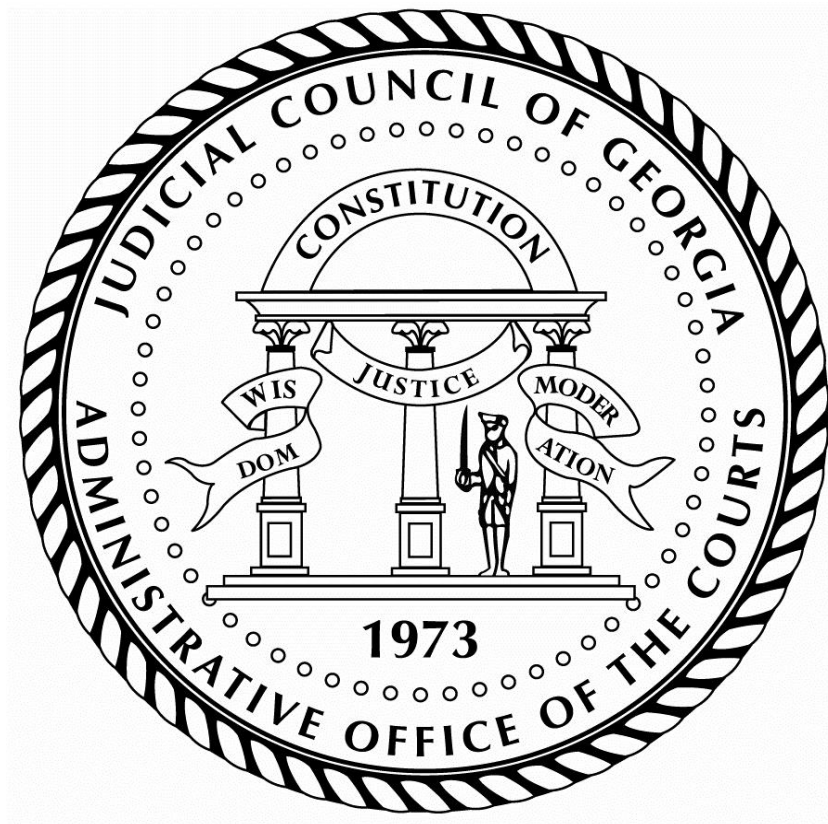


# JUDICIAL COUNCIL OF GEORGIA

**General Session**

**February 11, 2022**  
10:00 a.m. – 12:30 p.m.



**By Remote Conferencing**

**Judicial Council of Georgia**  
**General Session**

**By Remote Conferencing**

**Friday, February 11, 2022**  
10 a.m. – 12:30 p.m.

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

- 1. Call to Order & Preliminary Remarks**  
(Chief Justice David E. Nahmias, Est. Time – 5 Min.)
- 2. Pledge of Allegiance**  
(Judge Quinn M. Kasper, Est. Time – 1 Min.)
- 3. Roll Call of Judicial Council Members**  
(Ms. Cynthia H. Clanton, AOC Director & Judicial Council Secretary, Est. Time – 2 Min.)
- 4. Approval of Minutes (*Action Item*)** **TAB 1**  
(Chief Justice David E. Nahmias, Est. Time – 2 Min.)
- 5. Judicial Council Committee Reports**
  - A. ARPA Funding Committee** **TAB 2**  
(Presiding Justice Michael P. Boggs, Est. Time – 5 Min.)
  - B. Legislation Committee** **TAB 3**  
(Presiding Justice Michael P. Boggs, Est. Time – 5 Min.)
  - C. Budget Committee** **TAB 4**  
(Justice Charles J. Bethel, Est. Time – 5 Min.)
  - D. Judicial Workload Assessment Committee (*Action Item*)** **TAB 5**  
(Chief Judge Robert D. Leonard, Est. Time – 5 Min.)
  - E. Technology Committee** **TAB 6**  
(Justice Shawn Ellen LaGrua/Judge Stephen D. Kelley, Est. Time – 5 Min.)
  - F. Judicial COVID-19 Task Force** **TAB 7**  
(Justice Shawn Ellen LaGrua/Chief Judge T. Russell McClelland, Est. Time – 5 Min.)
- 6. Report from Judicial Council/AOC** **TAB 8**  
(Ms. Cynthia H. Clanton, Est. Time – 10 Min.)

**7. Reports from Courts, Councils, & State Bar**

**TAB 9**

(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**

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

**TAB 10**

(Est. Time – 10 Min.)

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

**9. Old/New Business**

(Chief Justice David E. Nahmias, Est. Time – 3 Min.)

**10. Concluding Remarks & Adjournment**

(Chief Justice David E. Nahmias, Est. Time – 3 Min.)

**Next Judicial Council Meeting – General Session**

Friday, April 22, 2022                      10 a.m. – 12:30 p.m.                      Nathan Deal Judicial Center / Atlanta, GA

**Meeting Calendar CY 2022 – Judicial Council General Session**

Friday, February 11, 2022                      10 a.m. – 12:30 p.m.                      Zoom Conferencing  
Friday, April 22, 2022                      10 a.m. – 12:30 p.m.                      Nathan Deal Judicial Center / Atlanta, GA  
Friday, August 12, 2022                      10 a.m. – 12:30 p.m.                      The Classic Center / Athens, GA  
Friday, December 9, 2022                      10 a.m. – 12:30 p.m.                      Zoom Conferencing

# Judicial Council of Georgia

## Members as of July 1, 2021

Chief Justice David E. Nahmias <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: 404-656-3470 F: 404-656-2253	<a href="mailto:nahmiasd@gasupreme.us">nahmiasd@gasupreme.us</a>
Presiding Justice Michael P. Boggs <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:boggsm@gasupreme.us">boggsm@gasupreme.us</a>
Chief Judge Brian M. Rickman	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:rickmanb@gaappeals.us">rickmanb@gaappeals.us</a>
Vice 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>
Judge Walter W. Davis	Georgia State-Wide Business Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. Suite 3500 Atlanta, GA 30334	P: 404-656-3080	<a href="mailto:davisw@gsbc.us">davisw@gsbc.us</a>
Judge J. Wade Padgett <b>President, CSCJ</b>	Superior Court	Columbia Judicial Circuit PO Box 2657 Evans, GA 30809	P: 706-312-7355	<a href="mailto:wpadgett@columbiacountyga.gov">wpadgett@columbiacountyga.gov</a>
Judge Arthur L. Smith, III <b>President-Elect, CSCJ</b>	Superior Court	Chattahoochee Judicial Circuit PO Box 1340 Columbus, GA 31902	P: 706-653-4273	<a href="mailto:arthursmith@columbusga.org">arthursmith@columbusga.org</a>
Judge Jeffrey H. Kight <b>1st JAD</b>	Superior Court	Waycross Judicial Circuit Ware County Courthouse 800 Church Street, Suite B202 Waycross, GA 31501	P: 912-287-4330 F: 912-544-9857	<a href="mailto:jhkight@gmail.com">jhkight@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:wjsizemorejr@gmail.com">wjsizemorejr@gmail.com</a>

Chief Judge Asha F. Jackson <b>4th JAD</b>	Superior Court	Stone Mountain Judicial Circuit DeKalb County Courthouse 556 N. McDonough Street Suite 6230 Decatur, GA 30030	P: 404-371-2344 F: 404-371-2002	<a href="mailto:afjackson@dekalbcountyga.gov">afjackson@dekalbcountyga.gov</a>
Chief Judge Christopher S. Brasher <b>5th JAD</b>	Superior Court	Atlanta Judicial Circuit T-8905 Justice Center Tower 185 Central Avenue SW Atlanta, GA 30303	P: 404-612-4335 F: 404-612-2569	<a href="mailto:chris.brasher@fultoncountyga.gov">chris.brasher@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>
Judge Robert Flournoy, III <b>7th JAD</b>	Superior Court	Cobb Judicial Circuit 70 Haynes Street Marietta, GA 30090	P: 678-581-5400 F: 678-581-5407	<a href="mailto:robert.flournoy@cobbcounty.org">robert.flournoy@cobbcounty.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 R. Timothy Hamil <b>9th JAD</b>	Superior Court	Gwinnett Judicial Circuit 75 Langley Drive Lawrenceville, GA 30046	P: 770-822-8672 F: 770-822-8536	<a href="mailto:tim.hamil@gwinnettcounty.com">tim.hamil@gwinnettcounty.com</a>
Chief Judge James G. Blanchard, Jr. <b>10th JAD</b>	Superior Court	Columbia Judicial Circuit P.O. Box 2656 Evans, GA 30809	P: 706-312-7356 F: 706-312-7365	<a href="mailto:jblanchard@columbiacountyga.gov">jblanchard@columbiacountyga.gov</a>
Judge Alvin T. Wong <b>President, CStCJ</b>	State Court	DeKalb County 556 N. McDonough St., Suite 2240 Decatur, GA 30030	P: 404-371-2591	<a href="mailto:atwong@dekalbcountyga.gov">atwong@dekalbcountyga.gov</a>
Judge R. Violet Bennett <b>President-Elect, CStCJ</b>	State Court	Wayne County 392 E. Walnut Street Jesup, GA 31546	P: 912-427-4240	<a href="mailto:singinglawyer@bennett-lindsey.com">singinglawyer@bennett-lindsey.com</a>
Chief Judge C. Gregory Price <b>President, CJCJ</b>	Juvenile Court	Rome Judicial Circuit #3 Government Plaza Suite 202 Rome, GA 30161	P: 706-291-5180	<a href="mailto:priceg@floydcountyga.org">priceg@floydcountyga.org</a>

# Judicial Council of Georgia

## Members as of July 1, 2021

Judge Render M. Heard, Jr. <b>President-Elect, CJCJ</b>	Juvenile Court	Tifton Judicial Circuit 225 Tift Avenue North Suite C-1 PO Box 945 Tifton, GA 31793	P: 229-386-7909 F: 229-386-7929	<a href="mailto:render.heard@tiftcounty.org">render.heard@tiftcounty.org</a>
Judge Thomas Lakes <b>President, CPCJ</b>	Probate Court	Harris County 102 N. College St PO Box 569 Hamilton, GA 31811	P: 706-628-5038 F: 706-628-7322	<a href="mailto:tlakes@harriscountyga.gov">tlakes@harriscountyga.gov</a>
Judge B. Shawn Rhodes <b>President-Elect, CPCJ</b>	Probate Court	Wilcox County 103 N. Broad St. Abbeville, GA 31001	P: 229-467-2220 F: 229-467-2067	<a href="mailto:judgeshawnrhodes@gmail.com">judgeshawnrhodes@gmail.com</a>
Judge Quinn M. Kasper <b>President, CMCJ</b>	Magistrate Court	Cobb County 32 Waddell St., 3 <sup>rd</sup> Floor Marietta, GA 30090	P: 770-528-8900	<a href="mailto:quinmcmgill@gmail.com">quinmcmgill@gmail.com</a>
Chief Judge Rebecca J. Pitts <b>President-Elect, CMCJ</b>	Magistrate Court	Butts County 835 Ernest Biles Drive PO Box 457 Jackson, GA 30233	P: 770-775-8220	<a href="mailto:rpitts@buttscounty.org">rpitts@buttscounty.org</a>
Judge Lori B. Duff <b>President, CMuCJ</b>	Municipal Court	Municipal Court of Monroe 7730 B Hampton Place Loganville, GA 30052	P: 770-466-6149	<a href="mailto:duff@jonesandduff.com">duff@jonesandduff.com</a>
Judge JaDawnya C. Baker <b>President-Elect, CMuCJ</b>	Municipal Court	Municipal Court of Atlanta 150 Garnett Street, SW Atlanta, GA 30303	P: 404-588-5970	<a href="mailto:jcbaker@atlantaga.gov">jcbaker@atlantaga.gov</a>
Ms. Elizabeth Fite <b>President, State Bar of Georgia</b>	State Bar of GA	Rogers & Fite LLC 4355 Cobb Parkway Suite 564 Atlanta, GA 30339	P: 877-732-8897 F: 877-732-8897	<a href="mailto:elf@rogersfite.com">elf@rogersfite.com</a>

