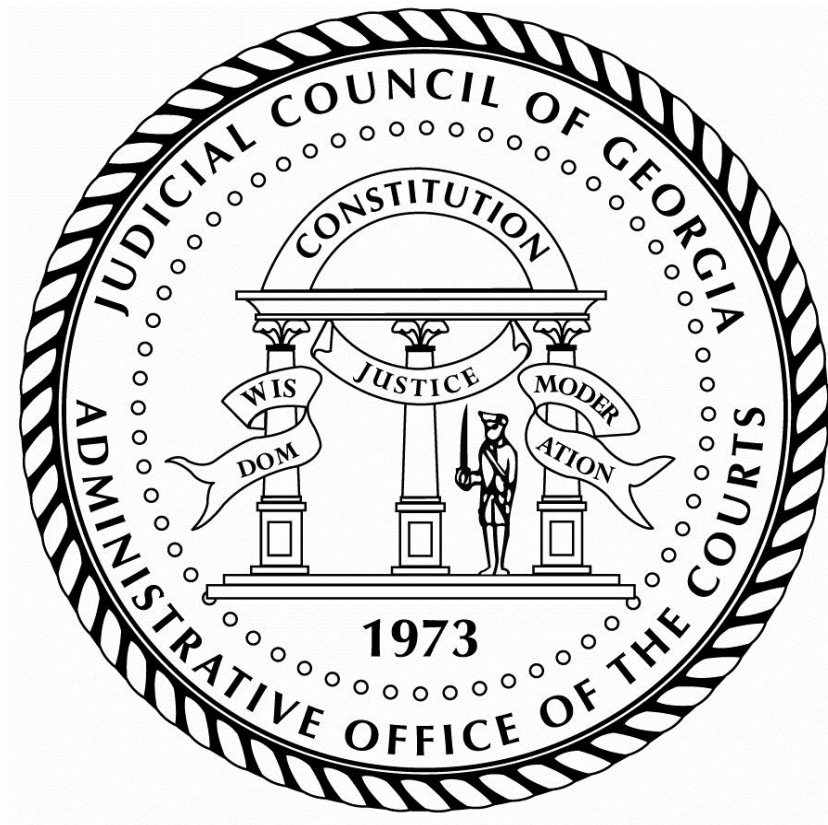


JUDICIAL COUNCIL OF GEORGIA

General Session

December 10, 2021
10:00 a.m. – 12:30 p.m.



By Remote Conferencing

Judicial Council of Georgia
General Session

By Remote Conferencing

Friday, December 10, 2021

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 JaDawnya C. Baker, 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 – 10 Min.)
 - B. Legislation Committee** **TAB 3**
(Presiding Justice Michael P. Boggs, Est. Time – 5 Min.)
 - C. Budget Committee (*Written Report*)** **TAB 4**
 - D. Technology Committee** **TAB 5**
(Chief Judge David T. Emerson/Justice Shawn Ellen LaGrua, Est. Time – 5 Min.)
 - E. Judicial Workload Assessment Committee (*Action Item*)** **TAB 6**
(Chief Judge David T. Emerson, Est Time – 15 Min.)
 - F. Judicial COVID-19 Task Force** **TAB 7**
(Justice Shawn Ellen LaGrua/Chief Judge T. Russell McClelland, Est. Time – 3 Min.)
 - G. Strategic Plan Committee (*Written Report*)** **TAB 8**
- 6. Report from Judicial Council/AOC** **TAB 9**
(Ms. Cynthia H. Clanton, Est. Time – 10 Min.)

7. Reports from Courts, Councils, & State Bar

TAB 10

(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 11

(Est. Time – 10 Min.)

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

9. Old/New Business

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

10. Concluding Remarks and Adjournment

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

Next Judicial Council Meeting – General Session

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

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 Chair	Supreme Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. 1 st Floor, Suite 1100 Atlanta, GA 30334	P: 404-656-3470 F: 404-656-2253	nahmiasd@gasupreme.us
Presiding Justice Michael P. Boggs Vice-Chair	Supreme Court	Nathan Deal Judicial Center 330 Capitol Avenue, S.E. 1 st Floor, Suite 1100 Atlanta, GA 30334	P: 404-656-3470 F: 404-656-2253	boggsm@gasupreme.us
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	rickmanb@gaappeals.us
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	merciera@gaappeals.us
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	davisw@gsbc.us
Judge J. Wade Padgett President, CSCJ	Superior Court	Columbia Judicial Circuit PO Box 2657 Evans, GA 30809	P: 706-312-7355	wpadgett@columbiacountyga.gov
Judge Arthur L. Smith, III President-Elect, CSCJ	Superior Court	Chattahoochee Judicial Circuit PO Box 1340 Columbus, GA 31902	P: 706-653-4273	arthursmith@columbusga.org
Judge Jeffrey H. Kight 1st JAD	Superior Court	Waycross Judicial Circuit Ware County Courthouse 800 Church Street, Suite B202 Waycross, GA 31501	P: 912-287-4330 F: 912-544-9857	jhkight@gmail.com
Judge Melanie B. Cross 2nd JAD	Superior Court	Tifton Judicial Circuit PO Box 7090 Tifton, GA 31793	P: 229-386-7904	melanie.cross@tiftcounty.org
Judge W. James Sizemore, Jr. 3rd JAD	Superior Court	Southwestern Judicial Circuit PO Drawer 784 Americus, GA 31709	P: 229-924-2269 F: 229-924-1614	wjsizemorejr@gmail.com

Chief Judge Asha F. Jackson 4th JAD	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	afjackson@dekalbcountyga.gov
Chief Judge Christopher S. Brasher 5th JAD	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	chris.brasher@fultoncountyga.gov
Chief Judge W. Fletcher Sams 6th JAD	Superior Court	Griffin Judicial Circuit Fayette County Justice Center One Center Drive Fayetteville, GA 30214	P: 770-716-4282 F: 770-716-4862	fletcher@fayettecountyga.gov
Judge Robert Flournoy, III 7th JAD	Superior Court	Cobb Judicial Circuit 70 Haynes Street Marietta, GA 30090	P: 678-581-5400 F: 678-581-5407	robert.flournoy@cobbcounty.org
Chief Judge Sarah Wall 8th JAD	Superior Court	Oconee Judicial Circuit PO Box 1096 Hawkinsville, GA 31036	P: 478-783-2900 F: 478-783-2902	walls@eighthdistrict.org
Judge R. Timothy Hamil 9th JAD	Superior Court	Gwinnett Judicial Circuit 75 Langley Drive Lawrenceville, GA 30046	P: 770-822-8672 F: 770-822-8536	tim.hamil@gwinnettcounty.com
Chief Judge James G. Blanchard, Jr. 10th JAD	Superior Court	Columbia Judicial Circuit P.O. Box 2656 Evans, GA 30809	P: 706-312-7356 F: 706-312-7365	jblanchard@columbiacountyga.gov
Judge Alvin T. Wong President, CStCJ	State Court	DeKalb County 556 N. McDonough St., Suite 2240 Decatur, GA 30030	P: 404-371-2591	atwong@dekalbcountyga.gov
Judge R. Violet Bennett President-Elect, CStCJ	State Court	Wayne County 392 E. Walnut Street Jesup, GA 31546	P: 912-427-4240	singinglawyer@bennett-lindsey.com
Chief Judge C. Gregory Price President, CJCJ	Juvenile Court	Rome Judicial Circuit #3 Government Plaza Suite 202 Rome, GA 30161	P: 706-291-5180	priceg@floydcountyga.org

Judicial Council of Georgia

Members as of July 1, 2021

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



Judicial Council of Georgia

STRATEGIC PLAN

FY 2020-2023
Revised

VISION

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

MISSION

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

GUIDING PRINCIPLES

Uphold the independence and integrity of the judiciary.

Promote efficient and effective administration of justice.

