. The first Educational Webinar was held on April 29,

2020, and a second Educational Webinar was held on May 6, 2020. Virtual Free Record Restriction Clinics were successfully hosted on May 19, 2020 (Dalton), June 30, 2020 (Augusta), and September 11, 2020 & September 28, 2020 (Chattahoochee Judicial Circuit). We held a virtual clinic in Tifton on May 22, 2021 and a virtual clinic in Macon on June 9, 2021. We held our first phase Town Hall in Statesboro on August 23, 2021, and we hosted the first phase Town Hall for the Gainesville area on October 4, 2021. The local team in Tifton requested a hybrid model follow-up townhall, as rural areas need in-person options because of the scarcity of resources such as internet and home computers. Therefore, instead of moving to phase two, we hosted a follow-up town hall for the Tifton Area and Ogeechee Circuit on October 18, 2021. The participation was much better, and we are now in phase two which consists of pairing the applicants with attorneys. Through the continued funding support from CJCP, on May 5, 2022, we had an extremely successful “in-person” Records Restriction Clinic in Albany. In fact, the Albany Clinic had 265 registered attendees. Please view this PowerPoint which includes some highlights from the event. See: <https://tinyurl.com/yhybf49f>. Through a partnership with the Solicitor in Valdosta, a town hall was held on June 16, 2022 and June 17, 2022, and well over 200 attendees have applied for the Clinic which was held on July 29, 2022. Our last Clinic for 2022 was held in Wilcox County, one of Georgia’s many legal deserts and where there is only one part-time practicing attorney. We held an initial town hall on July 7, 2022, and held an “in-person” clinic on August 20, 2022. Due to the lack of volunteer attorneys in this area, we are continuing to assist with a lot of follow-up work from the August 20, 2022 clinic. We are also assisting GLSP with on-going record restrictions efforts. Upcoming Clinics will be hosted in South GA (Moultrie), as well as North Georgia (Dalton).

- The A2J Committee’s Deaf and Hard of Hearing (DHH) Working Group collaborated with several Americans with Disabilities Act attorney specialists to create a Best Practices for DHH Courthouse Accessibility counter card. This counter card is for all court personnel, and its purpose is to instruct on the ADA-required steps that must be taken if someone presents with a DHH need. The 3rd draft was submitted for final review and changes were suggested by the Commission on Interpreters. This Counter card is ready for distribution, and we collaborated with GTA and Georgia Tech to have the 159 Counter Cards translated into Braille format. The DHH Braille Cards were mailed out to all district court administrators to be disseminated to every county in the state. The working group has identified a grant opportunity with the National Center for State Courts and will be applying. In our continued effort to become ADA compliant, funds are needed to secure hearing devices. The devices will be strategically placed in every judicial administrative district so that all courts will have access to hearing devices, as needed. This working group applied for a CJCP grant to fund several DHH teaching modules on ADA compliance for judges, court staff, and bar members. CJCP granted our proposal and has awarded the Committee \$15,000. Our 4-part CLE Webinar was extremely successful. We are partnering with ICLE and ICJE to make this training available for the Bench and Bar to access remotely in the future. See

here: [DHH Webinar 2 of 4.mp4](#) [DHH Webinar Part 3 of 4.mp4](#) [DHH Webinar Part 4 of 4.mp4](#)

- The A2J Committee's Self Represented Litigants (SRL) Forms Working Group continues work on the most frequently used family law forms. This working group will ensure that all of the forms are pdf-fillable and translated into "plain language." We continue to work on several self-help family law video scripts to accompany the related forms. Our first set of forms, "Divorce without Children", along with the "how-to" video is complete and currently available on [georgiacourts.gov](http://georgiacourts.gov). We recently completed our "Divorce with Children Forms" and the same has been uploaded to our website. We are grateful to have the Council of Superior Court Judges approve the use of these forms. Our Landlord/Tenant Forms are complete (this was a joint effort with Georgia State Law Students). The forms have been submitted to the Council of Magistrate Court Judges for final review and approval. We are also editing forms for legitimation and custody.
- Any judges interested in learning about or participating in any A2J initiative may contact Tabitha Ponder at [tabitha.ponder@georgiacourts.gov](mailto:tabitha.ponder@georgiacourts.gov). **The next A2J Committee meeting will be in person on August 16, 2023.**



## SUPREME COURT OF GEORGIA

**FILED**

Administrative Minutes  
June 15, 2023

Thérèse S. Barnes  
Clerk/Court Executive

SUPREME COURT OF GEORGIA

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

### IN RE: RULES FOR LEGAL INTERPRETING IN THE STATE OF GEORGIA

The Court hereby adopts the following amendments to the Rules for the Use of Interpreters for Non-English Speaking and Hearing Impaired Persons proposed by the Judicial Council of Georgia Standing Committee on Court Interpreters, to rename them the Rules for Legal Interpreting in the State of Georgia and to make other substantive revisions. The amended rules, effective January 1, 2024, shall read as follows:

#### SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 , Clerk

**RULES FOR LEGAL INTERPRETING  
IN THE STATE OF GEORGIA**



**JUDICIAL COUNCIL OF GEORGIA  
STANDING COMMITTEE ON COURT INTERPRETERS**

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# **RULES FOR LEGAL INTERPRETING IN THE STATE OF GEORGIA**

**Effective January 1, 2024**

## **PREAMBLE**

The Judicial Council of Georgia created the Standing Committee on Court Interpreters as a successor to the Commission on Interpreters of the Supreme Court of Georgia in 2021. The goal of the Committee is to protect the rights of individuals who, due to an English language barrier, e.g., limited English proficiency, non-English speaking, or who are deaf or hard of hearing, require accommodations to access Georgia courts and the judicial system. See *Ramos v. Terry*, 279 Ga. 889 (622 SE2d 339) (2005). The Committee approved the following rules to establish a uniform and unified statewide plan for the use of interpreters by the courts of Georgia, which the Judicial Council of Georgia also adopted before publication.

The following rules apply to all criminal and civil proceedings in Georgia where there are non-English speaking persons in need of interpreters. See *Ling v. State*, 288 Ga. 299 (702 SE2d 881) (2010). All court-managed functions, including those not contained in the definition of “court proceeding” below, such as information counters, intake or filing offices, cashiers, records rooms, sheriff’s offices, probation and parole offices, pro se clinics, criminal diversion programs, anger management classes, detention facilities, and other similar offices, operations and programs, shall comply with Title VI of the Civil Rights Act of 1964. 42 U.S.C. § 2000d et seq.

## **ARTICLE I. DEFINITIONS AND ORGANIZATION**

### **Rule 1-1. Definitions**

As used in these rules:

- (1) The term “ad hoc permitted interpreter” means an individual who is unlicensed but authorized by a specific court to perform the work of an interpreter in accordance with these rules.
- (2) The term “agency” means any agency, authority, board, bureau, committee, commission, court, department, or jury of the legislative, judicial, or executive branch of government of this state or any political subdivision thereof.
- (3) The term “AOC” means the Administrative Office of the Courts.
- (4) The term “apprentice interpreter” means an individual designated by the Committee who has, at a minimum, undergone a background check, and is allowed to, with permission of the interested parties, accompany a licensed legal interpreter and observe court sessions and other confidential legal settings and may interpret only under the supervision of either a master licensed legal interpreter or a licensed legal interpreter. A licensed interpreter shall be liable for the acts of the apprentice interpreter during such supervised work. Apprentice interpreters are not authorized by this Committee to interpret in court under the supervision of an interpreter with a conditional license or any unlicensed individual.



- (5) The term “Committee” means the Standing Committee on Court Interpreters created by the Judicial Council of Georgia.
- (6) The term “complainant” means one who files a complaint against an interpreter or interpreter provider.
- (7) The term “complaint” means a notarized administrative allegation, filed by a complainant or by the Committee, against an interpreter or interpreter provider under the authority of the Committee, alleging that a person or entity should be subject to discipline.
- (8) The term “conditionally licensed legal interpreter” means one who is so designated on the Interpreter Roster by having demonstrated to the Committee a level which does not rise to full competence as a court interpreter but who, by completing a mandatory orientation, passing a written examination, and demonstrating a conditionally sufficient level on a performance examination, has shown that such an individual may interpret in certain qualified settings as described in Appendix A of these rules alone and in a broader range of settings under the supervision of a master licensed legal interpreter or licensed legal interpreter.
- (9) The term “court proceeding” means any court-connected appearance in the courts in this state including hearings, trials, motions, mediations, depositions, arbitrations, administrative hearings, grand jury hearings, support services, and probation proceedings.
- (10) The term “Deaf Interpreter” means an individual who is deaf or hard of hearing and providing interpretation services.
- (11) The term “deaf or hard of hearing” means anyone whose hearing is so impaired as to prohibit the person from understanding oral communications when spoken in a normal conversational tone. This definition includes those individuals who may have some ability to vocalize the English language regardless of the clarity or level of understanding others may have of their vocalization.
- (12) The term “interpreter” means any person listed on the Committee’s Interpreter Roster or any person authorized by a court to translate or interpret oral, signed, or written communication during a court proceeding.<sup>1</sup>
- (13) The term “interpreter provider” means any third-party individual or organization not employed by the State of Georgia or local government and who acts as an intermediary to coordinate or schedule an interpreter for a court proceeding for a fee.
- (14) The term “Interpreter Roster” means the list of licensed interpreters and their designations compiled and maintained by the AOC for the Committee.
- (15) The term “licensed interpreter” means those individuals who have received a designation of master licensed legal interpreter, licensed legal interpreter, or conditionally licensed legal interpreter.

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<sup>1</sup> **Commentary:** Courts should make a diligent effort to appoint a licensed interpreter qualified to interpret the given proceeding pursuant to Appendix A of these rules. If a licensed interpreter is unavailable, there may be occasions when it is necessary to utilize a remote interpreter licensed in another state, a telephonic language service, or a less qualified or unlicensed interpreter. Faced with a need, if no interpreter is available locally, courts should weigh the need for immediacy in conducting a hearing against the potential compromise of due process, or the potential of substantive injustice, if interpreting is inadequate. Unless immediacy is a primary concern, some delay is more appropriate than the use of a remote interpreter, a telephonic language service, or a less qualified or unlicensed interpreter.

(16) The term “licensed legal interpreter” means one who is so designated on the Interpreter Roster by having demonstrated to the Committee competence in court interpretation by completing mandatory orientation, passing a written examination, and passing a performance examination, each of which shall be prescribed, administered, or authorized by the Committee.

(17) The term “limited English proficiency” or “LEP” describes any party or witness who cannot readily understand or communicate in spoken or written English and who consequently cannot equally participate in or benefit from the proceedings unless an interpreter is available to assist them. This definition includes those non-native speakers who may speak some English but who are not fluent.

(18) The term “master licensed legal interpreter” means one who is so designated on the Interpreter Roster by having demonstrated to the Committee a high competence in court interpretation by completing mandatory orientation, passing a written examination, and excelling in a performance examination, each of which shall be prescribed, administered, or authorized by the Committee.

(19) The term “observation hours” means time spent, measured in hours, whereby an individual observes a master licensed legal interpreter or licensed legal interpreter perform the work of an interpreter at a court proceeding.

(20) The term “orientation workshop” refers to the first step in the licensing process, where prospective interpreters must complete an introduction to court interpretation course (“orientation”) prescribed by the Committee.

(21) The term “respondent” means one against whom a complaint has been filed.

(22) The term “response” means a notarized written answer to a complaint that is filed by a respondent at the direction of the Committee.

(23) The term “team interpreting” refers to the practice of using two or more interpreters who share the responsibility of providing simultaneous or consecutive interpreting for one or more individuals with limited English proficiency.

(24) The term “unlicensed” means any individual not authorized by the Committee to perform work as a legal interpreter in the State of Georgia and shall include those individuals who are designated as an apprentice interpreter, ad hoc permitted interpreter, and all others who do not fall into any other licensed designation.

## **Rule 1-2. Organization**

The organization of the Committee shall be as set out in the Supreme Court order.

## **Rule 1-3. Committee Regulatory Support and Staff**

The Judicial Council/Administrative Office of the Courts shall provide all necessary regulatory and staff support to the Committee.

## **Rule 1-4. Licensed Interpreter Roster, Programs, and Fees**

(a) The Committee shall establish programs for licensing interpreters for designations on the Committee’s Interpreter Roster and providing interpreters in court proceedings. The Committee shall have the authority to

establish the minimum requirements and procedures for qualifying interpreters providing interpreter services and respective categories and designations.

(b) The Committee shall establish fees for interpreter designations. Interpreters seeking a designation on the Interpreter Roster shall pay the fee established by the Committee.

## **ARTICLE II. INTERPRETER LICENSING DESIGNATIONS, REQUIREMENTS, AND COMPENSATION**

### **Rule 2-1. License Designations**

Individuals must have a designation for each language for which they intend to work as an interpreter. Individuals may have different designations for different languages. All individuals must be 18 years of age or older and meet the following requirements to attain the specific designations from the Committee. The specific designations shall be master licensed legal interpreter, licensed legal interpreter, conditionally licensed legal interpreter, apprentice interpreter, and ad hoc permitted interpreter.

### **Rule 2-2. Specific License Designations and Requirements**

(a) **Master Licensed Legal Interpreters.** The master licensed legal interpreter designation is the highest designation for a court interpreter in the State of Georgia. To qualify as a master licensed legal interpreter, a candidate must satisfy the following four requirements:

(1) Complete the mandatory orientation prescribed by the Committee and administered by the AOC. If an individual completes the mandatory orientation, they must attain this license designation within two years or be required to repeat the orientation.

(2) Pass the English written exam approved by the Committee and administered by the AOC with an accuracy rate of 80 percent or higher.

(3) Excel in a performance examination as prescribed, administered, or authorized by the Committee. Different performance examinations are offered for different languages, and the Committee has determined that any one of the following<sup>2</sup> shall constitute excelling in a performance examination as applied to the relevant language:

(A) Score an 80 percent or higher on the National Center for State Courts performance examination on each mode of interpretation (sight, consecutive, and simultaneous) in the same sitting;

(B) Hold a valid federal certificate by successfully passing the Federal Court Interpreter Certification Exam;

(C) Hold a license or equivalent designation from a state participating in the Council of Language Access Coordinators, if their training or licensing program is equivalent to those followed by Georgia and the Committee considers it to be a master legal interpreter license under Georgia standards; or

(D) Hold any of the following certifications from the Registry of Interpreters for the Deaf:

(i) Specialist Certification: Legal,

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<sup>2</sup> The Committee may, when necessary and appropriate, authorize the acceptance of specific scores on other exams that the Committee deems comparable to those defined herein.

- (ii) Conditional Legal Interpreting Permit, or
- (iii) Conditional Legal Interpreting Permit-Relay.

(4) Undergo a criminal history background investigation that demonstrates good moral character.

(b) **Licensed Legal Interpreters.** The licensed legal interpreter designation is the second highest designation for a legal interpreter in the State of Georgia. To qualify as a licensed legal interpreter a candidate shall satisfy the following four requirements:

(1) Complete the mandatory orientation prescribed by the Committee and administered by the AOC. If an individual completes the mandatory orientation, they must attain this license designation within two years or be required to repeat the orientation.

(2) Pass the English written exam approved by the Committee and administered by the AOC with an accuracy rate of 80 percent or higher.

(3) Pass a performance examination as prescribed, administered, or authorized by the Committee. Different performance examinations are offered for different languages, and the Committee has determined that any one of the following<sup>3</sup> shall constitute passing a performance examination as applied to the relevant language:

(A) Score a 70 percent or higher on the National Center for State Courts performance examination on each mode of interpretation (sight, consecutive, and simultaneous) in the same sitting; or

(B) Perform 20 hours of observations, at least ten of which must be signed off by a master licensed legal interpreter or a licensed legal interpreter that the applicant observed substantive legal interpreting work and provide one of the following acceptable performance examination measures:

(i) For languages where there is no National Center for State Courts performance examination available for a particular language, the candidate must: (a) successfully complete an oral proficiency interview approved by the Committee in English with a score of superior *and* an oral proficiency interview approved by the Committee in the candidate's Non-English working language with a score of superior; (b) have passed the U.S. Department of State Conference test; (c) have passed the U.S. Department of State Seminar Interpreter test; *or* (d) have passed the United Nations interpreter test in their non-English working language;

(ii) Hold a license or equivalent designation from a state participating in the Council of Language Access Coordinators, if that state's training or licensing programs are equivalent to those followed by Georgia and the Committee considers the designation to be equivalent to a legal licensed interpreter designation under Georgia standards; or

(iii) Hold any of the following certifications for more than one year from the Registry of Interpreters for the Deaf or the National Association of the Deaf:

(a) National Interpreter Certification: Master;

(b) National Interpreter Certification: Advanced;

(c) National Interpreter Certification ("NIC") (NIC without level distinction if obtained after November 30, 2011);

(d) Certified Deaf Interpreter;

(e) Reverse Skills Certificate;

(f) Both the Certificate of Interpretation and the Certificate of Transliteration;

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<sup>3</sup> The Committee may, when necessary and appropriate, authorize the acceptance of specific scores on other exams that the Committee deems comparable to those defined herein.

- (g) Master Comprehensive Skills Certificate;
- (h) Comprehensive Skills Certificate;
- (i) National Association of the Deaf test level IV; or
- (j) National Association of the Deaf test level V.

(4) Undergo a criminal history background investigation that demonstrates good moral character.

**(c) Conditionally Licensed Legal Interpreters.** The conditionally licensed legal interpreter designation is the entry level designation for a legal interpreter in the State of Georgia. Conditionally licensed legal interpreters are encouraged to take steps to attain a master licensed legal interpreter or licensed legal interpreter designation. To qualify as a conditionally licensed legal interpreter a candidate shall satisfy the following four requirements:

(1) Complete the mandatory orientation prescribed by the Committee and administered by the AOC. If an individual completes the mandatory orientation, they must attain a conditionally licensed legal interpreter designation within two years or be required to repeat the orientation and observation hours.

(2) Pass the English written exam approved by the Committee and administered by the AOC with an accuracy rate of 80 percent or higher.

(3) Pass a performance examination as prescribed, administered, or authorized by the Committee. Different performance examinations are offered in different languages, and the Committee has determined that any one of the following shall constitute passing a performance examination as applied to the relevant language:

(A) Score a 60 percent or higher on the National Center for State Courts performance examination on each mode of interpretation (sight, consecutive, and simultaneous) in the same sitting; or

(B) Perform 20 hours of observations, at least ten of which must be signed off by a master licensed legal interpreter or a licensed legal interpreter that the applicant observed substantive legal interpreting work and hold any of the following certifications for more than one year from the Registry of Interpreters for the Deaf or the National Association of the Deaf:

- (i) National Interpreter Certification (NIC without level distinction if obtained before November 30, 2011);
- (ii) Certificate of Interpretation;
- (iii) Certificate of Transliteration;
- (iv) Certified Deaf Interpreter-Provisional;
- (v) National Association of the Deaf test level III;
- (vi) Interpreter Certification;
- (vii) Transliteration Certification; or
- (viii) Interpreter Certification and Transliteration Certification.

(4) Undergo a criminal history background investigation that demonstrates good moral character.

**(d) Apprentice Interpreters.** An individual with the designation of apprentice interpreter is not a licensed interpreter. This designation is temporary, and if an individual holds the apprentice designation for more than 24 months, that individual is barred from the practice of interpretation for one year. To obtain the designation of an apprentice interpreter, an individual shall satisfy the following three requirements:

- (1) Complete the mandatory orientation prescribed by the Committee and administered by the AOC and 20 observation hours. If an individual completes the mandatory orientation, they must attain this license designation within two years or be required to repeat the orientation.
- (2) Pass the English written exam approved by the Committee and administered by the AOC with an accuracy rate of 80 percent or higher.
- (3) Undergo a criminal history background investigation that demonstrates good moral character.

(e) **Ad Hoc Permitted Interpreters.** Use of an ad hoc permitted interpreter should be reserved for situations in which there is no licensed interpreter available or the burden of providing a licensed interpreter is greater than the potential harm to the LEP individual or individual whose matter depends on the LEP individual having full access to the court. The court should take additional precautions in selecting an ad hoc permitted interpreter and should fully examine the individual to assess their qualifications, consider any conflicts of interest between the ad hoc permitted interpreter and any parties and the court, as well as fully document such measures and collect the interpreter's personal information. Before allowing the use of an ad hoc permitted interpreter, the court should verify no licensed interpreter is available and provide the AOC with the ad hoc permitted interpreter's name, contact information, and any other information requested. No individual may serve as an ad hoc permitted interpreter more than five times each calendar year. For the purposes of these rules, each individual matter shall constitute a time even if multiple matters were adjudicated, heard, or otherwise brought before the court on a single day. Anyone who has acted as an ad hoc permitted interpreter five times total or at least once in the previous year shall be required to attain no less than the apprentice designation before being authorized to provide interpreter services again. Ad hoc permitted interpreters must contact the AOC prior to beginning any court proceeding interpreting assignment and provide the AOC with the ad hoc permitted interpreter's name, contact information, class and venue of the court, style of the case, type of court proceeding, court date, and any other information requested.

### **Rule 2-3. Compensation of Interpreters**

- (a) There shall be no uniform, statewide compensation system for language interpreters.
- (b) The Official Code of Georgia Annotated shall govern the compensation of sign language interpreters.

## **ARTICLE III. MAINTAINING LICENSING DESIGNATIONS AND CONTINUING EDUCATION**

### **Rule 3-1. Annual Background Verification Requirements**

Upon renewing their license, all interpreters, regardless of their designation, shall attest that they have not been convicted of any felony or crime as prescribed by these rules. If an interpreter fails to disclose any conviction at the time it occurs or at the time of renewal, they shall have their designation revoked by either the Committee or its staff.

### **Rule 3-2. Maintaining Interpreter Designations**

All licensed designations and apprentice interpreters must renew their license or apprenticeship annually by fulfilling the following requirements for their respective designation:

- (1) **Master Licensed Legal Interpreters.** To maintain the master licensed legal interpreter designation, a candidate shall satisfy all the following requirements:

(A) Six hours per year total of continuing education units, including two units concerning ethics, as prescribed, administered, or authorized by the Committee.

(B) Pay dues in amount determined by the Committee.

(2) **Licensed Legal Interpreters.** To maintain the licensed legal interpreter designation, a candidate shall satisfy all the following requirements:

(A) Six hours per year total of continuing education units, including two units concerning ethics, as prescribed, administered, or authorized by the Committee.

(B) Pay dues in amount determined by the Committee.

(3) **Conditionally Licensed Legal Interpreters.** To maintain the conditionally licensed legal interpreter designation, a candidate shall satisfy all the following requirements:

(A) Six hours per year total of continuing education units, including four units concerning ethics, as prescribed, administered, or authorized by the Committee.

(B) Pay dues in amount determined by the Committee.

(C) Perform 15 observation hours.

(4) **Apprentice Interpreters.** To maintain the apprentice interpreter designation, a candidate shall satisfy all the following requirements:

(A) Six hours per year total of continuing education units, including three units concerning ethics, as prescribed, administered, or authorized by the Committee.

(B) Pay dues in amount determined by the Committee.

(C) Perform 15 observation hours.

### **Rule 3-3. Continuing Education Requirement**

Every renewal period, interpreters shall complete the required continuing education hours of ethics and professionalism continuing education at an approved ethics and professionalism workshop as prescribed, administered, or authorized by the Committee.

### **Rule 3-4. Excess Continuing Education Credits**

As many as six acceptable continuing education hours completed in the 12-month period before each renewal deadline in excess of the required units may be carried over to that renewal period.

### **Rule 3-5. Calculation of Credit Hours**

(a) Each approved 50 minutes of instruction shall be counted as one continuing education credit hour unless otherwise specified.

(b) All continuing education credit must be verifiable, and continuing education that is not verifiable shall not be accepted for continuing education credits.

### **Rule 3-6. Preapproved Courses, Workshops, Seminars, Conferences, and Activities**

(a) The AOC shall maintain a list of preapproved interpreter courses, workshops, and other activities on its website. Providers who wish to have training preapproved shall submit a course preapproval request form at least 90 days before the training date.

(b) Interpreters may seek preapproval of any courses they wish to take. For each course preapproval request, interpreters shall submit a course preapproval form and a copy of the program schedule or agenda at least 90 days before the training date.

(c) Interpreters working as trainers or instructors may seek approval for credits of any courses they wish to teach or have taught. Interpreters may request 1.5 credits per credit taught. For each course preapproval request, interpreters shall submit a course preapproval form and a copy of the program schedule or agenda at least 90 days before the training date.

### **Rule 3-7. Requesting Continuing Education Credit Hours and Allocation**

(a) Interpreter requests for credit for courses they have already taught or taken may be submitted to the AOC any time before the continuing education (“CE”) compliance deadline.

(b) All the following information is required for approval of CE credits:<sup>4</sup>

(1) Request for credit form.

(2) Verification of attendance as furnished by the CE provider, as follows:

(A) Verification shall be in the form of a certificate of completion, a grade card, a letter from the course provider with an original signature, or some other verifiable proof of attendance;

(B) Verification shall include quantifiable educational contact hours or allow exact computation of CE credit hours according to the stated guidelines; and

(C) The pertinent date of a CE course shall be the date the course was completed or the date the certificate was issued (for home study courses).

(3) Course evaluation form.

(4) A copy of the program schedule or agenda if the Committee did not preapprove the course.

(c) Interpreters shall keep copies of all items submitted for their records. Incomplete requests will be returned or denied.

(d) Interpreters must submit their request for continuing education credit within 60 days of completing the course for which they seek credit. Any requests submitted after the 60-day window will be denied by AOC staff unless approved by the Committee for good cause.

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<sup>4</sup> All continuing education credit requests from interpreters must be submitted to the AOC. All requests for credit sent by mail, e-mail, or fax will not be accepted unless an authorized staff member from the AOC has approved said submission. Interpreters should keep copies of all items submitted for their records. Incomplete requests will be returned.



### **Rule 3-8. Denial of Continuing Education Credit**

(a) **Notification.** Interpreters shall receive notification in writing for any denial of a request for continuing education credit.

(b) **Appeal.** A court interpreter who receives a denial of their request for continuing education credit may appeal in writing to the Committee within 30 days after receipt of the denial, as follows:

(1) The appeal shall detail the reason for disagreement with the decision to deny continuing education credit; and

(2) The appeal shall include a request for reconsideration.

(c) **Deadlines Intact.** All continuing education deadlines shall remain intact during the appeal process.

### **Rule 3-9. Unverifiable and Falsified Records**

(a) If the AOC cannot verify the information provided with the request for continuing education credit the interpreter shall be informed that continuing education credit is denied.

(b) If the AOC determines that any information provided by an interpreter is false, the AOC shall forward the suspected false information with a full report of the investigative actions taken to the Committee for further investigation, suspension, sanctions, or other disciplinary actions.

### **Rule 3-10. Noncompliance with Continuing Education Requirements**

(a) **Discipline for Failure to Comply.** As provided in Article IV of these rules, the Committee may impose disciplinary action for noncompliance with continuing education requirements.

(b) **Suspension.** Failure to complete the mandated continuing education hours or failure to provide timely proof of compliance shall result in a temporary administrative suspension of the interpreter's designation, notice of which shall be sent to the interpreter in writing. Individuals shall have the right to automatic reinstatement by satisfying the following conditions:

(1) Providing proof of completion of outstanding continuing education hours;

(2) Paying a reinstatement fee determined by the Committee; and

(3) Submitting a written request for reinstatement.

(c) **Extension of Time to Meet Continuing Education Requirements.** The Committee may, in the event of hardship or extenuating circumstances and on a case-by-case basis, grant an extension of time to meet continuing education requirements. In such cases, an interpreter shall submit a written request to the Committee stating why an extension of time is needed and a proposal for meeting delinquent requirements with a projected completion date.

### **Rule 3-11. Reinstatement After a Lapse**

Pursuant to the following conditions, a master licensed legal interpreter, licensed legal interpreter, or conditionally licensed legal interpreter may have their license reinstated after a lapse:

(1) An interpreter who was on the Interpreter Roster but who has allowed their license to lapse for non-disciplinary reasons for two years or less and who does not hold a valid equivalent license from another governmental agency must fulfill the following to reinstate their license at the discretion of the Committee:

- (A) Request reinstatement in writing to the Committee and receive approval in writing from the Committee;
- (B) Complete and submit proof of the equivalent of one year's worth of continuing education hours required for their designation;
- (C) Complete and submit proof of the equivalent of one year's worth of observation hours required for their designation, if any;
- (D) Pay a reinstatement fee determined by the Committee; and
- (E) Undergo a criminal history background investigation that demonstrates good moral character.