# Administrative Office of the Courts

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

*Cynthia H. Clanton, Director*

*As of February 1, 2022*

## **Director's Office**

### **Administration**

Alexis Bauman

*Front Desk*  
404-656-5171

Bianca Bennett

### **Budget**

Andrew Zoll

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

Tracy Mason

Robert Aycock

LaShawn Murphy

Cheryl Karounos

**ARPA**  
Shimike Dodson

### **Human Resources**

Jacqueline Booker

Janine Wilson

### **General Counsel**

Jessica Farah

Darron Enns

Carole Collier

Billy Scott

### **Judicial Services**

Stephanie Hines  
Division Director

### **Research and Data Analysis**

Jeffrey Thorpe

Matthew Bishop

Amber Parker

Joseph Stanton

### **Court Professionals**

John Botero

Herbert Gordon

LaShica Briscoe

Tiffanie Bacon

Audrianna Smith

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

Michelle Barclay  
Division Director

Noelle Lagueux-Alvarez

Elaine Johnson

Latoinna Lawrence

Paula Myrick

Bruce Shaw

Diana Johnson

### **Financial Administration**

Maleia Wilson  
CFO/Division Director

Kim Burley

Latricia Harris

Celesta Murray

Cassandra Niblack

Schandra Lyon-Farley

Miya Perrimon

*All email addresses follow this format:  
Firstname.lastname@georgiacourts.gov*



***ARPA***

Andrew McGee

***Tax Intercept***

Andrew Theus

**Information Technology**

Ben Luke  
CTO/Division  
Director

Devin Cooper

Bryan Ashmore

Jessica Willis

Juliana Mincey

Amber Range

Angela He

Kristy King

Christina Liu

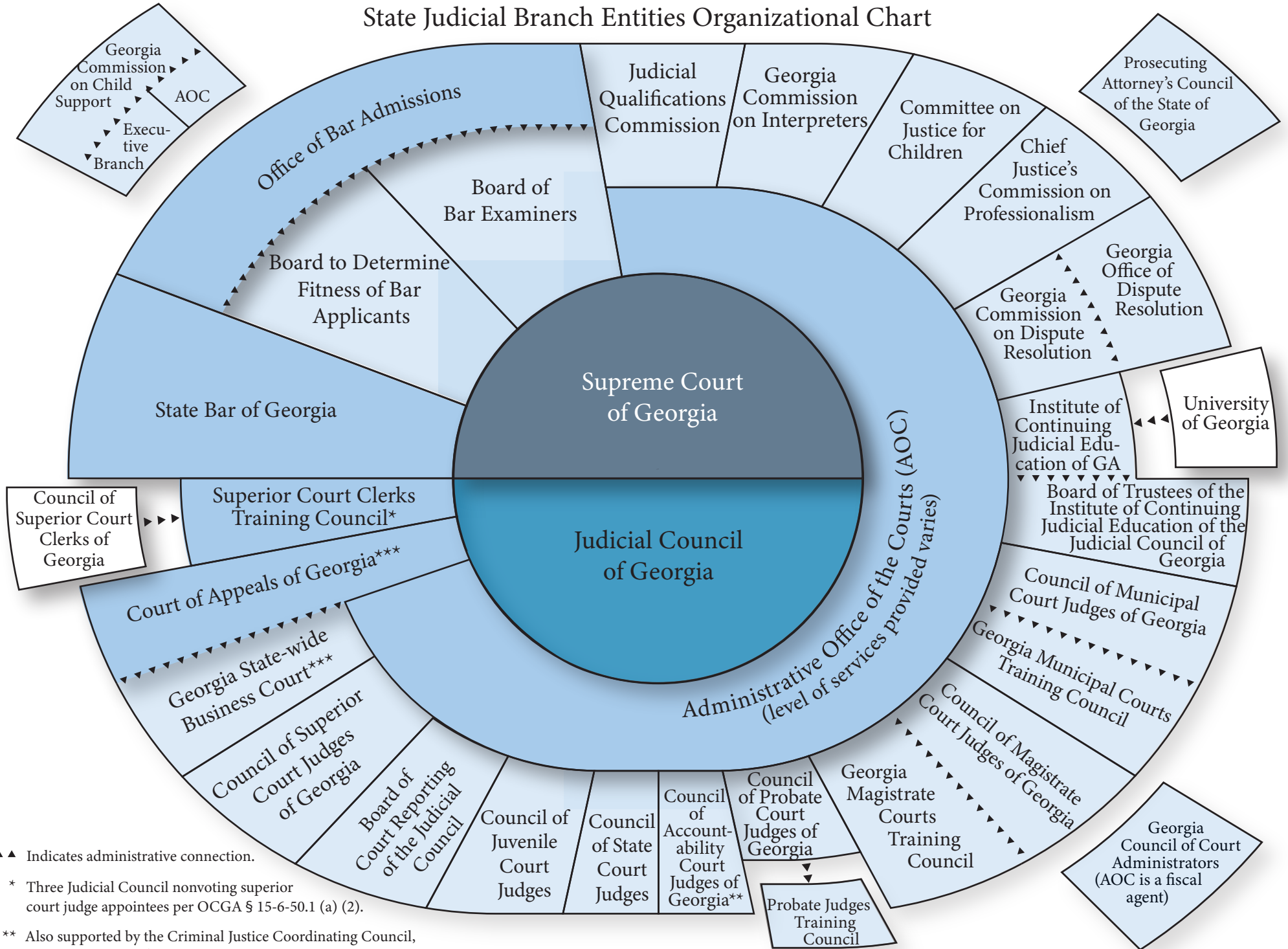
Michael Neuren

Kriste Pope

Afzal Masood

*All email addresses follow this format:  
Firstname.lastname@georgiacourts.gov*

# State Judicial Branch Entities Organizational Chart



▲▲ Indicates administrative connection.

\* Three Judicial Council nonvoting superior court judge appointees per OCGA § 15-6-50.1 (a) (2).

\*\* Also supported by the Criminal Justice Coordinating Council, an Executive Branch agency.

\*\*\* The GSBC is "assigned for administrative purposes only to the Court of Appeals" per OCGA § 15- 5A-16.



# 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)

# TAB 1

**Judicial Council of Georgia  
General Session  
Zoom Conferencing  
December 10, 2021 • 10:00 a.m.**

**Members Present**

Chief Justice David E. Nahmias, Chair  
Presiding Justice Michael P. Boggs  
Judge JaDawnya C. Baker  
Judge R. Violet Bennett  
Chief Judge James G. Blanchard, Jr.  
Chief Judge Christopher S. Brasher  
Judge Melanie B. Cross  
Judge Walter W. Davis  
Judge Lori B. Duff  
Judge Denise Fachini (for Chief Judge Sarah Wall)  
Ms. Elizabeth Fite  
Judge Robert Flournoy, III  
Judge R. Timothy Hamil  
Judge Render M. Heard, Jr.  
Chief Judge Asha F. Jackson  
Judge Quinn M. Kasper  
Judge Jeffrey H. Kight  
Judge Thomas Lakes  
Vice Chief Judge Amanda H. Mercier  
Judge J. Wade Padgett  
Chief Judge Rebecca J. Pitts  
Chief Judge C. Gregory Price  
Chief Judge Brian M. Rickman  
Chief Judge W. Fletcher Sams

Judge W. James Sizemore, Jr.  
Judge Arthur Lee Smith, III  
Judge Alvin T. Wong

**Members Absent**

Judge B. Shawn Rhodes

**Staff Present**

Ms. Cynthia H. Clanton  
Mr. Robert Aycock  
Ms. Carole Collier  
Ms. Shimike Dodson  
Mr. Darron Enns  
Ms. Jessica Farah  
Ms. Stephanie Hines  
Ms. Cheryl Karounos  
Ms. Noelle Lagueux-Alvarez  
Mr. Ben Luke  
Ms. Tracy Mason  
Ms. Lashawn Murphy  
Mr. Bruce Shaw  
Mr. Jeffrey Thorpe  
Mr. Drew Townsend  
Ms. Maleia Wilson

**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 Nahmias. He 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 purposes of the minutes. Chief Justice Nahmias recognized Judge Fachini attending as a designee for Chief Judge Wall and then called on Judge Baker to lead members, staff, and

guests in the Pledge of Allegiance. Ms. Clanton recorded member attendance through the Zoom attendee list and verbally confirmed as needed via roll call.

### **Approval of Minutes**

Chief Justice Nahmias directed the attention of the Council to the minutes of the General Session of August 13, 2021, and the Emergency Session of October 29, 2021. A motion to approve the minutes of both sessions was offered by Judge Kasper, followed by a second from Chief Judge Jackson. No discussion was offered, and the motion was approved without opposition.

### **Judicial Council Committee Reports**

American Rescue Plan Act (ARPA) Funding Committee. Presiding Justice Boggs referred members to the written report provided in the materials. He reported that the ARPA Funding Committee held its first meeting on November 3, 2021, to discuss the funding, review and approve all grant documents, and consider advisory members. On Thursday, November 4, 2021, an order was issued naming advisory members to the Committee, reflecting a comprehensive list of courts and stakeholders. Meetings were also held with chief superior court judges, district court administrators, and other stakeholders. The Judicial Council/AOC (JC/AOC) ARPA webpage was launched on November 10, 2021, and all grant documents (Overview and Instructions, Application, Budget Form, and FAQs) are available on this site, which is being regularly updated as more information becomes available.

Presiding Justice Boggs also shared several updates received since the Committee's initial meeting. Since then, the Governor's Office of Planning and Budget (OPB) confirmed the following expense categories, which were previously pending, as eligible expenditures under the grant funding: 1) Administrative costs, including costs related to the administration of the grant program and costs stemming from the purchase of supplies and equipment that will be used to onboard personnel; and, 2) Necessary expenses including expenses incurred to facilitate the allowable services of Court-Based Mental Health Diversion Services, Court-Based Substance Use Diversion Services, and Court-Based Eviction Prevention and Diversion, so long as priority is given to the expedition of cases involving serious violent felonies and it can be demonstrated that allocating resources to other non-violent crimes will allow the court to dedicate additional existing resources to serious violent felonies. Second, Presiding Justice Boggs reported that OPB has designated Premium Pay to Essential Public Employees as a non-eligible expenditure category. He reported that a process has been established for reimbursing senior judges with ARPA funds for time



worked responding to case backlogs (prioritizing cases involving serious violent felonies) if paid by the Council of Superior Court Judges, which has been document as FAQ 29.1. Finally, Presiding Justice Boggs shared that additional funding to be allocated to public defender offices in the opt-out judicial circuits (Bell-Forsyth, Blue Ridge, Cobb, Douglas, Gwinnett, and Houston) will be administered through the Georgia Public Defender Council.

Concluding the Committee's report, Presiding Justice Boggs reminded the Council that the first grant cycle application period took place from November 10, 2021, through November 30, 2021, and applications were received from 28 circuits. The Committee will meet on Monday, December 20, 2021, to make award decisions for funding and expenses effective January 1, 2022, and awards will be announced following the meeting. The Committee's next application window is scheduled for January 1 through January 15, 2022. The Committee will meet in February to make award decisions for funding and expenses effective March 1, 2022. Presiding Justice Boggs invited anyone with questions to reach out to either the ARPA grants team, Director Clanton, Ms. Mason, or to himself. Chief Justice Nahmias thanked Presiding Justice Boggs, the Committee, AOC staff, and all Chief Superior Court Judges for their efforts.

Legislation Committee. Presiding Justice Boggs referred members to the written report provided in the meeting packet and highlighted several updates from that report. On November 17, 2021, the Standing Committee on Legislation met to continue preparation for the 2022 Session of the General Assembly. There were no new proposals presented for action, but the Committee heard status reports on previously taken positions of support, which Presiding Justice Boggs briefly summarized. He invited members to reach out to him with any questions and shared that when Session begins on Monday, January 10, 2022, the Committee will have regular conference calls to discuss these and other legislative matters that arise. Chief Justice Nahmias thanked Presiding Justice Boggs for his report and reminded Council members to keep the Legislation Committee apprised of any potentially relevant matters so the judiciary can coordinate as needed, especially on items that affect more than one class of court.

Budget Committee. Chief Justice Nahmias directed Council members to the written report provided in the materials.

Technology Committee. Chief Judge Emerson referred to the written report provided in the materials, and briefly shared that the Technology Committee has experienced some challenges



regarding the Automated Protective Order Registry Project and the Standardization of File Format Project. The Committee is optimistic about solutions moving forward.

Chief Justice Nahmias reiterated the importance of this project and the need to standardize video file format for purposes of the record and storage. He thanked the Technology Committee and recognized Chief Judge Rickman and the staff in the Court of Appeals for starting this project.

Judicial Workload Assessment Committee. Chief Judge Emerson directed the Council's attention to the Committee's report and detailed recommendations provided in Tab 6 of the meeting materials. Highlighting these recommendations, he shared that, at its November 12, 2021, meeting, the Committee approved the following items for the Council's consideration: 1) To categorize Petitions for Removal from Sex Offender Registry cases as other general civil filings effective January 1, 2022 (prospective); and 2) To count home invasion in the first degree cases filed under O.C.G.A. §16-7-5(b) as serious felony cases (currently counted as a felony), effective January 1, 2022. Last, Chief Judge Emerson reported that the Committee approved late caseload submissions and heard reports from the Joint Subcommittee on the Automation of Data Collection and the Subcommittee on Judicial Needs Assessment.

Chief Judge Emerson reminded superior court judges that the Time and Motion Study will launch in March and is highly dependent on judges' participation. He also expressed gratitude to state court judges, who will be participating in the study as well. He also reminded judges that their annual caseload reports for CY 2021 are due mid-March 1. Concluding, Chief Judge Emerson expressed that it had been his sincere pleasure to serve as chairman of both the Judicial Workload Assessment Committee and the Technology Committee.