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

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

STRATEGIC OBJECTIVE 1

1 IMPROVE CITIZEN EXPERIENCE WITH GEORGIA COURTS

KEY INITIATIVES

1.1 Modernize the regulations of Court professionals

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

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

1.2 Increase resources for public accessibility

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

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

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

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

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

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

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



STRATEGIC OBJECTIVE 2

2

IMPROVE COLLABORATION AND PLANNING

KEY INITIATIVES

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

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

2.2 Improve the process for data collection and data integrity

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

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

2.3 Pursue flexibility and efficiency in judicial education

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

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC OBJECTIVE 3

3

PROMOTE THE WELLBEING, HEALTH, AND INTEGRITY OF THE JUDICIARY

KEY INITIATIVES

3.1 Develop a toolkit of wellness resources

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

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

3.2 Communicate and promote the toolkit

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

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

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

STRATEGIC OBJECTIVE 4

4

ENHANCE THE PROFESSIONAL AND ETHICAL IMAGE OF THE JUDICIARY

KEY INITIATIVES

4.1 Support judges in community engagement

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

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

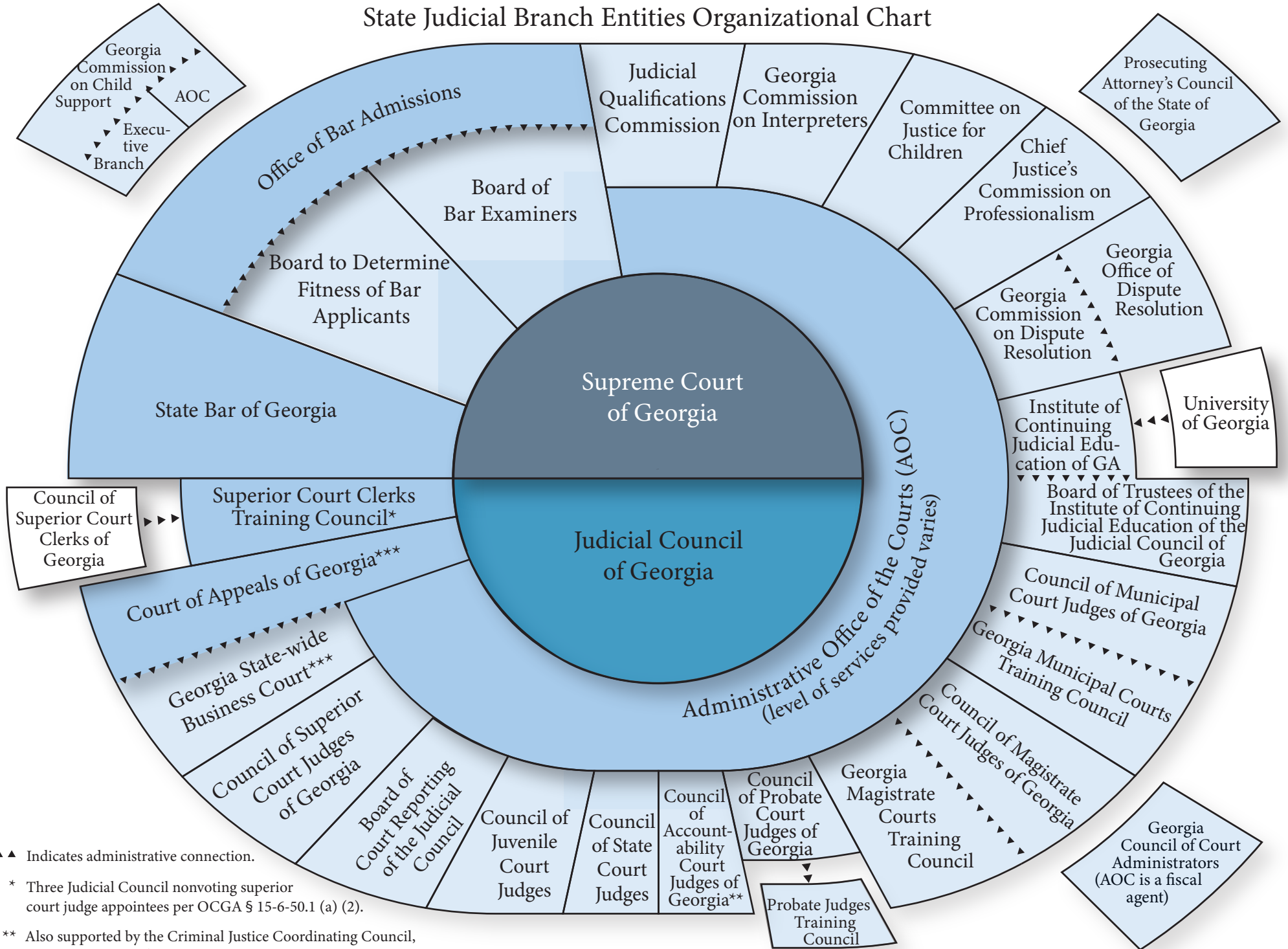
4.2 Develop a clearinghouse of resources for community engagement

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

4.3 Communicate and promote the clearinghouse

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

State 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.

TAB 1

**Judicial Council of Georgia
General Session
Zoom Conferencing
August 13, 2021 • 10:00 a.m.**

Members Present

Chief Justice David E. Nahmias, Chair
Presiding Justice Michael P. Boggs
Judge JaDawnya C. Baker
Chief Judge James G. Blanchard, Jr.
Chief Judge Christopher S. Brasher
Judge Melanie B. Cross
Judge Walter W. Davis
Judge Lori B. Duff
Judge John K. Edwards (for Judge R. Violet Bennett)
Ms. Elizabeth Fite
Judge Robert Flournoy, III
Judge R. Timothy Hamil
Judge Render M. Heard, Jr.
Judge LaTisha Dear Jackson (for 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 B. Shawn Rhodes
Chief Judge Sarah Wall
Judge Alvin T. Wong

Staff Present

Ms. Cynthia H. Clanton
Mr. Robert Aycock
Ms. Bianca Bennett
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

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 informed the Council that the meeting will be recorded, livestreamed, and open to the press and public. Guests were asked to submit their attendance by e-mail for the purpose of the minutes. Chief Justice Nahmias welcomed Senior Judge Kenneth Followill as a special guest and asked Judge Smith 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 Council's attention to the minutes of the Emergency Session of June 4, 2021, and the Emergency Session of July 15, 2021. A motion to approve the minutes of both sessions was offered by Judge Kasper, followed by a second from Chief Judge Price. No discussion was offered, and the motion was approved without opposition.

Update on COVID-19 and Court Operations

Following comments on the current state of the pandemic and changes since the last meeting, Chief Justice Nahmias stated that the judiciary has had two goals since the start of the pandemic: to keep courts open and the judicial system functioning, and to keep staff and those being required to come to court safe and healthy. To this end, a lot has been learned about how to operate safely and effectively, including remote proceedings when possible, which remains the safer course. Chief Justice Nahmias asked members to continue their work, where possible, to keep Georgia courts open, safe, efficient, and effective, specifically as it relates to continuing with in-person evidentiary hearings and jury trials, which cannot be done remotely, to work through the backlog of cases. This is a slower process, but it is critical that jury trials continue in a safe manner. The Chief Justice shared with members that, at this time, another statewide judicial emergency order is not expected to be issued.

Chief Justice Nahmias directed Council members to Tab 2 of the meeting packet for a copy of the judicial emergency statute (OCGA § 38-3-61) and the amendment made by Senate Bill 163 (SB 163). Also included is the Notice of Expected Termination of Statewide Judicial Emergency, issued on June 7, 2021, by former Chief Justice Melton. This notice reviews the legal requirements for issuing a statutory judicial emergency and discusses judicial authority regarding the operation and management of courthouses, which is separate from the authority granted by the judicial emergency statute. He reiterated that the emergency statutes should be consulted when local orders are being drafted, and reviewed the provisions and requirements contained therein. He reminded members of the guidance included and attached in the Statewide Judicial Emergency Order and to talk with their local public health experts when determining how to define court operations. Chief Justice Nahmias asked judges to forward any local orders they issue to the Judicial Council/AOC

(JC/AOC), which is keeping a central repository on its website. In closing, he thanked everyone for their diligence and commitment to keeping Georgia courts safe and operational.

Judicial COVID-19 Task Force Update

Justice LaGrua updated Council members on the work of the Judicial COVID-19 Task Force. The Task Force continues to meet to discuss which procedures and protocols have proven effective and where improvement might be needed since the emergency order was lifted. The Task Force is conducting surveys with stakeholders and exploring creative solutions to accommodate court reporters, interpreters, and other resources, and how to further extend or make permanent some of the technology changes utilized over the last 16 months. If necessary, the Task Force will present recommendations to the Council based on those findings. Justice LaGrua thanked the members of the Task Force for their continued work.

Update on American Rescue Plan Act Funding

Presiding Justice Boggs reported that the State of Georgia is expected to receive \$5.8 billion in American Rescue Plan Act Funding, with \$2.4 billion having been already received. Governor Kemp has tasked special committees with issuing recommendations for allocating a portion of those funds, to which applications will need to be submitted. The rest of the funds will be allocated at the discretion of the Governor and details for allocating and managing those funds have yet to be determined. Frequent contact is being maintained with the Governor's Office regarding funds for the courts, predominantly in three main areas: 1) COVID-19 exposure mitigation; 2) personnel; and, 3) facility and technology upgrades. As previously reported, the Governor has prioritized COVID-19 exposure mitigation, and has directed the Georgia Emergency Management & Homeland Security Agency (GEMA) to allocate existing PPE resources to courts. Courts should consider contacting their local GEMA office if they have not been contacted yet. The JC/AOC is awaiting further information and instructions from the Governor's Office and is preparing as best as possible.

Judicial Council Committee Reports

Legislation Committee. Presiding Justice Boggs directed Council members to Tab 3 of the meeting packet. The Committee, as a standard item, requests the Council's approval for the Committee to make decisions or take positions on legislation and related policy issues on behalf of the Judicial Council during the 2022 Legislative Session and any special session that may be called in Calendar Year 2021 (CY21), when time constraints prevent the convening of the full

Judicial Council. A motion to approve was offered by Judge Baker, followed by a second from Judge Kight. No discussion was offered, and the motion was approved without opposition.

Presiding Justice Boggs reported that, at its last meeting, the Committee heard status reports on the previously taken positions of support, with no action taken on the items outlined in Tab 3 of the meeting packet. Those items include legislation to: update and modernize 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; 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; 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; 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; and, amend OCGA § 17-6-72 to clarify when a surety may be released from a bond. Presiding Justice Boggs yielded the floor to Judge Wong to speak to brief updates on the last three items.