(2) An interpreter who was on the Interpreter Roster but who has allowed their license to lapse for non-disciplinary reasons for two years or less but who currently holds a valid equivalent license from another governmental agency must fulfill the following to reinstate their license at the discretion of the Committee:

- (A) Request reinstatement in writing to the Committee and receive approval in writing from the Committee;
- (B) Submit proof of holding an equivalent license from another governmental agency;
- (C) Complete and submit proof of two continuing education hours concerning ethics, as prescribed, administered, or authorized by the Committee;
- (D) Complete and submit three observation hours if their Georgia designation requires observation hours;
- (E) Pay a reinstatement fee determined by the Committee; and
- (F) Undergo a criminal history background investigation that demonstrates good moral character.

(3) An interpreter who was on the Interpreter Roster but who has allowed their license to lapse for non-disciplinary reasons for more than two years but less than five years and who has not maintained an equivalent license from another governmental agency for at least 75 percent of the time of the lapse, must fulfill the following to reinstate their license at the discretion of the Committee:

- (A) Request reinstatement in writing to the Committee and receive approval in writing from the Committee;
- (B) Complete and submit proof of the equivalent of two years' worth of continuing education hours required for their designation;

(C) Complete and submit proof of the equivalent of two years' worth of observation hours required for their designation, if any;

(D) Pay a reinstatement fee determined by the Committee; and

(E) Undergo a criminal history background investigation that demonstrates good moral character.

(4) An interpreter who was on the Interpreter Roster but who has allowed their license to lapse for non-disciplinary reasons for more than two years but less than five years but who has maintained an equivalent license from another governmental agency for at least 75 percent of the time of the lapse must fulfill the following to reinstate their license at the discretion of the Committee:

(A) Request reinstatement in writing to the Committee and receive approval in writing from the Committee;

(B) Submit proof of holding an equivalent license from another governmental agency;

(C) Complete and submit proof of the equivalent of one year's worth of continuing education hours required for their designation;

(D) Complete and submit proof of the equivalent of one year's worth of observation hours required for their designation, if any; and

(E) Pay a reinstatement fee determined by the Committee.

(5) An interpreter who was on the Interpreter Roster but who has allowed their license to lapse for non-disciplinary reasons for five years or more, absent exceptional circumstances, must:

(A) Start the process over to obtain a designation; or

(B) Be accepted for reinstatement as determined on a case-by-case basis by the Committee and fulfill any conditions imposed by the Committee exceeding the conditions listed in Rule 3-11(3).

(6) An apprentice interpreter who does not renew their designation within a grace period to be determined by the Committee must begin the process over to have their designation reinstated. In such cases, the Committee may grant a reinstatement for up to one year so as not to exceed the 24 months in which an individual may hold that designation.

## **ARTICLE IV. DISCIPLINE**

### **Rule 4-1. Suspension or Revocation of Designation**

An interpreter holding a master licensed legal interpreter designation, licensed legal interpreter designation, conditionally licensed legal interpreter designation, an apprentice interpreter, or an interpreter applicant who is in the process of becoming an interpreter with a designation issued by the Committee, may be suspended or revoked for any of the following reasons:

- (1) Conviction of a felony or misdemeanor involving moral turpitude, dishonesty, or false statements;
- (2) Fraud, dishonesty, or corruption related to the functions and duties of an interpreter;
- (3) Continued false or deceptive advertising after receiving notification to discontinue;
- (4) Knowingly and willfully disclosing confidential or privileged information obtained while serving in an official capacity;
- (5) Gross incompetence, unprofessional conduct, or unethical conduct;
- (6) Failing to appear as scheduled without good cause;
- (7) Noncompliance with any existing continuing education requirements for a period of one year or more;
- (8) Nonpayment of any required renewal fees;
- (9) Misrepresentation to a court or third party of their current designation or status with the Committee;  
or
- (10) Violation of the Code of Professional Responsibility for Interpreters in Article VIII of these rules.

#### **Rule 4-2. General Considerations**

- (a) Computations and extensions of time shall be governed as follows:

(1) **Computation of Time.** Any period referenced within these rules refers to calendar days. Such period shall begin to run on the first day following the event requiring time computation. When the last day of the period so computed falls on a day on which the office of the Committee is closed, the period shall run until the end of the following business day. The Committee shall receive any time-sensitive material by 5:00 p.m. local time on its due date.

(2) **Extensions of Time.** In its sole discretion and for a good cause shown, the Committee may extend any time limit prescribed or allowed by these procedures. All requests for such extensions, including requests for postponements or continuances, shall be made by written motion submitted to the Committee. The Committee shall notify all parties of its action on such a motion.

- (b) Communications shall be governed as follows:

(1) **Communications Generally.** Any communications involving a complaint or the complaint process shall be submitted to the Committee in writing and submitted by e-mail, mail, or hand delivery, except for requests for complaint forms. Communications may be sent via e-mail to Committee staff. Communications shall not be addressed to individual members of the Committee or sent directly to the members of the Committee.

(2) **No Ex Parte Communications.** Except as provided for in paragraph (3) of this subsection, a party or attorney for a party shall not initiate ex parte communication with a member of the Committee. If ex parte communication does occur, the Committee or its staff shall notify all parties of such communication, informing them of its substance and the circumstances of its receipt.

(3) **Communications with Committee Staff.** Committee members or a party to the complaint may communicate with the Committee's staff attorney or staff regarding the substance of a pending complaint.

(4) **Receipt of Communications.** Communications are deemed filed on the date received at the Committee's principal address or when Committee staff receives electronic communication.

(c) **Reasonable Accommodations.** The Committee reserves the right, in its sole discretion and on its motion or on that of a party, to modify the procedures outlined in these rules for a good cause, including making reasonable accommodations for a party or witness involved with a complaint who is of limited English proficiency or who has a disability as recognized by the federal Americans with Disabilities Act of 1990.

(d) **Representation by Counsel for Parties.** Counsel may represent any party at any stage of the complaint process. Counsel shall promptly enter an appearance if counsel has not previously done so by signing the complaint or answer or notifying the Committee's attorney or staff of the appearance in writing.

(e) **Representation by Attorney General's Office.** If the Committee initiates a complaint on its motion, it shall request the Attorney General's Office to represent its interests throughout the proceeding. If the Attorney General's Office declines to represent the Committee's interests, it shall appoint a special prosecutor to represent its interests.

(f) **Limitation of Actions.** No proceeding under these rules shall be brought unless a complaint has been received at the Committee's office or instituted within five years after the act at issue. This limitation may be tolled at any period, not to exceed three years, where the respondent or the violation is unknown, or the respondent's whereabouts are unknown.

(g) **Probable Cause Panel.** The Probable Cause Panel shall consist of three members of the Committee to be designated by the chair of the Committee. The Probable Cause Panel shall conduct a preliminary review of submitted complaints as described in Rule 4-3.

(h) **Disciplinary Hearing Panel.** The Disciplinary Hearing Panel shall consist of three members of the Committee to be designated by the chair of the Committee. The Disciplinary Hearing Panel shall conduct disciplinary hearings as described in these rules. The members of the Disciplinary Hearing Panel shall not be involved in bringing or assuming a complaint.

#### **Rule 4-3. Complaint Filing Procedures**

(a) **Who May File.** A complaint may be filed by any person having knowledge of a violation of these rules. The Committee may also file a complaint on its motion. The Committee may substitute itself for the complainant in any case where:

(1) A complainant is unavailable due to hardship (including imprisonment), unresponsiveness to the investigation, or an abandonment of the complaint;

(2) The severity of the allegations in the complaint necessitates the Committee's substitution; or

(3) The Committee deems it necessary to assume responsibility for the complaint in the interest of justice.

(b) **Forms.** A complaint shall be submitted on the Committee's approved form. All exhibits or documentation supporting the complaint must be included with the form. The complaint form shall be fully completed and notarized. Forms may be obtained via the Committee's website or by contacting the Committee.

(c) **Preliminary Review.** Before the Committee staff sends the complaint to the respondent for a response, a preliminary review will be conducted by the AOC's staff attorney or equivalent staff member and the AOC's Office of Court Professionals, in conjunction with the Probable Cause Panel, to determine whether jurisdiction exists and whether the allegations, if true, would constitute a violation of:

- (1) These rules;
- (2) The Code of Professional Responsibility for Interpreters in Article VIII of these rules; or
- (3) Georgia law governing court interpreting.

(d) **Recommendation of Dismissal of Complaint.** The complaint may be dismissed without prejudice if a preliminary review results in a finding that:

- (1) The complaining party has not complied with complaint filing procedures; or
- (2) After construing the complaint in a light most favorable to the complainant, the allegations of the complaint disclose with certainty that no violation of the applicable rules or statutes has occurred, that the Committee does not have jurisdiction over the matter, or that the relief sought by the complainant is not within the power of the Committee to provide.

(e) **Voluntary Dismissal.** A complainant desiring to dismiss their complaint voluntarily may initiate the dismissal of a complaint without permission before a response is filed. After a response is filed, the complainant shall be required to file a motion to dismiss, at which point a copy of the motion to dismiss shall be provided to the respondent by the Committee. Dismissal in such cases is at the sole discretion of the Committee. The Committee may dismiss a Committee-initiated complaint without a motion.

(f) **Request for Documents.** A preliminary reviewer or the Committee may, at any time, require more documentation or specificity from the complainant regarding the alleged violation.

(g) **Intervention.** Within its sole discretion, the Committee, on a motion at any time during a proceeding, may permit or prohibit the intervention of a party. Any nonparty desiring to intervene shall file a motion with the Committee specifying the grounds for intervention.

(h) **Confidentiality.** The status of a complaint shall be communicated only to a complainant, a respondent, a complainant or respondent's attorney, Committee members, or Committee staff. If a complaint has been disposed of and private discipline has been issued, no information about the complaint shall be disclosed to the public. Private discipline may be factored into subsequent disciplinary cases against a respondent. In cases where public discipline is imposed, the Committee may release final disciplinary orders to the public.

#### **Rule 4-4. Response Procedures**

(a) **Service of Complaint.** Persons and entities under the Committee's jurisdiction shall inform the Committee, in writing, of their current name, mailing address, street address, e-mail address, and telephone number. Once the Probable Cause Panel determines that a respondent should answer a complaint, Committee staff shall forward a notification via certified mail to the respondent's address on file, including a copy of the complaint. The Committee may rely on the information on file to communicate with, contact, or otherwise perfect service on the person or entity. If the person or entity only provides a post office box address or has not informed the Committee of their current mailing address, it shall be deemed a personal service waiver. Acknowledgment of receipt of the complaint or response shall constitute conclusive evidence of service.

(b) **Response to Complaint.** The respondent shall have 30 days after receiving such notification to file a notarized response to the complaint with the Committee. Committee staff may request further documentation or specificity from the respondent after receiving their response.

(c) **Request for Hearing.** A complainant or respondent may request a hearing before the Disciplinary Hearing Panel, as follows:

- (1) A respondent's request shall be made in writing within 30 days after receiving a copy of a complaint;
- (2) A complainant's request shall be made in writing within 30 days after receiving a copy of a response;
- (3) Failure to adhere to the guidelines provided in this rule shall constitute a waiver of a hearing before the Disciplinary Hearing Panel;
- (4) It is within the Disciplinary Hearing Panel's discretion whether it grants a hearing if the right to a hearing is waived; and
- (5) The Disciplinary Hearing Panel may require a hearing even if no party requests one.

(d) **Procedure Upon Receipt of Response.** Upon receiving a response, the Committee staff shall review the response to ensure that it complies with these rules.

#### **Rule 4-5. Noncompliant Responses**

A response that does not comply with these rules shall be deemed a noncompliant response. In such cases, Committee staff shall notify the respondent that the Disciplinary Hearing Panel will not consider the response unless the defect is corrected within 15 days after the notice to the respondent of the defect is received. If the respondent fails to correct the defect within such time, the response shall not be sent to the Disciplinary Hearing Panel by Committee staff. If such a defect is corrected, the response shall be considered a compliant response.

#### **Rule 4-6. Compliant Responses**

If the response complies with these rules or is amended to comply within 15 days after the notice to the respondent of the defect is received, Committee staff shall send the complaint and response to members of the Disciplinary Hearing Panel for consideration.

#### **Rule 4-7. Secondary Review**

(a) Once Committee staff has completed the preliminary review, and the respondent has filed a response, the Disciplinary Hearing Panel may proceed as follows:

- (1) Dismiss the complaint so long as it finds, after assuming all facts alleged in the complaint are true, that the undisputed evidence shows that a violation has not occurred;
- (2) Require further documentation from the parties;
- (3) Require a hearing; or
- (4) Resolve the case without a hearing if a hearing has not been requested.

(b) If the Disciplinary Hearing Panel chooses to require further documentation from a party, it may still dismiss the complaint under the standards above or vote to hold a hearing thereafter.

(c) If the Disciplinary Hearing Panel dismisses the complaint, it shall be with prejudice and may not be submitted again.

(d) The Disciplinary Hearing Panel shall dismiss future complaints containing substantially similar allegations against the same respondent if the allegations arise out of the same set of underlying facts as those in a previously dismissed complaint.

(e) A dismissal by the Disciplinary Hearing Panel shall not deprive the complainant of any remedy at law or equity.

(f) If the respondent has requested a hearing, the Disciplinary Hearing Panel may not make a final disposition of the matter without first holding a hearing, unless the right to a hearing is waived in writing by all parties.

#### **Rule 4-8. Disciplinary Hearing Procedures**

(a) **Notification of Hearing.** If the Disciplinary Hearing Panel elects to hold a hearing, the complainant and respondent shall be notified by Committee staff, who shall provide all parties at least 30 days' written notice by certified mail of the date, time, and location of the hearing. The hearing location may be fixed at any site in the State of Georgia, at the Disciplinary Hearing Panel's discretion. Committee staff shall arrange the hearing time and place.

(b) **Participation of Complainant.** The complainant shall appear at the hearing in person and may be represented by counsel unless the Disciplinary Hearing Panel excuses the complainant from participation. In its sole discretion, the Disciplinary Hearing Panel may, upon notice, allow or require the complainant to participate by way of deposition, video, or telephone conference, or any combination thereof. If the complainant fails to appear, the Disciplinary Hearing Panel may dismiss the complaint about failure to prosecute.

(c) **Participation of Respondent.** The respondent shall appear at the hearing in person and be allowed to present their response after presenting the complainant's case. Counsel may represent the respondent. In its sole discretion, the Disciplinary Hearing Panel may, upon notice, allow or require the respondent to participate by way of deposition, video, or telephone conference, or any combination thereof. If the respondent refuses or fails to appear without just cause, the Disciplinary Hearing Panel may take appropriate disciplinary or other action in the absence of such a response.

(d) **Hearing Officer.** The hearing shall be presided over by a hearing officer. The Disciplinary Hearing Panel may appoint one of its members or an independent third party as a hearing officer to preside over the hearing. The hearing officer's duties shall include making rulings on motions, filings, and objections; and issuing a final recommendation to the Disciplinary Hearing Panel. If the hearing officer is a member of the Disciplinary Hearing Panel, the hearing officer may vote only if there is a tie vote among the other voting members.

(e) **Hearing Procedure.** The hearing officer shall establish the order of the hearing. At a minimum, the complainant and respondent shall be given a fair opportunity to be heard and present witnesses, including reasonable cross-examination of adverse witnesses. If there are insufficient members of the Disciplinary Hearing Panel to constitute a quorum, the parties may waive the requirement of a quorum, consent to the attendance of a member by a recorded video or telephone conference, or both. Any such waiver shall be



noted on the record. A quorum shall consist of a majority of the total members of the Disciplinary Hearing Panel.

**(f) Role of the Disciplinary Hearing Panel.** The Disciplinary Hearing Panel may:

- (1) Question a party or a party's witness at any time; and
- (2) Issue final findings of fact and conclusions of law.

**(g) Evidence, Burden, and Standard of Proof.** The Georgia rules of evidence shall apply in a disciplinary hearing conducted under these rules. However, the Georgia rules of evidence may be relaxed at the hearing officer's discretion. The burden of proof is on the complainant to prove an alleged violation by clear and convincing evidence at the hearing.

**(h) Witnesses.** Witnesses may be presented at a hearing by either party or the Disciplinary Hearing Panel. The Disciplinary Hearing Panel shall issue subpoenas in blank to a party and their attorney. It shall be the responsibility of a party or their attorney to serve subpoenas in compliance with Georgia law. No hearing shall be delayed or continued for the failure of a witness to attend unless a timely motion is made. Upon such a motion and for a good cause shown, any witness may testify by video or telephone conference or by deposition, provided that the right of cross-examination is preserved. Any person who testifies shall do so under oath.

**(i) Costs.** The Committee shall bear the costs of recording or transcribing a hearing by a licensed court reporter. Each party shall pay for their copy of the transcript if a copy of the transcript is desired. The Committee shall bear any cost for arranging space for the hearing. Otherwise, the parties shall bear their respective costs in attending and participating in the hearing, including payment to counsel, travel costs to and from the hearing, and any other expenses. Any party wishing to be declared indigent shall make a motion setting forth the grounds for such a declaration at least ten days before the date of the hearing.

**(j) Executive Session.** The Disciplinary Hearing Panel may enter into executive session during or after a disciplinary hearing to discuss findings or issues or vote on issues presented during the hearing. Without limiting the proceeding, the Disciplinary Hearing Panel shall have the authority to exclude any person during its deliberations in executive session.

**(k) Disposition.** The Disciplinary Hearing Panel shall issue a final disposition of the matter within 45 days after a hearing in the form of written findings of fact, conclusions of law, and a final order. For a good cause and in its sole discretion, the Disciplinary Hearing Panel may determine that such a 45-day period shall be extended. The final disposition shall be sent to all parties at their addresses of record via certified mail, with the return receipt requested.

**(l) Informal Resolution of Complaint.** Efforts to resolve the complaint informally may be initiated by the Disciplinary Hearing Panel, the complainant, or the respondent at any time. Any resolution reached by the parties shall be submitted to the Disciplinary Hearing Panel for approval. Upon approval of any such resolution reached informally, all parties shall be notified in writing of the resolution reached and any hearing shall be canceled.

**(m) Petition for Voluntary Discipline.** At any point before a disciplinary hearing, a respondent may petition the Disciplinary Hearing Panel in writing to accept a petition for voluntary discipline instead of a hearing. If such a petition is accepted, the resulting order shall include all undisputed facts, the violation found, and the sanction to be administered. Such an order shall become effective when it is signed and dated by the

respondent and the chair of the Disciplinary Hearing Panel. Depending on the nature of the sanction imposed, the Disciplinary Hearing Panel may make the order public.

#### **Rule 4-9. Sanctions**

(a) **Confidential Discipline.** The Disciplinary Hearing Panel may impose confidential discipline if it finds that the respondent engaged in conduct that was inadvertent, purposeful but in ignorance of these rules, or under such circumstances that the Disciplinary Hearing Panel concludes that the issuance of confidential discipline would best serve the protection of the public and rehabilitation of the respondent. Confidential discipline shall not be disclosed to any parties except the respondent. The complainant shall be notified that that the Disciplinary Hearing Panel administered discipline, but not the details of such action. Such discipline may include additional training, continuing education, or mentoring. Confidential discipline may take the form of any of the following:

(1) **Letter of Admonition.** A confidential letter of admonition shall be sent to the respondent by Committee staff detailing the conduct complained of, the findings by the Disciplinary Hearing Panel, and the rules violated. A copy of such a letter shall be placed in the respondent's file and may be used to consider the future discipline of the respondent.

(2) **Private Reprimand.** A private reprimand shall be documented and a document summarizing the reprimand shall be placed in the respondent's file, which may be used to consider the future discipline of the respondent. Committee staff shall send a signed copy of the reprimand to the respondent. A private reprimand shall be the most severe form of confidential discipline.

(b) **Public Discipline.** Public discipline shall be a matter of public record that may be disclosed to any person. Committee staff may publish public discipline on the Committee's website, in a newsletter, via e-mail, or in any other manner reasonably calculated to reach the population most likely to find the discipline relevant. The Disciplinary Hearing Panel may impose public discipline, including additional training, continuing education, mentoring, or a restriction on the types of cases to be handled by the respondent in the future. Public discipline may take the form of any of the following:

(1) **Public Reprimand.** A public reprimand shall be documented, and a document summarizing the reprimand shall be placed in the respondent's file. A public reprimand may be used in consideration of the future discipline of the respondent. Committee staff shall send a signed copy of such reprimand to the respondent.

(2) **Suspension.** The Disciplinary Hearing Panel may suspend a respondent's certification, license, or application for a specified term or an indefinite term conditioned upon compliance with those reasonable conditions imposed by the Disciplinary Hearing Panel in its final order.

(3) **Revocation.** The Disciplinary Hearing Panel may permanently revoke the respondent's license or application.

#### **Rule 4-10. Disciplinary Action Appeals**

(a) **Full Committee as Appellate Body.** An adverse decision of the Disciplinary Hearing Panel may be appealed to the full Committee. Committee members on either the Probable Cause Panel or Disciplinary Hearing Panel shall recuse themselves from such appeal unless those members were not involved in any decision-making process about the matter on appeal. A majority of all Committee members who are not members of either the Probable Cause Panel or Disciplinary Hearing Panel shall constitute a quorum for purposes of such an appeal.

(b) **Procedure.** An adverse disciplinary decision may be appealed as follows:

- (1) A respondent seeking an appeal of an adverse disciplinary decision shall file a notice of appeal with Committee staff within 30 days after the date of the Disciplinary Hearing Panel's final disposition.
- (2) Committee staff shall notify the members of the Committee of the filing of a notice of appeal by a respondent.
- (3) The respondent's notice of appeal shall:
  - (A) Enumerate the errors complained of;
  - (B) State the grounds for each enumerated error; and
  - (C) State why the respondent contends the decision should be reversed or modified.
- (4) At the appeal hearing, the respondent shall present their argument first.
- (5) After the respondent concludes, the complainant may be asked to present an argument, if required.
- (6) The Committee may question the Disciplinary Hearing Panel or Probable Cause Panel members (if present) as to the basis of their decision.
- (7) The Committee shall deliberate outside the presence of the Probable Cause Panel, Disciplinary Hearing Panel, and the parties.
- (8) Both the respondent and complainant may bring counsel to the appeal hearing.

(c) **Stay.** The procedure for granting a stay against enforcement of an adverse disciplinary decision shall be as follows:

- (1) Except as provided for in paragraph (2) of this subsection, the filing of a notice of appeal shall not stay the enforcement of the Disciplinary Hearing Panel's decision.
- (2) If good cause is shown by a respondent seeking an appeal, the Committee may grant a stay against enforcement of the adverse disciplinary decision pending the Committee's ruling on appeal.

(d) **Transmittal of the Record.** The record shall consist of the Disciplinary Hearing Panel's decision and the evidence it considered when making such a decision. The Disciplinary Hearing Panel shall transmit the record to the Committee within 30 days after the date a notice of appeal is filed. The Committee may grant the Disciplinary Hearing Panel additional time to transmit the record if needed. Committee staff shall facilitate the transmittal of a copy of the entire record regarding the matter on appeal to the Committee. The Committee shall inform the appellant of the procedures to be followed on appeal.

(e) **Standard of Review.** The Committee shall not substitute its judgment for that of the Disciplinary Hearing Panel concerning the weight of evidence or facts, but may reverse or modify the original decision upon a revised finding that substantial rights of the appellant have been prejudiced because the Disciplinary Hearing Panel's findings, inferences, conclusions, or decision are:

- (1) In violation of constitutional or statutory law;

- (2) Beyond the authority of the Disciplinary Hearing Panel in either substance or procedure;
- (3) Clearly erroneous; or
- (4) Arbitrary, capricious, or an abuse of discretion.

(f) **Full Committee's Decision on Appeal.** The full Committee's decision on appeal of an adverse disciplinary decision shall be final.

## **ARTICLE V. APPOINTMENT OF INTERPRETERS**

### **Rule 5-1. Use of Interpreter Roster, Interpreters, and Order of Interpreter Selection**

(a) The use of the licensed Interpreter Roster and order of interpreter selection is important to the proper administration of language access and the provision of language access services. Any agency conducting a court proceeding should make every reasonable effort to ensure that an individual performing interpretation services in said proceeding under its control is appropriately qualified. See Appendix A of these rules.

(b) It is the position and direction of this Committee that, regardless of the type of court proceeding or the possible outcome of the same, agencies should secure needed interpreters from the Interpreter Roster in the following order:

- (1) Master Licensed Legal Interpreter or Licensed Legal Interpreter.
- (2) Conditionally Licensed Legal Interpreter.

(c) All other persons interpreting court proceedings shall be required to comply with these rules to the best of their ability. The Committee intends that such persons be selected by the court for interpretation only if no other interpreters on the Interpreter Roster are available. Courts should contact the AOC for assistance with basic requirements such as background checks and training to have any such other individual meet the minimal standards to be listed on the Interpreter Roster and, if appropriate and reasonably possible, be evaluated for proper placement on the Interpreter Roster. Courts should avoid, if possible, last-minute use of non-listed interpreters. Any other persons who are not listed on the Interpreter Roster and are charged to interpret in any court in the State of Georgia shall be under the jurisdiction of the Committee and bound by these rules, and any court who uses such person should inform such non-listed interpreter of the same.

### **Rule 5-2. Persons Not to Be Used as Interpreters**

The Committee recommends that under no circumstances should the presiding judicial officer appoint any of the following to serve as an interpreter:

- (1) A family member of the LEP individual or deaf or hard-of-hearing person;
- (2) A witness or party to the court proceeding;
- (3) Law enforcement officers, such as probation officers, police, deputy sheriffs, or constables;
- (4) A social worker, counselor, or health professional involved in the court proceeding;
- (5) Any person who may have an interest or perceived interest in the outcome of the court proceeding;

- (6) Any person who has been removed from the Interpreter Roster as the result of a disciplinary action;  
or
- (7) Any person who has a conflict either ethically or pursuant to Rule 5-3 of these rules.

### **Rule 5-3. Conflicts with Prior Appointments**

- (a) Any interpreter who has produced or participated in the production of material that will or has been introduced as evidence in a legal proceeding shall not provide interpreting services in court during that same proceeding as they may be called upon to testify as an expert witness and could compromise their appearance of neutrality. Such materials include, but are not limited to, document translations, audio or video recordings of the interpretation of forensic interviews, and translation transcription of audio or video recordings. The interpreter must comply with these rules and the Code of Professional Responsibility for Interpreters (in Article VIII of these rules) during the production of interpreted or translated evidentiary material.
- (b) Due to unforeseen circumstances the court may feel it is necessary to allow an interpreter who may be called as an expert witness in a proceeding to also provide interpreting services in that proceeding. Before making such a decision the court should consult with the parties, consider the rules that apply to the presence of witnesses in the courtroom, and weigh the risk of having an interpreter who might not be viewed as neutral. Such instances should be rare exceptions and not the rule.

### **Rule 5-4. Use of Deaf Interpreters**

- (a) The use of a Deaf Interpreter is recommended in court proceedings, including when LEP is at issue, if an individual:
  - (1) Uses idiosyncratic non-standard signs or gestures (colloquially referred to as “home signs”);
  - (2) Uses a foreign sign language;
  - (3) Has minimal or limited formalized American Sign Language communication skills;
  - (4) Is deaf-blind or deaf with limited vision;
  - (5) Uses signs particular to a given region, ethnic, or age group;
  - (6) Has linguistic characteristics reflective of Deaf Culture which are not generally familiar to the majority of hearing interpreters; or
  - (7) Would benefit from the use of a Deaf Interpreter as recommended by the court proceeding interpreter.
- (b) Ultimately the court, with guidance from one or more court proceeding interpreter, should evaluate the need for a Deaf Interpreter and provide one or more Deaf Interpreter to work with the interpreters who are hearing when justice so requires.
- (c) When a Deaf Interpreter is used along with an interpreter who is hearing, the two shall work as one unit and not “rotate” or take turns, but in fact work together to create the proper interpreted message. Meaning that in court proceedings where a Deaf Interpreter is required and also a team is required, the total team shall

consist of no less than four interpreters (a hearing and Deaf Interpreter unit teaming or rotating with another hearing and Deaf Interpreter unit).