Chief Justice Nahmias asked if the recommendation to amend the Judicial Council Policy on Judgeships and Circuit Boundary Studies was being presented for consideration (as indicated in the written report), and Chief Judge Emerson clarified that this will be revisited by the Committee and is not presented for consideration. Chief Justice Nahmias stated he would accept the recommendation that Petitions for Removal from Sex Offender Registry be categorized as other general civil filings effective January 1, 2022, as a motion from the Committee. The motion was approved without opposition. Similarly, he stated he would accept the recommendation to count home invasion in the first degree cases filed under O.C.G.A. §16-7-5(b) as serious felony cases, effective January 1, 2022, as a motion from the Committee. The motion was approved without opposition.

On behalf of the Supreme Court, Chief Justice Nahmias presented Chief Judge Emerson the Amicus Curiae Award, which, he explained, is an award given to someone who has provided particularly exemplary service to Georgia's judicial system. He read the award aloud and expressed his appreciation for the dedicated service of Chief Judge Emerson.

Judicial COVID-19 Task Force. Justice LaGrua reported that the term of the Task Force has again been extended to December 31, 2022. In addition to continuing to monitor the pandemic, Justice LaGrua reported, the Task Force will focus on reviewing and updating the 2018 Georgia Pandemic Bench Guide with best practices learned over the last 18 months.

Chief Justice Nahmias thanked Justice LaGrua and the members of the Task Force for their willingness to continue serving on the Task Force and reiterated the value of the Georgia Pandemic Bench Guide. While the initial 2018 version was helpful at the onset of the COVID-19 pandemic, he shared, the knowledge learned over the past two years should be preserved in a revised version for future needs.

Strategic Plan Committee. Council members were directed to the written report included in the materials.

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

Ms. Clanton delivered a report on behalf of the JC/AOC. She spoke to the work of the Ad Hoc Committee on ARPA Funding and that of the Judicial COVID-19 Task Force. She updated members on the progress of the JC/AOC's Fiscal Year 2021 Annual Report and highlighted the recent celebration of three extraordinary retirements: Chief Judge Ben Studdard (State Court of Henry County), Judge Russell Jackson (Juvenile Court of Fulton County), and former president of the Council of Municipal Court Judges Judge Roger Rozen (Municipal Court of Marietta). Ms. Clanton congratulated former Juvenile Court Judge Amanda Heath on her swearing-in to the Superior Court of the Augusta Judicial Circuit, and congratulated CACJ Executive Director Taylor Jones of the CACJ on her recent appointment to the National Council of State Treatment Court Coordinators. Ms. Clanton spoke to the work of the Court of Appeals and the inaugural meeting of the newly appointed Standing Committee on Court Interpreters. The Supreme Court's Committee on Justice for Children met on September 14 and Ms. Clanton recognized former Judge Diana Rugh Johnson as the new director of the Committee's Court Improvement Program. Ms. Clanton highlighted the meeting of the Committee on Court Reporting Matters, chaired by

Vice Chief Judge Mercier, and shared several staff updates. She thanked Chief Justice Nahmias and Council members and concluded her report.

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

Supreme Court. Members were directed to the written report provided in the materials. Chief Justice Nahmias highlighted the Court's 175<sup>th</sup> Anniversary Celebration and thanked everyone who participated. Additionally, Chief Justice Nahmias asked members to share any notable anecdotes or projects with the Court's Public Information Officer, Ms. Kathleen Joyner, as he prepares to deliver his first State of the Judiciary Address to the General Assembly in the coming months.

Court of Appeals. Chief Judge Rickman referred members to the written report provided in the materials.

Business Court. Judge Davis referred members to the written report provided in the materials.

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

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

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

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

Council of Magistrate Court Judges. Judge Kasper referred members to the written report provided in the materials.

Council of Municipal Court Judges. Judge Duff referred members to the written report provided in the materials. She reported that she and Judge Rashida Oliver recently testified before the Senate Public Safety Committee, and they look forward to testifying before the House Public Safety Committee in the future. Additionally, Judge Duff shared she and Judge Baker were pleased to film the Bill of Rights Video and look forward to its release.

State Bar. President Fite invited Council members to attend the State Bar's Mid-Year Meeting that will be held from January 6-8, 2022, at the Westin in Buckhead; there will be a virtual attendance option as well.

Recapping the October 2021 Board of Governors Meeting held in Savannah, President Fite reported the Board voted to implement the \$15 per attorney, annual assessment to support the Client Security Fund. That motion is now before the Supreme Court. President Fite shared there was a motion raised at the meeting to require a form of disclosure or publication related to professional liability insurance. The Board ultimately moved to maintain the status quo, so there is no mandatory disclosure or publication at this time.

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

Council of Accountability Court Judges. Ms. Taylor Jones referred members to the written report provided in the materials.

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

Council of Superior Court Clerks. Mr. Michael Holiman shared that the Council had no report at the time.

Chief Justice's Commission on Professionalism. Ms. Karlise Grier referred members to the written report provided in the materials. She thanked Chief Justice Nahmias and many others who helped to make the Commission's September 28, 2021, CLE a great success.

Georgia Council of Court Administrators. Mr. Joshua Weeks reported that in September 2022 the GCCA will celebrate its 25<sup>th</sup> anniversary, and at its annual conference, legendary coach Vince Dooley will be the keynote speaker.

Institute of Continuing Judicial Education. Mr. Doug Ashworth referred members to the written report provided in the materials. Chief Justice Nahmias recognized and thanked Mr. Ashworth for his years of service as he prepares to retire from the State in early 2022.

Judicial Qualifications Commission. Mr. Chuck Boring shared that the Commission had no report at the time.

### **Old Business**

No old business was offered.

### **New Business**

No new business was offered.

### **Adjournment**

Chief Justice Nahmias closed by thanking Council members for their continued service and wished everyone a happy holiday season. He reminded members that the next General Session

will be held on Friday, February 11, 2022, via Zoom Conferencing and it is his hope that the following meeting, scheduled for April 22, 2022, will be held in person at the Nathan Deal Judicial Center in Atlanta.

Chief Justice Nahmias adjourned the meeting at approximately 10:50 a.m.

Respectfully submitted:

---

Tracy Mason  
Senior Assistant Director, Judicial Council/AOC  
For Cynthia H. Clanton, Director and Secretary

The above and foregoing minutes  
were approved on the \_\_\_\_ day of  
\_\_\_\_\_, 2022.

---

David E. Nahmias  
Chief Justice

**Judicial Council of Georgia**  
**General Session**  
**Zoom Conferencing**  
**December 10, 2021 • 10:00 a.m.**

**Guest Present**

Judge Cynthia Adams

Ms. Lynn Ansley

Chief Judge Berryl Anderson, Council of Magistrate Court Judges

Mr. Doug Ashworth, Institute of Continuing Judicial Education

Mr. Joseph Baden, Third Judicial Administrative District

Judge Shakara Barnes, Georgia Office of State Administrative Hearings

Mr. T.J. BeMent, Tenth Judicial Administrative District

Mr. Charles “Chuck” Boring, Judicial Qualifications Commission

Mr. Bob Bray, Council of State Court Judges

Mr. Richard Denney, First Judicial Administrative District

Presiding Judge Sara L. Doyle, Court of Appeals of Georgia

Chief Judge David T. Emerson, Superior Court, Douglas Judicial Circuit

Ms. Karlise Grier, Chief Justice's Commission on Professionalism

Mr. Brian Heinze, Georgia House of Representatives

Ms. Christine Butcher Hayes, State Bar of Georgia

Mr. Kevin Holder, Council of Probate Court Judges

Mr. Michael Holiman, Council of Superior Court Clerks

Ms. Jasmin Hughes

Ms. Lynette Jimenez, Georgia State-wide Business Court

Mr. Eric John, Council of Juvenile Court Judges

Ms. Tracy Johnson, Georgia Office of Dispute Resolution

Ms. Taylor Jones, Council of Accountability Court Judges

Ms. Kathleen Joyner, Supreme Court of Georgia

Justice Shawn LaGrua, Supreme Court of Georgia

Chief Judge Robert D. Leonard, Superior Court, Cobb Judicial Circuit

Ms. Natasha MacDonald, Council of Superior Court Judges

Ms. Grace McGowan, Ninth Judicial Administrative District

Mr. David Mixon, Second Judicial Administrative District

Mr. Bob Nadekow, Eighth Judicial Administrative District

Mr. Jay Neal, Criminal Justice Coordinating Council

Ms. Debra Nesbit, Council of Superior Court Judges

Ms. Jody Overcash, Seventh Judicial Administrative District

Ms. Lenora Hawkins Ponzio, Fourth Judicial Administrative District

Ms. Sharon Reiss, Council of Magistrate Court Judges

Chief Presiding Judge Juliette W. Scales, Juvenile Court, Atlanta Judicial Circuit

Ms. Christina C. Smith, Court of Appeals of Georgia

Mr. Robert Smith, Prosecuting Attorneys’ Council of Georgia

Mr. David Summerlin, Fifth Judicial Administrative District

Ms. Jill Travis, Georgia Association of Criminal Defense Lawyers

Ms. Kirsten Wallace, Council of Juvenile Court Judges

Mr. Shannon Weathers, Council of Superior Court Judges  
Mr. Joshua Weeks, Georgia Council of Court Administrators  
Ms. Emily Youngo, Supreme Court of Georgia

DRAFT

# TAB 2





## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*

### Memorandum

TO: Judicial Council Members

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

RE: Committee Report

DATE: February 3, 2022

---

As reported at the January 7, 2022, Judicial Council General Session, the Committee met on December 20, 2021, to consider applications and make award decisions for circuits who applied during the November 2021 application period. Prior to the consideration of applications, the Committee voted to allocate a target of 50 percent (\$48 million) of the total funding (\$96 million) during Calendar Year 2022 and, within that, targeted an allocation of 66 percent (\$31.6 million) of that amount during the first application cycle. The Committee awarded over \$24.8 million in grant funding to 26 judicial circuits, which equals approximately 52 percent of the target for Cycle One. The AOC ARPA Fiscal Team is working closely with circuits on the implementation of the awards and reimbursement process.

In early January, the following updated guidance was received from the Governor's Office of Planning and Budget (OPB) and subsequently communicated to the Committee and chief superior court judges:

- Regarding reimbursement for ARPA grant administration payroll expenditures:
  - Current, hourly employees performing ARPA grant administration duties may be paid from ARPA funds for time spent (including overtime) if the time is documented with timesheets.
  - Current, salaried employees performing ARPA grant administration duties may not be paid extra from ARPA funds for added duties, but an employer may be reimbursed from ARPA funds for time spent by those employees performing ARPA grant administration duties if the time is documented with timesheets. To be clear, current employees performing ARPA grant administration duties may not be given a supplement or a raise to be paid from ARPA funds.

- New employees (hourly or salaried) may be paid from ARPA funds for time spent working on grant administration duties if the time is documented with timesheets.

This information serves to clarify the guidance received from OPB in December, prohibiting the use of ARPA funds for the reimbursement of payroll of existing personnel performing ARPA grant administration as an added duty, including recovery of indirect costs by a county for grant administration. This guidance remains accurate but was further clarified by the above.

The second grant application period took place from January 1 – January 18, 2022. Applications were received from 24 circuits (14 new applicants, 9 applicants seeking to amend their current award, and 1 resubmission of a previously deferred application) and the screening and review process is currently underway. The Committee will meet on Friday, February 18, to make award decisions for funding and expenses effective March 1, 2022. Awards will be announced following the meeting.

Grant documents, including the Frequently Asked Questions, continue to be updated as new information and guidance are received. All grantees and applicants are encouraged to visit the website (<https://jcaoc.georgiacourts.gov/arpa/>) regularly for the most up-to-date information.

The Committee's next application period is scheduled to take place from April 1 – April 15, 2022. Applicants should refer to the website for the most current documents at that time. The Committee will meet on Friday, May 13, 2022, to make award decisions for funding and expenses effective June 1, 2022. This will conclude the application opportunities for CY 2022 funding, and the first application period for CY 2023 will open in September, for funding effective January 1, 2023. An updated schedule will be posted on the website following the February 18 meeting.

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



## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*

### PRESS RELEASE

For more information:  
Bruce Shaw  
[bruce.shaw@georgiacourts.gov](mailto:bruce.shaw@georgiacourts.gov)  
404-656-6783

**For Immediate Release:**  
December 22, 2021

#### **Judicial Council Awards American Rescue Plan Act Funds to 26 Judicial Circuits**

Atlanta – The Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act (ARPA) Funding (“Committee”) has awarded grants totaling \$24,806,522 to 26 judicial circuits from around the state who submitted applications for ARPA funds allocated to the judicial branch. The Committee accepted applications from November 10 through November 30 for the award period beginning January 1, 2022.

In October, Supreme Court of Georgia Chief Justice David E. Nahmias, also Chair of the Judicial Council, announced the allocation of up to \$110 million of ARPA funds by Gov. Brian P. Kemp to address backlogs of court cases, particularly cases involving serious violent felonies. The Judicial Council is administering up to \$96 million of that total for eligible courts, prosecutors, and related agencies. The remaining \$14 million in ARPA funds is allocated to the Georgia Public Defender Council for grants to public defenders.

Requests from judicial circuits included funding for temporary personnel to respond to the case backlog, including senior judges and judges to serve by designation, assistant district attorneys, security personnel, victim support, and court reporters, funding for rental costs for temporary space to hold court, supplies and materials, and administrative staff to support grant administration.