Presiding Justice Boggs announced the Standing Committee on Legislation will meet next on November 17, 2021, and it will be monitoring the special session that is scheduled for this fall. Chief Justice Nahmias expressed appreciation to Presiding Justice Boggs and to everyone who worked on the initiatives.

Budget Committee. Justice Bethel directed Council members to Tab 4 of the meeting packet and reported the Budget Committee met on July 21, 2021, submitting the Amended Fiscal Year 2022 (AFY22) and Fiscal Year 2023 (FY23) enhancement requests as follows: the JC/AOC requests for AFY22 the partial restoration of its Fiscal Year 2020 (FY20) appropriation in the amount of \$569,928. For FY23, JC/AOC requests the same restoration, along with enhancement requests for four positions (Research Analyst, IT Help Desk Specialist, Customer Service Specialist, and Policy Counsel I) as detailed in the materials; the total amount of the JC/AOC’s request for FY23 is \$952,056. For AFY22, the Council of Probate Court Judges submitted a request for the restoration of its FY20 appropriation in the amount of \$25,964, and the Council of Magistrate Court Judges submitted a request for the restoration of its FY20 appropriation in the amount of \$27,023.

Next, Justice Bethel shared the enhancement request from the Supreme Court Committee on Justice for Children for the Civil Legal Services for Kinship Care Families program in the amount of \$274,674. He noted that this amount is consistent with original request made in 2019 for a total of \$750,000. Current funding totals \$475,326. He welcomed questions and reported it has seen tremendous progress and success, specifically in terms of the savings elsewhere to the State. The Judicial Council Standing Committee on Grants submitted an enhancement request for the Civil Legal Services for Victims of Domestic Violence program for \$1,322,828, bringing the total funding for that program to \$3 million. Similarly, this program captures savings elsewhere for the State and data is being kept up to date.

Next, Justice Bethel shared the request from the Georgia Resource Center for a restoration of its FY20 appropriation in the amount of \$25,000, and the enhancement request from the Institute of Continuing Judicial Education (ICJE) for FY23 in the amount of \$49,600 for a training assistant position. The position will provide the ICJE with adequate staff to meet the expanding educational demands across Georgia's judiciary for the professional development of judges and court staff.

Justice Bethel asked if members would like to vote on these recommendations individually or collectively and clarified that the motion for AFY22 is for the Judicial Council to submit a request for the AFY22 budget in the total amount of \$16,238,867, which includes three requests. Chief Justice Nahmias asked that the Council vote on the AFY22 budget request as a whole. A motion to approve the request was made, followed by a second, and passed with no opposition.

Justice Bethel clarified that the motion for FY23 is for the Judicial Council to submit a request for the FY23 budget in the total amount of \$18,271,497, to include the seven enhancements as discussed to aggregate to \$2,655,545. That reflects a 14.53% increase to the Judicial Council's budget. Judge Kasper motioned to approve the request as presented; a second was offered by Judge Lakes. The motion was approved without opposition.

Lastly, Justice Bethel stated that, like the Legislation Committee, the Standing Committee on Budget requests the authority to make decisions or take positions on legislation and related policy issues on behalf of the Judicial Council during the 2022 legislative session and any special session called during the remainder of CY21 when time constraints prevent the convening of the full Judicial Council. Judge Kasper motioned to authorize the request. The motion was seconded, and the motion carried unanimously.

Ms. Clanton requested the Council retake the vote on the AFY22 budget to clarify, for the purpose of the meeting minutes, which member motioned, seconded, and if any opposed. Judge Kasper moved to approve the Standing Committee on Budget's recommendation to request for the AFY22 budget a total funding amount of \$16,238,867. Chief Judge Brasher seconded, and the motion carried without opposition or further discussion.

Technology Committee. Chief Judge Emerson directed the Council to the report behind Tab 5 of the meeting packet and welcomed Justice LaGrua as the new Co-Chair of the Committee. He reminded members that the Committee and the JC/AOC continue to support the georgiacourts.gov website as it is a valuable resource for judges, attorneys, and members of the public. Chief Judge Emerson shared that the Committee continues to work, in conjunction with the subcommittee led by Chief Judge Rob Leonard, on automated data collection, outlined further in the materials provided to members. This is an effort to standardize the way in which various case management systems are mapping data to improve the ability to gather information from courts.

Next, Chief Judge Emerson provided a brief update on the Protective Order Registry Project, on which the Committee is working closely with Georgia Crime Information Center (GCIC) staff. Chief Justice Nahmias thanked Chief Judge Emerson and the Committee for their work, and to Justice LaGrua for filling in for longtime co-chair, former Chief Justice Melton, as they move forward.

Judicial Workload Assessment Committee. Chief Judge Emerson highlighted the recommendations outlined in Tab 6 of the meeting materials. Beginning with the update to the Civil and Domestic Filing and Disposition Forms, he reported the Committee has become aware of instances of the forms not being filed and of the mischaracterization of cases in the body of the form. The Committee recommends the creation of a signature line for the reporting party's attorney on the disposition form. Additionally, Chief Judge Emerson stated that many court clerks do not consider corrections to these forms, when there is a clear error, to be in their realm of authority. The Committee recommends issuing an advisory communication to clerks statewide to provide additional clarification around this authority.

Next, Chief Judge Emerson gave a brief update on the superior court's responsibility to receive and hear cases involving petitions for removal from the Sexual Offender Registry. Currently, he shared, the petitions are filed with the original criminal case in the county where the

case was heard; however, it remains unclear how petitions are filed when the original case occurred in another state. To ensure petitions are counted uniformly throughout the state, and to ensure judicial work is accurately measured, the Committee recommends these petitions be treated as civil matters. This recommendation is made prospectively, and the Committee is aware a filing fee would be required; any potential changes to that would be at the discretion of the General Assembly.

Last, Chief Judge Emerson detailed for members the Committee's recommendations regarding edits to the Superior Court Caseload Reporting Form. The Committee recommends that the probation revocation disposition fields be removed from the form.

Regarding the first proposal, to add a signature line on the civil disposition form, Chief Justice Nahmias asked about the specific benefits of the addition. He suggested the Committee enlist the State Bar's assistance to contact litigators about the statutory obligation to file the form. Chief Judge Emerson agreed to take this item back to the Committee with that recommendation. President Fite stated she would be happy to assist with this effort moving forward, and Chief Judge Emerson thanked her for the offer of assistance.

Chief Justice Nahmias asked a second clarifying question, this time regarding the proposed advisory to clerks. He questioned if additional information would be made available to clerks regarding what would constitute a "clear error" on the form and how those changes might be most appropriately made. Chief Judge Emerson answered to the affirmative, stating that additional guidance would be provided. With those caveats included, Chief Judge Brasher motioned to adopt the recommendations of the Committee as discussed. A second was offered by Judge Kasper. The motion carried unanimously with no further discussion.

Chief Judge Emerson detailed to Council members the requests for circuit boundary studies the Committee received for the Alcovy, Augusta, Griffin, and Western Judicial Circuits. He shared that after diligently conducting boundary studies, the Committee determined no studies that would improve the administration of justice in any of the aforementioned areas. Therefore, the Committee does not recommend any changes in circuit boundaries. Judge Kasper motioned to accept the recommendation of the Committee; a second was offered by Judge Baker and the motion carried unanimously. Chief Justice Nahmias thanked Chief Judge Emerson and the AOC staff for their work.

In closing his report, Chief Judge Emerson reminded the Council members of the eight standing judgeship recommendations that were approved at the August 2020 General Session. These recommendations include the following judicial circuits: South Georgia, Blue Ridge, Mountain, Coweta, Clayton, Atlantic, Northern, and Atlanta. Per Judicial Council vote and policy, these recommendations have an additional year of eligibility (in addition to the normal three years) as long as their workload does not decrease by more than ten percent.

Court Interpreters Committee. Justice Carla Wong McMillian reported on the creation of the new Standing Committee on Court Interpreters and recognized the newly appointed members. Justice McMillian shared that, although this is a new Committee, the Commission on Interpreters was established in 2003 by Supreme Court Order with the mission to regulate a statewide comprehensive court interpreting program, develop criteria for the training and certification of interpreters, and to establish standards of conduct for interpreters. The new Committee has been established as a successor to the Commission and will have the same mission. Chief Justice Nahmias thanked Justice McMillian for her leadership.

Court Reporting Matters Committee. Vice Chief Judge Mercier directed Council members to Tab 8 in the materials and shared the list of prospective candidates for both the Committee on Court Reporting Matters and the Board of Court Reporting. For the Committee, Vice Chief Judge Mercier shared the following recommendations for nominations: Judge Linnie L. Darden III, Atlantic Judicial Circuit (reappointment); Judge Alison Toller, Northeastern Judicial Circuit; Judge Gregory T. Douds, Cherokee County Magistrate Court; and, Judge Lori B. Duff, Monroe Municipal Court and President of the Council of Municipal Court Judges. Regarding the Board Nominations, Vice Chief Judge Mercier shared the following nominations: Kate Cochran, CCR (reappointment); Daniel Gershwin, CCR (reappointment); Randi Strumlauf, CCR (reappointment); the Honorable John Kent Edwards, Jr., Chief Judge, Lowndes County State Court (reappointment); and, Fredrick J. Bold, Jr. Esq. (reappointment). With no opposition to Vice Chief Judge Mercier's recommendation to vote on all nominations simultaneously, Chief Judge Price motioned to accept the recommendations of the Committee; Judge Kasper seconded. The motion passed unanimously.