#### **Rule 5-5. Team Interpreting**

(a) Team interpreting is the recognized standard in the field of professional interpreting as the best practice to prevent errors in the interpreting process. It is recommended as a measure for ensuring quality control in interpreted matters. The decision to appoint a team rather than an individual interpreter shall be based on a number of factors, including:

- (1) Length or complexity of the assignment;
- (2) Unique needs of the persons being served;
- (3) Physical and emotional dynamics of the setting; and
- (4) Avoidance of repetitive stress injuries for interpreters.

(b) When interpreters work together as a team, they may divide up roles, responsibilities, and particular tasks, including which interpreter is actively delivering the interpreted message for the record. Such division will depend on and is left to the discretion of the particular members of a given team. In many instances, the interpreters will switch roles approximately every 20 minutes, with the exact time left to the interpreters.

(c) The selection of each interpreter should follow the protocol outlined in Appendix A of these rules. Appointing one interpreter at the appropriate designation level does not validate appointing a lesser qualified interpreter or interpreters as members of the interpreting team.

#### **Rule 5-6. Relay Interpreting**

(a) When there are no interpreters who speak both the LEP person's language and English, but there are individuals who speak the LEP person's language and a second language for which there is an interpreter who also speaks English, or the LEP person's specific communication needs require the use of a relay interpreter, relay interpreting may be necessary. The interpreter who speaks English must have the appropriate designation on the Committee's Interpreter Roster and must make sure the non-English speaking interpreter can communicate effectively in their shared language and is aware of the basic duties of court interpreters and the Code of Professional Responsibility for Interpreters in Article VIII of these rules.

(b) It is recommended that relay interpreting be done in the consecutive mode. Because non-English speaking relay interpreters have not taken the Committee's interpreter orientation, they will be governed by the ad hoc permitted interpreter requirements of these rules; however, the Committee may decide to waive the maximum use limit upon request. Such extensions will be considered on a case-by-case basis, and the Committee reserves the right to impose conditions upon the interpreter before granting the extension.

#### **Rule 5-7. Replacement of Appointed Interpreter**

Upon a request by the LEP party, by their counsel, or by any other officer of the court proceeding, the decision maker shall determine whether the interpreter so provided is able to communicate accurately with and interpret information to and from the LEP individual. If it is determined that the interpreter cannot perform these functions, the LEP individual shall be provided with another interpreter. If unable to adhere to the Code of Professional Responsibility for Interpreters in Article VIII of these rules and standards of practice, an interpreter may recuse themselves from a court proceeding.

### **Rule 5-8. Criminal Cases**

(a) In criminal cases, each LEP party shall be provided with an interpreter at each critical stage of the proceedings at no cost.

(b) An LEP individual may waive the right to the use of an interpreter. Such a waiver shall be in writing and approved by the decision maker. The decision maker shall determine, on the record, that the right to an interpreter has been waived knowingly and voluntarily and that the person has been assisted by the services of the most available interpreter. Additionally, counsel may waive the presence of an interpreter in bond hearings.

(c) In criminal cases, an interpreter shall be provided at no cost to any LEP individual whenever the LEP individual is a party, has been subpoenaed or summoned, or has otherwise been compelled to appear in a proceeding. Consultations with legal counsel, guardians, court psychologists, probation officers, doctors, or other individuals who are employed, paid, or supervised by the courts shall comply with Title VI of the federal Civil Rights Act of 1964.

### **Rule 5-9. Civil Cases**

In civil cases, each LEP party shall have the right to an interpreter at each critical stage of the proceedings at no cost to the LEP party. Consultations with legal counsel, guardians, court psychologists, probation officers, doctors, or other individuals who are employed, paid, or supervised by the courts shall comply with Title VI of the federal Civil Rights Act of 1964. Advance notice of the use of an interpreter shall be provided to all parties and to the decision maker.

### **Rule 5-10. Juvenile Cases**

(a) Each LEP person in any juvenile proceeding (including children, parents of a minor child offender, and parents or guardians of minor victims of crime) or whose parental rights to full custody of any minor child are challenged by any governmental unit or agency such as the Georgia Division of Family & Children Services, shall be provided with an interpreter at no cost during each critical stage of the proceedings.

(b) The decision maker shall provide a qualified interpreter to any LEP person whenever such person's rights to full custody of any minor child are challenged for allegedly causing a child to be dependent, delinquent, or a child in need of services in violation of the Georgia Juvenile Code, as amended, or a child in need of services, and the rules established by the court hearing the case.

(c) Consultations with legal counsel, child advocates, guardians, court psychologists, probation officers, doctors, or other individuals who are employed, paid, or supervised by the courts shall comply with Title VI of the federal Civil Rights Act of 1964.

(d) An LEP person may waive the right to the use of an interpreter. Such a waiver shall be in writing and approved by the decision maker. The decision maker shall determine, on the record, that the right to an interpreter has been waived knowingly and voluntarily and that the person has been assisted by the services of the most available interpreter in accordance with Appendix A of these rules.

(e) When unable to adhere to the Code of Professional Responsibility for Interpreters in Article VIII of these rules and standards of practice, interpreters may recuse themselves from any juvenile proceeding.

## **ARTICLE VI. OATH, CONFIDENTIALITY, AND PUBLIC COMMENT**

### **Rule 6-1. Interpreter's Oath**

(a) Except as provided in subsection (c) of this rule, before becoming licensed, and before providing any service to an LEP or deaf or hard-of-hearing person, an interpreter shall subscribe to the interpreter's oath, as provided in subsection (b) of this rule. By signing the interpreter's oath form, an interpreter acknowledges that they:

(1) Meet the minimum standards outlined in these rules;

(2) Will abide by the interpreter's oath; and

(3) Will abide by the Code of Professional Responsibility for Interpreters in Article VIII of these rules.

(b) The interpreter's oath shall conform substantially to the following form: "Do you solemnly swear or affirm that you will faithfully interpret from (state the language) into English and from English into (state the language) the proceedings before this court in an accurate manner to the best of your skill and knowledge?"

(c) Licensed interpreters need not be sworn in for every court event in which they participate. A court shall have the discretion to ask an interpreter to subscribe to the interpreter's oath at the beginning of every court event.

### **Rule 6-2. Confidentiality**

(a) Interpreters shall not voluntarily disclose any admission or communication that is declared to be confidential or privileged under Georgia law.

(b) The presence of an interpreter shall not affect the confidential or privileged nature of any discussion.

### **Rule 6-3. Public Comment Prohibited**

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter they are engaged in, even when that information is not privileged or required by law to be confidential.

### **Rule 6-4. Agreeing to Code of Professional Responsibility for Interpreters**

An interpreter shall agree in writing to comply with the Code of Professional Responsibility for Interpreters in Article VIII of these rules prior to providing interpretation services in a court in the State of Georgia.

## **ARTICLE VII. RECORD OF INTERPRETER TESTIMONY**

### **Rule 7-1. Spoken Language Interpretation and the Record**

(a) The following rules shall apply only to spoken language interpreters:

(1) If a licensed interpreter is used, no record shall generally be made of the non-English testimonial statements. However, if a non-licensed interpreter is used, it is recommended that a record be made of the complete interpretation rendered by the interpreter in the consecutive mode.



(2) If a challenge is made to the accuracy of an interpretation, the court shall first determine whether the interpreter can communicate accurately with and interpret information to and from the LEP individual. If it is determined that the interpreter cannot perform these functions, arrangements for another interpreter should be made unless cumulative, irrelevant, or immaterial testimony is involved.

(3) If the court determines that an interpreter can communicate effectively with the non-English speaker, the court shall resolve the issue of a contested interpretation and the record to be made of the contested testimony in its discretion.

(4) Any transcript prepared shall consist only of the English language spoken in court.

(5) If a licensed interpreter is not used, the court shall make an audio or audio-visual recording of any testimony given in a language other than English. Such recording shall include any colloquies between the Court and any LEP individuals, statements or testimony made to the court given by an LEP individual, as well as all translations provided by the interpreter of such proceedings. Such recording shall also become part of the record of the proceeding.

(6) The recording of any interpretation for an LEP defendant or party of other proceedings where the defendant does not directly participate shall not be required, such as the interpretation of testimony of an English-speaking witness when counsel represents the defendant.

(7) The record shall not include the content or related interpretation of any private conversation between a defendant or party and his or her counsel.

(8) In all cases where audio or audio-visual recording is not required, the court shall have the discretion to authorize the making of such a recording.

(9) With regards to evidentiary material:

(A) Interpreters shall not extemporaneously sight translate written evidentiary material into the record without proper preparation and advance notice. A written translation of documents should be prepared before the proceedings in which they are to be introduced into evidence.

(B) Interpreters shall not interpret into English audio or video recordings in legal proceedings. Such recordings shall be transcribed and translated before the proceeding in which they are to be introduced into evidence or reproduced.

(b) The quality of an on-the-spot sight translation of a document or interpretation of an audio or video recording in court will almost always fall short of the evidentiary standards that must be met, due to the lack of time, technology, and resources needed by the interpreter to perform such a complicated task correctly. Rendering such an interpretation could violate the standard of faithfulness and accuracy required by the interpreter's oath. Furthermore, should the accuracy of the rendition be challenged the only source of reference would be the official record or the interpreter's memory.

## **Rule 7-2. Testimony of Hearing-Impaired Persons**

The testimony of deaf or hard-of-hearing person may be recorded as provided for in the Official Code of Georgia Annotated.

### **Rule 7-3. Interpreter Identified on the Record**

Interpreters shall be identified on the record. When making such identification, an interpreter shall provide all the following information for the record:

- (1) The interpreter's full name, including the spelling of their last name;
- (2) The interpreter's designation on the Interpreter Roster, stated in its full designation or as the corresponding acronym;
- (3) Any types of certification or licenses in addition to the designation on the Interpreter Roster that the interpreter currently holds;
- (4) The interpreter's license number; and
- (5) The name of the interpreting agency hiring the interpreter, if applicable.

## **ARTICLE VIII. CODE OF PROFESSIONAL RESPONSIBILITY FOR INTERPRETERS**

### **Preamble of the Code of Professional Responsibility for Interpreters**

The Judicial Council's Committee on Court Interpreters is charged to recruit, register, certify, license, and govern the work and conduct of spoken language and sign language interpreters in the courts of Georgia to assure that persons of limited English proficiency as well as hearing impaired persons are provided due process, equal access, and meaningful participation in all court proceedings and court support services; that the constitutional rights of criminal defendants to the assistance of language interpreters be safeguarded; and, that the efficiency, quality, and uniformity of court proceedings as assisted by interpreters be encouraged and preserved.

### **Rule 8-1. Construction**

The Code of Professional Responsibility for Interpreters in this article shall be interpreted under the purposes provided in the Preamble of this article.

### **Rule 8-2. Application**

- (a) The following enumerated standards of ethical conduct to be observed by language interpreters in the courts of Georgia contain authoritative principles and directives to assist the judiciary; officers of the court; language interpreters; agencies and organizations administering, delivering, or supervising interpreting services to the courts; and the public.
- (b) Interpreters subject to multiple ethical guidelines must follow the strictest applicable guideline.
- (c) Commentaries are intended to provide contextual guidance.
- (d) Proceedings concerning violations of the enumerated standards shall be brought as provided for by Georgia law and these rules.

### Rule 8-3. Standards<sup>5</sup>

Interpreters shall:

- (1) Act in accordance with any applicable ethical guidelines.
- (2) Reflect proper court decorum and act with dignity and respect to the officials and staff of the court.
- (3) Avoid professional or personal conduct that could discredit the court.
- (4) Work unobtrusively to keep the focus on the parties rather than the interpreter.
- (5) Accurately state their qualifications and designation as a legal interpreter using the approved format described in Rule 7-3 (2) of these rules.
- (6) Interpret accurately and faithfully without indicating any personal bias, as follows:
  - (A) Preserve the level of language used and the ambiguities and nuances of the speaker without editing;
  - (B) Request clarification of ambiguous statements or unfamiliar vocabulary from the judge or counsel;
  - (C) Refrain from expressing an opinion in a matter before the court; and
  - (D) Promptly notify the court of any error in their interpretation.
- (7) Maintain impartiality by avoiding undue contact with witnesses, attorneys,<sup>6</sup> interested parties, and jurors before, during, and until the case is concluded.

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<sup>5</sup> **Commentary:** Parties to litigation have a constitutional right to test the testimony of LEP or deaf or hard-of-hearing witnesses, just as they test the testimony of an English-speaking witness. In the courtroom, the judge or jury must evaluate the fairness of the questioning and the understanding of the witness, not the interpreter. Outside of the testimonial setting, for instance in witness interviews, probation interviews, or mediation, the interpreter may play a more active role in clarifying misunderstandings between the participants. Further, in such settings, requests for clarifications should be directed at the participants, rather than being referred to the judge.

The obligation to preserve accuracy includes the interpreter's duty to correct any error of interpretation discovered by the interpreter during the proceeding. Interpreters should demonstrate their professionalism by objectively analyzing any challenge to their performance.

In civil cases, the courts must sometimes rely on community service groups, friends, acquaintances, and relatives of the LEP or hearing-impaired speaker to interpret or translate during court proceedings. Even interpreters whose participation is uncompensated must understand they take an oath to faithfully interpret impartially in the courtroom setting without interference as a participant, and that the evaluation of the questions and answers must be left to the finder of fact (i.e., the judge or jury).

**Example:** If a questioner in courtroom testimony asks a question that assumes incorrect facts (such as where certain streets intersect), it would be highly improper for the interpreter to interject their own knowledge of the correct information. In contrast, if a probation officer in an intake interview, for instance, makes a mistake in giving directions as to how to get to a court-related office, it would be helpful, rather than improper, for the interpreter to point out the supposed error to the parties to the conversation.

<sup>6</sup> **Commentary:** It is not improper for an interpreter retained by one side in litigation for witness or client interviews to also interpret testimony in the courtroom. Whether such a dual role is to be permitted in a particular case is for the presiding judge to determine. It would be highly improper, however, for the interpreter to fulfill such multiple roles without disclosure to all parties and the court.

(8) Disclose to the court and parties any prior involvement with a case, or private involvement with the parties or others significantly involved in the case.

(9) Never take advantage of knowledge obtained in the performance of official duties for the interpreter's own or another's gain.

(10) Protect the confidentiality<sup>7</sup> of all privileged and other confidential information about court cases, as follows:

(A) Interpreters shall not voluntarily disclose any admission or communication that is declared to be confidential or privileged under Georgia law.

(B) Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are engaged, even when that information is not privileged or required by law to be confidential.

(11) Inform the presiding judge if the interpreter feels harassed or intimidated.

(12) Immediately report to the court and the Committee any solicitations or efforts by another to induce or encourage the interpreter to violate any law, standard, rule, or any part of this Code of Professional Responsibility.

(13) Accept no money, gift, or other benefits other than the compensation received for the performance of interpretation duties.

(14) Not give any legal advice,<sup>8</sup> whether solicited or not solicited. The LEP or hearing-impaired speaker shall be referred to the judge or counsel in all such instances.

(15) Never act as an individual referral service for any attorney. If an LEP or hearing-impaired speaker asks an interpreter to refer the speaker to an attorney, the interpreter shall direct such an individual to the local bar association or the indigent defense office.

(16) Not receive any compensation or benefit, direct or indirect, for a referral to an attorney.

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<sup>7</sup> **Commentary:** Confidentiality does not extend to a situation in which there are threats of imminent violence, the interpreter is a witness to criminal acts, or to information relating to a crime committed during the course of the proceedings or the interpreter's employment where the information concerning such crime does not derive from attorney-client conversations. Such information should be disclosed to a judge who is not involved in the proceeding for advice in regard to the potential conflict in professional responsibility; however, if the information was acquired during attorney-client conversations, the information should be discussed with the attorney participant. Confidentiality does not extend to disclosures to a client's attorney, so that an interpreter may freely discuss issues of client misconduct with the client's attorney. Confidentiality does not extend to the fact or dates of employment as an interpreter. Also, if a disciplinary complaint or lawsuit arising out of interpretation services is filed against an interpreter, the interpreter may testify about relevant communications.

When an interpreter is called upon to testify in court, the interpreter should request a ruling by the court upon the propriety of testimony on confidential matter. Furthermore, if the testimony concerns a conversation between attorney and client, the interpreter should request a ruling as to whether the conversation is covered by attorney-client privilege.

<sup>8</sup> **Commentary:** The interpreter is subject to the same constraints against giving legal advice as other non-lawyer court personnel. In addition, interpreters need to be mindful of the dependence of the LEP or hearing-impaired person on their services; therefore, any erroneous information provided by an interpreter is unlikely to be questioned or corrected. Accordingly, interpreters need to be particularly cautious even in the non-legal information they provide. Interpreters regularly appearing in a given courtroom may seek and rely upon guidance from the presiding judge on how informational inquiries should be handled. If an attorney is called upon to interpret, their conduct is governed by the Georgia Rules of Professional Conduct for attorneys, but an attorney acting as an interpreter shall at all times act in conformity with Rule 8-3 of these rules.

(17) Continually improve their skills and knowledge through activities such as professional training and education, as required by these rules.

(18) Bring to the court's attention any circumstance or condition that impedes full compliance with any applicable provisions of this Code of Professional Responsibility for Interpreters, including interpreter fatigue, the need for team interpreting, inability to hear, or inadequate knowledge of specialized terminology.

(19) Refuse any assignment for which they are not qualified or under conditions that substantially impair their effectiveness or recuse themselves for any reason should they become unable to fulfill their ethical duties.

(20) Be permitted to advertise, but interpreters shall not engage in untruthful or misleading representations. In particular:

(A) Interpreters shall not claim that they will guarantee a specific result;

(B) Interpreters shall not claim an ability to provide legal advice or services for which they are not licensed; and

(C) All statements as to qualifications and designations identified using the approved format described in Rule 2-2 of these rules shall be accurate.

(21) Be required to be of a good moral character, and if seeking licensing or listing with the Committee, an interpreter shall:

(A) Comply with any rule or regulation of the Committee regarding good character; and

(B) Cooperate with background investigations, including a criminal background check.

(22) Agree to be bound by the rules of this Code of Professional Responsibility for Interpreters.

#### **Rule 8-4. Violations, Removal From Registry, and Other Sanctions**

Violations of these rules may result in discipline pursuant to Article IV of these rules.

## **APPENDIX A**

### **PROCEEDING TYPES AND QUALIFIED INTERPRETER ROSTER DESIGNATIONS**

The use of the licensed Interpreter Roster and order of interpreter selection is important to the proper administration of language access and the provision of language access services. Any agency conducting a court proceeding should make every reasonable effort to ensure that an individual performing interpretation services in said proceeding under its control is appropriately qualified.

It is the position and direction of this Committee that, regardless of the type of court proceeding or the possible outcome of the same, agencies should secure needed interpreters from the Interpreter Roster in the following order:

- (1) Master licensed legal interpreter or licensed legal interpreter.
- (2) Conditionally licensed legal interpreter.

All other persons interpreting court proceedings shall be required to comply with these rules to the best of their ability. The Committee intends that such persons be selected by the court for interpretation only if no other interpreters on the Interpreter Roster are available. Courts should contact the AOC for assistance with basic requirements such as background checks and training to have any such other individual meet the minimal standards to be listed on the Interpreter Roster and, if appropriate and reasonably possible, be evaluated for proper placement on the Interpreter Roster. Courts should avoid, if possible, last-minute use of non-listed interpreters. Any other individual who is not listed on the Interpreter Roster and is charged to interpret in any court in the State of Georgia shall be under the jurisdiction of the Committee and bound by these rules, and any court who uses such individual should inform such non-listed interpreter of the same.

The Committee recommends that under no circumstances should the presiding judicial officer appoint any of the following to serve as an interpreter:

- (1) A family member of the LEP individual or deaf or hard-of-hearing person;
  - (2) A witness or party to the court proceeding;
  - (3) Law enforcement officers, such as probation officers, police, deputy sheriffs, or constables;
  - (4) A social worker, counselor, or health professional involved in the court proceeding;
  - (5) Any person who may have an interest or perceived interest in the outcome of the court proceeding;
- or
- (6) Any person who has been removed from the Interpreter Roster as the result of a disciplinary action.

The following types of proceedings or those proceedings with the following potential outcomes should use only qualified interpreters with corresponding designations, and the courts should consider any and all reasonable measures to provide a properly designated interpreter, including: scheduling or continuing the proceeding to a date and time when a properly designated interpreter can be secured; using remote technology, when otherwise appropriate; or contacting the AOC for assistance in locating an interpreter.

The practice of team interpreting should be used whenever deemed necessary for longer proceedings, as per Rule 5-5 of these rules.

The type of case an interpreter should be appointed to is based on their classification, which reflects the level of knowledge, skill, and abilities demonstrated during the certification process. This applies to both spoken language and sign language interpreters. Based on their classification and level of expertise, interpreters should be appointed as follows:

<b>COURT</b>	<b>CASE TYPE</b>	<b>PROCEEDING</b>	<b>INTERPRETER LICENSE DESIGNATION: QUALIFIED FOR CASE TYPE</b>
Superior and State Court – Criminal	Homicides	All proceedings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
	Felonies and Evidentiary	Trials, guilty pleas, all hearings, or parole violations	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
		Arraignments, waivers, or pre-trial conferences	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Misdemeanors and Summary	Bail, arraignments, guilty pleas, pre-trial proceedings, or waivers	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Juvenile Court	Juvenile Delinquency	Detention hearings, adjudications, probation violations, truancy, motions, or child in need of services	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Juvenile Dependency	All hearings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only

<b>COURT</b>	<b>CASE TYPE</b>	<b>PROCEEDING</b>	<b>INTERPRETER LICENSE DESIGNATION</b>
Superior and State Court – Civil (domestic)	Domestic Relations	Abuse, custody, support, or paternity	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Superior and State Court – Civil	Court, Estates, Tort, or Private Lawsuit	Pre-trial hearings, trials, depositions, arbitrations, or adoptions	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Superior and State Court – Civil (other)		Competency hearings	Master Licensed Legal Interpreter or Licensed Legal Interpreter only
Magistrate and Municipal Court	Criminal	Bail, arraignments, hearings, misdemeanors, trials, or guilty pleas	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
	Civil	Restraining orders, protection from abuse, landlord/tenant, or small claims	
Traffic Court	All cases	All hearings	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter
Executive Branch and Local Agencies	Administrative Hearings	Unemployment, workers' compensation, or reinstatement of benefits	Master Licensed Legal Interpreter, Licensed Legal Interpreter, or Conditionally Licensed Legal Interpreter



# TAB 11



## **SUPREME COURT OF GEORGIA**

**NATHAN DEAL JUDICIAL CENTER  
ATLANTA, GEORGIA 30334**

**FROM THE CHAMBERS OF  
MICHAEL P. BOGGS  
CHIEF JUSTICE**

**(404) 656-3472**

### **SUPREME COURT REPORT**

**August 18, 2023**

July 18 marked the one-year anniversary of my investiture as Chief Justice. In addition to the significant administrative responsibilities I have assumed in this role, I also have the honor of leading the judicial branch as chair of the Judicial Council. I want to thank my fellow Justices for making the transition as seamless as possible. In my view, the Georgia Supreme Court Justices are the most principled and talented jurists you will find at any court of last resort, and I am thankful to have the incredible privilege to work with them every day. I am also grateful for the judges from all of the classes of court who took the time this year to share their successes and their concerns with me and Presiding Justice Peterson. I have tried to put judges first, and I hope you feel valued. Finally, I want to express my thanks for the strong leadership of Governor Kemp and our Legislators—their support and partnership with the judicial branch is crucial and very much appreciated. I’ve seen many positive things for the judicial system this past year and look forward to even more in the future.

The Court recently attended the investiture ceremony for new Court of Appeals Chief Judge Mandy Mercier. It was a moving ceremony and we wish Chief Judge Mercier all the best during her tenure.

The final submission by the Judicial Council Standing Committee on Court Interpreters of its amended rules for Legal Interpreting in the State of Georgia was evaluated and approved by the Court in June. The amended rules last updated in 2012, are posted on the Court’s website. Many thanks to committee co-chairs Justice Carla Wong McMillian and City of Suwanee Municipal Court Chief Judge Norman Cuadra for their efforts to make these comprehensive amendments happen.



In June, our Court honored recently retired Senior Deputy Attorney General Paula K. Smith with an Amicus Curiae award in recognition of her years of service and dedication to the Criminal Justice Division of the Georgia Department of Law, under the leadership of four Attorneys General. To quote the amicus, Paula Smith “has demonstrated a tireless work ethic and an unwavering dedication to her practice and to the state, handling myriad murder appeals, death penalty appeals, and habeas corpus cases ....” It was a pleasure to present this award to an incredibly dedicated public servant.

On July 25 and 26, the Office of Bar Admissions gave its second in-person test for the bar exam following the remote COVID-19 exams and tested approximately 1,050 applicants for admission to the Georgia Bar.

This month, our Court welcomes a new cohort of term clerks. These relatively new lawyers will serve our Court for a year, assisting Justices with legal research, drafting and reviewing opinions, preparing for oral arguments, and other important responsibilities. Now in its sixth year, our term clerk program allows high-caliber legal talent to gain appellate experience and skills that we hope will continue to elevate this area of practice in Georgia.

The Georgia Supreme Court Justices regularly speak to school and community groups either as part of the formal tours at the Nathan Deal Judicial Center or in the community. These outreach efforts are designed to help educate people about the Supreme Court and Georgia’s Judicial Branch and to build the public’s trust and confidence in the judiciary. To that end, the Court has scheduled a special oral argument session on August 22 at John Marshall Law School in Atlanta and another special session on October 26 in the Waycross Judicial Circuit.

Respectfully submitted,

*Michael P. Boggs*

Michael P. Boggs

Chief Justice, Supreme Court of Georgia



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

CHAMBERS OF  
Chief Judge Amanda Mercier

(404) 232-1676  
merciera@gaappeals.us

Report to Judicial Council of Georgia  
August 18, 2023 Meeting

On behalf of the judges of the Court of Appeals, I want to publicly thank Immediate Past Chief Judge Brian Rickman for his steadfast service to the Court over the past two years. Judge Rickman has managed our Court's challenges, big and small, and kept a steady hand while we moved ahead. I also welcome Vice Chief Judge Trent Brown to his new role, which he will serve with me for the next two years.

In July, the Court seated its newest member, the Honorable Jeffrey Watkins, who was appointed to serve following the untimely death of Judge Clyde Reese. Judge Watkins previously sat on the superior court bench for the Cherokee Judicial Circuit, which covers Bartow and Gordon Counties. He heard his first appellate oral argument this month, with Presiding Judge Anne Elizabeth Barnes and Judge Ben Land.

Earlier this month, Senior Judge C. Andrew Fuller was sworn in to temporarily assist the Court of Appeals, after Senior Appellate Judge Herbert Phipps stepped back to deal with some health challenges. As many of you know, Senior Judge Fuller served for many years on the superior court bench in the Northeastern Judicial Circuit until his retirement last year. We are grateful that Judge Fuller is continuing his honored public service on our Court, and we know his contributions to the Court of Appeals will be invaluable.

This past summer, the Clerk's Office of the Court of Appeals hosted two outstanding interns from the Atlanta Bar Association Summer Law Internship Program: Matthew Amante, who is heading to Notre Dame University, and Stanley Sellers, who heads to Howard University. The Court also welcomed this year's Herbert E. Phipps Fellow: Timothy Daxton Pettis, a rising junior at Morehouse College, who served with distinction in the chambers of several of our judges over the summer.

Many Court of Appeals judges also hosted law school interns this summer and throughout the year, and we appreciate their service to our Court. Judge Elizabeth Gobeil has developed a stellar Summer Intern Engagement Program for the Court's summer interns, to which we have welcomed interns from other courts and bar associations throughout the city of Atlanta for the second year.

Finally on September 14, 2023, Presiding Judge M. Yvette Miller, Judge Ken Hodges, and I will hear oral arguments in Tull Auditorium at Emory University's School of Law, continuing the Court's program of outreach to the citizens of Georgia.

Amanda Mercier  
Chief Judge  
Court of Appeals of Georgia



# GEORGIA STATE-WIDE BUSINESS COURT

Serving Georgia's small and large businesses by providing active case management and specialized expertise to facilitate the prompt and efficient resolution of complex business disputes.

## Contributing to Georgia's Distinction as a Great State for Doing Business

**88**

cases have been filed since its inception.



**39**

cases disposed of with an average disposition time of 199 days.

**27**

cases have been settled.



**680**

orders issued.

**8 days**

average wait time for an order on a ripe motion/request.

**77**

hearings and 2 jury trials have been held.

**7**

cases are currently stayed.

**85**

case conferences have been conducted.