Georgia’s judiciary operated under a Statewide Judicial Emergency Order from March 2020 through June 2021. The order placed necessary limitations on court operations to protect the health of those working in and coming to courthouses during this time but also resulted in a backlog of criminal and civil cases, particularly those requiring jury trials to resolve. Since the order expired on June 30, 2021, courts have increased efforts to resolve cases, but the ongoing pandemic continues to limit the pace and scale of court operations as public health measures remain in place.

The Committee, chaired by Presiding Justice Michael P. Boggs, is overseeing the application process for the grants and the Judicial Council's Administrative Office of the Courts is facilitating the grant application, awarding, compliance, and reporting processes. The funds will be awarded on a calendar year basis, and all funds allocated to the judicial branch must be spent by December 31, 2024.

“As soon as we received word of the Governor’s allocation of these funds to the judicial branch, we began working to establish a process for awarding grants to courts statewide,” said Presiding Justice Boggs. “These 26 circuits represent over half of the judicial circuits in our state—encompassing rural, urban, and suburban areas—and they will soon have the much-needed resources to assist in their efforts to resolve their backlogs and return to pre-pandemic operations. We look forward to supporting these circuits, and all future applicants, in their work.”

A complete list of grantees and award amounts is attached. The Committee will next accept applications from January 1 to January 15, 2022. More information on grant requirements, application timelines, and contact information is available at <https://jcaoc.georgiacourts.gov/>.

###

244 Washington Street SW • Suite 300 • Atlanta, GA 30334  
404-656-5171 • <https://jcaoc.georgiacourts.gov/judicial-council/>  
Twitter: @gacourts • Facebook: [www.facebook.com/gacourts](http://www.facebook.com/gacourts)

**Judicial Council of Georgia**  
**Ad Hoc Committee on American Rescue Plan Act Funding – Awards**  
**December 20, 2021**

<b>Circuit</b>	<b>Circuit Request</b>	<b>Committee Award Amounts</b>
<b>*Budget as approved by Committee</b>		<b>\$ 24,806,522</b>
Alapaha	\$ 341,114	\$ 325,332
Alcovy	\$ 311,515	\$ 311,515
Appalachian	\$ 2,656,113	\$ 2,000,000
Atlantic	\$ 516,837	\$ 516,837
Augusta	\$ 2,162,811	\$ 2,000,000
Blue Ridge	\$ 52,200	\$ 52,200
Brunswick	\$ 847,194	\$ 847,194
Chattahoochee	\$ 3,664,884	\$ 2,000,000
Columbia	\$ 874,024	\$ 874,024
Dougherty	\$ 6,666,587	\$ 2,000,000
Douglas	\$ 1,071,510	\$ 741,510
Enotah	\$ 2,444,006	\$ 2,000,000
Flint <i>*Application withdrawn</i>	\$ 1,448,678	\$ -
Houston	\$ 142,113	\$ 142,113
Macon	\$ 977,026	\$ 977,026
Mountain	\$ 446,163	\$ 446,163
Northeastern	\$ 1,081,610	\$ 1,081,610
Northern	\$ 560,879	\$ 560,879
Ocmulgee	\$ 161,730	\$ 161,730
Ogeechee	\$ 1,979,202	\$ 1,825,348
Paulding	\$ 1,316,226	\$ 1,316,226
Piedmont	\$ 13,276	\$ 13,280
Southwestern	\$ 667,441	\$ 667,441
Stone Mountain	\$ 2,394,978	\$ 2,000,000
Tallapoosa <i>*Application deferred by Committee to resolve additional questions</i>	\$ 2,333,089	\$ -
Toombs	\$ 346,010	\$ 346,010
Towaliga	\$ 627,399	\$ 627,399
Waycross	\$ 972,685	\$ 972,685
	<b>\$ 37,077,300</b>	<b>\$ 24,806,522</b>

*Note: These numbers 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.*

# TAB 3



## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*

### Memorandum

TO: Judicial Council Members

FROM: Presiding Justice Michael P. Boggs  
Chair, Standing Committee on Legislation

RE: Committee Report

DATE: January 25, 2022

---

The 2022 session of the Georgia General Assembly began on Monday, January 10, 2022. This report reflects information available at this time, and updates will be reported at the February 11, 2022, General Session.

The Judicial Council's petition for review legislation was filed as [HB 916](#), on January 13, 2022, and is sponsored by Rep. Rob Leverett (R – Elberton) and Rep. Mike Wilensky (R – Dunwoody). It has been assigned to the House Judiciary Committee.

As a reminder, the Judicial Council supports legislation to:

- Modernize and update the Court Reporting Act of Georgia and related statutes (OCGA Titles 5; 9; 15; 17; 29), to include authorization for the use of digital recording systems in courts and for the development of rules and regulations to govern such use (*Judicial Council*);
- Repeal and replace the current notice of appeal and certiorari review statutes in OCGA Chapters 3 and 4 of Title 5 with a single petition for review procedure for appealing a case from a lower judicatory to superior or state court (*Judicial Council*) – **filed as [HB 916](#)**;
- Amend OCGA § 29-3-3 to clarify the meaning of “gross settlement” and define “net settlement” when the appointment of a conservator for a minor is required (*Council of State Court Judges/Judicial Council*) – **filed as part of [HB 620](#)**;
- Amend OCGA § 17-6-31 (e) to increase the period of time a defendant can be tried before a surety is relieved of liability on the bond – **[HB 662](#)** (*Council of State Court Judges*); and,
- Amend OCGA § 17-6-72 to clarify when a surety may be released from a bond – **[HB 662](#)** (*Council of State Court Judges*).

# TAB 4





## Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias  
*Chair*

Cynthia H. Clanton  
*Director*

**To:** Judicial Council Members

**From:** Standing Committee on Budget  
Justice Charlie Bethel, Chair

**Date:** January 26, 2022

**Re:** Fiscal Year 2022 Judicial Council Budget and Financial Report

### **Fiscal Year 2022 Judicial Council Budget and Financial Report as of December 31, 2021**

The Judicial Council Financial Report is attached for review.

### **Amended Fiscal Year 2022 and Fiscal Year 2023 Judicial Council Budget Requests**

#### **Meetings with House Public Safety and Senate Judicial Appropriations Subcommittees Chairs**

Justice Bethel met with Chairman Hitchens of the House Public Safety and Chairman Kennedy of the Senate Judicial Appropriations Subcommittees the first week of the 2022 legislative session to present and answer questions regarding the Judicial Council's AFY22 and FY23 budget requests.

#### **House and Senate Joint Appropriations Hearings**

The 2022 legislative session began on January 10, 2022. Joint House and Senate Budget hearings were held from January 18<sup>th</sup>, 2022 – January 20<sup>th</sup>, 2022. On January 19<sup>th</sup>, Chief Justice Nahmias and Presiding Justice Boggs presented an update on the Judicial Branch, the ARPA Grant Process, and the Amended FY22 and FY23 General Budget Requests for the Supreme Court. In addition, the Justices mentioned the continued importance of the restoration of funds to the Judicial Branch.

#### **Amended FY22 - House Public Safety Appropriations Subcommittee Hearings**

The House Public Safety Appropriations Subcommittee will be holding a meeting on January 27<sup>th</sup>, 2022. The Judicial Council will be presenting the budget for the Amended FY22 continuation funding and enhancement requests to restore FY21 budget cuts to the Administrative Office of the Courts, the Council of Probate Court Judges, Council of Magistrate Court Judges, and the Council of Accountability Court Judges. The total continuation funding with the requests for restoration is \$16,238,867.

**Amended FY22 - Senate Judicial Appropriations Subcommittee Hearings**

The Judicial Council is still awaiting the announcement of hearings for the Senate Judicial Appropriations Subcommittee on the Amended FY22 Budget.

**Attachments:**

Fiscal Year 2022 Judicial Council Financial Report

**Fiscal Year 2022 - Judicial Council Operations**  
**December 31, 2021**

Department	Project	FY 2022 Budget	YTD Expenditures	Remaining	Budget Spent
<b>Administrative Office of The Courts</b>		<b>\$ 7,075,563</b>	<b>\$ 3,715,053</b>	<b>\$ 3,360,510</b>	<b>53%</b>
Legal Services for Domestic Violence	103	1,677,172	1,677,172	\$ -	100%
Legal Services for Kinship Care Families	1103	475,326	475,326	\$ -	100%
Georgia Council of Court Administrators	141	16,389	16,389	\$ -	100%
Council of Municipal Court Judges	142	13,919	4,402	\$ 9,517	32%
Child Support Collaborative	174	140,600	54,527	\$ 86,073	39%
Council of Magistrate Court Judges	204	165,998	76,955	\$ 89,043	46%
Council of Probate Court Judges	205	159,490	75,841	\$ 83,649	48%
Council of State Court Judges	206	260,390	112,992	\$ 147,398	43%
Council of State Court Judges Ret.	207	2,588,814	14,268	\$ 2,574,546	1%
<b>Other Judicial Council Subprograms</b>		<b>\$ 5,498,098</b>	<b>\$ 2,507,872</b>	<b>\$ 2,990,226</b>	<b>46%</b>
Accountability Courts	195	619,696	\$ 204,625	\$ 415,071	33%
CACJ-Peer Review Process	199	48,000	\$ 14,373	\$ 33,627	30%
Inst of Continuing Jud Ed Administration	301	545,866	\$ 92,287	\$ 453,579	17%
Judicial Qualifications Commission	400	1,053,729	\$ 421,174	\$ 632,555	40%
Resource Center	500	775,000	\$ 387,500	\$ 387,500	50%
<b>Separate Judicial Council Programs</b>		<b>\$ 3,042,291</b>	<b>\$ 1,119,958</b>	<b>\$ 1,922,333</b>	<b>37%</b>
<b>TOTAL JUDICIAL COUNCIL</b>		<b>\$ 15,615,952</b>	<b>\$ 7,342,883</b>	<b>\$ 8,273,069</b>	<b>47%</b>

# TAB 5



# Judicial Council of Georgia

## Administrative Office of the Courts

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### Memorandum

TO: Judicial Council Members

FROM: Chief Judge Robert Leonard  
Chair, Standing Committee on Judicial Workload Assessment

RE: Judicial Workload Assessment Committee Report

DATE: February 3, 2022

---

At its November 12, 2021 meeting, the Committee approved adding Home Invasion in the First Degree to the list of serious felony case category effective January 1, 2022. This change was subsequently approved at the December 10, 2021, Judicial Council General Session Meeting. As a result, the Standing Committee on the Judicial Workload Assessment submits the following for Council consideration:

The Statistical Guide on Caseload Reporting, [found here](#), will be updated to add Home Invasion to the list of Serious Felonies as noted below:

Home Invasion, as defined in O.C.G.A §16-7-5-b.

RICO is also reflected under the Serious Felony section. Lastly, the contact information for the Office of Research and Data Analysis will be updated.

# TAB 6



# Judicial Council of Georgia

## Administrative Office of the Courts

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### Memorandum

TO: Judicial Council Members

FROM: Judge Stephen Kelley, Co-Chair

RE: Committee Report - Judicial Council Standing Committee on Technology

DATE: January 26, 2022

---

The Judicial Council Standing Committee on Technology met on Tuesday, January 13, 2022. The following report reflects matters and topics discussed during that meeting.

*Gateway Sub-Committee* – Mrs. Juliana Mincey, Sub-Committee member  
Ms. Juliana Mincey provided an update on the Judicial Gateway. She shared analytics that showed continuous access for existing users and a stable increase in new users. The most visited section of the Gateway continues to be paying my ticket, probate court standard forms, and COVID-preparedness, followed by court services and judicial orders. Additionally, most site traffic is accessed on mobile devices rather than desktops.

#### *New Business*

##### *Automated Data Collection project*-Mrs. Stephanie Hines

Mrs. Hines shared that the sub-committee met in November 2021 to review the data submitted by the judicial partners who completed the NODS data spreadsheet. Additional outreach is taking place to engage judicial partners and related vendors. The sub-committee will meet again in February to continue the work on this project.

##### *AOC Updates*-Mr. Ben Luke

Mr. Luke provided an update on the Administrative Office of the Courts' technology projects. He has explained that the single-sign-on project has come to an end. Mr. Luke also updated on a new project designed to support calendar calls in a virtual format for Superior Courts. The Committee engaged in discussion and seemed interested in the opportunity. The AOC focuses on security and having measurable actions to ensure that security measures are applied to application products.

*GCIC POR project*-Judge Emerson, Mr. Ben Luke

Judge Emerson reported that the project is moving slowly; in part, GCIC is updating to new servers, which caused a delay in the beta testing of the electronic portion of the project. The Sheriff's Association was opposed to using their ORI numbers, outreach and discussion have begun. The project will hold until the new servers are prepared for testing.

*Standardization of file format*, Mr. Ben Luke

Mr. Ben Luke stated standardizing the structure would provide uniformity. A sub-committee has been created and held an initial meeting. The sub-committee is working to develop a file format that is readily useable in the courtroom. Vendors have been engaged and are interested in receiving a list of best practices for the file format. The sub-committee discussions continue to create standards and best practices ensuring quality control.