Grants Committee. Members were directed to the written report of the Grants Committee included in the materials. Chief Justice Nahmias noted the one-page handouts included in the

report covering the Civil Legal Services for Kinship Care Families and Victims of Domestic Violence grant programs.

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

Report from the Judicial Council/AOC

Ms. Clanton delivered a report on the recent work of the Judicial Council/AOC. She spoke to the investiture of Chief Justice Nahmias and Presiding Justice Boggs on July 1, 2021, as well as that of Chief Judge Rickman and Vice Chief Judge Mercier in June. Ms. Clanton highlighted the Justice Needs Jurors Campaign, the Suicide Awareness Program convened by the Chief Justice's Commission on Professionalism, the 2021 Summary of Enacted Legislation, and the first in-person proceeding of the Georgia State-wide Business Court, and also shared staff updates. Ms. Clanton closed her remarks by reiterating the AOC's role as a service agency to the judiciary, and she thanked Chief Justice Nahmias and members of the Council.

Reports from Courts, Councils, & State Bar

Supreme Court. Members were directed to the written report provided in the materials. Chief Justice Nahmias highlighted the report from the Georgia Lawyer Competency Task Force and the appointment of three study committees to assist with the Task Force's work.

Court of Appeals. Chief Judge Rickman directed the Council to the written report included in the materials. He shared that as the Court of Appeals said farewell to Justice Colvin, it also welcomed its newest member, Georgia's Solicitor General Andrew A. Pinson, who will be sworn into the Court at the end of this month. Chief Judge Rickman closed by thanking all judges, lawyers, and members of the criminal justice system for working together to provide individuals their day in court, despite the challenges faced due to COVID-19.

State-wide Business Court. Judge Davis shared that August 2021 marks the one-year anniversary of the Business Court's operation. He thanked everyone for their constant support.

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

Council of State Court Judges. Members were directed 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. She reported the Council of Magistrate Court Judges is currently working to navigate the eviction moratorium. The Council has partnered with the Access to Justice Committee to ensure compliance with all judicial ethics requirements. Judge Kasper concluded by sharing the Council has two upcoming training sessions and that they are still attempting to have in-person court proceedings when possible.

Council of Municipal Court Judges. Judge Duff referred members to the written report provided in the materials. She recognized Chief Judge Cassandra Kirk from the Fulton County Magistrate Court for her “End the Wait, Vaccinate” campaign, and thanked the Council of Municipal Court Judges President-Elect Judge Baker and Treasurer Judge David Will for working on this project for the municipal courts. Finally, Judge Duff shared that the Council of Municipal Court Judges will be hosting its leadership conference next week and will be setting its 2022 meeting calendar at that time.

State Bar. President Fite reported that the State Bar is open for in-person meetings and has the technological capabilities for hybrid meetings as well. At its meeting in October, the Board of Governors is scheduled to vote on a recommendation by the State Bar’s Professional Liability Insurance Committee to require Georgia’s lawyers to disclose whether they carry liability insurance. Also to be discussed at that meeting is a potential rule change requiring Bar members to contribute \$15 annually in their Bar dues towards the client security fund.

Reports from Other Judicial Branch Agencies

Council of Accountability Court Judges. Mr. Josh Becker 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 referred members to the written report provided in the materials and noted that this year marked the tenth year that the Council has produced the Statewide Master Jury List.

Chief Justice’s Commission on Professionalism. Ms. Karlise Grier referred members to the written report provided in the materials. She thanked the judges and justices who have been

participating in the UGA Law School Orientation on Professionalism and expressed her appreciation to Chief Justice Nahmias and Justice LaGrua for their work to plan several upcoming initiatives. She recognized Director Clanton for her agency's support of the Suicide Awareness Program, which approximately 1,400 people attended virtually on April 30, 2021. Ms. Grier commended Ms. Taylor Jones for her work to include programming for preventing death by suicide at the upcoming the Council of Accountability Court Judges conference on September 27, 2021. She also shared that on September 28, 2021, the Commission will host a CLE at which Chief Justice Nahmias will give closing remarks. The Commission's final CLE for this year will be held on December 17, 2021, regarding the issue of designated attorneys. Ms. Grier concluded by recognizing Commission member Andrew Pinson on his appointment to the Georgia Court of Appeals.

Georgia Council of Court Administrators. Mr. Joshua Weeks referred members to the written report provided in the materials. He reported the fall conference in September has been cancelled, and the annual business meeting will be held virtually.

Institute of Continuing Judicial Education. Mr. Doug Ashworth referred members to the written report provided in the materials. He thanked the members of the Judicial Council for their support of ICJE's enhancement request.

Judicial Qualifications Commission. Mr. Chuck Boring highlighted the work and scope of the Judicial Qualifications Commission before resting on the written report located in Tab 13 of the meeting materials.

Old Business

No old business was offered.

New Business

No new business was offered.

Adjournment

Chief Justice Nahmias reported the next General Session will be held on December 10, 2021, via Zoom Conferencing, and the Council will continue to monitor the COVID-19 situation. He encouraged members with pandemic-specific concerns to contact him, Justice LaGrua, Presiding Justice Boggs, or members of the Judicial COVID-19 Task Force.

Chief Justice Nahmias concluded the meeting by thanking Director Clanton and all AOC staff who assist with coordinating the virtual meetings on behalf of the Council.

Chief Justice Nahmias adjourned the meeting at approximately 11:50 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
_____, 2021.

David E. Nahmias
Chief Justice

Judicial Council of Georgia
General Session
Zoom Conferencing
August 13, 2021 • 10:00 a.m.

Guest Present

Ms. Anna Arceneaux, Georgia Resource Center
Mr. Doug Ashworth, Institute of Continuing Judicial Education
Mr. Joseph Baden, Third Judicial Administrative District
Judge JaDawnya C. Baker, Municipal Court of Atlanta
Judge Amanda Baxter, Georgia Office of State Administrative Hearings
Mr. Josh Becker, Council of Accountability Court Judges
Mr. Lee Becker, Oconee County
Mr. T.J. BeMent, Tenth Judicial Administrative District
Judge Nancy Bills, Superior Court, Rockdale Judicial Circuit
Ms. Lalaine Briones, Prosecuting Attorneys' Council of Georgia
Mr. Charles "Chuck" Boring, Judicial Qualifications Commission
Ms. Christina C. Smith, Court of Appeals of Georgia
Mr. Bob Bray, Council of State Court Judges
Mr. Richard Denney, First Judicial Administrative District
Mr. Damon Elmore, State Bar of Georgia
Mr. David Emadi, Georgia Government Transparency & Campaign Finance Commission
Senior Judge Kenneth Followill
Chief Judge Kathlene F. Gosselin, Superior Courts, Northeastern Judicial Circuit
Ms. Karlise Grier, Chief Justice's Commission on Professionalism
Ms. LeNora Hawkins-Ponzo, Fourth Judicial Administrative District
Mr. Brian Heinze, Georgia House of Representatives
Mr. Kevin Holder, Council of Probate Court Judges
Mr. Michael Holiman, Council of Superior Court Clerks
Mr. Eric John, Council of Juvenile Court Judges
Ms. Tracy Johnson, Georgia Office of Dispute Resolution
Ms. Anne Kirkhope, Council of Juvenile Court Judges
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
Judge Nailah Grant McFarlane, Council of Municipal Court Judges
Justice Carla Wong McMillian, Supreme Court of Georgia
Judge Danielle McRae, Probate Court of Upson County
Mr. Evan Meyers, Georgia House of Representatives
Mr. David Mixon, Second Judicial Administrative District
Judge John E. Morse, Jr., Superior Court, Eastern Judicial Circuit
Chief Judge Robert Mumford, Superior Court, Rockdale Judicial Circuit
Mr. Bob Nadekow, Eighth Judicial Administrative District
Mr. Jay Neal, Criminal Justice Coordinating Council
Ms. Debra Nesbit, Association County Commissioners of Georgia
Ms. Jody Overcash, Seventh Judicial Administrative District

Ms. Sharon Reiss, Council of Magistrate Court Judges
Chief Presiding Judge Juliette W. Scales, Juvenile Court, Atlanta Judicial Circuit
Mr. Robert Smith, Prosecuting Attorneys' Council of Georgia
Mr. David Summerlin, Fifth Judicial Administrative District
Ms. Jill Travis, Georgia Association of Criminal Defense Lawyers
Chief Judge Brenda Trammell, Superior Court, Ocmulgee Judicial Circuit
Ms. Courtney Veal, Judicial Qualifications Commission
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Mr. Shannon Weathers, Council of Superior Court Judges
Mr. Joshua Weeks, Georgia Council of Court Administrators

DRAFT

Judicial Council of Georgia
Emergency Session
Zoom Conferencing
October 29, 2021 • 12:00 p.m.