**46**

pro hac vice applications have been granted.

The statistics above are as of June 30, 2023.



# GEORGIA STATE-WIDE BUSINESS COURT

Serving Georgia's small and large businesses by providing active case management and specialized expertise to facilitate the prompt and efficient resolution of complex business disputes.

## Contributing to Georgia's Distinction as a Great State for Doing Business

### EFFICIENT WITH GOVERNMENT FUNDS

**680**

orders issued

**199 days**

average disposition time for the 39 cases closed to date

**8 days**

average wait time for an order on a ripe motion/request

### RESPONSIVE TO THE NEEDS OF GEORGIA BUSINESSES

**85**

case conferences conducted

**46**

pro hac vice applications granted

### SPECIALIZED KNOWLEDGE IN BUSINESS LAW

**88**

cases filed

**77**

hearings

**2**

jury trials

\*All data as of June 30, 2023.





## **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 August 2023**

The Council of Superior Court Judges held its semi-annual meeting and summer training conference at Jekyll Island on July 31-August 3, 2023. The educational seminar presented by the Institute of Continuing Judicial Education (ICJE) included topics such as a humanities immersion focusing on the Columbus Stocking Strangler case; mediation; closing arguments; appellate issues for trial judges; utilizing ARPA funds effectively and correctly; government law issues; an adoption law update; civil and criminal contempt; record restrictions: first offenders; an update from the Judicial Qualifications Commission; Heirs Property Act; Department of Corrections programs; *Daubert* and criminal cases; how to manage around not guilty by reason of insanity including transitioning back to the community; jury charges in criminal cases; and evidence with a focus on family law. Speaker of the House Jon G. Burns was the featured luncheon speaker.

CSCJ welcomes our newest judges. Governor Brian Kemp appointed Judge Brian Lake of the Stone Mountain Judicial Circuit and Judge William D. Taylor, III, of the Dublin Judicial Circuit.

CSCJ congratulates Judge Henry Newkirk of the Atlanta Judicial Circuit on his retirement and Judge Jeffery Watkins of the Cherokee Judicial Circuit on his appointment to the Court of Appeals and thanks them for their service.

CSCJ is sad to report the deaths of former Judge Marvin S. Arrington, Sr., of the Atlanta Judicial Circuit, Senior Judge Kenneth Followill of the Chattahoochee Judicial Circuit, Senior Judge Faye Sanders Martin of the Ogeechee Judicial Circuit, and Senior Judge Everett Tracy Moulton, Jr., of the Pataula Judicial Circuit.



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

*Executive Committee*

*Judge John Kent Edwards, Jr.*  
*President (Lowndes)*

*Judge Jeffrey B. Hanson*  
*President-Elect (Bibbs)*

*Judge Gregory V. Sapp*  
*Secretary (Chatham)*

*Judge Susan E. Edlein*  
*Treasurer (Fulton)*

*Judge R. Violet Bennett*  
*Immediate Past-President (Wayne)*

*District 1*  
*Judge Billy E. Tomlinson (Bryan)*

*District 2*  
*Judge Shawn Rowland (Jeff Davis)*

*District 3*  
*Judge Ellen S. Golden (Lowndes)*

*District 4*  
*Judge Tammi L. Hayward (Clayton)*

*District 5*  
*Judge Monique Walker (Richmond)*

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

*District 7*  
*Judge Eric A. Richardson (Fulton)*

*District 8*  
*Judge Michelle H. Helloski (Cherokee)*

244 Washington Street, S.W.  
Suite 300  
Atlanta, GA 30334  
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*Staff*

*Bob Bray*  
*Executive Director*

**Report of the Council of State Court Judges**  
**Judicial Council Meeting**  
**August 18, 2023**

The Council of State Court Judges expresses its congratulations to Chief Judge Amanda H. Mercier on her election as Chief Judge for the Court of Appeals and to our alumni Judge E. Trent Brown on his election as Vice Judge of the Court of Appeals of Georgia.

This year's Spring Judicial Training Conference was held May 17th – 19th. at the UGA Continuing Education Conference Center in Athens. Over 90 Judges attended the Conference in-person. The Dinner Banquet Speech was given by the incoming President of the State Bar, J. Antonio DelCampo and an alumni of our Council. The Judges also heard from Chief Justice Michael P. Boggs who administered the oath of office to incoming President John Kent Edwards, Jr. Senior Judge Jeanette Little gave some personal history of the Council to highlight our 35<sup>th</sup> Anniversary. All committee meetings were held prior to the Conference using the Zoom platform. Courses this Spring included: Updates from DDS; the JQC; Legislative Updates from Ms. Cheryl Karounos with the AOC. Presentations were also given on Legal Writing by retired Superior Court Judge Tain Kell; Cyber Security by Ben Luke from the AOC; Courtroom and Personal Security by members of the Cobb County Sheriff's Office; Updates on the Georgia Justice Project by Doug Ammar; the new State and Superior Court Appellate Practice Act by Judge Christopher McFadden of the Court of Appeals, Judge Gary Jackson with the Municipal Court of Atlanta, and Mr. Darron Enns with the AOC. Other presentations were the Case Exchange hosted by Senior Judge Melodie Clayton; a Civil Case Law Update by Attorney Darren Summerville and Attorney Barbara Marschalk; Daubert and Criminal Trials; and Incompetency in Misdemeanor Cases by Dr. Kiana Wright and Dr. Julie Oliver with the Department of Behavioral Health and Developmental Disabilities.

The General Membership of the Council held its annual election of Officers and Elected Judge John Kent Edwards, Jr. (Lowndes) as President; Judge Jeffrey B. Hanson (Bibb) as President-Elect; Judge Gregory V. Sapp (Chatham) as Secretary, and Judge Susan E. Edlein (Fulton) as Treasurer. Judge R. Violet Bennett will serve as Immediate Past-President.

The Council recognized the exemplary work of our Executive Director, Mr. Bob Bray, who just completed his 20<sup>th</sup> year with the AOC and Council of State Court Judges and presented him with the first Award to be bestowed each year in his name to an individual that goes above and beyond in providing exceptional service to the Council of State Court Judges.





*Chief Judge Wes Taylor*

In July the AJC published an article about the State Court of Fulton County which is assisting the Superior Court with clearing its civil case backlogs. Under an agreement, each of the county's 16 Superior Court judges who preside over civil lawsuits can temporarily assign up to 10 trial-ready cases to State Court judges who can then try to resolve them through settlements or trials. The highly unusual arrangement was put in place this month and is expected to last through the end of this year. Wes Taylor, chief judge of Fulton State Court, called the arrangement "relatively unprecedented." He said eight of the court's 10 judges

have signed on to help the county's Superior Court judges.

This year the General Practice and Trial Section of the Georgia Bar Association presented Judge Ethelyn Simpson (Athens-Clarke) with the 2023 Tradition of Excellence Award at its Annual meeting in Savannah.

Judge Kimberly Alexander (DeKalb) was recently presented the Keeping Children First Award by the Stone Mountain Chapter of Jack and Jill of America, Inc. It is a membership organization of mothers with children ages 2 –19, dedicated to nurturing future African American leaders by strengthening children through leadership development, volunteer service, philanthropic giving and civic duty.

In May, Judge Jane Morrison (Fulton) received an Executive MBA Degree from Georgia State University's Robinson College of Business. At graduation, Judge Morrison was honored to be recognized with a Student of the Year award presented by the faculty. In addition to business and management courses, she studied change management and digital transformation. "I want to use my new business knowledge and skills to assist Georgia courts with implementing Digital Electronic Court Recording to help address the growing Court Reporting crisis in our courts of record."



*Judge Jane Morrison*

Last month Judge Michelle Helhoski (Cherokee) spoke to Troop 8088 of the Scouts BSA about their constitutional and statutory rights and responsibilities. "I enjoy speaking to this troop because they are one of few girls' troops in the area. It was founded as soon as the organization allowed all girl troops, which was less than 5 years ago. This Troop has already been given many awards and has produced several Eagle Scouts".

Respectfully submitted,

*John Kent Edwards, Jr.*

Judge John Kent Edwards, Jr., President



## COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA

Judge Warner Kennon, *President*  
Judge T. Neal Brunt, *President-Elect*  
Judge Maureen Wood, *Vice President*  
Judge Michelle Harrison, *Secretary*  
Judge MacCracken Poston, *Treasurer*  
Judge Render Heard, *Immed. Past President*

Judge Donald Sheppard, *District 1*  
Judge Brian Bellamy, *District 2*  
Judge Cheferre Young, *District 3*  
Judge Desiree Peagler, *District 4*  
Judge Coy Johnson, *District 5*  
Judge (vacant), *District 6*  
Judge Jason Souther, *District 7*  
Judge Sherri McDonald, *District 8*  
Judge Heather Dunn, *District 9*  
Judge Charles Evans, *District 10*

Eric J. John, *Executive Director*

### REPORT TO JUDICIAL COUNCIL OF GEORGIA AUGUST 4, 2023

The Council of Juvenile Court Judges has almost completed our work toward modification of CPRS. This will allow all Judges access to the new version, which is something the Council is very excited about rolling out.

Another area that I am particularly excited about is the Education Certification Committee's emphasis on training for our newly appointed Juvenile Court Judges. ICJE and this Committee have worked hard to make this training a terrific part of our conferences.

Speaking of the CJJ Education Certification Committee, we have for years planned five (5) years out for our training. This was done once again over a two-day period just prior to our Spring Conference. ICJE and the Committee have laid out a plan that we feel will be both more engaging and instructional. The content reviews by our Judges are consistently positive over the last few years and we want that to continue.

The CJJ Legislative Committee and the Executive Committee recently unanimously approved proposed legislation to fold our Juvenile Accountability Courts into the Georgia Council of Accountability Court Judges. This is especially significant to me, as our local Juvenile Drug Court has been in existence since 2000.

Respectfully submitted,

Warner L. Kennon  
President



# Council of Probate Court Judges of Georgia

**Judge Danielle McRae**  
*President (Upson)*

**Judge Christopher Ballar**  
*President Elect (Gwinnett)*

**Judge Scott Chastain**  
*Vice President (Gilmer)*

**Judge Darin McCoy**  
*Secretary-Treasurer (Evans)*

**Judge B. Shawn Rhodes**  
*Immediate Past President (Wilcox)*

**Kevin D. Holder**  
*Executive Director*

## Report to Judicial Council of Georgia August 18, 2023

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

### 2022 Traffic Seminar

Our annual Traffic Seminar was held on May 31 – June 2, 2023 at the King and Prince Beach and Golf Resort in St. Simons Island, GA. As always, we extend our appreciation to the staff of the Institute of Continuing Judicial Education for facilitating this event and a special thank you to each respective instructor who willingly gave of their time and talent to teach a period of instruction during the training.

### Train the Trainer Workshop

On June 29, 2023, the Probate Judges' Training Council hosted a "Train the Trainer" seminar, whereby the probate judges who attended the Institute of Continuing Judicial Education's "Train the Trainer" seminar earlier this year, taught some of their probate court colleagues the methods of putting together an effective training presentation. The seminar was facilitated by Judge Kristy Harris (Houston County), Judge Kenya Johnson (Fulton County), Judge Edie Haney (Carroll County), Judge Melanie Bell (Newton County), Judge Christy Anderson (Walker County), and Judge Carrie Markham (Coweta County). Thanks to the probate judges who were in attendance and special thanks to Dean Karen Sneddon and the staff of the Mercer University School of Law for hosting this event.

### New Probate Judges

Congratulations to our newest group of associate probate judges: Judge Leighton Taylor (Lincoln County), Judge Kerri Crane (White County), Judge Cindy Thomas (Terrell County), Judge Jim Altman (Fannin County), and Judge Marian Parker (Fulton County). We sincerely wish the best to each of these judges and look forward to their contributions as judges and members of our Council.

Respectfully submitted,

Judge Danielle McRae  
President, Council of Probate Court Judges of Georgia



# 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

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Bartow County

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Ware County

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Judge Rebecca Pitts  
Butts County

District One  
Judge Chris Davenport  
Judge Scott Lewis

District Two  
Judge David Crosby  
Judge Heather Culpepper

District Three  
Judge Tommy Martin  
Judge Jennifer Webb

District Four  
Judge Phinia Aten  
Judge Matt McCoy

District Five  
Judge Linda Borsky  
Judge Cassandra Kirk

District Six  
Judge Amanda Flora  
Judge Cecil Hutchins

District Seven  
Judge Jennifer Inmon  
Judge Connie Reed

District Eight  
Judge Colby Crabb  
Judge Ashley Thornton

District Nine  
Judge Bill Brogdon  
Judge Elizabeth Reisman

District Ten  
Judge Mike Burke  
Judge Monica Durden

Members-at-Large  
Judge Todd Ashley  
Judge Quinn Kasper

## Council of Magistrate Court Judges Report

The Council of Magistrate Court Judges has had a busy spring and summer. Our newly elected officers and district reps took office July 1. In June, the Benchbook Committee submitted their updates and changes so the Benchbook could be revised and in July and August all committees are in the process of yearly reorganization by recruiting new members.

The officers had their annual meeting in July to set the budget and review goals and strategic planning tasks for the coming year. Many of the items that were high priority on the strategic plan were accomplished last year so the Council is moving toward our medium priority tasks at this time.

Late summer and early fall will be another busy time for the Council as we have our new judge orientation 40 hour class at the end of August and the bi annual meeting in early October. The Magistrate Court Training Council will be spending some time during the 40 hour class meeting and reviewing all the policies for clarity and brevity.



## COUNCIL OF MUNICIPAL COURT JUDGES

August 7, 2023

### Report to the Judicial Council of Georgia – August 2023

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

#### Council Meeting Endeavors

The Council's full Executive Committee met on June 13, 2023, at the Jekyll Island Convention Center, Jekyll Island, Georgia. The Council also held its annual Summer Business Meeting and Awards & Recognition Ceremony on June 15, 2023, where the Membership approved the FY 2023-24 Council Budget, a revised proposed Rule re: Conflict for part-time Municipal Court Judges and received a status update on the approval of Municipal Court Rule 29. Mandatory Continuing Judicial Education & Rule 15. Virtual Proceedings.

Retired Chief Justice Harold Melton, Georgia Supreme Court, attended the Business Meeting as the Council's guest speaker and administered the oath of office to the newly elected officers. Honors were also bestowed during that time for various achievements. Judge Douglas G. Andrews, Municipal Court of Guyton, received the Frost Ward Lifetime Achievement Award, which recognizes a municipal court judge who has made significant contributions to the Council of Municipal Court Judges over a long period of time. Judge Michael M. Hawkins, Municipal Court of Dunwoody and Judge Rick Ryczek, Municipal Courts of Snellville and Suwanee, were recognized with the Glen Ashman Education Achievement Award which honors judges that exemplify judicial education through extensive time and efforts towards educating municipal court judges and clerks. Chief Judge Robert Cowan, Rome Municipal Court, and Chief Judge Harvey Luke Mayes IV, Municipal Courts of Acworth and Kennesaw, were awarded the Special Recognition Award for their excellent representation and efforts as District Representatives.

The Council's President's Award, on behalf of Judge JaDawnya Baker, was awarded to Chief Judge Ronald Freeman, Municipal Courts of Forest Park and Union City, for his brilliant counsel and support in the progression of the council; Chief Judge Matthew McCord, Municipal Court of Stockbridge, for his unceasing efforts to ensure the advancement of the council; Chief Judge Rashida Oliver, Municipal Court of East Point, for her consistent efforts and contributions in progressing the council; Chief Judge Margaret Washburn, Municipal Court of Sugar Hill, for her consistent efforts and contributions in progressing the council; Cynthia H. Clanton, Director, Administrative Office of the Courts, for her leadership & being a pillar of support to the council; and Cheryl Karounos, Governmental Affairs Liaison and Tracy Mason, Sr. Assistant Director, Judicial Council/Administrative Office of the Courts for their outstanding service & support of the council.

**Chief Judge Matthew McCord, President**  
Stockbridge Municipal Court  
62 Macon Street  
McDonough, GA 30253  
(770) 692-0261  
[matt@mmccordlaw.com](mailto:matt@mmccordlaw.com)

**Chief Judge David Will, President-Elect**  
Cities of Alpharetta & Clarkston  
[dwill@royallaw.net](mailto:dwill@royallaw.net)

**Chief Judge Robert Cowan, Vice-President**  
City of Dalton  
[robcowan@cowanlawoffice.com](mailto:robcowan@cowanlawoffice.com)

**Judge Pamela Boles, Secretary**  
City of Cumming  
[pambo98@msn.com](mailto:pambo98@msn.com)

**Judge James Baker, Treasurer**  
City of LaGrange  
[jgbaker@jgbpc.com](mailto:jgbaker@jgbpc.com)

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

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

**District Two**  
Chief Judge Willie Weaver Sr.  
Judge Gregory T. Williams

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

**District Four**  
Judge Denise Vanlanduyt  
Judge Jennifer Mann

**District Five**  
Judge Gary E. Jackson  
Judge Roberta Cooper

**District Six**  
Judge James Dalton II  
Judge Wanda Dallas

**District Seven**  
Judge Robert Cowan  
Chief Judge Luke Mayes IV

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

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

**District Ten**  
Chief Judge Dale "Bubba" Samuels  
Judge Samuel Barth

## COUNCIL OF MUNICIPAL COURT JUDGES

The Council also recognized Representative Rob Leverett (House District 33) and Senator John Kennedy (Senate District 18) for their continued efforts in the General Assembly on the Petition for Review clean-up.

### **Leadership Session**

As a critical component in assuring continuity in leadership and the yearly development of the CMuCJ and the services and representation it provides its membership, representatives from the Council are scheduled to meet August 9-10, in Greensboro, Georgia, for a day and a half session. Held annually following the election of new leadership, the meeting's purpose is for the President to share their vision of the upcoming year with officers and key members and to hold discussions regarding past initiatives and plans for moving forward.

### **Legislation**

For the 2024 session of the General Assembly, the CMuCJ plans to introduce proposed legislation to amend O.C.G.A. §40-6-376(b) regarding Traffic Offenses–Prosecution. The proposed amendment would grant the trial court the authority, sua sponte, to bind certain cases over to the appropriate state tribunal, for trial.

The Council presented the initiative as an informational item at the July 12 meeting of the Judicial Council Standing Committee on Legislation as additional exploration must be done.

### **Continuing Judicial Education**

The Council's Summer Law and Practice Update Seminar was presented June 15- 17, 2023, in Jekyll Island, Georgia. Conducted through the Institute of Continuing Judicial Education (ICJE), the three-day program provided accreditation for those serving as of January 1, 2022 (New Judges), in addition to recertifying judges. The curriculum included sessions such as When Justice Fails; Update on DUI Law; Legislative-Case Law-Evidence Updates; DDS Update and Q&A; Judicial Attitudes and Ethics; HB 916 "The Petition for Review" Overview; Bench Trials: Elements of Common Cases and a Compassion Fatigue Panel in the Wellness track. Additional subject matter tracks will be provided to new judges as well.

The Council is scheduled to hold its Fall Law and Practice Update Seminar October 4-6, at the Georgia Center in Athens, Georgia, conducted through ICJE. The curriculum is a duplicate of the summer conference.

### **Next Meeting**

The next meeting of the Council of Municipal Court Judges Executive Committee is scheduled to take place October 5 in conjunction with the Fall Law & Practice Update.

Respectfully submitted,

*Chief Judge Matthew McCord*  
President, Council of Municipal Court Judges

# TAB 12



# Council of Accountability Court Judges

**Judge Lawton E. Stephens**  
*Executive Committee Chair*  
*Western Judicial Circuit*

**Taylor Jones**  
*Executive Director*

## **Council of Accountability Court Judges Report to Judicial Council August 2023**

In the time since the Council of Accountability Court Judges (CACJ) last reported to the Judicial Council, the CACJ held its annual meeting on June 23, 2023. During the meeting, the CACJ elected its FY24 Executive Committee members, which are listed below.

**Judge Lawton E. Stephens**, Western Judicial Circuit, Superior Courts – **Chair**  
**Judge Brian A. McDaniel**, Southern Judicial Circuit, Superior Courts – **Vice-Chair**  
**Judge Cynthia C. Adams**, Douglas Judicial Circuit, Superior Court  
**Judge Karen E. Beyers**, Gwinnett Judicial Circuit, Superior Court  
**Judge Jeremy Clough**, Enotah Judicial Circuit, Juvenile Courts  
**Judge Maureen C. Gottfried**, Chattahoochee Judicial Circuit, Superior Courts  
**Judge Robert C.I. McBurney**, Atlanta Judicial Circuit, Superior Court  
**Judge Shana Rooks Malone**, Clayton Judicial Circuit, Superior Court  
**Judge B. Chan Caudell**, Mountain Judicial Circuit, Superior Courts  
**Judge Jason B. Thompson**, Fayette County, State Court  
**Judge Charles E. Auslander III**, Athens-Clarke County, State Court– **Immediate Past Chair**

The CACJ's Funding Committee, in conjunction with the Criminal Justice Coordinating Council and several District Court Administrators, met in April to review the FY24 accountability court operating grant applications. The amount of funds requested by the courts totaled \$34,883,733.

The CACJ was able to award the following amounts to the courts:

- Adult Felony Drug Courts - \$14,720,450
- Adult Mental Health Courts - \$6,072,440
- Veterans Treatment Courts - \$2,011,079
- DUI Courts - \$1,908,108
- Family Treatment Courts - \$3,309,422
- Juvenile Drug & Juvenile Mental Health Courts - \$1,068,435
- The CACJ also awarded \$586,575 in transportation funds to support participant treatment session attendance, court appearances, and drug testing obligations.
- Additional accountability court funds will be released to the courts via competitive mid-year grant solicitations.

The CACJ is diligently preparing for the 2023 Accountability Courts Training Conference scheduled in September. The CACJ's Training Committee has worked to bring together national and local speakers to present on a variety of accountability court topics. The CACJ is looking forward to executing another successful training conference in 2023.





# GEORGIA COMMISSION ON DISPUTE RESOLUTION

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**Chair**

Judge M. Cindy Morris

**Executive Director**

Tracy B. Johnson

**Deputy Director**

Karlie A. Sahs

**Commission Members**

Justice John J. Ellington

Presiding Judge Sara L. Doyle

Judge Jane C. Barwick

N. Staten Bitting Jr., Esq.

Hon. Rebecca Crumrine Rieder

Judge Clarence Cuthbert, Jr.

Mary Donovan, Esq.

Herbert H. (Hal) Gray III, Esq.

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

Nicole Woolfork Hull, Esq.

Rep. Rob Leverett, Esq.

Judge Carrie B. Markham

Patrick T. O'Connor, Esq.

Judge Pandora E. Palmer

Edith B. Primm, Esq.

Judge Vic Reynolds

Judge Renata D. Turner

Randall Weiland

Peggy McCoy Wilson

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

**New Commission Appointment**

On April 13, 2023, the Court of Appeals of the State of Georgia entered an order appointing Presiding Judge Sara L. Doyle, Georgia Court of Appeals to the GCDR. Presiding Judge Doyle was sworn in by Justice John J. Ellington on May 3, prior to the start of the quarterly GCDR meeting.

**Probate Mediation**

While some of Georgia's Probate Courts have regularly referring cases to mediation, the use of mediation in probate matters remains relatively low compared to its use in other courts. On May 3, 2023, with support of the Probate Judges' Council, the GCDR approved a new neutral registration category for Probate Mediation to encourage the use of mediation. The creation of this new registration category, the first addition in over twenty (20) years, also generated a need for developing new requirements for qualification and training of mediators for Probate Court cases.

Now that the registration has been approved and the Supreme Court ADR Rules modified, the GCDR is in the process of executing its implementation plan to educate and train all stakeholders, including judges, court and ADR program administrators, attorneys, mediators, and others working with probate-related matters. Mediator training for Probate Mediation will begin in 2024 and will include five (5) live trainings for mediators, co-presented in a train-the-trainer format.

The GCDR would like to recognize and extend appreciation to the Probate Judges' Council for their collaboration in the creation of this new registration category and for their ongoing support.

**ADR Court Program Handbook**

The GCDR Outreach Committee has published an ADR Court Program Handbook, which will serve as a guide for both courts with existing ADR programs and those who wish to create a new ADR Program. The handbook includes existing materials such as the Supreme Court of Georgia ADR Rules, ADR-related legislation, and ADR court program resources as well as two new policies: *Filing Fee Policy* and *Policy on Maintaining Good Standing*. These newly adopted policies are meant to guide court ADR programs in the use of ADR funds and on remaining in compliance with the GCDR. A copy of the Handbook is available here: [ADR Court Program Handbook](#)

**ADR Institute**

The 30<sup>th</sup> Annual ADR Institute is set for Thursday, November 16, 2023, at the State Bar of Georgia. Early Bird Registration opened August 1, and a copy of the agenda and additional information on the event is available at



## GEORGIA COMMISSION ON DISPUTE RESOLUTION

<https://www.adr-institute.com/>. This event is approved for 6 hours of continuing education for neutrals and is expected to be approved by the State Bar of Georgia for 6 hours of CLE credit.

### **2023 Program Directors Conference**

This year's Program Directors' Conference is scheduled for November 15-17 and will be held at the State Bar of Georgia. Program Directors will participate in the first Probate Mediation training, which will act as a workshop for the trainings scheduled for 2024.

### **Recognition of outgoing Commission Member Chief Judge Amanda Mercier**

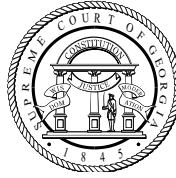
At the May 3 meeting, the Commission recognized long-standing member Chief Judge Amanda Mercier for her 7-year service. Chief Judge Mercier was appointed to the Commission in 2016 and served on the Budget and Personnel Committee. The Commission appreciates Judge Mercier's contributions and commitment to advancing dispute resolution in Georgia.

### **Upcoming Commission Meeting Date**

The next Commission meeting date is November 29, 2023, at the State Bar of Georgia. Meeting information as well as minutes from past meetings are posted on the GODR website at [www.godr.org](http://www.godr.org).

# CHIEF JUSTICE'S COMMISSION ON PROFESSIONALISM

Hon. Michael P. Boggs, 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: August 18, 2023

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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 Michael P. Boggs** serves as the current Chair of the Commission. Other judges who serve on the Commission are as follows: **Judge Elizabeth Gobeil** for the Court of Appeals of Georgia; **Judge Shondeana Crews Morris** (Stone Mountain Judicial Circuit) for the Council of Superior Court Judges; and **Chief Judge T. Russell McClelland III** (State Court of Forsyth County) for the Council of State Court Judges. **Judge Steven D. Grimberg** serves on the Commission for the federal judiciary. **Justice Andrew A. Pinson** is the Supreme Court of Georgia advisor to the Commission. You may find a complete list of Commission members, advisors, and liaisons at the Commission's website at <https://cjcpga.org/commission-members-2023-2024/>. A brief update of some of the Commission's activities as of August 4, 2023, is as follows.

### COMMISSION MEMBERSHIP, ADVISOR, AND LIAISON CHANGES

The Commission thanked the Commission members who retired from the Commission on June 30, 2023, after the completion of their terms of service as follows: **Sarah "Sally" Brown Akins, Ronald "Ron" Edward Daniels, Rebecca Holmes Liles Grist, Maria Mackay, Adwoa Ghartey-Tagoe Seymour, Rita A. Sheffey, and Nicki Noel Vaughan.**

On May 11, 2023, the Supreme Court of Georgia appointed **Judge Elizabeth Gobeil** to the Commission as a designee of the Court of Appeals of Georgia to fill the unexpired term of the late Judge Clyde L. Reese, III. Thereafter, the Supreme Court appointed **Mr. J. Antonio Del Campo** and **Ms. Brittanie D. Browning** to the Commission ex officio as President of the State Bar of Georgia and President of the Young Lawyers Division of the State Bar of Georgia, respectively. In addition, the Commission welcomed several new members whose terms began on July 1, 2023, as follows: **Mr. M. Lamar Barnett; Ms. Anissa D. Floyd; Professor Tonja Jacobi; Ms. Sandy Wisenbaker; and Ms. Lauren Shubow.** The Commission also welcomed back several Commission members for an additional term. Those members are as follows: **Associate Dean Michael Scott Boone; Professor Clark D. Cunningham; Ms. Nekia Hackworth Jones; Hon. T. Russell McClelland III; Mr. Francys**

**Johnson; and Ms. LaToya S. Williams.** For a complete list of Commission members, visit the Commission’s website at <http://cjcpga.org/commission-members-2023-2024/>. The Commission thanks all of its members for their service.