*Next Meeting*

The next committee meeting is scheduled for March 17, 2022.



# TAB 7



# Judicial Council of Georgia

## Administrative Office of the Courts

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

### Memorandum

TO: Judicial Council Members

FROM: Justice Shawn Ellen LaGrua, Co-Chair  
Chief Judge T. Russell McClelland, Co-Chair

RE: Judicial COVID-19 Task Force Update

DATE: January 27, 2022

---

The Judicial COVID-19 Task Force continues meeting to discuss both what procedures and protocols are working and where improvement is needed since the lifting of the Statewide Judicial Emergency Order. The Task Force met on December 15 and is scheduled to meet again on February 9. The Steering Committee for the review and update of the 2018 Georgia Pandemic Bench Guide met on January 26 and the working groups will be meeting before the next meeting of the full Task Force on February 9.

The working groups are comprised of the criminal, civil, virtual, and family subcommittees. The criminal group is co-chaired by Judge Ken Hodges and Judge Kathlene Gosselin. The civil group is chaired by Elizabeth Fite, President of the State Bar. Chief Judge Rob Leonard is chairing the virtual court group and on January 26, Chief Justice Nahmias issued an order appointing Judge Paige Reese Whitaker of Fulton County Superior Court to the Task Force who is chairing the family subcommittee.

Additionally, we have two new advisory members to the Task Force as designees upon the departure of former members: Marilyn Primovic of the Georgia Public Defender Council for Jimmonique R.S. Rodgers and new ICJE Executive Director, Lynne Moore Nelson for the previous Executive Director, Douglas Ashworth. We thank our former members for their service and welcome our new members to the Task Force as we continue this important work.



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

**Chief Justice David E. Nahmias**  
*Chair*

**Cynthia H. Clanton**  
*Director*

**Judicial COVID-19 Task Force**

The following member is hereby appointed to the Judicial COVID-19 Task Force:

- Judge Paige Reese Whitaker, Fulton County Superior Court.

So decided this 26<sup>th</sup> of January, 2022.

---

Chief Justice David E. Nahmias  
Chair, Judicial Council of Georgia

# TAB 8



## Judicial Council of Georgia

### Administrative Office of the Courts

Chief Justice David E. Nahmias  
*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: February 11, 2022

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 Chief Justice David Nahmias; 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.

Following is a brief synopsis of the current work.

- **Committee on Justice for Children (J4C):** Federal grant funding is in place through FY 2022. Court Improvement Program (CIP) Director Diana Rugh Johnson presented the updated budget to the Committee at its December 7, 2021 meeting. The priorities for J4C now include:
  - The Court Process Reporting System (CPRS) provides a daily snapshot of data relating to every child in foster care, permitting judges, attorneys, and court appointed special advocates (CASAs) to stay up-to-date on each aspect of a child's dependency case and progress toward permanency. CPRS enables the uploading and e-filing of court orders, which all special assistant attorneys general (SAAGs) representing the Division of Family and Children Services (DFCS) are required to do. CPRS makes these orders available to all parties and automatically transmits all filed orders to the DFCS SHINES system, where the orders are readily accessible to users. DFCS estimates that using CPRS to upload orders will save the State some \$4 million dollars each year. This is the amount typically lost in federal IV-E reimbursements due to unavailability of court orders when the state is audited by our federal partners. In the most recent 2021 title IV-E reimbursement audit, DFCS

was able to produce all but one requested court order containing the required reasonable efforts language and passed the audit successfully. To meet the needs of Georgia CASA, CPRS now contains CASA-specific features, which allow case-tracking by CASA volunteers, dissemination of written reports to parties, and periodic reporting to national CASA. In 2022, CPRS will be updated with new access and search parameters for different types of users.

- 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. Cold Case roundtable meetings are continuing by phone and video conferencing at this time.
- The Court Improvement Initiative (CII) brings together leading juvenile court judges and court teams twice a year. J4C reviews the best-practice model with each jurisdiction and prior to each meeting, each jurisdiction reports on its latest efforts to implement these best practices. The next CII meeting will be held on March 3-4, 2022 and will focus on issues of racial disproportionality in child welfare.
- J4C hosted a meeting of Georgia's Child Welfare Law Specialists on September 16-17, 2021. We currently have some 60 Georgia attorneys who are certified Child Welfare Law Specialists (CWLS). J4C is 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 is planning to host another CWLS meeting in April of 2022.
- J4C, DFCS, OCA, and GA CASA held their fifth annual statewide Child Welfare Law Summit for November 17-19, 2021. The Summit had 402 on-site attendees and 233 virtual attendees consisting of juvenile court judges, Special Assistant Attorneys General (SAAGs), parent attorneys, child attorneys, guardians ad litem, case managers, service providers, foster parents, and parents and youth with lived experience. Offering virtual attendance allowed the content to be available on-demand to all attendees for 90 days following the close of the Summit.
- Multi-Disciplinary Child Abuse and Neglect Institute (MD-CANI) trainings are offered in hybrid format with virtual attendance available to those who do not wish to gather in-person. The most recent MD-CANI training was hosted in Coweta and Troup Counties in December of 2021. J4C is focused on evaluating the efficacy of MD-CANI and making changes as necessary to ensure that these trainings meet with needs of the individual counties and result in measurable changes to permanency outcomes in participating jurisdictions.
- J4C also sponsors the Hines Awards for outstanding advocacy for children in dependency proceedings. Chief Justice Nahmias presented the 2021 Hines Awards to this year's attorney winner, Rick Jones, and this year's DFCS case manager winner, Christie Williams, at the State Bar Annual Meeting in June. Nominations for the 2022 award will close on February 28, 2022.
- **The next J4C Committee meeting will be held in April or May of 2022.**
- **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 system of justice and the rule of law. To foster community engagement, we concentrate on three civic holidays: Law Day (May 1<sup>st</sup>), Constitution Day (September 17<sup>th</sup>), and Bill of Rights Day (December 15<sup>th</sup>) 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:** The Commission staff works collaboratively with Georgia’s Department of Human Services (DHS), Division of Child Support Services (DCSS) in several areas. These areas include providing an online child support calculator <https://csc.georgiacourts.gov/>, for court and public use, training on the calculator for courts, lawyers, and the public, supporting the Parental Accountability Courts (PAC), providing a website for self-represented litigants with resources on Georgia’s Income Deduction Order (IDO) process in private cases, and generally supporting the process and the law surrounding child support.
  - The latest Child Support Commission Meeting was held virtually on Friday, December 10, 2021, during which several items of business were discussed, including status of the work being conducted by the Parenting Time Deviation Study Committee, status of the work being conducted by the Economic Subcommittee, and the upcoming economic study scheduled in 2022. The Commission has authorized the JC/AOC to contract with Dr. Jane Venohr with the Center for Policy Research, Inc. (CPR), to conduct the economic study. Fifteen counties have been selected to participate in the study, and those counties are: Appling County, Early County, Echols County, Elbert County, Fannin County, Fayette County, Forsyth County, Glascock County, Glynn County, Houston County, Paulding County, Rockdale County, Stewart County, Troup County, and Ware County. Staff is communicating with the Clerks of Superior Court for those counties and will obtain copies of child support orders and worksheets entered during the months of September and October 2021 to use as the case sampling component of the study.
  - Legislation: The Commission has no plans to submit legislation during the 2022 session. There is the potential for legislation in 2023 following the economic study of the child support guidelines and basic child support obligation table that will take place in 2022.
  - Study Committees: The Child Support Commission established a Parenting Time Deviation Study Committee at the end of 2018 for a two-year period and initially extended this study committee through December 2021. During the December 10, 2021 Commission meeting, the study committee was extended again through

April 2022, so the study committee may complete its work. The purpose of that study committee is to explore whether changes, including adding a formula to the child support calculation to account for parenting time, should be made.

Commission member and Attorney Kathleen Connell chairs that study committee.

- Subcommittees: The Economic Subcommittee, chaired by Dr. Roger Tutterow, held meetings on June 4, 2021 and October 6, 2021. Next steps include staff preparation for the 2022 case sampling and economic study. Two listening sessions were held on August 26<sup>th</sup> and September 23<sup>rd</sup> to gather public comments, which was a very successful process in receiving comments and ideas from the general public, judges, attorneys, mediators, and the Division of Child Support Services (DCSS). The Economic Subcommittee voted during its June 4<sup>th</sup> meeting to recommend that the Administrative Office of the Courts contract with Dr. Jane Venohr of the Center for Policy Research, Inc., (CPR) in Denver, Colorado, to conduct the 2022 economic study. The Child Support Commission approved this recommendation during its meeting on October 15, 2021. Commission staff have prepared the scope of service and the AOC legal department has prepared the contract, which should be fully executed by the end of January 2022.
- Child Support Calculator: Courts, attorneys, mediators, and the public are using the online calculator deployed on August 8, 2016. Internet connectivity within the courthouses is still an issue around the state. The Excel version of the calculator was permanently retired on October 1, 2018. Staff have temporarily discontinued in-person training and have developed virtual training to comply with social distancing. Trainings include, but are not limited to, using the low-income deviation, steps to impute income, and generally how to use the calculator. Online training is going well and all sessions (at least once a month) have been very well attended. Staff have prepared training videos available on the Child Support Commission website for parents (self-represented litigants). A training video has also been created for the Division of Child Support Services (DCSS) staff, which has been recorded and is currently being reviewed by DCSS.
- Parental Accountability Court (PAC) evaluation: Staff continues to support and train PAC coordinators on the use of the database to produce statistical evidence of the efficacy of those courts. JC/AOC's Research Division completed a second study and evaluation in June, 2021, on six courts in the Alcovy, Appalachian, Coweta, Flint, Northeastern, and Southwestern Judicial Circuits. The study was furnished to the Parental Accountability Court judges on June 10, 2021. The findings were once again very positive demonstrating continued efficiency and success in these courts. Staff is currently in conversation with DCSS on the next set of courts to evaluate during 2022.

**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 (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' listserve, a statewide DCA regional contact list.

- The A2J Committee is continuing to partner with and has adopted the State Bar'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 from 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 2019, we began hosting free Pop-up Legal Clinics, and the 3rd Clinic was planned for March 13th in Dalton, but was canceled at the beginning of the COVID-19 outbreak. In light of our "new normal" under COVID-19 restrictions, we are collaborating with the Georgia Justice Project 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 to continue the virtual clinics from the Chief Justice's Commission on Professionalism. Some of the 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 recently held a virtual clinic in Tifton on May 22, 2021 and a virtual clinic in Macon on June 9, 2021. We recently 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 townhall 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.

- 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 during our December Committee meeting 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 last month 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 district, so that all courts will have access to hearing devices, as needed. This working group is also beginning to create several DHH teaching modules on ADA compliance for judges, court staff, and bar members.
- The A2J Committee’s Self Represented Litigants (SRL) Forms Working Group is updating 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 are continuing 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. We are currently editing forms for legitimation, custody and eviction proceedings.
- The A2J Committee internally distributed a final draft of the Georgia-specific guide for judges on the Servicemembers Civil Relief Act for review. The A2J Committee partnered with Emory University, Georgia State University, and the State Bar of Georgia’s Military-Veterans Law Section on this project. The Guide was distributed during the previous Judicial Council meeting. The SCRA Guide companion bench card was finalized last month, and all district court administrators were mailed copies for distribution. Similar guides have been created in other states, and you can find a similar state-specific guide at this link: <https://mckinneylaw.iu.edu/practice/clinics/docs/IndianaJudgesGuide.pdf>. Any judges interested in learning more about the project or possibly participating in the project should contact Tabitha Ponder at [tabitha.ponder@georgiacourts.gov](mailto:tabitha.ponder@georgiacourts.gov). **The next A2J Committee meeting will be via Zoom on February 16, 2021.**

# TAB 9



## SUPREME COURT OF GEORGIA

NATHAN DEAL JUDICIAL CENTER  
ATLANTA, GEORGIA 30334

FROM THE CHAMBERS OF  
DAVID E. NAHMIAS  
CHIEF JUSTICE

(404) 656-3474

### Supreme Court Report

Since our last regular Judicial Council meeting, the omicron variant COVID wave spiked and the Supreme Court reverted to holding oral argument sessions and court meetings on Zoom. As I have noted many times, this videoconference technology provides an option to many in-person proceedings that courts can turn off and on as COVID conditions require. Virtual proceedings are often not optimal, but when they are lawful and reasonably effective – as these proceedings are for my Court – they can allow us to continue operating while providing greater safety for all participants. Indeed, I was infected with COVID at the time of our January oral argument sessions, but I was able to participate in and preside over those sessions from isolation in my home. At the time I write this report, our Court is planning to conduct our February oral arguments sessions in person, but we are continuing to monitor the COVID situation. This is the balance we all must strike: to keep court business moving as effectively as possible while striving to ensure the safety of all those involved.