Members Present

Chief Justice David E. Nahmias
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 Walter W. Davis
Judge Lori B. Duff
Ms. Elizabeth L. Fite
Judge Robert Flournoy
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 L. Smith, III
Chief Judge Sarah Wall
Judge Alvin T. Wong

Members Absent

Judge Melanie B. Cross
Judge B. Shawn Rhodes

Staff Present

Ms. Cynthia H. Clanton
Mr. Robert Aycock
Ms. Bianca Bennett
Mr. Matthew Bishop
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. Drew Townsend
Ms. Maleia Wilson

Guests (Appended)

Call to Order and Preliminary Remarks

The meeting of the Judicial Council of Georgia (Council) was called to order at 12:00 p.m. by Chief Justice Nahmias. He stated that the meeting would be recorded, livestreamed, and open to both the press and public. Staff and guests were instructed to submit their attendance for the purpose of the minutes.

Roll Call of Judicial Council Members

Ms. Clanton recorded member attendance through the Zoom attendee list and verbally confirmed as needed via roll call.

Update on American Rescue Plan Act Funding

Chief Justice Nahmias thanked Council members for joining the meeting on short notice, as authorization for today's discussion was just received this week. He reminded members that a proposal was submitted to the Governor's Office earlier in the year regarding federal American Rescue Plan Act (ARPA) funding for the judiciary and, on Thursday, October 28, 2021, Governor Brian Kemp announced the allocation of up to \$110 million in ARPA funds to help the judiciary address backlogs of cases from the pandemic, with a priority on cases involving serious violent felonies. The funding has both federal restrictions and additional restrictions placed on it by the State; Chief Justice Nahmias reiterated the priority of serious violent felony cases but recognized that backlogged cases include other felonies and civil cases in the superior courts, and a variety of cases in all other classes of courts. Since all municipalities have received ARPA funds, the Governor's Office has directed municipal courts to seek that funding, and at this time are not eligible for this allocation. The Chief Justice reported he and Presiding Justice Boggs have discussed alternative funding for municipal courts with Judge Duff.

Moving to the details of the funding, which will be awarded as a grant, Chief Justice Nahmias stated that courts will be required to report if they received any other source of ARPA funding, particularly from the county level, and if so, how those funds are being utilized. He shared that the initial allowable expenses would include additional, temporary staff and space to address backlogs of cases with, again, a priority of serious violent felony cases. He noted that personnel under this funding will not include public defenders, as they are being considered separately under the Executive Branch budget within the Governor's Office of Office of Planning and Budget (OPB). For the judiciary's portion of the funding (approximately \$96 million), personnel covers a broad range of positions, including judges, senior judges, pro hac judges, law clerks, prosecutors, deputy clerks, courtroom personnel, administrative personnel, security personnel, court reporters, and interpreters. Allowable costs under space will include temporary, additional rental space as well as temporary changes to current space. Chief Justice Nahmias stressed that OPB has requested the Council and courts consider their requests in a holistic, proportional manner and if there are delays that are outside the courts, these should be communicated through the Council to OPB so

that they may be resolved. At this time, funding may not be used for permanent positions, permanent space, other types of infrastructure (such as permanent technology), or expenses that have already been incurred.

Chief Justice Nahmias stated that the funds will be awarded in cycles over a three-year period and specified that a court will not be prejudiced if it waits to apply for funding. The grants will be paid on a reimbursement basis. At the request of the Governor's Office, the Judicial Council/Administrative Office of the Courts (JC/AOC) will be responsible for the grant oversight and management process for the judicial branch funds, with the additional \$14 million allocated for public defenders to be handled directly by OPB. Chief Justice Nahmias then shared that, pursuant to the Council's bylaws and to move forward as efficiently as possible, he had appointed an ad hoc committee to oversee this process. Presiding Justice Boggs has agreed to chair the committee and the remaining members include Vice Chief Judge Amanda Mercier (appointed by the Chief Judge of the Court of Appeals), Prosecuting Attorneys' Council Director Pete Skandalakis (appointed by the Chief Justice), and the administrative judges, or their designees, from each of the ten Judicial Administrative Districts (JAD). Chief Justice Nahmias explained this will create a manageable membership size and ensure geographic diversity and representation; additionally, the committee order charges the JAD representatives to become familiar with the needs of all courts in their districts. The committee will include advisory members to include a representative of every class of court, as well as other organizations such as the Association County Commissioners of Georgia (ACCG) and the Georgia Municipal Association (GMA). The Chief Justice noted that the committee's membership is subject to change over time should the focus and priorities of the grant funding change.

Further, Chief Justice Nahmias reported the committee will be supported by JC/AOC staff and JC/AOC will handle the fiscal management of this funding in coordination with OPB. Chief Justice Nahmias expressed his appreciation to Ms. Clanton and staff for taking on this work. He repeated that grant funding will not be allocated all at once, but rather over a three-year period in funding windows determined by the committee. The committee will provide the grant application, instructions, FAQs, and a website so that everything is housed in a central location. To keep the overall number of applications at a manageable size of 50, the Committee will request chief superior court judges each assemble one grant application to include all eligible classes of court

and other agencies within their circuit. Chief Justice Nahmias explained this will support the holistic approach which they are hoping to achieve.

The Chief Justice repeated that he is hopeful additional funding and eligible uses will be available in the future and expressed his appreciation to the Governor for these resources. Lastly, he advised members to direct any questions to him, Presiding Justice Boggs, or Ms. Clanton. They will coordinate with the Governor's Office and OPB when necessary to request clarification or additional details. He then recognized Presiding Justice Boggs for remarks.

Presiding Justice Boggs thanked Chief Justice Nahmias and expressed his sincere gratitude to Council members for all they have done to address the issue of backlogged cases. He then highlighted the following key points. With the JC/AOC overseeing the management of funding for courts, the process should be expeditious and consistent. He added that there are very specific parameters from the Governor's Office, OPB, and the United States Federal Treasury that limit the uses for funding and the committee will be diligent in its adherence to those limits. As Chief Justice Nahmias mentioned, the committee's membership structure will be subject to change based on the restrictions and parameters of the grant and the advisory members will be representative of all classes of court and stakeholders.

Finally, Presiding Justice Boggs shared a brief timeline of what may be expected over the coming weeks. To get the process started immediately, the Committee will meet next week to approve grant documents and other resources, and additional meetings with OPB and chief superior court judges are being scheduled as well. The chief judges, Presiding Justice Boggs shared, will be key in helping to vet, assemble, and coordinate the delivery of grant applications in a way that is manageable for the Committee. Chief Justice Nahmias added that there is not a good sense on the degree to which cases are backlogged in all courts around the state or the degree to which some backlogs have already been addressed or funding has been obtained. The first round of applications, he shared, will give the committee a better understanding of where the problems are and just how pervasive the backlog may be. In turn, Chief Justice Nahmias explained, this will impact the amount of funding needed to be utilized initially and how much can be allocated over the second and third years.

Chief Justice Nahmias opened the floor for any initial questions or concerns. Chief Judge Sams asked how soon the committee expects the first application process to begin. Presiding Justice Boggs shared that the first funding window is expected to open in November for awards to

be made in December, for expenditures effective January 2022. Chief Justice Nahmias added that a second funding window is expected in January 2022; Presiding Justice Boggs confirmed and stated application periods will most likely occur on a quarterly basis after that, with grant applications running on the calendar year.

With no further discussion, Chief Justice Nahmias reported that additional information will be forthcoming over the next few weeks. He again thanked members for joining the meeting on short notice.

Old Business

No old business was offered.

New Business

No new business was offered.

Concluding Remarks and Adjournment

Chief Justice Nahmias reported that the next regularly scheduled General Session will be held on December 10, 2021, via Zoom. He thanked everyone for their diligent service and continued commitment, and adjourned the meeting at approximately 12:45 p.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
_____, 2021.

David E. Nahmias
Chief Justice

**Judicial Council of Georgia
Emergency Session
Zoom Conferencing
October 29, 2021 • 12:00 p.m.**

Guest Present

Mr. Doug Ashworth, Institute of Continuing Judicial Education
Mr. Joseph Baden, Third Judicial Administrative District
Judge Shakara Barnes, Office of State Administrative Hearings
Mr. Josh Becker, Council of Accountability Court Judges
Mr. T.J. BeMent, Tenth Judicial Administrative District
Judge Brandon Bryson, Magistrate Court of Bartow County
Mr. Charles “Chuck” Boring, Judicial Qualifications Commission
Ms. Lalaine Briones, Prosecuting Attorneys’ Council of Georgia
Mr. Josh Becker, Council of Accountability Court Judges
Ms. Kristen Bertsch, Judicial Qualifications Commission
Chief Judge Kristina Blum, Magistrate Court of Gwinnett County
Mr. Bob Bray, Council of State Court Judges
Judge Brandon Bryson, Council of Magistrate Court Judges
Chief Judge Geronda Carter, Superior Court, Clayton Judicial Circuit
Mr. Richard Denney, First Judicial Administrative District
Ms. Tamara Denson
Senior Judge Kenneth Followill
Chief Judge David T. Emerson, Superior Court, Douglas Judicial Circuit
Ms. Natalie Glaser, Georgia Public Defender Council
Judge Kathlene F. Gosselin, Northeastern Judicial Circuit
Ms. Karlise Grier, Chief Justice's Commission on Professionalism
Mr. Christopher Hansard, Superior Court of Cobb County
Judge Jeff Hanson, State Court of Bibb County
Ms. LeNora Hawkins Ponzo, Fourth Judicial Administrative District
Ms. Christine Butcher Hayes, State Bar of Georgia
Mr. Kevin Holder, Council of Probate Court Judges
Mr. Michael Holiman, Council of Superior Court Clerks
Mr. Eric John, Council of Juvenile Court Judges
Ms. Tracy Johnson, Georgia Office of Dispute Resolution
Ms. Taylor Jones, Council of Accountability Court Judges
Ms. Kathleen Joyner, Supreme Court of Georgia
Judge Stephen D. Kelley, Superior Courts, Brunswick Judicial Circuit
Ms. Anne Kirkhope, Council of Juvenile Court Judges
Justice Shawn LaGrua, Supreme Court of Georgia
Ms. Annette Larkins, Superior Court, Clayton Judicial Circuit
Chief Judge Robert D. Leonard, Superior Court of Cobb County
Chief Judge T. Russell McClelland, State Court of Forsyth County
Ms. Amanda Marshall, Cobb Judicial Circuit
Judge Matthew M. McCord, Municipal Court of Stockbridge