### **LAW SCHOOL ORIENTATIONS ON PROFESSIONALISM**

The Commission staffs the State Bar of Georgia Committee on Professionalism (Committee), currently chaired by **Mr. Michael Herskowitz**. In that role, the Commission funds and supports the Committee’s work on the Law School Orientations on Professionalism. The orientations are designed to introduce concepts of legal professionalism to incoming 1L students, transfer students, and graduate students. Georgia judges and lawyers 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 2023 law school orientation programs was chaired by **Ms. J. Maria Waters and Ms. Kacey Baine**. The members of the law school orientation on professionalism sub-committee, which planned the orientations included several lawyers and law students, and one judge. The sub-committee members were as follows: **Associate Dean Kent Barnett, Assistant Director Leron Burge, Prof. Nathan S. Chapman, Andrew Ligon Fant, Prof. Derrick Howard, Hon. Shukura L. Ingram, Ashley S. Lewis, Associate Dean Tameka Lester, Prof. Patrick Longan, Travis Lynes, C. Brad Marsh, Kevin C. Patrick.**

The dates for the 2023 Law School Orientations on Professionalism were as follows:

<b>Law School</b>	<b>Orientation Date</b>	<b>Speaker or Oath Administration</b>
• Atlanta’s John Marshall Law School	August 5, 2023	Hon. Eric Richardson
• Georgia State University School of Law	August 8, 2023	Hon. Michael P. Boggs
• Emory University School of Law	August 10, 2023	Hon. Glenda Hatchett (Retired)
• Mercer University School of Law	August 11, 2023	Hon. Connie Williford
• University of Georgia School of Law	August 11, 2023	Mr. Naveen Ramachandrappa, Esq.

The Commission thanks Georgia’s judges for their continued support of the professionalism orientations, which celebrated 31 years in 2023! Please visit <http://cjcpga.org/law-school-orientations-on-professionalism-2023/> for more information about the 2023 Law School Orientations on Professionalism.

### **ABA JUDGES’ JOURNAL ARTICLE**

Recently, the American Bar Association Judges’ Journal published an article written by the Commission’s Executive Director for its Spring 2023 issue. The article, entitled *Judges and the Georgia Professionalism Movement: The Impact of Service and Leadership*, describes the history of Georgia’s justices and judges in the professionalism movement, and how the legacy of the earliest judicial leaders in the movement still impact Georgia’s modern legal community. A copy of the article is attached as “Exhibit A.” The Commission’s Executive Director thanks **Judge Christopher McFadden** for alerting to the Commission to the opportunity to submit the article.

### **PROFESSIONALISM PAGE ARTICLES**

The Commission communicates with lawyers and judges through the Professionalism Page that appears in each issue of the Georgia Bar Journal, which is published six times per year. The April 2023 Georgia Bar Journal Professionalism Page entitled *Signature Professionalism CLE* is attached as “Exhibit B.” The June 2023 Georgia Bar Journal Professionalism Page entitled *23<sup>rd</sup> Annual Justice Robert Benham Awards for Community Service* is attached as “Exhibit C.”

### **COMMISSION ASSISTANCE WITH BAR ASSOCIATION AND SECTION PROFESSIONALISM CLE PROGRAMS**

The Commission’s Executive Director is available to assist State Bar of Georgia sections, local and voluntary Bar associations, and other law-related organizations with their professionalism CLE programming. Please contact the Commission’s Executive Director if you would like assistance in planning a professionalism CLE program or if you would like to have the Commission’s Executive Director to make a professionalism presentation to your organization. Please contact the Commission’s Executive Director, Karlise Y. Grier, via e-mail at [kygrier@cjcpga.org](mailto:kygrier@cjcpga.org) for information or assistance.

### **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!

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

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

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



## ABA Commission Report

After a series of meetings of key figures in Georgia's legal community in 1988, in February 1989, the Supreme Court of Georgia created the Chief Justice's Commission on Professionalism (CJCPGA), the first entity of this kind in the world created by a high court to address legal professionalism. The framework for CJCPGA appears to draw on the work of the American Bar Association's (ABA) 1986 report entitled *In the Spirit of Public Service: A Blueprint for the Rekindling of Lawyer Professionalism* (ABA Report).<sup>1</sup> The ABA Report noted:

the citizens of this country should expect no less than the highest degree of professionalism when they have entrusted administration of the rule of law—one of the fundamental tenets upon which our society is based—to the legal profession.<sup>2</sup>

## Georgia 1988 Consultation on Professionalism

In March 1988, then Chief Justice of the Supreme Court of Georgia Thomas O. Marshall Jr. convened Georgia lawyers and presided over a Consultation on Professionalism and the Practice of Law. At the Consultation, Chief Justice Marshall invited Georgia judges and lawyers to discuss the lawyer's relationship with courts, the lawyer's relationship with fellow lawyers, and the lawyer's relationship with clients.<sup>3</sup> At the end of the discussions, Judge Griffin Bell served as the closing keynote speaker.<sup>4</sup> Judge Bell touched on several professionalism topics during his closing remarks, including that of civility, and shared, "We must take care to see that civility is not lost in our practice of law."<sup>5</sup>

## Establishment of the Chief Justice's Commission on Professionalism and Defining Professionalism

Less than one year after the March 1988 Consultation, the Supreme Court of Georgia entered an order to establish CJCPGA, which was chaired by the chief justice of

JUDGES AND THE GEORGIA  
PROFESSIONALISM MOVEMENT

# The Impact of Service and Leadership

By Karlise Y. Grier



the Supreme Court of Georgia.<sup>6</sup> The court set forth CJCPGA's primary charge, which was (and is) "to enhance professionalism among Georgia's lawyers."<sup>7</sup> The order further stated, "In carrying out its charge, the Commission [CJCPGA] shall provide ongoing attention and assistance to the task of ensuring that the practice of law remains a high calling, enlisted in the service of client and public good."<sup>8</sup>

Shortly after establishing CJCPGA, Harold G. Clarke, then presiding justice of the Supreme Court of Georgia, wrote an article entitled "Professionalism: Repaying the Debt" to explain the definition of professionalism and the reason why professionalism is important.<sup>9</sup> First, in defining professionalism, Justice Clarke distinguished ethics from professionalism by opining that "ethics is a minimum standard which is *required* of all lawyers while professionalism is a higher standard *expected* of all lawyers."<sup>10</sup> The distinction noted by Justice Clarke between ethics and professionalism serves as one of the reasons for Georgia's current requirement that lawyers undertake separate continuing legal education hours in ethics and professionalism each year.<sup>11</sup> The CJCPGA continues to use Justice Clarke's definition today when teaching and training lawyers about professionalism.

### A Lawyer's Creed and the Aspirational Statement on Professionalism

In addition to defining professionalism for Georgia lawyers, the Supreme Court of Georgia also asked CJCPGA to develop a professionalism creed and aspirational ideals for Georgia lawyers. The result was A *Lawyer's Creed* and the *Aspirational Statement on Professionalism*. In introducing the aspirational ideals, the court explicitly stated, "Our purpose is not to regulate, and certainly not to provide a basis for discipline, but rather to assist the Bar's efforts to maintain a professionalism that can stand against the negative trends of commercialization and loss of community."<sup>12</sup> A *Lawyer's Creed* lists lawyers' professional obligations to six constituencies and reminds lawyers that their obligations do not rest only with

their clients. The *Lawyer's Creed* is supplemented by an *Aspirational Statement on Professionalism* provided by the Supreme Court of Georgia. The *Aspirational Statement* is followed by a series of general and aspirational ideals that explain the tenets of professionalism in Georgia.

### Judge Hugh Lawson and a Federal Consent Order

One of the more unusual ways in which a judge influenced the professionalism movement in Georgia was through the entry of a consent order. On December 31, 1999, Judge Hugh Lawson of the U.S. District Court for the Middle District of Georgia signed a Consent Order and Final Judgment that settled an action seeking sanctions against E.I. Du Pont de Nemours & Company for alleged litigation misconduct in earlier product liability cases. Judge Lawson, a former member of CJCPGA, ordered that the money paid by DuPont be used to endow chairs at each of Georgia's four accredited law schools.<sup>13</sup> According to the Consent Order, the monies were to be devoted "to fostering and teaching professionalism and ethics in the practice of law."<sup>14</sup> Judge Lawson also ordered DuPont to pay \$1 million to endow an annual ethics symposium that each of the four law schools would host on a revolving basis. The impact of Judge Lawson's Consent Order continues to the present. For example, the University of Georgia School of Law held the 22nd Annual Georgia Symposium on Professionalism and Ethics entitled *Lawyering for the President: Testing the Limits of Ethics and Professionalism* on February 25, 2022.<sup>15</sup> In addition, as Professor Roy M. Sobelson predicted in a 1999 *Mercer Law Review* article, scholarship related to professionalism continues in Georgia, in part, thanks to the endowed chairs established by Judge Lawson's Consent Order.<sup>16</sup> Patrick E. Longan, the William Augustus Bootle Chair in Ethics and Professionalism in the Practice of Law, director of the Mercer Center for Legal Ethics and Professionalism, co-authored an article in 2021 entitled "A Virtue Ethics Approach to Professional Identity: Lessons for the First Year and Beyond."<sup>17</sup> In 2019, Professor Longan

published a book that he co-authored on professional identity formation.<sup>18</sup>

### Georgia Judges and the Current Georgia Professionalism Movement

Judges continue to promote professionalism in Georgia in myriad ways. One of the most prominent examples of the role of professionalism in Georgia culture was found during the COVID-19 pandemic. In Georgia, then Chief Justice Harold D. Melton issued a series of 16 orders declaring a statewide judicial emergency beginning on March 14, 2020.<sup>19</sup> In May 2020, when it became apparent that the COVID-19 pandemic would impact court proceedings for longer than anyone had first anticipated, Justice Melton, in his statewide judicial emergency orders, began including language reminding lawyers about professionalism.<sup>20</sup> The initial professionalism paragraph stated, "With regard to all matters in this challenging time, all lawyers are reminded of their obligations of professionalism."<sup>21</sup> From May 2020 until Justice Melton's issuance of the final statewide judicial emergency order in June 2021, he continued to remind Georgia lawyers about professionalism.<sup>22</sup> During the pandemic, CJCPGA also worked to encourage lawyers and judges to exhibit the highest levels of professionalism through a series of virtual continuing legal education (CLE) programs.<sup>23</sup> Judges, such as CJCPGA members,



**Karlise Y. Grier** has served as the executive director for Georgia's Chief Justice's Commission on Professionalism since September 2017. She

graduated from the Emory University School of Law and became a member of the State Bar of Georgia in 1992, concentrating in the area of family law prior to assuming her current position. She may be reached at [kygrier@cjcpga.org](mailto:kygrier@cjcpga.org).



## Beyond writing and publishing, many judges in their day-to-day work keep professionalism at the forefront for lawyers and litigants.

Judge T. Russell McCelland III, and the late Judge Clyde Reese, gave generously of their time to discuss professionalism issues.<sup>24</sup> In one of the last CLEs that CJCPGA offered regarding the pandemic, “Professionalism After the Statewide Judicial Emergency Order,” judges from each class of court discussed innovations their courts had implemented during the pandemic and which changes the courts anticipated continuing post-pandemic.<sup>25</sup> In addition, lawyers from various practice areas who often work on opposing sides of a case discussed ways in which lawyers had worked together throughout the pandemic to seek the common good through the representation of their clients.<sup>26</sup> The judges and lawyers also offered suggestions for a path forward as lawyers and judges continued to work together to reduce the backlog of jury trials that amassed as a result of the COVID-19 pandemic.<sup>27</sup>

Judges have also supported professionalism in Georgia in other ways. For example, members of the legal academy have not been the only individuals to write about professionalism. In 2021, retired federal judge William S. Duffey Jr. published a book entitled *The Significant Lawyer: The Pursuit of Purpose and Professionalism*.<sup>28</sup> In his book, Judge Duffey discusses the commitment and resolve it takes for a lawyer to live by the oaths—regarding civility, commitment to justice, fair play, and respect for the courts—taken when

admitted to practice. Beyond writing and publishing, many judges in their day-to-day work keep professionalism at the forefront for lawyers and litigants. One CJCPGA member, for example, discussed professionalism in her courtroom in an article entitled “Questions for the Bench: Judge Shondeana Crews Morris of DeKalb County Superior Court.”<sup>29</sup> In the article, Morris explained:

Prominently displayed on my bench is an engraved nameplate presented to me by the Georgia Chapter of American Board of Trial Advocates that reads, “Professionalism and Civility—Nothing Less Will Be Tolerated.” Some lawyers have a habit of making rude, sarcastic, condescending comments or interrupting inappropriately. When this occurs, I remind them of the quote, and their attitude changes. . . .<sup>30</sup>

For over 30 years, judges have also volunteered for one of the Commission’s signature programs, the Law School Orientations on Professionalism. The orientations, which began in 1992, introduce concepts of legal professionalism to incoming 1L students at each of Georgia’s five law schools. Georgia judges and lawyers serve as “group leaders” at breakout sessions to help students learn the meaning of professionalism and why it is important for them as law

students.<sup>31</sup> Judges from all classes of courts have served as group leaders, including past CJCPGA chair and retired Chief Justice David E. Nahmias.<sup>32</sup> This year, Judge Steven Grimberg, the CJCPGA member who represents the federal judiciary, also served as a group leader.

A second signature program that the Commission holds annually is the Justice Robert Benham Awards for Community Service. Since 1998, these prominent statewide awards, which are named after Georgia’s first African American supreme court justice, have honored Georgia lawyers and judges who have made significant contributions to their communities beyond their legal practice or official obligations. In 2019, Justice Benham recalled that CJCPGA established the Justice Robert Benham Awards for Community Service because “we wanted the community to see lawyers as servants of the community.”<sup>33</sup>

### To Improve the Law and the Legal Community

An aspect of professionalism that is not discussed as often as civility is the civic responsibilities of lawyers. Civics, nevertheless, has been an aspect of professionalism since the American Bar Association’s Report.<sup>34</sup> In Georgia, *A Lawyer’s Creed* encourages lawyers to “strive to improve the law and our legal system, to make the law and our legal system available to all, and to seek the common good through



the representation of my clients.”<sup>35</sup> While judges cannot practice law or represent clients, judges may still strive to improve the law and our legal system and seek the common good through their extra-judicial service.<sup>36</sup> A perfect example of how a judge may live out this aspirational ideal is CJCPGA’s current chair and the chief justice of the Supreme Court of Georgia, Michael P. Boggs. Chief Justice Boggs’s voluntary extra-judicial service spans nearly two decades, both locally and nationally. His service encompasses a wide variety of areas, including accountability courts, criminal justice reform, behavioral health reform, veterans’ justice, and sentencing. Boggs also serves as a member of Georgia’s Judicial Nominating Committee. In addition, Boggs serves as a member of the Mercer University Board of Trustees, the Mercer University School of Law Board of Visitors, and the Board of Directors of the Bobby Dodd Coach of the Year Foundation.<sup>37</sup> Boggs’s service thus exemplifies several of the aspirational ideals of Georgia’s professionalism movement and is a product, in part, of the Georgia professionalism culture that has been nurtured by Georgia’s judges.<sup>38</sup>

## Conclusion

I close with the words of Chief Justice Marshall’s concluding remarks from Georgia’s 1988 Consultation, which are still relevant today. He observed:

It seems to me that . . . we all recognize that in the past, there seemed to have been a precept and an example set for us when, years ago, we learned the law. As a result, I think that at a very minimum, we ourselves now have a duty to set an example that makes all of the members of our profession, both old and new, aware once more of the concept of professionalism and its importance.<sup>39</sup> ■

## Endnotes

1. ABA COMM’N ON PROFESSIONALISM, “ . . . IN THE SPIRIT OF PUBLIC SERVICE:” A BLUEPRINT FOR THE REKINDLING OF LAWYER PROFESSIONALISM (1986), <https://www.americanbar.org/>

content/dam/aba/administrative/professional\_responsibility/professionalism\_migrated/Stanley\_Commission\_Report.pdf [hereinafter IN THE SPIRIT OF PUBLIC SERVICE].

2. *Id.* at vii.

3. See CHIEF JUST.’S COMM’N ON PROFESSIONALISM, HISTORICAL DOCUMENTS, PROCEEDINGS OF A CONSULTATION ON PROFESSIONALISM AND THE PRACTICE OF LAW 1 (Mar. 31, 1988) [hereinafter PROCEEDINGS OF A CONSULTATION ON PROFESSIONALISM]. Justice Thomas O. Marshall Jr. served as the Chief Justice of the Supreme Court of Georgia from 1986 until his retirement in 1989. See *Thomas Marshall Obituary*, ATLANTA J.-CONST., OBITUARIES (June 13, 2003), <https://www.legacy.com/us/obituaries/atlanta/name/thomas-marshall-obituary?pid=1085148>.

4. See PROCEEDINGS OF A CONSULTATION ON PROFESSIONALISM, *supra* note 3, at 38–47. Griffin B. Bell, who was almost always addressed as Judge Bell long after his 15 years of service on the federal bench, embodied more than a few of the clichés of Southern gentlemen of the law. See Patrick J. Lyons, *Griffin Bell, Ex-Attorney General, Dies at 90*, N.Y. TIMES (Jan. 5, 2009), <https://www.nytimes.com/2009/01/06/washington/06bell.html>.

5. See PROCEEDINGS OF A CONSULTATION ON PROFESSIONALISM, *supra* note 3, at 42–43.

6. See Chief Just.’s Comm’n on Professionalism, Historical Documents, *Order* (Feb. 1, 1989), [http://cjcpga.org/wp-content/uploads/2023/01/1989-Commission-Order-February-Establishing-CJCP-20180129\\_11231513-copy.pdf](http://cjcpga.org/wp-content/uploads/2023/01/1989-Commission-Order-February-Establishing-CJCP-20180129_11231513-copy.pdf).

7. *Id.*

8. *Id.*

9. See Harold G. Clarke, *Professionalism: Repaying the Debt*, 25 GA. ST. B. J., May 1989, at 170, <http://cjcpga.org/wp-content/uploads/2022/02/25-GSBJ-170-1989-Professionalism-Repaying-the-Debt.-Harold-Clarke-ethics-minimum.pdf>. Justice Clarke succeeded Justice Marshall as chief justice of the Supreme Court of Georgia in 1992. He briefly stepped down as chief justice in 1992 to allow his friend, Justice Charles L. Weltner, who was battling cancer, to serve as chief justice for the last few months of his life. Clarke resumed the position of chief justice in 1992. Justice Clarke stepped down from the court two years later and returned to private practice. See *Harold G. Clarke Papers*, UNIV. OF GA., UNIV. LIBRARIES, <https://sclfind.libs.uga.edu/sclfind/view?docId=ead/RBRL093HGC.xml;query=&brand=default> (last visited Jan. 8, 2023).

10. See *Professionalism: Repaying the Debt*, *supra* note 9, at 173.

11. See RULES & REGS. OF STATE BAR OF GA., STATE BAR OF GEORGIA HANDBOOK, IT. 801-4(B) (2), 801-4(B)(3), regul. 4 to r. 801-4(B), <https://www.gabar.org/handbook/index.cfm#handbook/rule227> (last visited Jan. 8, 2023).

12. See Chief Just.’s Comm’n on Professionalism, *Lawyer’s Creed*, II. 39–41 (A *Lawyer’s Creed* and the *Aspirational Statement on Professionalism*), <http://cjcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf> (last visited Jan. 8, 2023).

13. See *In re E.I. DuPont de Nemours & Co.—Benlate Litigation*, No. 4:95-CV-36(HL) (M.D. Ga. Dec. 31, 1998) (unpublished Consent Order & Final Judgment). See also Roy M. Sobelson, *Legal Ethics*, 51 MERCER L. REV. 353 (1999), [https://digitalcommons.law.mercer.edu/jour\\_mlr/vol51/iss1/16](https://digitalcommons.law.mercer.edu/jour_mlr/vol51/iss1/16).

14. *In re E.I. DuPont de Nemours & Co.*, No. 4:95-CV-36(HL), at 4.

15. See Univ. of Ga. School of Law, *Lawyering for the President: Testing the Limits of Ethics and Professionalism*, 22nd Annual Symp. on Legal Ethics & Professionalism (Virtual) (Feb. 25, 2022), <https://www.law.uga.edu/ethics-symposium>.

16. See Sobelson, *supra* note 13, at 371.

17. Patrick Emery Longan, Daisy Hurst Floyd & Timothy W. Floyd, *A Virtue Ethics Approach to Professional Identity: Lessons for the First Year and Beyond*, 89 UMKC L. REV. 645 (2021), [https://digitalcommons.law.mercer.edu/cgi/viewcontent.cgi?article=1077&context=fac\\_pubs](https://digitalcommons.law.mercer.edu/cgi/viewcontent.cgi?article=1077&context=fac_pubs).

18. See PATRICK EMERY LONGAN, DAISY HURST FLOYD & TIMOTHY W. FLOYD, *THE FORMATION OF PROFESSIONAL IDENTITY* (2019), <https://guides.law.mercer.edu/c.php?g=998606&p=7228894>.

19. See generally *Court Information Regarding the Coronavirus*, SUP. CT. OF GA., [https://www.gasupreme.us/court-information/court\\_corona\\_info](https://www.gasupreme.us/court-information/court_corona_info) (last visited Jan. 8, 2023). Harold D. Melton served as chief justice from August 31, 2018, until his retirement on July 1, 2021. See Press Release, Sup. Ct. of Ga., Chief Justice Melton to Leave Supreme Court (Feb. 12, 2021), <https://www.gasupreme.us/chief-justice-melton-announcement>. Melton’s predecessor, the late former Chief Justice P. Harris Hines, served as Melton’s mentor for almost 30 years, once again demonstrating Georgia’s rich history of professionalism, which includes an ideal that lawyers will strive to make their association’s

professional friendships. See *Lawyer's Creed*, *supra* note 12, at ll. 14–15. See also Kathryn Hayes Tucker, “No drama. Just integrity”: Justice Harold Melton Takes on Chief Role, *DAILY REP.* (Sept. 4, 2018), <https://www.law.com/dailyreportonline/2018/09/04/just-when-you-think-i-dont-get-it-i-am-on-the-brink-of-enlightenment-melton-takes-on-chief-role> (last visited Jan. 8, 2023).

20. See Sup. Ct. of Ga., *Second Order Extending Declaration of Statewide Judicial Emergency* ¶ 8, at 6 (May 11, 2020), [https://www.gasupreme.us/wp-content/uploads/2020/05/Second-Order-Extending-Declaration-of-Statewide-Judicial-Emergency\\_as-issued.pdf](https://www.gasupreme.us/wp-content/uploads/2020/05/Second-Order-Extending-Declaration-of-Statewide-Judicial-Emergency_as-issued.pdf).

21. *Id.*

22. See Sup. Ct. of Ga., *Fifteenth Order Extending Declaration of Statewide Judicial Emergency* ¶ VI, at 9 (June 7, 2021), [https://www.gasupreme.us/wp-content/uploads/2021/06/15th-SJEO\\_as-issued.pdf](https://www.gasupreme.us/wp-content/uploads/2021/06/15th-SJEO_as-issued.pdf) (“With regard to all matters in this challenging time, all lawyers are reminded of their obligations of professionalism, including the obligation to engage in discovery in good faith and in a safe manner.”). See generally *Court Information Regarding the Coronavirus*, *supra* note 19.

23. On March 14, 2020, then Chief Justice Harold D. Melton entered the first of 16 orders declaring a statewide judicial emergency as a result of the COVID-19 pandemic. Less than four weeks later, on April 6, 2020, with the support of Justice Melton, the Chief Justice’s Commission on Professionalism held its first Zoom webinar continuing legal education (CLE) course to highlight professionalism in the midst of the statewide judicial emergency. From July 1, 2020, through June 30, 2021, the Commission sponsored six online CLE Zoom webinar courses to educate lawyers and judges about various aspects of professionalism as the statewide judicial emergency continued. During the period of July 1, 2020, through June 30, 2021, the Commission reported CLE attendance of 7,804 individuals for its Zoom CLE webinars.

24. Judge T. Russell McClelland III is the chief judge of the State Court of Forsyth County. He has served as a judge of the State Court since December 2003 and as chief judge since January 2013. During the pandemic, Judge McClelland

also served as a member of the Georgia Judicial Council COVID-19 Task Force, including service as co-chair of the Task Force. The late Judge Clyde Reese, who passed unexpectedly on December 17, 2022, was a judge of the Court of Appeals of Georgia from December 1, 2016, until his death. He was an active member of CJCPGA beginning in February 2020 and assisted with many Commission CLE programs, including the creation of a groundbreaking CLE on Suicide Awareness and Prevention.

25. See *Professionalism After the Statewide Judicial Emergency Order*, CHIEF JUST.’S COMM’N ON PROFESSIONALISM, <http://cjcpga.org/092821-cjcp-cle> (last visited Jan. 8, 2023); JUDGES PANEL, WRITTEN MATERIAL FOR PROFESSIONALISM AFTER THE STATEWIDE JUDICIAL EMERGENCY, <http://cjcpga.org/wp-content/uploads/2021/09/Judges-09-28-21-Written-Materials-for-Upload-to-Web.pdf> (last visited Jan. 8, 2023).

26. See *Professionalism After the Statewide Judicial Emergency Order*, *supra* note 25; JUDGES PANEL, WRITTEN MATERIAL, *supra* note 25.

27. See *Professionalism After the Statewide Judicial Emergency Order*, *supra* note 25.

28. WILLIAM S. DUFFEY JR., THE SIGNIFICANT LAWYER: THE PURSUIT OF PURPOSE AND PROFESSIONALISM (2021), <https://www.mupress.org/The-Significant-Lawyer-The-Pursuit-of-Purpose-and-Professionalism-P1171.aspx>.

29. See Jonathan Ringel, *Questions for the Bench: Judge Shondeana Crews Morris of DeKalb County Superior Court*, *DAILY REPORT*, Q&A (Dec. 31, 2021), <https://www.law.com/dailyreportonline/2019/12/31/questions-for-the-bench-judge-shondeana-crews-morris-of-dekalb-county-superior-court>.

30. *Id.*

31. See Karlise Y. Grier, *Thirty Years of the Award-Winning Law School Orientations on Professionalism*, 28 GA. B.J., Oct. 2022, at 62, <http://cjcpga.org/wp-content/uploads/2022/12/10-October-2022-GBJ-Cover-and-Article-30-Years-Orientations.pdf>. Compare IN THE SPIRIT OF PUBLIC SERVICE, *supra* note 1, at 35 (“We begin our recommendations with law schools, not because they represent the profession’s greatest problems but because they constitute our greatest opportunities. We believe that law students should

be viewed as members of the legal profession from the time they enter law school.”).

32. See Karlise Y. Grier, *Building Community by Enhancing Professionalism*, 25 GA. B.J., Oct. 2019, at 64, <http://cjcpga.org/wp-content/uploads/2019/10/10-October-2019-Cover-Page-and-Article.pdf> (a look at the law school orientations on professionalism). See also Karlise Y. Grier, *2021 Law School Orientations on Professionalism*, 27 GA. B.J., Oct. 2021, at 70, <http://cjcpga.org/wp-content/uploads/2021/11/10-October-2021-Bar-Journal-Cover-and-Article.pdf> (“Although Chief Justice David E. Nahmias’s schedule did not permit him to serve as a 2021 group leader, in a letter to the students he shared: ‘Over the years, I have enjoyed serving as a group leader at several Professionalism Orientations. I truly believe that judges and lawyers need to emphasize the importance of professionalism to law students from the very start of your legal careers to help you avoid disciplinary issues, but even more to teach that you are part of a professional community.’”).

33. See Karlise Y. Grier, *21st Annual Justice Robert Benham Awards for Community Service*, 25 GA. B.J., June 2020, at 68, <http://cjcpga.org/wp-content/uploads/2023/01/June-2020-Bar-Journal-Benham-Awards-CSA21-Cover-and-Article.pdf>.

34. IN THE SPIRIT OF PUBLIC SERVICE, *supra* note 1, at 48.

35. *Lawyer's Creed*, *supra* note 12, at ll. 19–23.

36. See, e.g., *What Judges May Do to Improve the Law and the Legal System: What Lawyers Need to Know About Judicial Professionalism*, CHIEF JUST.’S COMM’N ON PROFESSIONALISM (Oct. 23, 2020), <http://cjcpga.org/102320-cjcp-cle>.