On February 8, I delivered my first State of the Judiciary Address to the General Assembly. As I reported to the legislature, the resolve of Georgia's judges to uphold the rule of law and provide equal justice for all is as strong as ever, in spite of the difficulties created by the COVID pandemic. I know this time has been challenging, but your service to our State is truly invaluable. I was honored to report on the diligence and creativity demonstrated by judges of every class of court. I sincerely thank each of you for your contributions and dedication to providing our citizens with access to justice during the past two years. In particular, we have asked much of the chief superior court judges as leaders of their judicial circuits throughout the pandemic, and we appreciate their work.

The February Bar Exam is fast approaching, and we are cautiously optimistic that we will be able to go forward in-person with minimal disruption. Our Director of Bar Admissions, John Earles, and his team have been working hard and are looking forward to a successful administration of the exam. We wish all those sitting for the exam the best of luck. It is our hope that we will soon be welcoming them to the Georgia Bar.

Our Court recently approved amendments to the Uniform Superior Court Rules and Forms and the State Bar Rules. Justice Carla McMillian serves as our liaison on uniform court rules, and Justices Peterson and Warren are our liaisons for the State Bar. We appreciate their work and the work of the rules committees and staff in making these in making the rules amendment process work efficiently.

Presiding Justice Michael Boggs continues to oversee the Judicial Council's grant award process for the \$96 million in federal ARPA funds that the Governor allocated to address case backlogs, particularly of serious violent felony cases. The Ad Hoc Committee on ARPA Funding awarded nearly \$25 million to 26 judicial circuits in late December. The second grant application window recently closed, and the committee will meet next week to review the additional requests and make awards. We hope that these funds will soon turn into temporary space and temporary personnel working to reduce case backlogs across the State. We realize, however, that this funding will not fully resolve the backlogs issue, and we urge judges and other judicial system stakeholders to continue to work to obtain additional support from the ARPA funds allocated to their counties.

As always, it is my honor to serve as your Judicial Council Chair. Our next regularly scheduled meeting is planned to be our first in-person meeting since February 2020. The Supreme Court will host the meeting in the Nathan Deal Judicial Center. I look forward to seeing those of you who can attend and providing tours of our beautiful new building to those who have not yet had the opportunity to visit.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David Nahmias", with a stylized flourish at the end.

David E. Nahmias  
Chief Justice, Supreme Court of Georgia





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

CHAMBERS OF  
CHIEF JUDGE BRIAN M. RICKMAN

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Report to Judicial Council of Georgia  
February 11, 2021 Meeting

The Court of Appeals continues to allow counsel to argue their cases via Zoom upon request, and for the past few months the court has experienced every combination of in-person and virtual appearances possible: both sides virtually, one side virtually and the other in person, and one side with one lawyer arguing virtually and another in person. The court has been able to accommodate attorneys who discover a need to appear virtually only hours before their argument. But a majority of attorneys have been choosing to argue their cases in person, and with five three-judge divisions holding arguments regularly, our courtroom at the Nathan Deal Judicial Center is being put to good use.

The court recently updated its Rules to encourage oral argument participation by Registered Law Students and Registered Law School Graduates, who are provisionally authorized to practice under the Supreme Court of Georgia rules. The court welcomes these opportunities to expand opportunities to hear from developing lawyers. This new rule builds on the court's October 2020 rules amendment that specifically states that, in reviewing requests, the court will consider whether granting the argument will further the development of a newer attorneys.

Our court is grateful that the Judicial Council Subcommittee on standardized video formatting has begun to meet with an eye towards unifying video evidence formatting. Simplifying and streamlining the admission and review of video evidence by standardizing admissible file formats will help all players in all stages of litigation, from discovery to trial to appeals.

Finally, the Court of Appeals is looking forward to co-hosting with the Supreme Court of Georgia the southeastern regional finals of two law school competitions in the Nathan Deal Judicial Building on February 26, 2022. The Southern Region of the National Black Law Students Association will hold its 51st Southern Regional Advocacy Competitions in Atlanta during the last week of February, with the final Constance Baker Motley Mock Trial Competition in the Court of Appeals courtroom and the final Thurgood Marshall Moot Court Competition in the Supreme Court courtroom. The court welcomes the chance to share our beautiful building with the SRBLSA and participate in these two storied competitions.

Brian M. Rickman  
Chief Judge, Court of Appeals of Georgia



# Council of Superior Court Judges of Georgia

Suite 104, 18 Capitol Square, Atlanta, Georgia 30334

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## **Council of Superior Court Judges Report to Judicial Council February 2022**

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

CSCJ cancelled its in-person conference in Athens in January due to the pandemic. However, CSCJ worked with staff of the Institute for Continuing Judicial Education (ICJE) to create a training seminar for the judges by pre-recorded video. Programming included judicial workload assessment and case counts; interpreters; gang task force; importance of making a record; crime lab/DNA; Fourth Amendment; Family Law update; Senior Judge panel; reporting requirements from the Georgia Government Transparency and Campaign Finance Commission; pro se litigants; case law update; and evidence. Additionally, the pre-recorded death penalty course included pre-trial case management issues, motions; venire update, jury questionnaires, voir dire, and victim impact evidence; mental status of the accused; penalty phase procedures; jury instructions; post-trial procedures through the defendant's direct appeal; and habeas procedures. The Mandatory Continuing Judicial Education Committee (MCJE) is working with ICJE on the educational programming for the next conference.

Many CSCJ committees which would have met in person at the conference met via WebEx. Notably, the Pattern Jury Instructions Committee approved revised charges proposed by the plain language rewrite subcommittee led by Judge Ann Harris including Aggravated Battery, Aggravated Assault, and Mutual Combat, as well as a revised civil apportionment charge based upon a recent Supreme Court case. The committee previously revised the sex offense charges. Finally, the committee is working on a model grand jury charge.

On January 20, 2022, CSCJ elected officers and received committee reports at its annual meeting conducted via WebEx. Judge John E. Morse, Jr., of the Eastern Judicial Circuit was elected to the office of President-Elect and Judge Ann Harris of the Cobb Judicial Circuit was elected to the office of Secretary-Treasurer. Their terms will begin on May 1, 2021 along with that of incoming President, Judge Arthur L. Smith, III, of the Chattahoochee Judicial Circuit. Judge J. Wade Padgett of the Columbia Judicial Circuit will continue to serve as a member of the Executive Committee as Immediate Past President.

CSCJ welcomes our three newest judges: Judge Danielle Roberts of the Flint Judicial Circuit, Judge Henry Thompson of the Cobb Judicial Circuit, and Judge Ronnie Thompson of the Ogeechee Judicial Circuit. Governor Brian Kemp appointed all three.



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

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Bob Bray  
Executive Director

*Executive Committee*

*Judge Alvin T. Wong  
President (DeKalb)*

*Judge R. Violet Bennett  
President-Elect (Wayne)*

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

*Judge Jeffrey B. Hanson  
Treasurer (Bibb)*

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

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

*District 2  
Judge Shawn Rowland (Jeff Davis)*

*District 3  
Judge Ellen S. Golden (Lowndes)*

*District 4  
Judge Eddie Barker (Douglas)*

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

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

*District 7  
Judge Eric A. Richardson (Fulton)*

*District 8  
Judge Allison Barnes Salter (Cobb)*

**Report of the Council of State Court Judges**  
**Judicial Council Meeting**  
**February 11, 2022**

The Council Congratulates the following Judges who were recently sworn-in as Superior Court Judges: Judge Danielle Roberts (Flint); Judge Henry Thompson (Cobb) and Judge Ronnie Thompson (Ogeechee).

The Council conducted New Judge Orientation for 10 new state court judges during January 31 – February 3, 2022. Live Zoom presentations were held over a 4-day period. The new judges are:

*Judge Kimberly Alexander (DeKalb – Jury)*

*Judge Duff B. Ayers (Jenkins)*

*Judge Charles Bailey (DeKalb-Traffic)*

*Judge Ralph Bailey, Jr. (Henry)*

*Judge Clarence Cuthpert (Rockdale)*

*Judge Chaundra Lewis (Henry)*

*Judge Ana Maria Martinez (DeKalb-Jury)*

*Judge Ashley Palmer (Cobb)*

*Judge Richard Read (Rockdale)*

*Judge Jaret Usher (Cobb)*

Judge Richard Read fills the newly created vacancy for a second State Court Judge in Rockdale County.

The Council is working with the Judicial Council Legislative Liaisons and Georgia Legislature to secure passage of HB 620 that amends the statutes related to the appointment of a conservator and settlements with minors; and HB 662 which seeks to clarify judgments on bail bonds.

Judge Vi Bennett (Wayne) recently travelled to Miami, Florida and Indianapolis, Indiana to cheer on her nephew Stetson Bennett and the University of Georgia football team as they successfully pursued their College Football National Championship.





*Tricia Bennett Armstrong (l), Violet Bennett (middle), and Frances Bennett Yeagan, who are first cousins Once removed to Georgia quarterback Stetson Bennett, show off their special made “The Mailman” shirts while taking in the fan festival inside the Indianapolis Convention Center on Sunday, Jan. 9, 2022.*

In the January issue of Fayette County Lifestyle, Judge Jason Thompson and the Fayette County DUI Accountability Court team were featured in a wonderful three-page article.



Judge Thompson was quoted: *“Accountability Court is some of the most rewarding work I get to do. I’ve seen people at their worst, and I’ve seen them go through the transformation. They come out on the other side, and they are such a blessing to our community, to our program. It gives me strength and passion to help more people because I see how life-changing it can be.”*

Respectfully submitted,

*Alvin T. Wong*

Judge Alvin T. Wong, President



**REPORT**  
**COUNCIL OF JUVENILE COURT JUDGES**  
to  
**SUPREME COURT/AOC JUDICIAL COUNCIL**  
**FEBRUARY 11, 2022**

Since the last full Judicial Council meeting, the Council of Juvenile Court Judges has successfully, through its Education/Certification Committee, established an agenda and protocols for the upcoming bi-annual conference and training seminar in St. Simons, Georgia. The protocol for attendance (virtual, hybrid or in person) has yet to be determined, and will be determined closer to the conference date of May 2, 2022 through May 4, 2022 depending upon the statistical numbers of the COVID virus and its variants. The Executive Committee of CJCJ will meet with new Institute of Continuing Juvenile Education Executive Director, Lynn Moore Nelson, within the next two weeks.

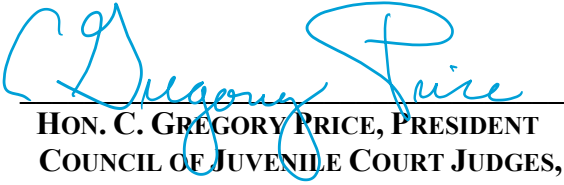
As previously reported, at the Fall CJCJ business meeting, an intensive discussion was had as to the appropriateness of retaining the services of a legislative liaison to present the position or concerns of CJCJ to legislators concerning proposed legislation affecting the Juvenile Courts. Such was approved and the Council of Juvenile Court Judges has retained the services of *Capitol Partners*, and specifically the services of partner Rusty Sewell, who also functions as liaison for the Georgia State Bar.

The Council of Juvenile Court Judges has been observing the legislative process as to House Bill 272, which has been designated the “Raise the Age” Bill. Ostensibly, such legislation would transfer jurisdiction of seventeen (17) year old criminal offenders to the Juvenile Court from the Superior and State Courts, where they will be treated as Delinquent offenders.

According to the Juvenile Jurisdictional Subcommittee Report of the Georgia Juvenile Justice State Advisory Group, such relocation of seventeen (17) year old offenders would increase the number of Juvenile Delinquency cases in the Juvenile courts of the State of Georgia by forty-three percent (43%) necessitating increases in detention facility bed space requirements, increase in transportation costs for county Sheriff's Offices to transport juveniles, and as well an impact as to the need for more judicial staffing including Judges and support staff probation officers, intake officers and clerical staff).

On a different issue, and due to the retirement of Judge Bobby Simmons of Clayton County Juvenile Court ( thus leaving a vacancy in the position of Chair of the CJCJ Technology Committee), Judge Greg Price, President of the Council of Juvenile Court Judges has appointed Dekalb County Juvenile Court Judge Vincent Crawford to assume the chairmanship of that committee. Such appointment requires Judge Crawford as well to be the CJCJ representative and serve as the Chair of the AOC Juvenile Data Exchange project (JDEX). As well, such appointment requires him to also serve as the CJCJ representative to the Supreme Court/AOC Judicial Council Technology Committee.

It appears that a significant number of the Juvenile Courts throughout the state are still utilizing virtual Court hearings (Zoom <sup>tm</sup>, Google Meet <sup>tm</sup> , Go To Meeting <sup>tm</sup>, and Microsoft Teams <sup>tm</sup>) to facilitate both Dependency and Delinquent trials. Most Courts are insuring public access to hearings via YouTube Live streaming services or similar publicly accessible services.