Judge Danielle McRae, Probate Court of Upson County
Mr. David Mixon, Second Judicial Administrative District
Judge John E. Morse, Jr., Superior Court, Eastern Judicial Circuit
Mr. Bob Nadekow, Eighth Judicial Administrative District
Ms. Debra Nesbit, Council of Superior Court Judges
Ms. Jody Overcash, Seventh Judicial Administrative District
Ms. Sharon Reiss, Council of Magistrate Court Judges
Ms. Robin Rooks, Georgia Council of Court Administrators
Chief Presiding Judge Juliette W. Scales, Juvenile Court, Atlanta Judicial Circuit
Dr. William T. Simmons, Sixth Judicial Administrative District
Mr. Peter J. Skandalakis, Prosecuting Attorneys' Council of Georgia
Ms. Christina C. Smith, Court of Appeals of Georgia
Mr. Robert W. Smith, Prosecuting Attorneys' Council of Georgia
Mr. David Summerlin, Fifth Judicial Administrative District
Ms. Courtney Veal, Judicial Qualifications Commission
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Mr. Shannon Weathers, Council of Superior Court Judges
Chief Judge Kelli L. Wolk, Probate Court of Cobb County
Ms. Emily Youngo, Supreme Court of Georgia

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: December 2, 2021

The Judicial Council Ad Hoc Committee on American Rescue Plan Act (ARPA) Funding was established on October 28, 2021, for the purposes of reviewing and approving applications from eligible courts and judicial system stakeholders requesting the dissemination of the federal American Rescue Plan Act of 2021 (Pub. L. 117-2) funds allocated to the Judicial Branch for eligible expenditures aimed at addressing backlogs of court cases, particularly cases involving serious violent felonies. On that same date, Governor Kemp announced the allocation of up to \$110 million in ARPA funding to address backlogs of court cases, particularly cases involving serious violent felonies. The Judicial Council and its Administrative Office of the Courts (JC/AOC) will administer up to \$96 million of that amount in grants to authorized classes of court, prosecutors, and related agencies.

The Committee held its first meeting on Wednesday, November 3, 2021, to discuss the funding, review and approve all grant documents, and discuss advisory members. On Thursday, November 4, 2021, an order was issued naming advisory members to the Committee (see committee orders attached), reflecting a comprehensive list of courts and stakeholders. The JC/AOC ARPA webpage, <https://jcaoc.georgiacourts.gov/arpa>, launched on Wednesday, November 10, 2021. All grant documents (Overview and Instructions, Application, Budget Form, and FAQs) are available under “Quick Links” located in the middle of the page. This site and the aforementioned documents are being regularly updated as information becomes available.

Since the November 3 Committee meeting, the following updates have been received:

- The Governor’s Office of Planning and Budget (OPB) has confirmed the following expense categories, which were previously pending, as eligible expenditures under the grant funding:

- 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,
- 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.
- OPB has designated Premium Pay to Essential Public Employees as a non-eligible expenditure category.
- 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; see FAQ 29.1 (added 11/19/21).
- 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.

The first grant cycle application window took place Wednesday, November 10 – Tuesday, November 30. Applications were received from 28 circuits and the screening and review process is currently underway. The Committee will meet on Monday, December 20, 2021, to make award decisions for funding and expenses effective January 1, 2022. Awards will be announced following the meeting.

The Committee's next application window is scheduled to take place from January 1 – January 15, 2022. Applicants should refer to the website for the most current documents at that time. The Committee will meet in early February to make award decisions for funding and expenses effective March 1, 2022.

Please send any questions to the ARPA Grants Team at arpa@georgiacourts.gov.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial Council Ad Hoc Committee on American Rescue Plan Act Funding

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

Therefore, I hereby establish the Ad Hoc Committee on American Rescue Plan Act Funding. The Committee is established for the purposes of reviewing and approving applications from eligible courts and judicial system stakeholders requesting the dissemination of federal American Rescue Plan Act of 2021 (Pub. L. 117-2) funds allocated to the Judicial Branch for eligible expenditures aimed at addressing backlogs of court cases, particularly cases involving serious violent felonies.

The following members are hereby appointed to the Ad Hoc Committee on American Rescue Plan Act Funding:

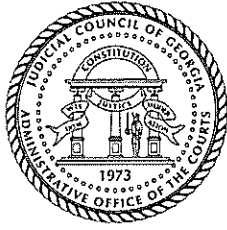
- Presiding Justice Michael P. Boggs, Supreme Court of Georgia, Chair.
- One member chosen by the Chief Justice of the Supreme Court of Georgia.
- One member chosen by the Chief Judge of the Court of Appeals of Georgia.
- The administrative judge of each judicial administrative district, as provided by OCGA § 15-5-4, or his or her designee.

Judicial Administrative District representative members will be responsible for understanding the needs of all classes of court and other judicial system stakeholders in their districts. Committee membership may include advisory members appointed, as needed, by the Committee Chair. Advisory members may be heard but shall not be entitled to vote.

The Ad Hoc Committee on American Rescue Plan Act Funding will exist from the date of this order until December 31, 2024, unless otherwise extended. The Administrative Office of the Courts shall provide staff support to this Committee, shall facilitate the grant application, awarding, compliance, and reporting processes, and shall notify the judiciary of the creation of the Committee.

So decided this 28 day of October, 2021.

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



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial Council Ad Hoc Committee on American Rescue Plan Act Funding Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, as Chair of the Ad Hoc Committee on American Rescue Plan Act Funding, I hereby appoint the following advisory members to the Committee, effective on the date of this order:

- Judge of the Georgia State-wide Business Court, or his or her designee
- President of the Council of State Court Judges, or his or her designee
- President of the Council of Juvenile Court Judges, or his or her designee
- President of the Council of Probate Court Judges, or his or her designee
- President of the Council of Magistrate Court Judges, or his or her designee
- President of the Council of Municipal Court Judges, or his or her designee
- President of the State Bar of Georgia, or his or her designee
- Chair of the Council of Accountability Court Judges, or his or her designee
- One District Court Administrator chosen by the President of the Council of Superior Court Judges
- President of the Georgia Council of Court Administrators, or his or her designee
- Executive Director of the Association County Commissioners of Georgia, or his or her designee
- Executive Director of the Georgia Municipal Association, or his or her designee
- Executive Director of the Georgia Sheriff's Association, or his or her designee
- Executive Director of the Georgia Association of Chiefs of Police, or his or her designee
- President of the Council of Superior Court Clerks, or his or her designee
- President of the Georgia Court Reporters Association, or his or her designee
- One court interpreter member of the Judicial Council Standing Committee on Court Interpreters
- Executive Director of the Georgia Public Defender Council, or his or her designee
- President of the Georgia Association of Criminal Defense Lawyers, or his or her designee
- One member of the Georgia House of Representatives
- One member of the Georgia Senate

- Director of the Georgia Bureau of Investigation, or his or her designee

So decided this 4 day of November, 2021.

Michael P. Boggs

Presiding Justice Michael P. Boggs

Chair, Judicial Council Ad Hoc Committee on American Rescue Plan Act Funding

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: November 23, 2021

On November 17, 2021, the Standing Committee on Legislation (“Committee”) met to continue preparation for the 2022 Session of the General Assembly. There were no new proposals presented for action. The Committee heard status reports on the previously taken positions of support, with no action taken, on the following items:

- 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*);
- 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

Memorandum

TO: Judicial Council Members

FROM: Justice Charles J. Bethel, Chair *CJB*
Standing Committee on Budget

DATE: November 22, 2021

RE: Judicial Council Budget and Financial Report

Fiscal Year 2022 Judicial Council Budget and Financial Report as of October 31, 2021

The Judicial Council Budget and Financial Report is attached for review.

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

The Standing Committee on Budget is preparing presentations for the House and Senate Appropriations subcommittee meetings during the 2022 legislative session.

Amended Fiscal Year 2022 (AFY22)

The Judicial Council has three AFY22 enhancement requests for the restoration of budget cuts to the FY21 budget.

- 1) Judicial Council/Administrative Office of the Courts, \$569,928.
- 2) Council of Probate Court Judges, \$25,964.
- 3) Council of Magistrate Court Judges, \$27,027.

If the legislature approves the requests, the Judicial Council budget will increase \$622,919; from \$15,615,952 to \$16,238,871.