37. See Chief Justice Michael P. Boggs, SUP. CT. OF GA., <https://www.gasupreme.us/court-information/biographies/justice-michael-p-boggs> (last visited Jan. 8, 2023).

38. See, e.g., *Mercer Law School Alumni Awards: Justice Michael P. Boggs, '90*, MERCER LAW SCHOOL YOUTUBE CHANNEL (Mar. 5, 2020), [https://youtu.be/nj\\_bhrST\\_\\_k](https://youtu.be/nj_bhrST__k) (Boggs says, “giving back to Mercer was important to me because people that I respected, like Justice Hugh Thompson among others, were giving back”).

39. See PROCEEDINGS OF A CONSULTATION ON PROFESSIONALISM, *supra* note 3, at 48.

## Signature Professionalism CLE

The Chief Justice's Commission on Professionalism sponsored a Signature Professionalism CLE on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.

BY KARLISE Y. GRIER

**Sarah B. "Sally" Akins, in her first** *Georgia Bar Journal* article as Bar president, wrote: "I am committed to focusing on the core values of our profession and our ongoing mission to serve the public and the justice system. This includes a renewed commitment to professionalism among the members of the State Bar of Georgia."<sup>1</sup> As part of that commitment, Akins envisioned an in-person continuing legal education program that would revisit the history of the professionalism movement in Georgia and discuss the relevance of professionalism in today's legal practice.

In partnership with the Chief Justice's Commission on Professionalism, Akins and the Commission held a hybrid Signature Professionalism CLE program on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.<sup>2</sup> The program was attended in person by 139 lawyers and virtually by 249 lawyers.

Chief Justice Michael P. Boggs opened the program with remarks on professionalism. He reminded the audience that with our privilege to practice law comes great responsibility. "It is my hope," he said, "that professionalism will be the cornerstone of your lives and your careers and that you will indeed hold up the highest levels of professionalism in

your practices." Akins also made opening remarks. She said one of the goals of the program was to thank the people who helped start the professionalism movement in Georgia and then to look ahead to see what professionalism looks like as we move forward.

### Remembering the 1988 Convocation on Professionalism

#### Moderator

- Justice Andrew A. Pinson, Supreme Court of Georgia

#### Panelists

- Ronald Edward "Ron" Daniels, managing attorney, Daniels Taylor Law; YLD president
- Associate Dean A. James Elliott, Emory University School of Law
- Lester B. Johnson III, managing attorney, Lester B. Johnson, III, P.C.
- Hon. Connie L. Williford, Macon Judicial Circuit Superior Court

The CLE program began with a panel that discussed a Convocation on Professionalism and the Practice of Law that was held

on March 31, 1988, at Emory University.<sup>3</sup> Former State Bar President and former Commission member Associate Dean A. James Elliott opened the panel, which was moderated by Commission Advisor Justice Andrew A. Pinson. Elliott recalled receiving a call inviting him to a meeting with Emory President James T. Laney, Justice Thomas Marshall (who was chief justice of the Supreme Court of Georgia at the time), Justice Harold Clarke and Justice Charles Weltner. These three justices, along with Laney, had decided to hold a convocation that would gather lawyers from around the state of Georgia to discuss professionalism and asked Elliott to assist. Elliott, of course, agreed to help and noted that Justice Weltner and Dr. Michael L. Goldberg had provided much of the thought leadership in organizing the 1988 Convocation. During the 1988 Convocation, Chief Justice Marshall asked attorneys to address three main topics, and the panel recalled the remarks of the 1988 speakers.

Hon. Connie L. Williford, Macon Judicial Circuit Superior Court, discussed comments made by former State Bar President (1974-75) and Macon attorney Cubbedge Snow Jr. Williford shared Snow's thoughts on lawyers' relationships to the courts, and the responsibilities of



(Left to right) Chief Justice Michael P. Boggs, Supreme Court of Georgia, and Sarah B. “Sally” Akins opened the Signature Professionalism CLE on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.

PHOTO BY ASHLEY G. STOLLAR



lawyers and judges to ensure that the litigation process was both efficient and fair. Snow, she observed, spoke at length about the role of judges in ensuring that the litigation process was free from abuse. In addition, Williford said Snow told lawyers, “From the beginning of a lawyer’s career, let him [or her] above all things cultivate truth, simplicity and candor. They are the cardinal virtues of a lawyer.” She also noted Snow’s comment that the effort for professionalism requires constant striving.

Savannah attorney Lester B. Johnson III recalled the remarks of Hon. G. Conley Ingram, retired Cobb County Superior Court judge and former justice of the Supreme Court of Georgia. At the 1988 Convocation, Ingram discussed the lawyers’ relationship to clients. Ingram emphasized that the traditional attorney client relationship was based on the integrity, advice and counsel that a lawyer provided to the client—or as Ingram phrased it, pure professionalism versus consumer commercialism. Johnson said Ingram’s belief was that when an attorney took an oath, he should feel that he had been entrusted with the legal profession. Johnson also discussed Felker Ward’s comments regarding the dearth of diversity in the legal profession. Ward believed, said Johnson, that lawyers had a responsibility

to enhance society given a lawyer’s membership in a special profession at the pinnacle of society. Ward said that as part of professionalism, lawyers should become more influential in deciding the direction of society by active participation in causes like the Civil Rights Movement.

Finally, YLD President Ron Daniels recalled remarks made by former State Bar President and Rome attorney Robert “Bob” Brinson regarding lawyers’ relationships with other lawyers. Daniels said the overarching theme of Brinson’s remarks was participation and what lawyers should be doing both individually and as a group for the profession. He said lawyers needed to get involved with bar associations and professional associations. Daniels noted that Brinson said the profession belongs to each lawyer, and thus each lawyer had a burden to self-regulate the profession by leading by example and participating in professional organizations to ensure that all lawyers learned the values of the profession. Brinson also shared an eight-point pledge that included, in part: 1) My word is my bond; 2) Opposing counsel is entitled to an initial presumption of being a good person; and 3) I will be courteous, remembering that courtesy is not a weakness.

In addition to these topics, the panel discussed other issues raised by attorneys during the 1988 Convocation, including Susan Cahoon’s observations on discovery problems, and mentoring of young attorneys as highlighted by several attorneys. Elliott recalled that one thing that became clear as a result of the 1988 Convocation was that those gathered at the event wanted professionalism in Georgia institutionalized in a formal manner. Elliott also recognized the Commission’s first Executive Director Hullett H. “Bucky” Askew, who attended the CLE program.

## Honesty and the First Convocation on Professionalism

### Moderator

- Hon. T. Russell McClelland III, State Court of Forsyth County

### Panelists

- Alyssa Baskam, principal, Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.
- Hon. William S. Duffey Jr., U.S. district judge (retired), U.S. District Court for the Northern District of Georgia



PHOTO BY ASHLEY G. STOLLAR

(Left to right) Lester B. Johnson III, managing attorney, Lester B. Johnson, III, P.C.; A. James Elliott, associate dean, Emory University School of Law; Ron Daniels, managing attorney, Daniels Taylor Law LLC, and YLD president; Chief Justice Michael P. Boggs, Supreme Court of Georgia.



PHOTO BY ASHLEY G. STOLLAR

(Left to right) Karlise Y. Grier, executive director, Chief Justice's Commission on Professionalism; Rebecca Grist, chair, Chief Justice's Commission on Professionalism CLE Planning Committee; and Sarah B. "Sally" Akins, president, State Bar of Georgia.

- Sara Hamilton, associate general counsel, United Parcel Services, Inc.
- Hon. Harold D. Melton, partner, Troutman Pepper Hamilton Sanders LLP

The second panel, moderated by Commission member Hon. T. Russell McClelland III, focused on the Inaugural Georgia Convocation on Professionalism that was convened in Macon, Georgia, on Oct. 14, 1988.<sup>4</sup> The topic of the Convocation was "The Practice of Law—Is There Anything More to It Than Making Money?"

Hon. William S. Duffey Jr. opened the panel by sharing memories of one of his mentors, Hon. Griffin Bell. Duffey said that Bell believed that if you had strong values and character, then good conduct, civility, charity, goodwill, wise counsel to clients and contributions to our community would be a natural byproduct of that kind of professionalism. Duffey observed: "Professional values are different from the values of the marketplace. They are more service-oriented, more self-sacrificing and more noble." Then he emphasized, "And they have to be taught."

Duffey also discussed Bell's closing remarks at the 1988 Convocation regarding honesty and the attorney oath of admission. As a result of Bell's closing remarks at the 1988 Convocation, the Supreme Court of Georgia adopted a new oath of admission for attorneys that incorporated the word "honesty" into the oath, and that was first administered to the attorneys who attend the Inaugural Georgia Convocation on Professionalism in October 1988. Duffey said we need to teach attorneys that we as a legal profession expect each attorney to abide by the promises they make in the oath.

Alyssa Baskam followed Duffey—no pressure there, she claimed—and said what matters with respect to the professionalism aspirations is how we practice law each day. "When other people see us practice with honesty and professional-

ism,” she said, “it can remind others of their obligations as lawyers.”

The panel also discussed some of the circumstances that challenge lawyers to hold true to the oath’s promise of honesty. Sara Hamilton shared research from the *Harvard Business Review* that provided reasons why people said that they sometimes lied. She explained she hoped that understanding some of the reasons people lied would help attorneys examine their actions and help the legal profession get to a point of being more honest; when we as attorneys fall short of the oath, to act honestly.

Finally, the panel considered the relevance of professionalism in the present. Former Chief Justice Harold Melton shared why he included a professionalism paragraph in all but the first Statewide Judicial Emergency Order during the COVID-19 pandemic. Melton said the Supreme Court could not enter an order to cover every scenario, so the professionalism paragraph encouraged attorneys and judges to work things out that were not covered by the order. In addition, Melton said watching judges and lawyers from all areas of the profession work together to keep the legal system operating during the pandemic was one of the highlights of his career. Melton further commended McClelland for the role he played in that work as a member of the Supreme Court’s COVID-19 Judicial Task Force.

In conclusion, the panel said that it was encouraged by the professionalism of Georgia’s bar and hoped that a continued focus on professionalism would promote future professionalism by the members of the State Bar of Georgia.

## **A Lawyer’s Creed and the Aspirational Statement on Professionalism: History, Creation and Relevance Today**

### **Moderator**

- Justice Carla Wong McMillian, Supreme Court of Georgia

### **Panelists**

- Professor Patrick Longan, William Augustus Bootle Chair in Professionalism and Ethics, Mercer University Walter F. George School of Law
- John C. Sammon, past president, State Bar of Georgia (1993-94)
- Thomas G. “Tom” Sampson Sr., managing partner, Thomas Kennedy Sampson & Thompson LLP

The next group of presenters focused the audience’s attention on the creation and current relevance of A Lawyer’s Creed and the Aspirational Statement on Professionalism.<sup>5</sup> Justice Carla Wong McMillian reminded everyone that the Supreme Court formed the Commission in February 1989. Thereafter, the Court asked the Commission, as one of its first tasks, to draft a creed on professionalism.

Thomas G. “Tom” Sampson Sr., who was a charter member of the first Commission, chaired the committee responsible for drafting the creed. Sampson shared that the principal drafter of the Creed and Aspirational Statement was retired Mercer Professor Jack L. Sammons Jr.

Sampson also discussed some of the considerations that the committee and the Commission contemplated when crafting the document. For example, State Bar Past President John C. Sammon—no relation to Mercer Professor Jack Sammons—reflected on why the committee, the Commission and ultimately the Supreme Court included language in the Creed and Aspirational Statement that encouraged lawyers “[t]o avoid all forms of wrongful discrimination[.]” Sammon said that in the mid-’80s it was becoming increasingly clear that Bar leadership did not reflect the public it served or younger members who were joining the Bar. He said there was a real interest at that time in diversifying the leadership of the Bar, and it may have been one of the impetuses for including the anti-discrimination language in the Creed and Aspirational Statement.

Sampson also offered his thoughts on the topic and said that while he acknowledged that the State Bar of Georgia still has challenges, he commended the Bar for its long-standing commitment to diversity. Sampson recalled, for example, that fellow panelist John Sammon appointed him to the Board of Governors.

Sampson also shared that Jim Elliott, who was a speaker on the first panel, hired Sampson’s former law partner John L. Kennedy as one of the first two African American attorneys at his large downtown Atlanta law firm.

Professor Patrick E. Longan confirmed that he had read most, if not all, of the creeds that had been developed nationally regarding professionalism at the time, and in his opinion, Georgia stood alone in including its anti-discrimination aspiration. Longan also discussed how Justice Harold Clarke addressed the skeptics who attacked Georgia’s professionalism movement in its earliest years in an article he wrote called “Repaying the Debt.”<sup>6</sup>

Justice McMillian concluded the panel by sharing that she felt it is always necessary to have a goal to work toward. She believes the Creed and Aspirational Statement gives her—and all Georgia lawyers—that goal. “That is why professionalism remains important to this day.”

## **Professionalism, Community Service and Pro Bono**

### **Moderator**

- Molly Barrett Gillis, partner, The Gillis Law Firm, LLC

### **Panelists**

- Hon. William “Bill” Adams, of counsel, Adams Law Firm
- Justice Verda M. Colvin, Supreme Court of Georgia; chair, Standing Access to Justice Committee, Judicial Council of Georgia



- Hon. John A. “Trea” Pipkin III, judge, Court of Appeals of Georgia
- J. Henry Walker IV, chair and chief executive officer, Kilpatrick Townsend & Stockton LLP

The final panel of the day discussed professionalism, community service and pro bono. Commission member and Marietta attorney Molly L. Gillis moderated the panel.

Justice Verda Colvin opened the session by discussing the work of the Judicial Council of Georgia’s Standing Committee on Access to Justice. She shared that the committee looked at ways to provide access to justice for people with low incomes or who were in rural areas that had few or no lawyers. Justice Colvin also remarked, “If the least of us don’t have access to justice, then justice doesn’t exist.”

Hon. William “Bill” Adams of Macon gave the audience an overview of Middle Georgia Justice (MGJ), an organization that helps Middle Georgians with access to legal assistance when they cannot afford to pay for it. Adams shared how MGJ involves the entire Macon community—not just the legal community—in financially supporting MGJ’s work.

Next, J. Henry Walker IV spoke about pro bono from a private law firm perspective. He said that pro bono is part of Kilpatrick’s identity and explained that approximately 25 years ago, the firm became the first large downtown Atlanta law firm to hire a pro bono partner. Kilpatrick Townsend wanted to work more effectively as a force for good for clients and for the community, he said. Walker also noted that the firm was a microcosm of society. As a result, he shared there might not always be agreement on particular projects, but there is agreement on core values of access to justice, fair-

ness and equality. Walker concluded by noting the tremendous tangible benefits that accrue to lawyers and to law firms beyond just the benefit of doing good work for the community by engaging in pro bono work.

The panel also discussed public service. Hon. John A. “Trea” Pipkin III talked about public service. He said only 20% of the lawmakers who are in the Georgia General Assembly are lawyers. He said we need more lawyers to run for elected office. If that is not your interest, he said, then lawyers should, at a minimum, find ways to engage in citizen service. “All of us can do more.”

The panel’s final topic was community service. Justice Colvin began the discussion by observing that our core mission as a profession is service. “If service is beneath you, then leadership is beyond you,” she said. Service is the stuff beyond what you are paid for, she noted.

Thereafter, the panel members shared their involvement in various kinds of service. Walker recalled his involvement “as a fly on the wall” in the establishment of the community service awards now hosted by the Commission. He said the State Bar started the awards to recognize the good work lawyers are doing in the community. In addition, he explained that the awards were eventually renamed in honor of Justice Robert Benham because of his dedication to community service.

Gillis, who leads a three-attorney law firm, said she, along with other Marietta moms, raised money for nine Ukrainian families in need. One member of a family who was helped sent a thank you note that read, “Thanks to you, we started to believe in kindness again.” She emphasized that lawyers from all backgrounds could find a way to give back to the community.

## Closing Remarks

Hon. Steven D. Grimberg, U.S. District Court for the Northern District of Georgia, gave closing remarks on behalf of the Commission. Grimberg said that so much of engaging in professionalism is about relationships and getting to know your colleagues and opposing counsel. He encouraged attendees to foster positive relationships on the front end of cases to help avoid confrontation during litigation.

The CLE was the result of the hard work of many people, and the Commission would like to acknowledge the following individuals: Commission Chair Chief Justice Michael P. Boggs, for his leadership and guidance in all of the Commission’s endeavors; Commission advisor Justice Andrew A. Pinson, for his advice regarding the Commission’s work; State Bar of Georgia President Sarah B. “Sally” Akins, for her vision in spearheading this program and for making professionalism one of the hallmarks of her platform during her presidency.

The event was planned by members of the Commission’s CLE Committee: Chair Rebecca Holmes Liles Grist, Molly Barrett Gillis, Professor Patrick Longan, Hon. T. Russell McClelland and Adwoa Ghartey-Tagoe Seymour.

Finally, the Commission would like to thank Commission advisor Jennifer Davis Ward and Commission liaison Dee Dee Worley for providing additional staff support at the Signature Professionalism CLE program. ●



**Karlise Y. Grier**

Executive Director  
Chief Justice’s Commission  
on Professionalism

kygrier@cjcpga.org

# 23rd Annual Justice Robert Benham Awards for Community Service

The Chief Justice's Commission on Professionalism is pleased to recognize lawyers and judges 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.

BY KARLISE Y. GRIER



PHOTO BY DON MORGAN PHOTOGRAPHY

(Left to right) Chief Justice Michael P. Boggs and Justice Robert Benham at the 23rd Annual Justice Robert Benham Awards for Community Service ceremony at the Nathan Deal Judicial Center in March.

**Chief Justice Michael P. Boggs, along** with former Chief Justice Robert Benham, joined more than 100 attorneys and Georgia community members at the Nathan Deal Judicial Center in March for the 23rd Annual Justice Robert Benham Awards for Community Service hosted by the Chief Justice's Commission on Professionalism (the Commission). Since 1998, the Benham Awards have honored 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. Service may be made in any field, including but not limited to: social service, education, faith-based efforts, sports, recreation, the arts or politics. The Selection Committee generally believes that community or public service is not service to a bar association; however, community service can be done through bar-sponsored or related activities or projects. Historically, the Benham Awards Selection Committee has accepted nominations for this prestigious statewide award from each of Georgia's 10 judicial districts, and the awards have been presented to selected attorneys in the judicial districts from which nominations were received. The award that is still given to award recipients was designed in 1998 by Patrise Perkins-Hooker, who at



that time, was a member of the Benham Awards Selection Committee. Perkins-Hooker later went on to serve as the first African American president of the State Bar of Georgia in 2014-15.

The Lifetime Achievement Award is the highest recognition given by the Commission and is reserved for a lawyer or judge who, in addition to meeting the criteria for receiving the Justice Robert Benham Award for Community Service, has demonstrated an extraordinarily long and distinguished commitment to volunteer participation in the community throughout their legal career.

In 2023, the Commission awarded the Lifetime Achievement Award to J. Michael Levengood, founding member, Law Office of J. Michael Levengood, LLC, Lawrenceville. The 2023 district award recipients were: Mary T. Benton, pro bono partner, Alston & Bird LLP, Atlanta; Simon H. Bloom, founding partner, Bloom Parham, LLP, Atlanta; Hon. Ronald J. Freeman Sr., managing member, Johnson & Freeman, LLC, Historic Union City; Elicia N. Hargrove, assistant district attorney, Henry County District Attorney's Office, McDonough; Edward H. Lindsey Jr., partner, Dentons US LLP, Atlanta; Jason Banks Moon, Moon Law Firm, Valdosta; Wallace H. Wright, Wright & Edwards, P.C., Metter. All award recipients are members of the State Bar of Georgia.

This year's ceremony was successful due to the hard work of many individuals whom I would like to thank. First, the Commission appreciates the work of the Benham Awards Selection Committee members who determined the award recipients: Committee Chair Hon. Joy Lampley-Fortson, U.S. Department of Justice, Atlanta; Hon. Joshua Clark Bell, Bell/Payne, LLC, Whigham; John Michael Dugan, DRL Law LLC, Greensboro; Jena G. Emory, Copeland Stair Valz & Lovell LLP, Atlanta; Terrica Redfield Ganzy, Southern Center for Human Rights, Atlanta; Laverne Lewis Gaskins, Law Office of Laverne Lewis Gaskins, P.C., Augusta; Michael Hobbs, Troutman Pepper Hamilton Sanders LLP, Atlanta; Hon. Chung H. Lee, The Law Office of Lee & Associates PC, Duluth; William J. "Bill" Liss, WXIA-TV/11Alive, Atlanta; Jennifer Mock, The

## Lifetime Achievement Award for Community Service



**J. Michael Levengood's community service has been a foundational pillar throughout his legal career.**

Levengood served on the Gwinnett Health System Board of Directors, the Hospital Authority of Gwinnett County, the Georgia Hospital Association and the National Scleroderma Foundation. Levengood and his family have raised significant dollars to fund research for a cure in memory of his sister-in-law, Kathleen, who passed away in 2009 from the disease.

During the '90s, Levengood coached youth baseball and basketball teams, and for many years served as president of the Mountain Park Athletic Association. In 2001, Levengood formed the Gwinnett Parks Foundation with several other community advocates, and initially served as the foundation's secretary. For more than two decades, the foundation has provided more than \$100,000 in scholarships for youth camp opportunities, senior health and wellness classes, and youth sports activities. The foundation conducts two community work days each year to beautify and improve county parks called Park'nership, which promotes good stewardship by encouraging youth and adults to participate in park beautification activities.

Levengood, a 2003 graduate of Leadership Gwinnett, served as chair of the organization's Steering Committee. He formed the Leadership Gwinnett Foundation in 2007.

Levengood, who became an Eagle Scout in 1970, is also active with the Boy Scouts of America Northeast Georgia Council. He serves in numerous critical roles that benefit more than 13,000 youth and adult members in 26 counties. Currently, Levengood is pro bono counsel, where he has given thousands of hours of legal advice to guide through the bankruptcy of the national organization. Most recently, he has agreed to serve as the next president of the Council's 160-member Executive Board of Directors.

Levengood is chair of the Community Foundation for Northeast Georgia, and currently serves on the Gwinnett County Public Schools Foundation Fund Executive Committee and on the Superintendent's Business Leaders Council. In addition, he is an emeritus board member of the Gwinnett Chamber of Commerce. Levengood has served multiple times as Church Council president at Christ the King Lutheran Church in Peachtree Corners and at All Saints Lutheran Church in Lilburn. ●

Mock Law Firm, LLC, Statesboro; Hon. Herbert E. Phipps, Court of Appeals of Georgia, Atlanta; Cindy Wang, Georgia Department of Juvenile Justice, Decatur; and Hon. Brenda Carol Youmas, Macon. In addition to the Selection Committee, members of the Benham Awards Planning Committee assisted with organizing and fundraising. The Planning Committee was co-chaired by Christopher J. Chan, founder, Christopher J. Chan IP Law, and LaToya S. Williams, Georgia Public Defender Council, Atlanta. Ad-

woa Gharthey-Tagoe Seymour, vice president of litigation, Albertsons Companies, Inc., was an advisor to the CSA23 Planning Committee. Committee members included: Hon. William P. "Bill" Adams, Middle Georgia Justice, Macon; Marian Adeimy, Cox Enterprises, Inc., Atlanta; Hon. Phinia Aten, Rockdale County Magistrate Court, Conyers; Ann Baird Bishop, Hall Booth Smith, P.C., Atlanta; Addison Hilary Brown, undergraduate student, University of Georgia, Athens; William C. "Bill" Gentry, Gentry Law Firm, LLC,



(Front row, left to right) Simon H. Bloom, Mary T. Benton, Justice Robert Benham, J. Michael Levensgood and Wallace H. Wright. (Back row, left to right) Edward H. Lindsey Jr., Hon. Ronald J. Freeman Sr., Karlise Y. Grier, Elicia N. Hargrove, Jason Banks Moon and Chief Justice Michael P. Boggs.

PHOTO BY DON MORGAN PHOTOGRAPHY

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Kilpatrick Townsend & Stockton LLP  
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### Bronze

Hon. William P. "Bill" Adams  
Ann Baird Bishop  
William C. "Bill" Gentry

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Marietta; Norbert D. "Bert" Hummel IV, Hummel Trial Law, Kennesaw; Gerond Julian Lawrence, Greenberg Traurig, LLP, Atlanta; Deborah F. Lempogo, Squire Patton Boggs (US) LLP, Atlanta; Kenneth A. Mitchell, Giddens, Mitchell & Associates, P.C., Decatur; Alan G. Poole, Troutman Pepper Hamilton Sanders LLP, Atlanta; Cathy L. Scarver, C. L. Scarver & Associates, LLC, Atlanta; Shaniqua Singleton, Nelson Mullins Riley & Scarborough LLP, Atlanta; Cathy Clark Tyler, Atkins North America, Inc., SNC-Lavalin, Atlanta; Meka B. Ward, The Home Depot, Atlanta. Finally, individuals who volunteered to assist during the evening of the awards ceremony were Ann Baird Bishop, Christopher Brock, Christopher J. Chan, Jena G. Emory, Lynn Johnson, William J. "Bill" Liss, Kenneth Mitchell Jr., Paula Myrick, Cathy L. Scarver, Adwoa Ghartey-Tagoe Seymour, Shaniqua Singleton, Jasmine Smith Reaves, LaToya S. Williams, Angie Wright Rheaves and Ranee Zilton.

I also wish to thank Chief Justice Michael P. Boggs, Justice Andrew A. Pinson and Justice Robert Benham for their examples and for their continuing support and guidance regarding the Commission and the awards ceremony. Thank you to Therese "Tee" Barnes, Tia C. Milton, Lynita Terrell, Bob McAteer, Anita Harrison, Emily Youngo, Marti Head, Sgt. Dexter Harden and all of the staff of the Supreme Court of Georgia who helped to make this event possible. I am grateful that the members, advisors and liaisons of the Commission continue to understand the role and importance of the awards ceremony in the Commission's work to promote and enhance professionalism among Georgia's lawyers and judges.

Additional information regarding the awards ceremony, including a program book, photographs and honoree videos are available on the Commission's website at [cjcpga.org/benhamcsa23](http://cjcpga.org/benhamcsa23). ●



**Karlise Y. Grier**

Executive Director  
Chief Justice's Commission  
on Professionalism  
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# Justice Robert Benham Award for Community Service: 2023 Honorees



## **Mary T. Benton**

Volunteered with the Truancy Intervention Project Georgia, Inc., beginning in 1996; joined the board in 2002, and served as board chair from 2012-14. Provided volunteer support and leadership to Georgia Appleseed for almost 15 years;

served for two terms as board chair; was part of a coalition that worked to rewrite the Georgia Juvenile Code that passed unanimously and was signed into law by Gov. Nathan Deal in 2013. Currently serves on the boards of the National Appleseed Foundation, United Way of Greater Atlanta, the Gateway Center and the National Homelessness Law Center.



## **Simon H. Bloom**

Has volunteered for almost 30 years for the Boys and Girls Clubs of Metro Atlanta (BGCMA); served as BGCMA's board chair from 2020-22; hosted an annual "Pig Gig Fundraiser" for almost 22 years and raised more than \$1 million to support BGCMA. Currently serves on the boards of the Atlanta Police Foundation, Georgia State University College of Law Board of Visitors and as board vice chair for Great Promise. Founded Hope + Access in 2017, a nonprofit committed to providing youth development and social services through partnerships with churches.



## **Hon. Ronald J. Freeman Sr.**

Since 1992, has served as a board member for the Andrew & Walter Young Family Metro YMCA; raised millions of dollars to expand and renovate the facility, and served as a longtime volunteer aerobics instructor. Founded the Tiger Soccer Club (TSC) and helped develop approximately 2,000 players; coached TSC U17 Boys Competitive Team that ranked second in international play in their division. Currently serves on the Georgia State University (GSU) Foundation Board, the GSU College of Law Board of Visitors and as secretary of the GSU Emeriti Society; GSU's Black Law Student Association named its chapter in his honor.



## **Elicia N. Hargrove**

Volunteered in Albany, Georgia, for SOWEGA Rising's voter election literacy and rights trainings, Women9to5's Albany campaign for utilities justice, and as a Board member for Open Arms and United Minds Empowered. Volunteers in Milledgeville, Georgia, on the Boards of Straight Street Minis-

tries House of Ananias Inc., which focuses on community outreach and ministry, and MIA Maddox Investing in America, Inc., which helps to feed more than 100 families each month. Volunteers in McDonough, Georgia, for the "Ignite My Fire" program held at the Shaquille O'Neal Boys & Girls Inc., which works to engage, educate and empower youth.