  
**HON. C. GREGORY PRICE, PRESIDENT  
COUNCIL OF JUVENILE COURT JUDGES,  
STATE OF GEORGIA**



# Council of Probate Court Judges of Georgia

**Judge Thomas Lakes**  
*President (Harris)*

**Judge B. Shawn Rhodes**  
*President Elect (Wilcox)*

**Judge Danielle McRae**  
*Vice President (Upson)*

**Judge Darin McCoy**  
*Secretary-Treasurer (Evans)*

**Judge Kelli Wolk**  
*Immediate Past President (Cobb)*

**Kevin D. Holder**  
*Executive Director*

**Report to Judicial Council of Georgia**  
**February 11, 2022**

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

## **Judge Carrie Markham**

Congratulations to Judge Carrie Markham of the Coweta County Probate Court on her recent appointment by the Supreme Court of Georgia to serve as a member of the Georgia Commission on Dispute Resolution. Based on her service in other roles on our Council's behalf, we are confident that Judge Markham, who has years of experience as an attorney and judge, will add her unique perspective in this role. In addition, in the not-so-distant future, Judge Markham will also be transitioning into the role of chair of our Council's Forms and Rules Committee.

## **Judge Sherrell Terry**

Unfortunately, recently Judge Sherrell Terry of Talbot County died unexpectedly. Although she was only entering her second year on the bench, Judge Terry had shown herself to be enthusiastic about her role as a probate judge and chief magistrate, as she was always seeking out new avenues to gain knowledge. Judge Terry was a well-known fixture in her community, an active member in her sorority, and devoted to her family and friends. We sincerely hope that Judge Terry's memory will continue to serve as blessing to all who knew her best and loved her most.

## **Judge Shatara Powell**

As a result of Judge Terry's untimely passing, Shatara Powell, who has served as a clerk for over a decade, was appointed to assume the duties of probate judge and chief magistrate of Talbot County. Our Council will provide Judge Powell with all the necessary guidance and support to ensure that she successfully transitions into this role.

Respectfully submitted,

Judge Thomas Lakes  
President, Council of Probate Court Judges of Georgia





# Council of Magistrate Court Judges

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Judge David Crosby  
Judge Heather Culpepper

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Judge Phinia Aten  
Judge Matt McCoyd

District Five  
Judge Linda Borsky  
Judge Cassandra Kirk

District Six  
Judge Amanda Flora  
Judge Megan Kinsey

District Seven  
Judge Chris Griffin  
Judge Jennifer Inmon

District Eight  
Judge Colby Crabb  
Judge Shawn Rhodes

District Nine  
Judge Bill Brogdon  
Judge Tony Tarnacki

District Ten  
Judge Mike Burke  
Judge Caroline Evans

Members-at-Large  
Judge Jim Altman  
Judge Todd Ashley

## Council of Magistrate Court Judges Report

The Council of Magistrate Court Judges (CMCJ) continued to meet virtually to accomplish its goals and plan for future projects. The CMCJ plans to focus on training and strategic planning as it looks to the future. However, our leadership is also keeping a close watch on public health as the newest variant of COVID continues to cause waves of illness in the community. Several of our colleagues in multiple different counties have already seen entire offices test positive and have worked with their Chief of Superior Court to issue appropriate emergency orders.

President Quinn Kasper has been virtually attending video conferences for the Judicial Council Ad Hoc Committee on ARPA Funding as an advisory member as the first applications for funding were received. Our President Elect, Judge Rebecca Pitts and Vice President, Judge Brandon Bryson, have continued to join President Kasper on both emergency Judicial Council calls as well as weekly legislative calls to ensure that the CMCJ is well informed. The newest COVID variant has brought with it a need for watchful waiting and the CMCJ, like all councils, continue to plan events and projects with virtual alternatives in mind.

The CMCJ's training council (MCTC) continued to meet via video conference monthly to plan our upcoming Chief Magistrates Training, 40 Hour Criminal New Judges Training, and our Spring Recertification. The CMCJ and MCTC are hopeful that these trainings will be in person after two years of virtual learning, but our leadership team along with the training council, is monitoring the situation throughout the winter.

The CMCJ remains cautiously optimistic that we will be in person at events soon. The ongoing pandemic has continued to create difficult times across the state and in person conferences and classes can really have a positive impact on morale and camaraderie among the members of the Council.

Best regards,

Quinn M. Kasper  
President – Council of Magistrate Court Judges



## Judicial Council Meeting February 11, 2022

Throughout my first six months as President of the State Bar, I have been eager to highlight some of the State Bar's programs that often fly under the radar of our membership. Some of those resources include the Law Practice Management Program, which offers advice on things like legal technology and managing firm finances, as well as the Lawyer Assistance Program, which provides six pre-paid counseling sessions per year. I've also emphasized the need for lawyers, especially those with a solo practice, to develop a sudden health crisis succession plan. We hope that members of Georgia's judiciary will learn about these programs as well and recommend these resources to lawyers in their communities.

The State Bar's Board of Governors held its Midyear Meeting virtually on January 8, 2022. Although we had planned to gather at the Westin Buckhead in-person, the uptick in COVID-19 cases due to the omicron variant led to a last-minute change of plans. Nonetheless, we carried forth the business of the State Bar via Zoom.

The Midyear Meeting marked the nomination of a new slate of bar officers for the 2022-2023 bar year. The following nominations were made by members of the Board of Governors: J. Antonio DelCampo for President-Elect, Ivy N. Cadle for Treasurer, and Christopher P. Twyman for Secretary. This proposed slate of officers will appear on the ballot sent to bar members this spring. The Board of Governor also nominated the Hon. Alvin T. Wong, C. Elisia Frazier, and V. Sharon Edenfield as delegates to the American Bar Association (ABA).

The Board also adopted four legislative positions ahead of the 2022 legislative session: (1) support for the Judicial Council's \$750,000 budget request to fund civil legal service grants for kinship care; (2) support for the Judicial Council's \$800,000 budget request for continued funding for the Georgia Resource Center; (3) support for HB 272, the pending "Raise the Age" legislation; and (4) support for HB 409, which establishes a Judicial Legal Defense Fund Commission. The Bar's legislative team, which includes Director of Governmental Affairs Christine Butcher Hayes, along with contract lobbyists Rusty Sewell, Mark Middleton, and Roy Robinson, will work with legislators during the upcoming session to advocate these priorities.

As always, we love to see members of the judiciary and other legal groups at the Bar Center. The conference center on the third floor of the Bar Center in downtown Atlanta continues to be open to groups that are looking to meet in-person. We hope you will consider using the conference center and its convenient access to free parking for your next meeting.

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### HEADQUARTERS

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I look forward to the State Bar's continued work with the Judicial Council and members of our judicial branch. Our collaboration continues to sustain a strong and healthy judicial branch in Georgia.

Respectfully submitted,

Elizabeth L. Fite  
President, State Bar of Georgia

# TAB 10





# Council of Accountability Court Judges

**Chief Judge D. Scott Smith**  
*Executive Committee Chair*  
*Cherokee Judicial Circuit*

**Taylor Jones**  
*Executive Director*

## **Council of Accountability Court Judges Report to Judicial Council February 2022**

In the time since the Council of Accountability Court Judges (CACJ) last reported to the Judicial Council, the CACJ held its semi-annual meeting virtually for its members. The CACJ is pleased to report the following Council accomplishments and activity.

- CACJ released accountability court certification applications in December 2021. Each court that is subject to apply for certification or re-certification returned their application back to the CACJ on or before January 19, 2022. The CACJ Standards and Certification Committee is scheduled to review the applications on February 18, 2022.
- CACJ has received notice of intent to apply for state fiscal year 2023 funding from fifteen (15) implementation courts that wish to begin operations on July 1, 2023. These new, implementation programs consist of adult mental health courts, adult felony drug courts, veterans' treatment courts, family treatment courts, and juvenile accountability courts.
- CACJ continues to offer a robust training calendar. The Carl Vinson Institute of Government (CVIOG) certified coordinator training program began in September 2020 with the first course offering of succession planning & delegation and accountability & advocacy. During the 2021 Accountability Court Training Conference, the inaugural set of coordinators graduated from the program. In total there were 40 graduates. Reviews of the CVIOG certified court coordinator program continue to be positive, and demand for the courses remains high. In addition to the conference held this past September, CACJ staff has worked to execute 18 trainings (virtual or onsite) between July and December of 2021. We are looking forward to hosting 20 additional trainings between January and June 2022. By the end of the current fiscal year, CACJ will have executed a planned training calendar that includes a hybrid training conference, 38 training opportunities, and support for two self-guided, ongoing training opportunities. Additional medication assisted treatment training opportunities have been facilitated and will continue into 2022.
- The Criminal Justice Coordinating Council (CJCC), in support of Georgia's accountability courts and CACJ, submitted a grant application to the Bureau of Justice Assistance (BJA) in March 2021. The request included funds to support training, data analysis, and an evaluation of the adult felony drug courts. On December 17, 2021, CJCC/CACJ was notified that BJA awarded the funds, as a result of the successful application, in the amount of \$1.5 million over a 48-month period.

CACJ looks forward to continuing to work closely with the Judicial Council/Administrative Office of the Courts and the Criminal Justice Coordinating Council to support Georgia's accountability courts in 2022.



# GEORGIA COMMISSION ON DISPUTE RESOLUTION

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

## **Chair**

*Judge M. Cindy Morris*

## **Executive Director**

*Tracy B. Johnson*

## **Deputy Director**

*Karlie A. Sahs*

## **Commission Members**

*Justice John J. Ellington*

*Judge Amanda H. Mercier*

*Emily S. Bair, Esq.*

*Judge Jane C. Barwick*

*N. Staten Bitting Jr., Esq.*

*Judge Clarence Cuthbert, Jr.*

*Mary Donovan, Esq.*

*Judge C. Andrew Fuller*

*Herbert H. (Hal) Gray III, Esq.*

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

*Nicole Woolfork Hull, Esq.*

*Patrick T. O'Connor, Esq.*

*Edith B. Primm, Esq.*

*Judge Renata D. Turner*

*Randall Weiland*

*Peggy McCoy Wilson*

## **New Appointments to GCDR**

On January 13, 2022, the Honorable Supreme Court entered an order appointing the following members to the GCDR, effective February 9: Representative Rob Leverett as a General Assembly member; Honorable Carrie B. Markham as a judge member; and Honorable Rebecca Crumrine Rieder as a State Bar member.

## **Recognition of outgoing Commission Member Emily S. (Sandy) Bair**

The Commission will recognize long-standing member Ms. Emily S. (Sandy) Bair for her 12-year service to GCDR. Ms. Bair was appointed to the GCDR in 2010 and served on the Training and Credentials and Ethics Committees.

## **2021 Registration Renewal Season**

The 2021 on-time registration renewal period ended December 31. A total of 2,242 “neutrals”- mediators, arbitrators, and evaluators- renewed prior to the deadline. The late renewal period will end on February 28, 2022. Registration categories include: general civil, domestic relations, specialized domestic violence, arbitration, early neutral evaluation, juvenile delinquency, and juvenile dependency. Neutrals who wish to conduct court-ordered or court-referred ADR sessions must be registered pursuant to the Supreme Court ADR Rules. Currently, there are approximately 3,167 registered neutrals in Georgia.

## **ADR Institute**

The 28<sup>th</sup> Annual ADR Institute and 2021 Neutrals’ Conference was held virtually on November 18, 2021. There were 415 attendees in total. Mr. John Sherrill, Esq. received the 2021 Chief Justice Harold G. Clarke Award. The Georgia Supreme Court Commission on Dispute Resolution and the Georgia State Bar Dispute Resolution Section created the Clarke Award in 2013 to honor the memory of the late Supreme Court Chief Justice Harold G. Clarke. This award is to honor those individuals who have made outstanding contributions to dispute resolution in Georgia.

## **GCDR Rules Committee**

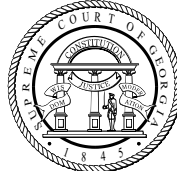
The Georgia Uniform Mediation Act (GUMA) took effect July 1, 2021. While the GCDR, through the efforts of a joint working group, had determined that there were no significant conflicts between the Supreme Court of Georgia’s ADR Rules and the proposed UMA legislation, the GCDR decided that further review of the Rules in contrast with the enacted GUMA would be beneficial. As such, the GCDR formed an ad-hoc Rules Committee charged with comparing the ADR Rules, Appendices, and Guidelines with GUMA to study whether adjustments were needed to align the two documents and, if so, to provide recommendations for revisions. The Committee met several times from June to October 2021, and will propose any recommended revisions to the GCDR

## **Upcoming Commission Meeting Date**

The next Commission meeting date is May 4, at 2:00 p.m. 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. David E. Nahmias, 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: February 11, 2022

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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 David E. Nahmias serves as the current Chair of the Commission. Other judges who serve on the Commission are as follows: Judge Clyde L. Reese III for the Court of Appeals of Georgia; Judge Shondeana Crews Morris (Stone Mountain Judicial Circuit) for the Council of Superior Court Judges; and Chief Judge T. Russell McClelland III (State Court of Forsyth County) for the Council of State Court Judges. Judge William McCrary Ray II serves on the Commission for the federal judiciary. Justice Shawn Ellen LaGrua is the Supreme Court of Georgia advisor to the Commission. Judge Andrew Pinson also serves as an Advisor to the Commission. You may find a complete list of Commission members, advisors, and liaisons at the Commission's web site at <http://cjcpga.org/commission-members-2021-2022/>. A brief update of some of the Commission's activities is as follows.