Fiscal Year 2023 (FY23)

The Judicial Council has seven enhancement requests for the Fiscal Year 2023. The FY23 budget requests are:

- 1) Judicial Council/Administrative Office of the Courts, \$952,056, for budget cuts restoration, and four positions: Research Analyst, IT Help Desk Specialist, Customer Service Specialist, and Policy Counsel I.
- 2) Council of Probate Court Judges, \$25,964, for budget cuts restoration.
- 3) Council of Magistrate Court Judges, \$27,027, for budget cuts restoration.
- 4) Supreme Court's Committee on Justice for Children, \$274,674, for Civil Legal Services for Kinship Care Families.
- 5) Standing Committee on Grants, \$1,322,828, for Civil Legal Services for Victims of Domestic Violence.
- 6) Georgia Resource Center, \$25,000, for budget cuts restoration.
- 7) Institute of Continuing Judicial Education (ICJE), \$49,600, for an Event Planner position.

If all seven enhancement requests totaling \$2,677,149 are approved, the FY23 Judicial Council budget will increase from \$15,615,952 to \$18,293,101. The increase would represent a 14.63% increase to the Judicial Council's budget.

Attachments: Fiscal Year 2022 Judicial Council Operations Budget and Financial Report

Fiscal Year 2022 - Judicial Council Operations
October 31, 2021

Department	Project	FY 2022 Budget	YTD Expenditures	Remaining	Budget Spent
Administrative Office of The Courts		\$ 7,075,563	\$ 2,501,809	\$ 4,573,754	35%
Legal Services for Domestic Violence	103	1,677,172	1,677,172.00	\$ -	100%
Georgia Council of Court Administrators	141	16,389	16,389.00	\$ -	100%
Council of Municipal Court Judges	142	13,919	3,030.05	\$ 10,889	22%
Child Support Collaborative	174	140,600	38,329.10	\$ 102,271	27%
Council of Magistrate Court Judges	204	165,998	54,051.27	\$ 111,947	33%
Council of Probate Court Judges	205	159,490	53,310.95	\$ 106,179	33%
Council of State Court Judges	206	260,390	79,932.86	\$ 180,457	31%
Council of State Court Judges Ret.	207	2,588,814	11,397.42	\$ 2,577,417	0%
Legal Services for Kinship Care Families	1103	475,326	475,326.00	\$ -	100%
Other Judicial Council Subprograms		\$ 5,498,098	\$ 2,408,939	\$ 3,089,159	44%
Accountability Courts	195	619,696	\$ 207,227	\$ 412,469	33%
CACJ-Peer Review Process	199	48,000	\$ 8,173	\$ 39,827	17%
Inst of Continuing Jud Ed Administration	301	545,866	\$ -	\$ 545,866	0%
Judicial Qualifications Commission	400	1,053,729	\$ 351,945	\$ 701,784	33%
Resource Center	500	775,000	\$ 322,917	\$ 452,083	42%
Separate Judicial Council Programs		\$ 3,042,291	\$ 890,262	\$ 2,152,029	29%
TOTAL JUDICIAL COUNCIL		\$ 15,615,952	\$ 5,801,009	\$ 9,814,943	37%

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 David Emerson, Co-Chair

RE: Committee Report - Judicial Council Standing Committee on Technology

DATE: November 22, 2021

The Judicial Council Standing Committee on Technology met on Thursday, November 18, 2021. 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 of the site traffic is accessed on mobile devices rather than desktops.

Authentication of Judicial Signatures, Judge Stephen Kelley
Judge Kelley provided an update on the judicial signatures rule. The Supreme Court has approved the rule. The Committee discussed that each court class might want to review their current rule and determine if they could adopt a similar process.

New Business

GCIC POR project-Judge Emerson, Mr. Ben Luke

Judge Altman 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.

Standardization of file format, Justice Shawn Ellen LaGrua

Justice LaGrua has tasked the Committee with creating a standardized video format and audio files presented during trials, etc., which is then easily transmitted to the clerk's office. Mr. Ben Luke stated standardizing the structure would provide uniformity. A sub-committee has been created and held an initial meeting.

Next Meeting

The next committee meeting is scheduled for January 13, 2022, in Atlanta.

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

RE: Judicial Workload Assessment Committee Report

DATE: December 3, 2021

At its November 12, 2021 meeting, the Committee approved the following items for Judicial Council consideration:

1. Update to the Judicial Council Policy on Judgeships and Circuit Boundary Studies
2. The Committee recommends Petitions for Removal from Sex Offender Registry cases be categorized as other general civil filings effective January 1, 2022.
3. Add Home Invasion in the First Degree to the list of serious felony case category effective January 1, 2022.

Lastly, 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.

I

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

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

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

Policy on the Study of Superior Court Judgeships and Circuit Boundaries

Section 1 – Policy

1.1 – Introduction

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

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

1.2 – Policy Statements

1. The Judicial Council will recommend additional judgeships based only upon need demonstrated through the methodology contained herein.
2. The Judicial Council will recommend circuit boundary alterations based only upon need demonstrated through the methodology contained herein.
3. The Judicial Council will not recommend part-time judgeships or single-judge circuits.

Section 2 – Judgeship and Circuit Boundary Study

2.1 – Initiation

1. The Governor, members of the General Assembly, and superior court judges have standing to initiate judgeship and circuit boundary studies.
2. The AOC will notify the Governor, General Assembly, superior court judges, and district court administrators no later than May 1 that they may request studies in writing by June 1, or the next business day thereafter, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any request received after June 1 will not be considered until the following year except upon approval by the Chair of the Judicial Council in consultation with the Chair of the Standing Committee on Judicial Workload Assessment for good cause shown. Under no circumstances will a request received more than five business days after June 1 be considered during the current year.
3. Requests for studies will be sent to the Director of the AOC. After receiving ~~If anyone, other than a chief judge~~ a request for a judgeship or circuit boundary study, the AOC will inform, via email and US mail, all judges within the requested circuit, all judges of any adjacent circuits, and their district court administrators ~~the chief judge of the same circuit, and any adjacent circuits in the case~~

of boundary studies, that a request has been made. Any request by any party may be withdrawn by the same party at any time for any reason, and staff will notify all parties impacted by such a withdrawal.

4. The AOC will send the caseload and workload status of their respective circuits to all superior court judges and district court administrators no later than May 1 of each year.

2.1(a) — Circuit Boundary Prescreening

1. The AOC shall inquire of the requestor(s) about the specific circuit alteration desired of a circuit boundary request. The AOC shall conduct an analysis for the specific outcome desired by the requestor(s) to determine its feasibility.¹

2. If the desired outcome sought by the requestor(s) is not feasible, the request may be withdrawn. If the request is not withdrawn, the AOC will continue with the study as referenced in Section 2.3

2.2 – Judgeship Study Methodology

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

1. The most recent three-year average of civil case filings and criminal case defendants, for each case type listed in Appendix A, will serve as the *total circuit caseload* for each case type. Each case type's caseload will be multiplied by its respective *case weight*. The resulting figure represents the *total circuit workload*.
2. The *total circuit workload* will be divided by the *judge year value* assigned to the circuit based on its *classification*. The resulting figure represents the *judge workload value*. If the *judge workload value* divided by the total number of authorized judgeships in the circuit meets or exceeds 1.2, then the circuit is qualified for an additional judgeship. If the *judge workload value* divided by the total number of authorized judgeships in the circuit is less than 1.2, then the circuit is not qualified for an additional judgeship. For purpose of analysis and reporting under this policy, workload values shall be rounded to the nearest tenth. When analyzing a circuit for multiple judgeships, the circuit shall first be analyzed to determine a need for one judgeship. If qualified, then the circuit shall be analyzed for one additional judgeship, giving the circuit credit for the additional judgeship need already qualified for. This process shall repeat itself until the circuit is not qualified or the request is exhausted.
3. A circuit that requests and qualifies for an additional judgeship will have its judgeship study prepared and presented at the next Standing Committee on Judicial Workload Assessment Committee meeting. Requestors will be notified of their status and the Committee process no later than June 15. The Standing Committee may forward the recommendation to the Judicial Council for consideration at the first meeting of the fiscal year as described in Section 3. If a majority of the judges in a circuit vote to disagree with a request for a judgeship, the Standing Committee may consider that disagreement in their decisions to recommend new judgeships to the Council.

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

The Committee shall vote on request for multiple judgeships independently.

4. A circuit that requests and is not qualified for an additional judgeship has the right to appeal its status to the Standing Committee on Judicial Workload Assessment. Requestors will be notified of their status and the Committee process no later than June 15. If the appeal is approved, then the appealing circuit will have a judgeship study prepared and presented at the next Judicial Council meeting as described in Section 3. Appeals may not be based upon a circuit's caseload.
5. The AOC will present annually to the Committee a list of all circuits whose *judge workload value* divided by the total number of authorized judgeships in the circuit is less than 0.90 and whose per judge workload value would not equal or exceed 1.2 upon reduction of a judgeship. The Committee Chair shall invite all judges from such circuits to appear at the next Committee meeting to discuss their caseload and workload data. The Committee shall provide technical assistance, with the assistance of the AOC and others so designated, to the affected circuits that may include, but is not limited to: a manual hand count of cases for a specified period of time, additional training for clerks and staff on proper case documentation, and a review of caseload reports and other case information. The AOC shall provide the Committee prior to the next year's annual reporting, a report of the technical assistance provided and any recommendations for further assistance. If a circuit is presented for the first time between 2020 and 2021 and is presented for five consecutive years, the Committee may consider and recommend any options it deems appropriate to the Council. If a circuit is presented for the first time on or after 2022 and is presented for three consecutive years, the Committee may take the same action.