## **Edward H. Lindsey Jr.**

Currently serves as a member of the State Elections Board, which establishes voting rules and regulations. Serves as co-chair of the Committee for a United Atlanta. Founding board member of Georgia Fugees Charter School, a state-funded, public charter school established in 2020, with the primary mission of serving the unique educational needs of refugee and new American students. Served for 10 years in the Georgia House of Representatives, including three terms as the House majority whip. Sponsored HB 200, which was Georgia's first comprehensive attack on human trafficking. Co-sponsored the State Charter School Constitutional Amendment.



## **Jason Banks Moon**

Served as a Boy Scouts of America (BSA) Cubmaster of Pack 491 from 2017-22; grew the Pack from 18 to more than 35 active scouts; maintained the Pack's membership during the COVID-19 pandemic by implementing safety protocols; co-founded Troop 2020, the first all-girls BSA troop in the Alapaha District of the South Georgia Council; currently serves as a District Committee member for the BSA Alapaha District, a merit badge counselor for the Law Merit Badge, and as vice president for membership on the Executive Board of the BSA South Georgia Council.



## **Wallace H. Wright**

Serves as a certified dog handler for Tyler, a certified therapy dog; visits local schools, hospitals and retirement homes in Candler County with Tyler to help children learn to read, to help relieve pain, suffering and anxiety in hospitals, and to spread cheer in retirement homes. Serves as a board member for Communities in Schools in Candler County. Mentors local school children. Volunteered with Ogeechee Area Hospice, by assisting in its formation, participating in a capital fund drive, providing pro bono legal services and serving on the board of directors.

*\*partial list of honoree accomplishments*





# 2023 FISCAL YEAR FINANCIAL REPORT

JULY 2022 – JUNE 2023

FOR REVENUE AND EXPENSES ADMINISTERED BY ICJE OF GEORGIA\*

COMPILED BY

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REVIEWED BY THE ADMINISTRATIVE OFFICE OF THE COURTS

**Peterson David, AOC – Chief Financial Officer**

*\*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 a constituent group's leadership or educational apparatus that was not administered by ICJE.*

*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

1	<b>OVERHEAD ALLOCATION BASED ON BUDGETED EXPENSES</b>				
2	Total ICJE Budgeted Overhead Costs				\$123,052.00
3	Less: Amount Not Allocated To Constituent Groups*				\$44,00.00
4	<b>OVERHEAD COSTS SUBJECT TO ALLOCATION:</b>				<b>\$79,052.00</b>
5	<b>Constituent Group</b>	<b>FY23 Projected Budgeted Expenses</b>	<b>% of Total Expenses</b>	<b>Allocated Overhead</b>	<b>FY23 Projected Total Expenses</b>
6	Superior Court Judges	\$708,000.00	33.217%	\$26,259.00	\$734,259.00
7	State Court Judges	\$105,937.00	4.970%	\$3,929.00	\$109,866.00
8	Juvenile Court Judges	\$71,550.00	3.357%	\$2,654.00	\$74,204.00
9	Juvenile Court Clerks	\$22,600.00	1.060%	\$838.00	\$23,438.00
10	Probate Court Judges – Non Traffic	\$99,980.00	4.691%	\$3,708.00	\$103,688.00
11	Probate Court Judges – Traffic	\$45,038.00	2.113%	\$1,670.00	\$46,708.00
12	Probate Court Clerks	\$32,874.00	1.542%	\$1,219.00	\$34,094.00
13	Magistrate Court Judges	\$247,062.00	11.591%	\$9,163.00	\$256,225.00
14	Magistrate Court Clerks	\$43,005.00	2.018%	\$1,595.00	\$44,600.00
15	Municipal Court Judges	\$142,348.00	6.678%	\$5,279.00	\$147,628.00
16	Municipal Court Clerks	\$135,059.00	6.336%	\$5,009.00	\$140,068.00
17	Judicial Staff Attorneys	\$5,000.00	0.235%	\$185.00	\$5,185.00
18	Accountability Court Judges	\$473,000.00	22.191%	\$17,543.00	\$490,543.00
19	<b>TOTALS:</b>	<b>\$2,131,454.00</b>	<b>100%</b>	<b>\$79,052.00</b>	<b>\$2,210,506.00</b>

### 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

### June 2023 – Administrative Office of the Courts

1	<b>APPROPRIATIONS</b>		
2	<i>Appropriated Funds</i>		
3	Administrative Costs – Personnel	\$650,232.00	
4	Operational Costs	\$55,252.00	
5	<i>TOTAL APPROPRIATIONS:</i>	<b>\$705,484.00</b>	
6	<b>EXPENDITURES – PERSONNEL</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
7	(Fund Source 01/Project Code 301)		
8	Personnel: Salaries, Benefits & Indirect Costs	-\$49,263.97	-\$556,357.28
9	<i>TOTAL PERSONNEL EXPENSES:</i>	<b>-\$49,263.97</b>	<b>-\$556,357.28</b>
10	<b>TOTAL APPROPRIATIONS REMAINING:</b>		<b>\$93,874.72*</b>
11	<b>SHARED OFFICE OVERHEAD</b>		
12	FY22 Office Overhead Allocation Carryforward	\$12,671.14 <sup>(1)</sup>	
13	Constituent Groups Office Overhead Allocation <sup>(2)</sup>	\$89,914.54 <sup>(2)</sup>	
14	Appropriations – Operational Costs	\$55,252.00	
15	<b>TOTAL SHARED OFFICE OVERHEAD:</b>	<b>\$157,837.68</b>	
16	<b>EXPENDITURES – OPERATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
17	Rent	\$0.00	\$0.00
18	Utilities	-\$241.36	-\$241.36
19	Janitorial Services	-\$1,248.00	-\$4,416.00
20	Postage	-\$78.00	-\$78.00
21	Miscellaneous Office Supplies – Project 300	-\$754.09	-\$5,094.67
22	Miscellaneous Office Supplies – Project 301	\$1,307.75	-\$3,784.28
23	ICJE Event Branding/Meetings	-\$660.92	-\$2,307.61
24	Dues & Memberships	\$0.00	-\$400.00 <sup>(3)</sup>
25	ICJE Board of Trustees Meetings	\$0.00	\$0.00
26	Staff Travel – Executive Director	\$0.00	-\$2,664.36
27	Professional Fees (Accounting/Auditing)	-\$10,200.00	-\$20,000.00
28	IT Support – AOC Wifi	-\$456.12	-\$1,672.54
29	IT Support – Hardware, Miscellaneous, UGA	-\$10,588.97	-\$10,588.97
30	Software License/Subscriptions	\$0.00	-\$8,437.60 <sup>(4)</sup>
31	AOC Fiscal Support	\$0.00	\$0.00
32	Paypal	\$0.00	-\$0.53
33	<i>TOTAL OVERHEAD EXPENSES:</i>	<b>-\$25,535.21</b>	<b>-\$59,685.39</b>
34	<b>ENDING OVERHEAD FUND BALANCE</b>	<b>-\$25,535.21</b>	<b>\$98,153.30</b>

Adjustment explanations can be found on the last page of the financial reports' document.

The majority of the AFY23 operational appropriated funds will be spent at UGA to pay for new event management software, utilities, supplies, etc. The remaining funds will be spent at the AOC to cover certain expenditures such as professional accounting fees and certain supplies.



# ICJE ADMINISTRATIVE

## FISCAL YEAR FINANCIAL REPORT

June 2023 – University of Georgia

1	<b>REVENUES*</b>		
2	FY22 Funds carried over to FY23 at the University of Georgia	\$34,199.65 <sup>(1)</sup>	
3	International Judges Conference	\$0.00	
4	<b>TOTAL OPERATING FUNDS:</b>	<b>\$34,199.65<sup>(1)</sup></b>	
5	<b>EXPENDITURES – OPERATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
6	Utilities	\$1,832.49	-\$761.65
7	Postage	\$0.00	\$0.00
8	Miscellaneous Office Supplies	\$0.00	-\$150.00
9	Dues & Memberships	\$0.00	\$0.00
10	IT Support – UGA Wifi	-\$1,131.76	-\$3,596.84
11	IT Support – Hardware, Miscellaneous	\$0.00	-\$218.68
12	Copier – UGA	\$0.00	-\$657.30
13	Copier Overages - UGA	\$0.00	-\$66.58
14	Telephone Service	-\$103.38	-\$51.59
15	Office Equipment Service Agreement	\$0.00	-\$100.00
16	Other	\$0.00	-\$701.76
17	<b>TOTAL OVERHEAD EXPENSES:</b>	<b>\$597.35</b>	<b>-\$6,304.40</b>
18	<b>ENDING OVERHEAD FUND BALANCE</b>	<b>\$597.35</b>	<b>\$28,131.74</b>

Adjustment explanations can be found on the last page of the financial reports' document.

*\*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). The title and order of overhead categories are based upon overhead expenses listed in the State Bar of Georgia Financial Reports.*



# STATE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42006 Project Code: 319

**Training Mandates:** These training events are mandated by Uniform State Court Rule 43.1(A) & 43.1(B). The venues are contracted in collaboration with the CSCJ Educational Programs Committee; CSCJ NJO & Mentoring Committee; and, the CSCJ Executive Committee.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$65,576.57 <sup>(3)</sup>
3	Beginning June 2023 fund balance		\$206,061.59 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$3,069.45	\$51,370.46 <sup>(2)</sup>
7	Transfer of funds from Council of State Court Judges	\$0.00	\$141,000.00
8	Refunds	-\$331.68	-\$491.68
9	<i>TOTAL REVENUES:</i>	<b>\$2,737.77</b>	<b>\$191,878.78</b>
10	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events</i>		
12	Fall 2022 Conference	\$0.00	-\$40,749.49
13	New Judge Orientation 2023 Conference	-\$327.97	-\$3,739.20
14	Spring 2023 Conference	-\$24,864.76	-\$25,080.61
15	Multi-Class of Court/Online Courses	-\$1,573.86	-\$1,577.16
16	Spring 2022 Conference	\$0.00	-\$9.57
17	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$26,766.59</b>	<b>-\$71,156.03</b>
18	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Educational Programs Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
20	New Judge Orientation Conference Committee Mtgs (ICJE Staff Travel)	\$0.00	\$0.00
21	ICJE Board Meetings (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
22	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
23	<b>EXPENDITURES - OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
24	Quarterly Postage	-\$0.60	-\$1.95
25	Vimeo Subscription Fees	\$0.00	-\$5.69
26	PayPal Processing Fees	-\$22.95	-\$201.26
27	Miscellaneous	\$0.00	-\$152.20
28	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$23.55</b>	<b>-\$361.10</b>
29	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
30	Pro Rata (\$3,929.00)	\$0.00	-\$3,929.00
31	<b>ENDING FUND BALANCE</b>	<b>-\$24,052.37</b>	<b>\$182,009.22</b>

Adjustment explanations can be found on the last page of the financial reports' document.





# JUVENILE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42003 Project Code: 308

**Training Mandates:** These training events are mandated by OCGA §15-11-59(d); §15-11-62; Uniform Juvenile Court Rule 4.3; 4.4; & CJCJ Executive Committee Protocol. The venues are contracted in collaboration with CJCJ Educational and Certification Committee; and, the CJCJ Executive Committee.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$102,967.11
3	Beginning June 2023 fund balance		\$137,870.44 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$3,483.82	\$54,561.30 <sup>(2)</sup>
7	Grant – Justice for Children (J4C)	\$0.00	\$20,000.00
8	Refunds	\$0.00	\$0.00
9	<b>TOTAL REVENUES:</b>	<b>\$3,483.82</b>	<b>\$74,561.30</b>
10	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events</i>		
12	Spring 2022 Conference	\$0.00	-\$9.25
13	Fall 2022 Conference	\$0.00	-\$21,878.97
14	Spring 2023 Conference	-\$18,374.18	-\$27,121.58
15	Spring 2023 Long Range Planning Meeting	\$0.00	-\$2,157.05
16	Multi-Class of Court/Online Courses	-\$1,331.13	-\$1,756.21
17	<b>TOTAL EVENT EXPENSES:</b>	<b>-\$19,705.31</b>	<b>-\$52,923.06</b>
18	<b>EXPENDITURES – MEETING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Education and Certification 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>
22	<b>EXPENDITURES - OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Vimeo Subscription Fees	\$0.00	\$0.00
24	Quarterly Postage	-\$1.20	-\$1.20
25	Printing/Publications	\$0.00	\$0.00
26	PayPal Processing Fees	-\$21.60	-\$324.00
27	<b>TOTAL OTHER EXPENSES:</b>	<b>-\$22.80</b>	<b>-\$325.20</b>
28	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
29	Pro Rata (\$2,654.00)	\$0.00	-\$2,654.00
30	<b>ENDING FUND BALANCE</b>	<b>-\$16,244.29</b>	<b>\$121,626.15</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# JUVENILE COURT CLERKS

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42000 Project Code: 306

**Training Mandates:** These training events are mandated by OCGA §15-11-65. The venues are contracted in collaboration with the Georgia Association of Juvenile Court Clerks.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$13,639.13
3	Beginning June 2023 fund balance		\$27,609.49
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$2,121.96	\$31,636.66
7	Refund	\$0.00	\$0.00
8	<i>TOTAL REVENUES:</i>	<b>\$2,121.96</b>	<b>\$31,636.66</b>
9	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events</i>		
11	Annual 2023 Conference	\$0.00	-\$14,498.24
12	Adjustments	-\$1,023.50	-\$1,023.50
13	<i>TOTAL EVENT EXPENSES:</i>	<b>\$1,023.50</b>	<b>-\$15,521.74</b>
14	<b>EXPENDITURES – MEETINGS/MISCELLANEOUS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
15	Georgia Association of Juvenile Court Clerks (ICJE Staff Travel)	\$0.00	-\$80.00
16	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>-\$80.00</b>
17	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
18	Quarterly Postage	\$0.00	\$0.00
19	PayPal Processing Fees	-\$17.08	-\$145.18
20	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$17.08</b>	<b>-\$145.18</b>
21	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Pro Rata (\$838.00)	\$0.00	-\$838.00
23	<b>ENDING FUND BALANCE</b>	<b>\$1,081.38</b>	<b>\$28,690.87</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# PROBATE COURT JUDGES – NON TRAFFIC

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42005 Project Code: 315

**Training Mandates:** These training events are mandated by OCGA §15-9-1.1(a); §15-9-1.1(b); §15-9-2.1(c)(2); Uniform Probate Court Rule 14.2(A) & 14.2(B); & Probate Judges Training Council Policy. The venues are contracted in collaboration with the Probate Judges Training Council.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$96,588.65*
3	Beginning June 2023 fund balance		\$186,787.17 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$7,040.92	\$134,070.36
7	Refunds	\$0.00	\$0.00
8	<i>TOTAL REVENUES:</i>	<b>\$7,040.92</b>	<b>\$134,070.36</b>
9	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events</i>		
11	Spring 2022 Conference	\$0.00	-\$1.36
12	Fall 2022 Conference - COAG	-\$1,318.90	-\$8,159.22 <sup>(2)</sup>
13	Spring 2023 Conference	-\$51,040.27	-\$73,235.52
14	Spring 2024 Conference	\$0.00	-\$2,000.00
15	Multi-Class of Court/Online Courses	-\$1,503.06	-\$1,823.40
16	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$53,862.23</b>	<b>-\$85,219.50</b>
17	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
18	Probate Judge Training Council Meetings (ICJE Staff Travel)	\$0.00	\$0.00
19	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
20	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
21	<b>EXPENDITURES – CERTIFICATE PROGRAM &amp; MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Non-Traffic Probate Certificate Plaque & Postage	-\$25.00	-\$1,234.12
23	Mentoring – Travel Reimbursement	\$0.00	\$0.00
24	<i>TOTAL CERTIFICATE &amp; MENTORING EXPENSES:</i>	<b>-\$25.00</b>	<b>-\$1,234.12</b>
25	<b>EXPENDITURES - OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Vimeo Subscription Fees	\$0.00	-\$35.70
27	Quarterly Postage	-\$0.63	-\$3.70
28	PayPal Processing Fees	-\$16.18	-\$533.94
29	Supplies	-\$32.36	-\$32.36
30	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$49.17</b>	<b>-\$605.70</b>
31	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
32	Pro Rata (\$3,708.00)	\$0.00	-\$3,708.00
33	<b>ENDING FUND BALANCE</b>	<b>-\$46,895.48</b>	<b>\$139,891.69</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# PROBATE COURT JUDGES - TRAFFIC

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42005 Project Code: 352

**Training Mandates:** These training events are mandated by OCGA §15-9-1.1(a); §15-9-1.1(b); §15-9-2.1(c)(2); Uniform Probate Court Rule 14.2(A) & 14.2(B); & Probate Judges Training Council Policy. The venues are contracted in collaboration with the Probate Judges Training Council.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$44,703.66*
3	Beginning June 2023 fund balance		\$54,492.80 <sup>(1)</sup>
5	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
6	<i>CJE Support Fees</i>		
7	Annual Support Fees	\$3,325.00	\$50,961.64
8	Refunds	\$0.00	\$0.00
9	<i>TOTAL REVENUES:</i>	<b>\$3,325.00</b>	<b>\$50,961.64</b>
10	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events</i>		
12	Annual 2022 Traffic Conference	\$0.00	-\$34,891.06
13	Annual 2023 Traffic Conference	-\$38,710.70	-\$39,745.72
14	New Judge Orientation	\$0.00	\$0.00
15	Multi-Class of Court/Online Courses	-\$1,617.68	-\$1,751.88
16	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$40,328.38</b>	<b>-\$76,388.66</b>
17	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
18	Probate Judge Traffic Committee Meetings (ICJE Staff Travel)	\$0.00	\$0.00
19	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
20	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
21	<b>EXPENDITURES – CERTIFICATE PROGRAM &amp; MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Probate Traffic Certificate Program/Postage	-\$1,593.20	-\$1,593.20
23	Mentoring – Travel Reimbursement	\$0.00	\$0.00
24	<i>TOTAL CERTIFICATE &amp; MENTORING EXPENSES:</i>	<b>-\$1,593.20</b>	<b>-\$1,593.20</b>
25	<b>EXPENDITURES - OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Vimeo Subscription Fees	\$0.00	-\$10.78
27	Quarterly Postage	\$0.00	-\$0.60
28	PayPal Processing Fees	\$0.00	-\$105.84
29	<i>TOTAL OTHER EXPENSES:</i>	<b>\$0.00</b>	<b>-\$117.22</b>
30	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
31	Pro Rata (\$1,670.00)	\$0.00	-\$1,670.00
32	<b>ENDING FUND BALANCE</b>	<b>-\$38,596.58</b>	<b>\$15,896.22</b>

Adjustment explanations can be found on the last page of the financial reports' document.

\*The beginning FY2023 fund balance was adjusted in January 2023 to reflect the true carryforward from FY2022. ICJE originally reported \$52,764.27 as the carryforward from the previous fiscal year.



# PROBATE COURT CLERKS

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42004 Project Code: 314

**Training Mandates:** These training events are not mandated by statute, uniform rule, or educational apparatus policy. ICJE is pleased to provide them as an accommodation for this group. The venues are contracted in collaboration with the Probate Judges Training Council.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$61,567.04
3	Beginning June 2023 fund balance		\$71,384.26 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$7,590.00	\$49,762.72 <sup>(2)</sup>
7	Refunds	\$0.00	-\$990.00
8	<i>TOTAL REVENUES:</i>	<b>\$7,590.00</b>	<b>\$48,772.72</b>
9	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events</i>		
11	LWEG & Traffic Training – July 2022	\$0.00	-\$29,236.07 <sup>(3)</sup>
12	LWEG & Traffic Training – July 2023	-\$76.98	-\$117.00
13	LWEG & Traffic Training – July 2024	\$0.00	-\$760.00
14	Multi-Class of Court/Online Courses	\$0.00	-\$1.66
15	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$76.98</b>	<b>-\$30,114.73</b>
16	<b>EXPENDITURES – MEETINGS/POSTAGE</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
17	Educational Apparatus Meetings	\$0.00	\$0.00
18	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
19	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
20	Quarterly Postage	\$0.00	\$0.00
21	Training Certificate Program	-\$13.57	-\$45.99
22	PayPal Processing Fees	\$0.00	-\$76.33
23	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$13.57</b>	<b>-\$122.32</b>
24	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
25	Pro Rata (\$1,219.00)	\$0.00	-\$1,219.00
26	<b>ENDING FUND BALANCE</b>	<b>\$7,499.45</b>	<b>\$78,883.71</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# MAGISTRATE COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42001 Project Code: 337

**Training Mandates:** These training events are mandated by OCGA §15-10-25; §15-10-131; §15-10-136(2); §15-10-137(a); §15-10-137(c)(1); §15-10-233; & Magistrate Court Training Council Policy. The venues are contracted in collaboration with the Executive Council of the Council of Magistrate Court Judges of Georgia.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$228,192.71 <sup>(1)</sup>
3	Beginning June 2023 fund balance		\$264,254.13 <sup>(2)(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$7,942.87	\$207,270.92 <sup>(2)</sup>
7	Refunds	-\$395.00	-\$1,580.00
8	Manual Adjustment – ICJE_LGIP2	\$0.00	-\$0.80
9	<i>TOTAL REVENUES:</i>	<b>\$7,547.87</b>	<b>\$205,690.12</b>
10	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	<i>Educational Training Events</i>		
12	2022 40 Hr. Basic Civil Certification	\$0.00	-\$31,083.67 <sup>(3)</sup>
13	Fall 2022 Recertification	\$0.00	-\$61,411.65
14	Chief Judges' 2023 Update	\$0.00	-\$20.01
15	2023 40 Hr. Criminal Certification	-\$630.00	-\$49,266.59
16	Spring 2023 Recertification	-\$30,059.10	-\$40,803.16
17	Multi-Class of Court/Online Courses	-\$2,088.02	-\$2,127.57
18	Financial Assistance for National Training	\$0.00	\$0.00
19	Past Events – CLE Requests	\$0.00	-\$48.00
20	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$32,777.12</b>	<b>-\$184,760.65</b>
21	<b>EXPENDITURES – MEETINGS &amp; MENTORING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Magistrate Judge Training Council Meetings (Judge & ICJE Staff Travel)	\$0.00	-\$64.72
23	ICJE Board Meeting (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
24	Mentoring – Travel Reimbursements	-\$28.82	-\$28.82
25	<i>TOTAL MEETINGS &amp; MENTORING EXPENSES:</i>	<b>-\$28.82</b>	<b>-\$93.54</b>
26	<b>EXPENDITURES – PUBLICATIONS/PRINTING</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
27	Benchbook	\$0.00	\$0.00
28	<i>TOTAL PUBLICATION/PRINTING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
29	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
30	Vimeo Subscription Fees	\$0.00	-\$357.48
31	Quarterly Postage	-\$2.67	-\$15.72
32	Supplies (Name Badges)	-\$61.22	-\$61.22
33	PayPal Processing Fees	-\$33.27	-\$532.32
34	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$97.16</b>	<b>-\$966.74</b>
35	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
36	Pro Rata (\$9,163.00)	\$0.00	-\$9,163.00
37	<b>ENDING FUND BALANCE</b>	<b>-\$25,355.23</b>	<b>\$238,898.90</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# MAGISTRATE COURT JUDGES HISTORIC RESERVES\*

Fund Source: 42001 Project Code: 371

*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	HISTORICAL RESERVES	TOTAL RESERVES
2	Total Funds	\$49,289.30
3	EXPENDITURES – APPROVED BY MCTC	TOTAL EXPENDITURES
4	Professional Fees – Royals & Associates, CPA (FY21)	-\$262.50
5	Council of Magistrate Court Judges Meeting (FY23) – Catering, Carlyle’s	-\$254.24
6	Council of Magistrate Court Judges Meeting (FY23) – Travel, Heather Culpepper	-\$257.98
7	Train the Trainer – March 2023 (FY23)	-\$583.26
8	<b>TOTAL EXPENDITURES:</b>	<b>-\$1,357.98</b>
9	<b>TOTAL HISTORICAL RESERVES REMAINING:</b>	<b>\$47,931.32</b>

*\*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

Fund Source: 42008 Project Code: 331

**Training Mandates:** These training events are not mandated by statute, uniform rule, or educational apparatus policy. ICJE is pleased to provide them as an accommodation for this group. The venues are contracted in collaboration with the Executive Council of the Council of Magistrate Courts Clerks Incorporated.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$2,132.13
3	Beginning June 2023 fund balance		\$56,464.00
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$4,976.32	\$53,329.84
7	Refunds	-\$2,112.72	-\$2,112.72
8	Transfer of funds from GA Council of Magistrate Court Clerks	\$0.00	\$8,000.00
9	<i>TOTAL REVENUES:</i>	<b>\$2,863.60</b>	<b>\$59,217.12</b>
10	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
11	Clerks Annual 2021 Conference	\$0.00	-\$24.00
12	Clerks Annual 2022 Conference	\$0.00	-\$1,480.77
13	Clerks Annual 2023 Conference	-\$30,901.81	-\$30,945.16
14	<i>TOTAL EVENT EXPENSES:</i>	<b>-\$30,901.81</b>	<b>-\$32,449.93</b>
15	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Educational Apparatus Meetings	\$0.00	-\$314.88
17	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>-\$314.88</b>
18	<b>EXPENDITURES - OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Vimeo Subscription Fees	\$0.00	\$0.00
20	Quarterly Postage	-\$0.60	-\$1.17
21	PayPal Processing Fees	-\$59.28	-\$217.36
22	<i>TOTAL OTHER EXPENSES:</i>	<b>-\$59.88</b>	<b>-\$218.53</b>
23	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
24	Pro Rata (\$1,595.00)	\$0.00	\$0.00
25	<b>ENDING FUND BALANCE</b>	<b>-\$28,098.09</b>	<b>\$28,365.91</b>

Adjustment explanations can be found on the last page of the financial reports' document.





# MUNICIPAL COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42002 Project Code: 344

**Training Mandates:** These training events are mandated by OCGA §36-32-27 (b) & (c); Municipal Court Training Council Policy. The venues are contracted in collaboration with the Municipal Court Training Council.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$51,478.95 <sup>(1)</sup>
3	Beginning June 2023 fund balance		\$42,403.15 <sup>(2)(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$11,275.15	\$95,380.80 <sup>(2)</sup>
7	Refunds	\$0.00	-\$325.00
8	<b>TOTAL REVENUES:</b>	<b>\$11,275.15</b>	<b>\$95,055.80</b>
9	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events</i>		
11	2022 Summer 20 Hr. Recertification / Law & Practice	\$0.00	\$37,176.90 <sup>(4)</sup>
12	Fall 2022 20 Hr. Recertification / Law & Practice	\$0.00	-\$34,701.31 <sup>(3)</sup>
13	Summer 2023 20 Hr. Recertification / Law & Practice	-\$64,326.42	-\$69,773.11
14	Multi-Class of Court/Online Courses	-\$1,543.61	-\$1,564.68
15	Summer 2024 20 Hr. Recertification / Law & Practice	-\$9,750.00	-\$19,500.00
16	Financial Assistance for National Training	\$0.00	\$0.00
17	<b>TOTAL EVENT EXPENSES:</b>	<b>-\$75,620.03</b>	<b>-\$162,716.00</b>
18	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
19	Municipal Judge Training Council Meetings (Judge & 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>
22	<b>EXPENDITURES - PUBLICATIONS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Benchbook/Purchased Publication	\$0.00	\$0.00
24	<b>TOTAL PUBLICATION EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
25	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Vimeo Subscription Fees	\$0.00	-\$19.17
27	Quarterly Postage	-\$0.60	-\$11.62
28	PayPal Processing Fees	-\$174.99	-\$626.28
29	<b>TOTAL OTHER EXPENSES:</b>	<b>-\$175.59</b>	<b>-\$657.07</b>
30	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
31	Pro Rata (\$5,279.00)	\$0.00	-\$5,279.00
32	<b>ENDING FUND BALANCE</b>	<b>-\$64,520.47</b>	<b>-\$22,117.32</b>

Adjustment explanations can be found on the last page of the financial reports' document.

THE MUNICIPAL COURT JUDGES' HISTORIC RESERVES WERE TRANSFERRED TO THE MAIN OPERATING FUNDS (42002-344), WHICH WILL BEGIN ON JULY 1, 2024. THESE FUNDS WILL BE RECORDED IN FY2024 AND WILL SHOW A POSITIVE BALANCE.