### **22<sup>ND</sup> ANNUAL JUSTICE ROBERT BENHAM AWARDS FOR COMMUNITY SERVICE**

The 22<sup>nd</sup> Annual Justice Robert Benham Awards for Community Service **will be held on Saturday, March 19, 2022**. The Commission will share additional information about the event on its website, [www.cjcpga.org](http://www.cjcpga.org), as it becomes available. The honorees are as follows:

#### **District Award Recipients**

Mr. Michael D. St. Amand, *Atlanta*  
Ms. Lindsay Beth Gardner, *Marietta*  
Mr. Paul E. Weathington, *Atlanta*

#### **Lifetime Award Recipients**

Mr. Richard Gerakitis, *Atlanta*  
Mr. S. Wade Malone, *Atlanta*

### **FINAL REPORT REGARDING COMMISSION CLE ON DECEMBER 17, 2021: DESIGNATED ATTORNEY FELLOWSHIP AND CLE**

On December 17, 2021, the Commission hosted a small in-person *Designated Attorney Fellowship and CLE* program. The Program Co-Chairs were **Ms. Terrica Redfield Ganzy**, the current Executive Director, Southern

Center for Human Rights and **Mr. William C. (Bill) Gentry**, Founder and Managing Attorney, Gentry Law Firm. In addition, State Bar of Georgia General Counsel, **Ms. Paula Frederick**, and Commission Member, **Mrs. Molly Gillis**, Founding Partner, Gillis Law Firm, LLC, served on the planning team for the CLE. The program Co-Chairs and planning team members also participated in the CLE. Commission Chair, **Chief Justice David E. Nahmias**, made closing remarks. Other program participants were: **Ms. Nkoyo-Ene Effiong**, Director, State Bar of Georgia Law Practice Management Program; **Ms. TaKisha Heyward**, Community Member (Layperson) and wife of the late Attorney Sparticus Heyward; **Mr. James D. Hogan, Jr.**, Attorney at Law, Hogan & Stoye Law Group; **Judge LaTisha Dear Jackson**, Superior Court Judge, Stone Mountain Judicial Circuit; and **Judge Martin Enrique Valbuena**, Chief Magistrate Judge, Paulding County Magistrate Court and Trial Lawyer, Martin Enrique Valbuena, P.C. During the CLE, the Commission discussed the “Notice of Designated Attorney” statement that appears on the State Bar of Georgia License Fee and explored the professionalism and ethical issues that arise when an attorney designates another attorney to act for him or her if the attorney making the designation becomes an “absent attorney” as defined under Rule 4-228(a) of the Georgia Rules of Professional Conduct. The Commission’s Executive Director is currently working to make a video of the CLE an “on demand” webinar that would be available on the Commission’s website at [www.cjcpga.org](http://www.cjcpga.org).

#### **PROFESSIONALISM PAGE ARTICLES**

The Commission communicates with judges and lawyers through the Professionalism Page that appears in each issue of the Georgia Bar Journal, which is published six times per year. The December 2021 Georgia Bar Journal Professionalism Page was entitled *Professionalism After the Statewide Judicial Emergency Order* and discussed the Commission’s September 28, 2021, CLE. The article is attached hereto as Exhibit A.

#### **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>



# Professionalism After the Statewide Judicial Emergency Order

The Chief Justice's Commission on Professionalism hosted a CLE in September to explore the issue of professionalism following a series of statewide judicial emergency orders.

BY KARLISE Y. GRIER

**On Sept. 28, 2021, the Chief Justice's** Commission on Professionalism hosted a free CLE to explore the issue of professionalism after the statewide judicial emergency order.<sup>1</sup> The CLE program was co-chaired by State Bar of Georgia President Elizabeth L. Fite and by Hon. T. Russell McClelland, vice chair of the Judicial Council COVID-19 Task Force; chair of the Task Force's Civil Subcommittee; past president of the Council of State Court Judges; and chief judge, State Court of Forsyth County. Judges from each class of court, as well as lawyers from diverse practice areas from around Georgia participated in the CLE.<sup>2</sup>

Program Co-Chair Judge Russ McClelland gave opening remarks. He traced the history of the previous Statewide Judicial Emergency Orders (SJEOs) and reminded the audience that on March 14, 2020, the Supreme Court of Georgia entered its first SJEO in response to the COVID-19 pandemic. Approximately 15 months later, the final SJEO ended on June 30, 2021. McClelland told the audience that at the time of the CLE, the Supreme Court did not anticipate entering future SJEOs since the Supreme Court's authority by statute

[O.C.G.A. § 38-3-60, et seq.] to enter the SJEO was based on the governor determining that a Public Health State of Emergency existed. When the pandemic first began, McClelland said, "We as lawyers and judges came together to learn how to work in this new environment, how to keep the courts open, how to continue representing our clients, presenting our cases to the court, having the court decide cases and dispose of cases. It took all of us coming together as lawyers and judges and as associations of lawyers and associations of judges to learn how to do this and to operate in this new environment."

"Now we have to learn how to operate without an SJEO," he said, "and we hope we will not have a need for another SJEO. Therefore, processes and procedures that were previously provided for under Supreme Court's SJEO are now up to local courts to do."

McClelland said confidently that he anticipated that the local bench and Bar would work together going forward to determine the processes and procedures that would work best in each local judicial circuit. Finally, McClelland discussed the ongoing work of the Judicial COVID-19

Task Force<sup>3</sup> and resources available from the Administrative Office of the Courts to assist lawyers and judges during the ongoing pandemic.<sup>4</sup>

A panel of judges from each class of court then addressed the audience after McClelland concluded his remarks. The judges explained the work that each class of court was considering in terms of changes to court rules or the Georgia statutes and/or court rules related to the class of court. The purpose of the changes would be to maintain the practices that the Court wanted to continue post-SJEO. The judges also explained to the audience how the proposed statutory or rule changes helped to preserve and improve the law, the legal system and other dispute resolution processes as instruments for the common good.<sup>5</sup> The judges shared a wide range of ideas for how lawyers and judges could continue to work together post-SJEO, including holding voir dire in alternate locations other than a courtroom, having smaller calendar calls and more calendars, and continuing virtual proceedings where possible. During the panel, the judges challenged both their colleagues on the bench and lawyers to







PHOTO PROVIDED BY SUPREME COURT OF GEORGIA

be flexible and creative. The judges also wrote papers to explain in more detail their class of court's thoughts on post-SJEO considerations.<sup>6</sup> Subsequent to the CLE on Oct. 28, 2021, the Judicial Council of Georgia/Administrative Office of the Courts announced that Gov. Brian Kemp had allocated up to \$110 million in federal American Rescue Plan Act funds to address backlogs of court cases, particularly cases involving serious violent felonies.<sup>7</sup>

After the judges spoke, a member from the Georgia Trial Lawyers Association, the Georgia Defense Lawyers Association, the Prosecuting Attorneys Council and the Georgia Association of Criminal Defense Lawyers presented on professionalism during the pandemic. The practitioners panel discussed a wide range of challenges facing lawyers, including the difficulty of balancing the interests of clients with the public good. The panel also shared a variety of professionalism tips. One attorney commented that she wanted to be someone that an opposing counsel wanted to work with again. Another attorney said that we as professionals need to be reasonable, accommodating and respectful. The panelist said, "I check

myself by asking if I stated my position to a judge, would the judge think that my position was reasonable, accommodating and respectful?" Yet another panelist noted that her professional association had begun to examine whether its programs, policies and practices promote equity and inclusion and mitigate biases. A female litigator panelist discussed some of the special challenges she faced as a mother and a trial attorney during the pandemic. A parents' ability to work is directly tied to the schools staying open, having child care and having her children to stay healthy, she noted. She said the profession needed to work to find solutions so that we can keep parents in the litigation field. The panelists agreed that lawyers and judges should continue to look for and retain creative solutions post-SJEO. The practitioners panel shared other thoughts that are included in the papers they wrote for the CLE.<sup>8</sup>

A third and final panel discussed the importance of lawyers engaging in the legislative process. The panel began by discussing the nexus between professionalism and legislative advocacy. One panelist referenced a line from A Lawyer's

Creed which says, "I will strive to improve the law and our legal system ..."<sup>9</sup> He continued by stating that it is a charge to us as lawyers to improve the law. Another attorney advised the audience that when considering legislative advocacy to think about the role which the person is advocating. Are you advocating on behalf of a client, are you advocating as a citizen and voter in a particular legislative district, or are you advocating as a representative of the State Bar of Georgia? The role in which you are advocating impacts how you engage with legislators. He said regardless of your role, however, some professionalism tenants are universal, such as competency, trustworthiness, candor and disclosure of conflicts of interests. Another panelist explained the importance of lawyers helping legislators to understand the ramifications of legislation and offered his opinion that lawyers outside of the metro-Atlanta area could be especially helpful since most of the current legislative leadership lived outside of metro-Atlanta. The panel also discussed the role of judges and the Judicial Council of Georgia in the legislative process. One legislative tip that the audience found particularly

helpful during the CLE was that there is a user's guide to the Georgia Code.<sup>10</sup> The panelists shared a wealth of other important information that is contained in their written materials.<sup>11</sup>

At the conclusion of the panels, President Fite introduced Chief Justice David E. Nahmias. Chief Justice Nahmias told the audience, "Because professionalism is so important to our legal system, especially as it gets larger and more complex, the Supreme Court of Georgia created this professionalism program for Georgia lawyers in 1989. It was the first one in the country although most states have now followed our lead. We want lawyers to focus on not only their minimal ethical duties but on the higher standards of our profession, and we want to provide training and encouragement to do that." He also said that the Supreme Court's May 2020 SJEO emphasized the importance of professionalism among lawyers and judges as the legal system faced the pandemic and all of the consequences that flowed from it. That provision emphasizing professionalism was repeated in every subsequent extension of the SJEO, although the Court also later added a line focused on the obligation to engage in discovery in good faith and in a safe manner because we heard that civil discovery was a particular point of concern. Chief Justice Nahmias also shared that he, former Chief Justice Melton and the other Supreme Court of Georgia justices all tried to emphasize the importance of professionalism at almost every opportunity to address Georgia judges and lawyers about the pandemic. He said the justices realized that in this time of heightened professional and personal stress, it's more important than ever for lawyers and judges to think about and live up to the aspirations of our profession.

Chief Justice Nahmias also addressed some questions lawyers had shared with him about a small number of judges

whose conduct had raised public health concerns. He told the audience we have a pretty good system in place to address those concerns informally, as long as those concerns get communicated to the COVID-19 Task Force, the State Bar leadership, the leadership for the council for the relevant class of court, or to Justice LaGrua, Presiding Justice Boggs or himself. You should feel free to raise safety concerns in that way so we have the opportunity to address them with the judge involved. "With that said," he continued, "I don't want to suggest that we have seen a large number of problems with the professionalism of lawyers or judges. To the contrary—I've been incredibly impressed with the overall high level of professionalism our colleagues at the Bar and on the bench have displayed throughout this challenging time, which we have endured now for almost 18 months. Indeed, your work has often been inspirational."

Chief Justice Nahmias concluded, "When we finally emerge from this pandemic, we are going to be in a new normal. We won't go back to the pre-COVID ways of doing things and we shouldn't do that. We've learned a lot of valuable lessons and we have realized some new and better ways of making our legal system function ... . No matter where we go from here, we are going to need a high level of professionalism from our lawyers and judges to keep our justice system functioning effectively on behalf of the citizens we serve. I thank all of you for being professional ... . I thank you for encouraging professionalism among your colleagues and holding them to a high standard." ●



**Karlise Y. Grier**

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

## Endnotes

1. See <http://jcpga.org/092821-cjcp-cle/>.
2. <http://jcpga.org/wp-content/uploads/2021/09/Speaker-Cover-Page-and-Biographies-for-09-28-21-Website-UPDATED.pdf>.
3. <https://georgiacourts.gov/judicial-covid-19-task-force/>.
4. *Id.*
5. See A Lawyer's Creed and the Aspirational Statement on Professionalism at Lines 58-59, <http://jcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
6. See <http://jcpga.org/wp-content/uploads/2021/09/Judges-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.
7. See <https://jcaoc.georgiacourts.gov/wp-content/uploads/sites/6/2021/10/Press-Release-ARPA-funding-for-Judicial-Branch.pdf>.
8. See <http://jcpga.org/wp-content/uploads/2021/09/Practitioners-Panel-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.
9. See A Lawyer's Creed and the Aspirational Statement on Professionalism at Lines 20-21, <http://jcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
10. See [https://www.legis.ga.gov/api/document/docs/default-source/lc-resources/user's-guide-to-the-official-code-of-georgia-annotated1.pdf?sfvrsn=bd4e3b0f\\_2](https://www.legis.ga.gov/api/document/docs/default-source/lc-resources/user's-guide-to-the-official-code-of-georgia-annotated1.pdf?sfvrsn=bd4e3b0f_2).
11. See <http://jcpga.org/wp-content/uploads/2021/09/Legislative-Panel-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.

## **Institute of Continuing Judicial Education**

Please [click here](#) to access report