# MUNICIPAL COURT JUDGES HISTORIC RESERVES\*

Fund Source: 42002 Project Code: 371

*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	HISTORICAL RESERVES	TOTAL RESERVES
2	Total Funds	\$116,501.03
3	EXPENDITURES – APPROVED BY CMCJ	TOTAL EXPENDITURES
4	Professional Fees – Royals & Associates, CPA (FY21)	-\$262.50
5	Studdard on Criminal Law Annual Subscription – Hon. Ben Studdard (FY22)	-\$2,250.00
6	Studdard on Criminal Law Annual Subscription – Hon. Ben Studdard (FY23)	-\$3,000.00
7	Train the Trainer – March 2023 (FY23)	-\$114.22
8	TOTAL EXPENDITURES:	-\$5,626.72
9	TOTAL HISTORICAL RESERVES REMAINING:	\$110,874.31

*\*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

Fund Source: 42009 Project Code: 345

**Training Mandates:** These training events are mandated by OCGA §36-32-13(b)(1); §36-32-13(b)(2); & Municipal Court Training Council Policy. The venues are contracted in collaboration with the Georgia Municipal Court Clerks Council.

1	<b>BEGINNING FUND BALANCES</b>		
2	Beginning fiscal year fund balance		\$183,141.23 <sup>(1)</sup>
3	Beginning June 2023 fund balance		\$93,605.90 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	<i>CJE Support Fees</i>		
6	Annual Support Fees	\$9,534.82	\$93,006.09 <sup>(2)</sup>
7	Refunds	\$0.00	-\$650.00
8	<b>TOTAL REVENUES:</b>	<b>\$9,534.82</b>	<b>\$92,356.09</b>
9	<b>EXPENDITURES – EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
10	<i>Educational Training Events</i>		
11	Recertification – August 2022	\$0.00	-\$23,929.24
12	16 Hour Certification – September 2022	\$0.00	-\$23,947.72
13	Online Recertification – November 2022	\$0.00	\$0.00
14	Recertification – November 2022	\$0.00	-\$55,536.03
15	16 Hour Certification – February 2023	\$0.00	-\$21,380.67
16	Recertification – April 2023	-\$1,296.14	-\$40,071.51
17	Recertification – April 2023 (NEW ENCUMBRANCE – see below)	-	-
18	Recertification – August 2023	\$0.00	-\$1,800.00
19	16 Hr. Certification – September 2023	\$0.00	-\$1,200.00
20	Recertification – November 2024	-\$10,000.00	-\$10,000.00
21	<b>TOTAL EVENT EXPENSES:</b>	<b>-\$11,296.14</b>	<b>-\$177,865.17</b>
22	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
23	Educational Apparatus Meetings/Site Visits	\$0.00	\$0.00
24	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
25	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
26	Quarterly Postage	-\$1.83	-\$6.31
27	Vimeo Subscription Fee	\$0.00	-\$41.21
28	PayPal Processing Fees	-\$105.48	-\$838.36
29	Supplies	-\$93.51	-\$93.51
30	<b>TOTAL OTHER EXPENSES:</b>	<b>-\$200.82</b>	<b>-\$979.39</b>
31	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
32	Pro Rata (\$5,009.00)	\$0.00	-\$5,009.00
33	<b>ENDING FUND BALANCE</b>	<b>-\$1,962.14</b>	<b>\$91,643.76</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# SUPERIOR COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 42007 Project Code: 323

**Training Mandates:** Training expenses are addressed by OCGA §15-6-32; training is mandated by Uniform Superior Court Rule 43; and, by CSCJ MCJE Committee Protocol. The venues are contracted in collaboration with CSCJ MCJE Committee; and, CSCJ Executive Committee.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$155,014.15 <sup>(3)</sup>
3	Beginning June 2023 fund balance		\$70,250.72 <sup>(2)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	Appropriated Funds	\$0.00	\$575,750.00
6	<b>TOTAL REVENUES:</b>	<b>\$0.00</b>	<b>\$575,750.00</b>
7	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
8	<i>Educational Training Events</i>		
9	Summer 2022 Conference	\$0.00	-\$379,594.58 <sup>(1)</sup>
10	New Judge Orientation 2022 Conference	\$0.00	-\$43,435.95
11	Winter 2023 Conference	-\$8,614.74	-\$218,718.01 <sup>(4)</sup>
12	Train the Trainer	-\$1,331.13	-\$1,961.28
13	Winter 2024 Conference	\$0.00	-\$176.51
14	Summer 2023 Conference	-\$1,366.52	-\$1,366.52
15	<b>TOTAL EVENT EXPENSES:</b>	<b>-\$11,312.39</b>	<b>-\$645,252.85</b>
16	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
17	CSCJ Meetings (ICJE Staff Travel)	\$0.00	\$0.00
18	ICJE Board Meetings (Board Appointee Travel Reimbursement)	\$0.00	\$0.00
19	<b>TOTAL MEETING EXPENSES:</b>	<b>\$0.00</b>	<b>\$0.00</b>
20	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
21	Vimeo Subscription Fees	\$0.00	-\$128.97
22	Quarterly Postage	\$0.00	\$0.00
23	<b>TOTAL OTHER EXPENSES:</b>	<b>\$0.00</b>	<b>-\$128.97</b>
24	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
25	Pro Rata – (\$26,444.00 for Superior Court Judges & Judicial Staff Attorneys)	\$0.00	-\$26,444.00
26	<b>ENDING FUND BALANCE</b>	<b>-\$11,312.39</b>	<b>\$58,938.33</b>

Adjustment explanations can be found on the last page of the financial reports' document.

**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

Fund Source: 42006 Project Code: 367

**Training Mandates:** These events fulfill Continuing Legal Education Requirements promulgated in State Bar of Georgia Rule 8-104. The venues are contracted in collaboration with the Superior Court Judges' MCJE Committee; and, the State Court Judges' Educational Programs Committee.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance	\$0.00 <sup>(1)</sup>	
3	Beginning June 2023 fund balance	\$2,408.54 <sup>(1)</sup>	
4	<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	\$755.74	\$3,195.92
7	<b>TOTAL REVENUES:</b>	<b>\$755.74</b>	<b>\$3,195.92</b>
8	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
9	Educational Training Events (Fund Source 42007/Project Code 323)		
10	Annual Conference	-\$18.00	-\$18.00
11	<b>TOTAL EVENT EXPENSES:</b>	<b>-\$18.00</b>	<b>-\$18.00</b>
12	<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>
15	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
16	Quarterly Postage	\$0.00	\$0.00
17	PayPal Processing Fees	-\$4.52	-\$36.16
18	<b>TOTAL OTHER EXPENSES:</b>	<b>-\$4.52</b>	<b>-\$36.16</b>
19	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
20	Pro Rata (\$185.00)	\$0.00	\$0.00
21	<b>ENDING FUND BALANCE</b>	<b>\$733.22</b>	<b>\$3,141.76</b>

Adjustment explanations can be found on the last page of the financial reports' document.

The Judicial Staff Attorneys' portion of shared office overhead funds is paid for by the Council of Superior Court Judges from Fund Source 42007, Project Code 323 and is reflected in the Superior Court Judges' Fiscal Year Financial Report.



# ACCOUNTABILITY COURT JUDGES

## FISCAL YEAR FINANCIAL REPORT

Fund Source: 44195 Project Code: 368

**Training Mandates:** Training is mandated by Article 10 – Training, of the CACJ Rules and Regulations; and by CACJ Standing Committee on Training Protocol. The venues are contracted in collaboration with CACJ Executive Committee; and, CACJ Executive Director.

1	<b>BEGINNING FUND BALANCE</b>		
2	Beginning fiscal year fund balance		\$32,442.30 <sup>(1)</sup>
3	Beginning June 2023 fund balance		\$31,924.79 <sup>(1)</sup>
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	Annual Training Conference (Revenue from grant)	\$0.00	\$489,644.47
6	New Judge Orientation	\$0.00	\$0.00
7	<i>TOTAL REVENUES:</i>	<b>\$0.00</b>	<b>\$489,644.47</b>
8	<b>EXPENDITURES - EVENTS</b>	<b>Monthly Expense</b>	<b>YTD Expenses</b>
9	<i>Educational Training Events</i>		
10	Training Conferences (Expenditures not paid from grant)	\$0.00	-\$517.51
11	Annual Training Conference (Expenditures paid from grant)	\$0.00	-\$489,644.47
12	New Judge Orientation	\$0.00	\$0.00
13	<i>TOTAL EVENT EXPENSES:</i>	<b>\$0.00</b>	<b>-\$490,161.98</b>
14	<b>EXPENDITURES – MEETINGS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
15	Educational Apparatus Meetings	\$0.00	\$0.00
16	<i>TOTAL MEETING EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
17	<b>EXPENDITURES – OTHER</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
18	Vimeo Subscription Fees	\$0.00	\$0.00
19	Quarterly Postage	\$0.00	\$0.00
20	<i>TOTAL OTHER EXPENSES:</i>	<b>\$0.00</b>	<b>\$0.00</b>
21	<b>SHARED OFFICE OVERHEAD</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
22	Pro Rata (\$17,543.00)	\$0.00	\$0.00
23	<b>ENDING FUND BALANCE:</b>	<b>\$0.00</b>	<b>\$31,924.79</b>

Adjustment explanations can be found on the last page of the financial reports' document.



# GEORGIA COMMISSION ON FAMILY VIOLENCE

## (GRANT – DOMESTIC VIOLENCE BENCH BOOK)

### FISCAL YEAR FINANCIAL REPORT

Fund Source: 42012 Project Code: 353

*\*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	<b>BEGINNING BALANCES</b>		
2	Beginning fiscal year balance		\$0.00
3	Beginning June 2023 balance		\$0.00
4	<b>REVENUES</b>	<b>Monthly Revenues</b>	<b>YTD Revenues</b>
5	VAWA Grant Funds	\$0.00	\$19,000.00
6	<i>TOTAL REVENUES:</i>	<b>\$0.00</b>	<b>\$19,000.00</b>
7	<b>EXPENDITURES – CONTRACTS</b>	<b>Monthly Expenses</b>	<b>YTD Expenses</b>
8	<i>Services by Subcontractor</i>		
9	Joan Prittie – Attorney (Invoice #1)	\$0.00	-\$9,000.00
10	Joan Prittie – Attorney (Invoice #2)	\$0.00	-\$9,000.00
11	Joan Prittie – Attorney (Benchcard Invoice)	\$0.00	-\$1,000.00
12	<i>TOTAL CONTRACTED EXPENSES:</i>	<b>\$0.00</b>	<b>-\$19,000.00</b>
13	<b>ENDING FUND BALANCE</b>	<b>\$0.00</b>	<b>\$0.00</b>

Adjustment explanations can be found on the last page of the financial reports' document.





# FY2023 ADJUSTMENTS

## FINANCIAL REPORT

The following financial adjustments were made during FY2023 for each of these constituent groups:

### ICJE – ADMINISTRATIVE OFFICE OF THE COURTS

(1) An adjustment was made to the ending fund balance for FY22. The new beginning fund balance for FY23 is \$26,301.89 and has been corrected in the November 2022 financial reports.

(2) 08/05/2022 – The office overhead allocation will occur during the first half of FY2023. The total amount transferred to ICJE's project code 300 will be listed once the transaction is completed. A request was sent on 11/04/2022 to have \$59,913.00 of overhead allocation funds transferred to ICJE's project code 300. This was finalized in December 2022.

(3) A charge of \$150.00 was incorrectly recorded during the October 2022 reports in the "Dues & Memberships" section when it should not have been charged. The adjustment was made in November 2022 to reflect the true data.

ICJE received funds for the AFY2023. These funds were included in the May 2023 financial reports. All expenditures/revenues that were adjusted have been corrected accordingly.

### ICJE – UNIVERSITY OF GEORGIA

(1) The beginning fund balance was corrected from \$34,436.14 to \$34,199.65 to reflect the true data in the March financial reports.

ICJE received funds for the AFY2023. These funds were included in the May 2023 financial reports. All expenditures/revenues that were adjusted have been corrected accordingly.

### STATE COURT JUDGES

(1) There was an adjustment in the overall fund balance. See revenue note below.

(2) There were 2 late deposits not included in the September 2022 financial reports. The total revenue for September was \$1,920.00. The revenue and total fund balance were corrected in the October 2022 financial reports.

(3) The FY2022 final financial adjustments were made in November 2022. The overall fund balance that carried into FY2023 has been corrected from what was previously reported.

There was an adjustment made in the June 2023 financial reports. The sum of \$152.20 was not recorded in the April 2023 financial reports. This data has been added and is reflected in the June 2023 reports.

### JUVENILE COURT JUDGES

(1) There was an adjustment in the overall fund balance. See revenue note below.

(2) There were 2 late deposits not included in the September 2022 financial reports. The total revenue for September was \$1,920.00. The revenue and total fund balance were corrected in the October 2022 financial reports.

### JUVENILE COURT CLERKS

(1) An adjustment was made for the April 2023 monthly reports. The monthly revenue total was reported as \$921.96; it should have been reported as \$921.96. This correction was made in the May 2023 reports.

### PROBATE COURT JUDGES – NON TRAFFIC

(1) The beginning fund balance for January 2023 was adjusted to reflect the true data after an adjustment to the beginning FY2023 fund balance was made in the same month. The beginning fiscal year balance changed due to the carryforward that was reported from FY2022.

(2) The total for the Fall COAG Conference was adjusted in January 2023 to reflect the true data. Several expenses were posted for November 2022 after ICJE published the financial reports for that month.

### PROBATE COURT JUDGES - TRAFFIC



<sup>(1)</sup>The beginning fund balance for January 2023 was adjusted to reflect the true data after an adjustment to the beginning FY2023 fund balance was made in the same month. The beginning fiscal year balance changed due to carryforward that was reported from FY2022.

#### PROBATE COURT CLERKS

<sup>(1)</sup>There was an adjustment in the overall fund balance. See revenue note below.

<sup>(2)</sup>There was 1 late deposit not included in the September 2022 financial reports. The total revenue for September was \$330.00. The revenue and total fund balance were corrected in the October 2022 financial reports.

<sup>(3)</sup>A total of \$29,235.57 was reported as the total for the LWEG & Traffic Training – July in the month of October. The total should have been recorded as \$29,236.07 and has been adjusted to reflect the true data. A total of \$0.50 was added to the staff travel total when it should not have been and has been adjusted to reflect the true data.

#### MAGISTRATE COURT JUDGES

<sup>(1)</sup>There was an adjustment in the overall fund balance from FY22. The new beginning fund balance for FY23 is \$228,192.71 and has been corrected to reflect the data in the January 2023 financial reports. ICJE unknowingly reported the historic reserves in the beginning FY23 operating fund balance based on information given in previous fiscal years. This issue was brought to the AOC, UGA, independent CPAs and ICJE staff's attention which was discussed with the board and council members of each group. This adjustment caused the beginning January 2023 fund balance to change to \$154,310.99 and not what was reported in the December 2022 financial reports. The issue was resolved in February 2023 and ICJE published the January 2023 financials reports to reflect the true data according to the AOC's records.

<sup>(2)</sup>There was 1 late deposit not included in the September 2022 financial reports. The total revenue for September was \$790.00. The revenue and total fund balance were corrected in the October 2022 financial reports. <sup>(2)(1)</sup>Due to the adjustment of the FY23 beginning fund balance, the beginning fund balance for each month changed causing the January 2023 fund balance to be \$154,310.99.

#### MAGISTRATE COURT CLERKS

#### MUNICIPAL COURT JUDGES

<sup>(1)</sup>There was an adjustment in the overall fund balance from FY22. The new beginning fund balance for FY23 is \$51,748.95 and has been corrected to reflect the data in the January 2023 financial reports. ICJE unknowingly reported the historic reserves in the beginning FY23 operating fund balance based on information given in previous fiscal years. This issue was brought to the AOC, UGA, independent CPAs and ICJE staff's attention which was discussed with the board and council members of each group. This adjustment caused the beginning January 2023 fund balance to change to **-\$18,543.71** and not what was reported in the December 2022 financial reports. The issue was resolved in February 2023 and ICJE published the January 2023 financials reports to reflect the true data according to the AOC's records.

<sup>(2)</sup>There were 2 late deposits not included in the September 2022 financial reports. The total revenue for September was \$5,200.00. The revenue and total fund balance were corrected in the October 2022 financial reports. <sup>(2)(1)</sup>Due to the adjustment of the FY23 beginning fund balance, the beginning fund balance for each month changed causing the January 2023 fund balance to be **-\$18,543.71**. There were several adjustments made in the June 2023 financial reports. Several expenditures were recorded in FY2023 that should have been recorded in FY2022. These expenditures were removed from FY2023 which altered the overall fund balance. The true data is reflected in the June 2023 financial reports accordingly. The Historical Reserves were transferred to the main operation account per the approval of the Council of Municipal Court Judges during the ICJE Board of Trustees' May 2023 meeting. These funds will be recorded and reflected accordingly in the FY204 July 2023 financial reports.

#### MUNICIPAL COURT CLERKS

<sup>(1)</sup>There was an adjustment made to the beginning FY23 fund balance. The new beginning fund balance for FY23 is \$183,141.23 and has been corrected to reflect the data in the January 2023 financial reports after the carryforward from FY22 was posted. This adjustment changed the beginning January 2023 fund balance compared to what was reported in the December 2022 financial reports ending fund balance.

(2) There were 2 late deposits not included in the September 2022 financial reports. The total revenue for September was \$4,500.00. The revenue and total fund balance were corrected in the October 2022 financial reports.

(3) An encumbrance of \$25,000.00 has been set for the upcoming April 2023 Recertification Conference at the Renaissance Waverly in Atlanta. This expense will remain on the financial reports until the actual funds are spent. Any credits/debits for this venue will be recorded accordingly and after they have posted.

#### SUPERIOR COURT JUDGES

(1) A total of \$1,774.86 was recorded in September 2022 when it should have been recorded in August 2022. Two travel payments were not included in the September 2022 financial reports when they should have been. Each of these matters and final total have been adjusted in the November 2022 financial reports to reflect the true data.

(2) The beginning and ending fund balance have been corrected after adjustments from the 2022 Summer Conference were made between September and December. The balance should have been reported as \$354,298.70 and not \$360,883.61. The beginning fund balances from January thru March are different from the AOC FY23 ICJE Fund Source & Project Code Analysis due to adjustments made during these months.

(3) The beginning fund balance for January 2023 was adjusted to reflect the true data after an adjustment to the beginning FY2023 fund balance was made in the same month. The beginning fiscal year balance changed due to carryforward that was reported from FY2022.

(4) A total of \$829.38 of travel expenses was not accounted for in the February 2023 reports. These funds are included in the totals for the March 2023 reports.

#### JUDICIAL STAFF ATTORNEYS

(1) There was an adjustment in the overall fund balance from FY22. The new beginning fund balance for FY23 is \$0.00 and has been corrected to reflect the data in the January 2023 financial reports. ICJE unknowingly reported a beginning fund balance based on information given in previous fiscal years that was incorrect. This issue was brought to the AOC, UGA, independent CPAs and ICJE staff's attention which was discussed with the board and council members of each group. This adjustment caused the beginning January 2023 fund balance to change to \$0.00 and not what was reported in the December 2022 financial reports. The issue was resolved in February 2023 and ICJE published the January 2023 financials reports to reflect the true data according to the AOC's records.

#### ACCOUNTABILITY COURT JUDGES

(1) The beginning FY23 fund balance should have been reported as \$32,442.30 and not \$32,422.30. This adjustment was made in the January 2023 financial reports and is reflected in the true data of the beginning and ending fund balances.

#### GEORGIA DOMESTIC FAMILY VIOLENCE BENCHBOOK GRANT



Country	Year	Value
Algeria	2014	0.00
Algeria	2015	0.00
Algeria	2016	0.00
Algeria	2017	0.00
Algeria	2018	0.00
Algeria	2019	0.00
Algeria	2020	0.00
Algeria	2021	0.00
Algeria	2022	0.00
Algeria	2023	0.00
Algeria	2024	0.00
Algeria	2025	0.00
Algeria	2026	0.00
Algeria	2027	0.00
Algeria	2028	0.00
Algeria	2029	0.00
Algeria	2030	0.00
Algeria	2031	0.00
Algeria	2032	0.00
Algeria	2033	0.00
Algeria	2034	0.00
Algeria	2035	0.00
Algeria	2036	0.00
Algeria	2037	0.00
Algeria	2038	0.00
Algeria	2039	0.00
Algeria	2040	0.00
Algeria	2041	0.00
Algeria	2042	0.00
Algeria	2043	0.00
Algeria	2044	0.00
Algeria	2045	0.00
Algeria	2046	0.00
Algeria	2047	0.00
Algeria	2048	0.00
Algeria	2049	0.00
Algeria	2050	0.00
Algeria	2051	0.00
Algeria	2052	0.00
Algeria	2053	0.00
Algeria	2054	0.00
Algeria	2055	0.00
Algeria	2056	0.00
Algeria	2057	0.00
Algeria	2058	0.00
Algeria	2059	0.00
Algeria	2060	0.00
Algeria	2061	0.00
Algeria	2062	0.00
Algeria	2063	0.00
Algeria	2064	0.00
Algeria	2065	0.00
Algeria	2066	0.00
Algeria	2067	0.00
Algeria	2068	0.00
Algeria	2069	0.00
Algeria	2070	0.00
Algeria	2071	0.00
Algeria	2072	0.00
Algeria	2073	0.00
Algeria	2074	0.00
Algeria	2075	0.00
Algeria	2076	0.00
Algeria	2077	0.00
Algeria	2078	0.00
Algeria	2079	0.00
Algeria	2080	0.00
Algeria	2081	0.00
Algeria	2082	0.00
Algeria	2083	0.00
Algeria	2084	0.00
Algeria	2085	0.00
Algeria	2086	0.00
Algeria	2087	0.00
Algeria	2088	0.00
Algeria	2089	0.00
Algeria	2090	0.00
Algeria	2091	0.00
Algeria	2092	0.00
Algeria	2093	0.00
Algeria	2094	0.00
Algeria	2095	0.00
Algeria	2096	0.00
Algeria	2097	0.00
Algeria	2098	0.00
Algeria	2099	0.00
Algeria	2100	0.00
Algeria	2101	0.00
Algeria	2102	0.00
Algeria	2103	0.00
Algeria	2104	0.00
Algeria	2105	0.00
Algeria	2106	0.00
Algeria	2107	0.00
Algeria	2108	0.00
Algeria	2109	0.00
Algeria	2110	0.00
Algeria	2111	0.00
Algeria	2112	0.00
Algeria	2113	0.00
Algeria	2114	0.00
Algeria	2115	0.00
Algeria	2116	0.00
Algeria	2117	0.00
Algeria	2118	0.00
Algeria	2119	0.00
Algeria	2120	0.00
Algeria	2121	0.00
Algeria	2122	0.00
Algeria	2123	0.00
Algeria	2124	0.00
Algeria	2125	0.00
Algeria	2126	0.00


(Expenses)	(65,981.32)	(187,902.81)	(355,254.34)	(374,500.28)	(374,500.28)	(401,001.15)	(403,857.29)	(618,299.55)	(633,307.95)	(633,918.14)	(634,069.43)	(645,381.82)
Revenues	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00	575,750.00
Future Adjustments	0.00	(4,800.00)	(4,800.00)	(4,800.00)	(4,800.00)	(4,800.00)	(4,800.00)	0.00	0.00	0.00	0.00	0.00
Balance	664,782.83	538,061.34	370,709.81	351,463.87	351,463.87	298,519.00	295,662.86	86,020.60	71,012.20	70,402.01	70,250.72	58,938.33

Judicial Staff Attorneys	Fund Source	42006	42006	42006	42006	42006	42006	42006	42006	42006	42006	42006
	Project	367	367	367	367	367	367	367	367	367	367	367
Beginning Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(Expenses)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(27.12)	(31.64)	(31.64)	(54.16)
Revenues	0.00	0.00	0.00	0.00	0.00	0.00	450.00	1,200.00	2,284.44	2,440.18	2,440.18	3,195.92
Future Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Balance	0.00	0.00	0.00	0.00	0.00	0.00	450.00	1,200.00	2,257.32	2,408.54	2,408.54	3,141.76

Accountability Judges	Fund Source	44195	44195	44195	44195	44195	44195	44195	44195	44195	44195	44195
	Project	368	368	368	368	368	368	368	368	368	368	368
Beginning Balance	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30
Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Balance	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30	32,442.30
(Expenses)	0.00	0.00	0.00	0.00	(31,323.50)	(484,783.09)	(484,783.09)	(484,783.09)	(484,783.09)	(484,783.09)	(485,171.98)	(490,161.98)
Revenues	0.00	0.00	0.00	20,000.00	484,654.47	484,654.47	484,654.47	484,654.47	484,654.47	489,644.47	489,644.47	489,644.47
Future Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(4,990.00)	0.00
Balance	32,442.30	32,442.30	32,442.30	52,442.30	485,773.27	32,313.68	32,313.68	32,313.68	32,313.68	37,303.68	31,924.79	31,924.79

	Fund Source	42012	42012	42012	42012	42012	42012	42012	42012	42012	42012	42012
	Project	353	353	353	353	353	353	353	353	353	353	353
Beginning Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(Expenses)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(9,000.00)	(19,000.00)	(19,000.00)	(19,000.00)	(19,000.00)
Revenues	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00	18,000.00	19,000.00	19,000.00	19,000.00	19,000.00
Future Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Balance	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00	9,000.00	0.00	0.00	0.00	0.00

**To:** ICJE Board of Trustees  
Court of Class Constituents

**From:** Lynne Moore Nelson, Esq.   
Executive Director, Institute of Continuing Judicial Education

**RE:** Executive Director Monthly Report – June 2023 Financials

**Date:** July 29, 2023

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The Executive Director's Monthly report aims to share the monthly financial overview and ICJE program updates. This is a high-level report and I welcome your feedback.

### MONTHLY FINANCIAL OVERVIEW

**The Monthly Financial Report** is attached as a PDF document. Municipal Court Judges had a negative balance in their general account for June 2023 but they are not in any financial jeopardy since they have a substantial historic reserve balance. The ICJE Board approved the transfer of the historic reserves to the general accounts for Municipal Court Judges and Magistrate Court Judges, respectively. The AOC completed both transfers so going forward Municipal Court Judges and Magistrate Court Judges will have one account to manage – like every other class of court.

1. The fiscal year-to-date financial report covering the revenues and expenditures for all ICJE constituent groups is attached.
2. The template for this financial report was developed in consultation with a CPA Firm; the AOC Fiscal Office; and the UGA Law School Business Office. It was created to answer four (4) questions:
  - a. How much money did ICJE receive on behalf of Councils?
    - i. The monthly financial report documents all revenues (whether from appropriations, CJE support fees, contracted fees, or grants) and all expenditures about ICJE.
  - b. From whom?
  - c. How was the money spent?
  - d. What is the remaining balance?
3. Our fiscal manager, AOC, has confirmed the accuracy of our reporting, and an AOC financial source document has been added for your review. (**NEW STEP**)

### MONTHLY PROGRAM OVERVIEW

**July 2023 Programming** – Our programming included two in-person multi-class of court trainings – (1) Judicial Ethics in the Age of Social Media and (2) Judging & Humanities, Applying Diversity, Equity, & Inclusion in the Courts (July 17). Both trainings were held at the UGA Hotel & Conference Center on the same day! We ended the month at the Brasstown Valley Resort in Young Harris with Probate Court Clerks attending the Probate Court Clerks LWEG & Traffic Training on July 24-25.



## ICJE IN PICTURES



**July 17:** We held two multi-class of court synchronous trainings on July 17<sup>th</sup> at the UGA Hotel & Conference Center.

Judicial Ethics in the Age of Social Media was curated by UGA's Department Chair of Journalism and School of Law faculty member Jonathan Peters. JQC Director Courtney Veal participated by presenting a 2-hour session titled "Social Media through the JQC Lens".



The second training - Judging & Humanities, Applying Diversity, Equity & Inclusion in the Courts was directed by UGA's Director of Diversity and Inclusion, along with DeKalb County State Court Judge Mike Jacobs who led a training module on navigating sexual orientation, Gender Identity, and Gender Expression in Court Proceedings.

Thank you to all of the incredible instructors!

**July 24-25:** Over 100 Probate Court Clerks attended the Probate Court Clerks LWEG & Traffic Training at the Brasstown Valley Resort in Young Harris.



On behalf of the ICJE Board of Trustees and staff, thank you for your continued partnership and advocacy to serve Georgia's judiciary and judicial community.