2.3 – Circuit Boundary Study Methodology

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

1. Caseload and Workload

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

2. Population

- a. Per judge population is more evenly distributed among circuits impacted by altered boundaries.
- b. Per judge population does not vary significantly from the statewide average in altered circuits.
- c. Population trend analysis of altered circuits does not show an imbalance in growth rates

that would necessitate a reallocation of resources or alteration of circuit boundaries again within ten years.

- d. The population of altered circuits is more evenly distributed than the original circuits.

3. Judges

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

4. Administrative

- a. The one-time and recurring costs to altered circuits are not overly burdensome to the state or local governments. Changes in cost for personnel services and operations will be considered. These costs include, but are not limited, to the following:
 - i. Salaries and compensation for staff;
 - ii. Cost for items such as furniture, signage, and general startup expenses;
 - iii. Rent or the purchase of new office space;
 - iv. Purchase or lease of a vehicle; and
 - v. Conference and continued education costs.
 - b. The operational and case assignment policies are not negatively impacted in altered circuits.
 - i. Any current standing orders regarding case assignment should be submitted to the AOC; and
 - ii. Any item affecting the case assignment not specifically expressed in the Uniform Rules for Superior Courts should be submitted to the AOC.
 - c. The Circuit Court Administrator and/or District Court Administrator is required to submit the detailed Comprehensive Annual Financial Report to the AOC to be included within the analysis.
5. The preceding conditions (1-4) will be considered for all potential circuit boundary alterations before qualification status is determined.
6. If a circuit meets a significant number of the preceding conditions, then the circuit is qualified for a boundary alteration. If a circuit does not meet a significant number of the preceding conditions, then the circuit is not qualified for a boundary alteration.

7. The AOC will notify the requestor and all affected judges ~~the circuit's chief judge~~ of the circuit's qualification status no later than ~~July~~ September 1.
8. A circuit that qualifies for a boundary alteration will have its study prepared and presented at the next Standing Committee on Judicial Workload Assessment Committee meeting. The Standing Committee may forward the recommendation to the Judicial Council for consideration at its next meeting as described in Section 3. If a majority of the judges in a circuit vote to disagree a request for a circuit boundary alteration, the Standing Committee may consider that disagreement in their decision to recommend circuit boundary alterations to the Council.
9. A circuit not qualified for a boundary alteration has the right to appeal its status to the Standing Committee on Judicial Workload Assessment. If the appeal is approved, then the appealing circuit will have a boundary study prepared and presented at the next Judicial Council meeting as described in Section 3. Appeals may not be based upon a circuit's caseload.

Section 3 - Judicial Council Procedure

The Judicial Council will make recommendations to the Governor and the General Assembly for judicial personnel allocations and circuit boundary alterations annually prior to the beginning of the regular session of the General Assembly.

1. The AOC will prepare and present all Committee recommendations on additional judgeships, circuit boundary adjustments, and reduction of judgeships to the Council. Requestors will be notified of the Council process no later than August 1. The report will include the results of the judgeship and/or boundary studies, any letters of support from requesting circuits, any available *CourTools* data, and other information the AOC may deem beneficial to Judicial Council deliberations.
2. After reviewing the recommendations, the Judicial Council, in open session, may discuss the merits of each recommendation. Any Judicial Council member in a circuit or county affected by a recommendation will be eligible to vote on motions affecting that circuit but will not be present or participate in deliberations regarding the circuit. Non-Judicial Council members offering support or opposition may be recognized to speak by the Chief Justice.
3. After deliberations, the Judicial Council will, in open session, approve or disapprove the recommendations. The Council shall vote on requests for multiple judgeships independently. Votes on such motions will be by secret, written ballot. Non-qualified circuits with successful appeals must have a two-thirds (2/3) majority to receive approval. Each ballot must be complete to be counted. The Vice Chief Judge of the Court of Appeals will oversee ballot counting.
4. After determining the circuits recommended for an additional judgeship, the Judicial Council will rank the circuits based on need. The Council shall vote on requests for multiple judgeships independently. Votes on such motions will be by secret, written ballot. Each ballot must be complete to be counted. The Vice Chief Judge of the Court of Appeals will oversee ballot counting.

- a. The ballots will be counted using the Borda count method. The Borda count determines the outcome of balloting by giving each circuit a number of points corresponding to the number of candidates ranked lower. Where there are n circuits, a circuit will receive n points for a first preference ballot, $n - 1$ points for a second preference ballot, $n - 2$ for a third preference ballot, and so on until n equals 1. Once all ballots have been counted, the circuits are then ranked in order of most to fewest points.
5. Upon Judicial Council recommendation of an additional judgeship or circuit boundary alteration, the recommendation will remain for a period of three years unless (1) the total caseload of that circuit decreases 10 percent or more or (2) the circuit withdraws the request. In either case, the circuit must requalify before being considered again by the Judicial Council.
6. The AOC will prepare and distribute letters notifying requestors and chief judges of the Judicial Council's actions and distribute a press release summarizing the Judicial Council's recommendations.



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: Standing Committee on Judicial Workload Assessment

RE: Recommendation on Petitions for Removal from Sex Offender Registry under O.C.G.A. § 42-1-19

DATE: December 3, 2021

Summary

Superior courts are required to receive and hear Petitions for Removal from Sex Offender Registry cases. Currently, the petitions are filed with the original criminal case in the county where the case was heard. However, it remains unclear how cases are filed when the original case occurred in another state. To ensure petitions are counted uniformly throughout the state, and the measure of judicial work is calculated, the Standing Committee on Judicial Workload Assessment approved this matter at its July 2021 meeting, and revisited it and the issue of filing fees at its November 12, 2021 meeting. The Judicial Council accepted the recommendation to categorize Petitions for Removal from Sex Offender Registry cases as Other General Civil filings at its August meeting. The Standing Committee did not make a recommendation to include a waiver of filing fees at its November meeting. The Committee submits the following recommendation.

Recommendation

1. The Committee recommends Petitions for Removal from Sex Offender Registry cases be categorized as other general civil filings effective January 1, 2022.



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: Standing Committee on Judicial Workload Assessment

RE: Home Invasion in the First Degree Caseload Classification

DATE: December 3, 2021

Introduction

Currently, home invasion in the first degree charges under O.C.G.A. §16-7-5(b) are counted as a felony in Georgia's annual caseload reports. Home invasion cases frequently co-occur on the same docket as other charges that are weighted as serious felonies, but this is not true in every case. Cases are weighted by the serious charge, and therefore if a serious felony and a home invasion are charged in the same case, that case will count as a serious felony for workload purposes. If the home invasion is not accompanied by a serious felony charge, then the case is weighted as a felony under the current case-weighting system. The Standing Committee on Judicial Workload Assessment makes the following recommendations:

Recommendations

- 1. Count home invasion in the first degree cases filed under O.C.G.A. §16-7-5(b) as serious felony cases.** After reviewing O.C.G.A. §16-7-5(b), home invasion offenses are typically, but not always, associated with offenses in the serious felony case category. Adding home invasion in the first degree cases to the serious felony category is a value adjustment that would improve the workload model to be more representative of the judicial work across the state.
- 2. Changes become effective on January 1, 2022.** These changes will require modifications to case management systems. The counting of home invasion cases as serious felonies will begin in calendar year 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: November 29, 2021

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 August 4, September 22, October 6, and November 17, and is scheduled to meet again on December 15.

On June 3, 2021, the term of the Task Force was extended to December 31, 2021. However, even as infections continue to decline in our state, the work of the Task Force is still needed. To continue this work, the term of the Task Force has been extended to December 31, 2022 (see order attached). In addition to continuing to monitor the pandemic, the Task Force will focus on reviewing and updating the 2018 Georgia Pandemic Bench Guide with best practices learned over the last 18 months.

We received 251 responses to the Task Force's Survey for Best Practices for Post-Statewide Judicial Emergency Court Proceedings. The breakdown of respondents by role was heavily skewed to judges (50%) and defense attorneys (41%), with less than 8% identifying as prosecutors. An overview of the survey results is attached.

In collaboration with the State Bar, the Task Force hosted a virtual Lunch & Learn for judges and court administrators interested in employing Fulton County's remote jury selection procedures for civil cases. Justice Shawn LaGrua, Judge Russ McClelland, State Bar President Elizabeth Fite, and Chief Judge Christopher Brasher, presented. A special thank you to Chief Judge Brasher and his knowledgeable staff, Amy VonKelsch, Adejuwon Anjoorin, and Marlon Greathouse. A link to the training can be found [here](#) and the accompanying Powerpoint presentation can be [downloaded here](#).



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial COVID-19 Task Force

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

On May 14, 2020, the Judicial COVID-19 Task Force was established as an ad hoc committee of the Judicial Council. On June 3, 2021, the term of the Task Force was extended to December 31, 2021. However, as the work of the Task Force is still needed, and upon request of the Committee Chair, the term of the Task Force is hereby extended to December 31, 2022.

The mission of the Task Force is amended to include updating the 2018 Georgia Pandemic Bench Guide, and related materials. The membership of the Task Force shall remain the same.

So decided this 29th day of November, 2021.

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

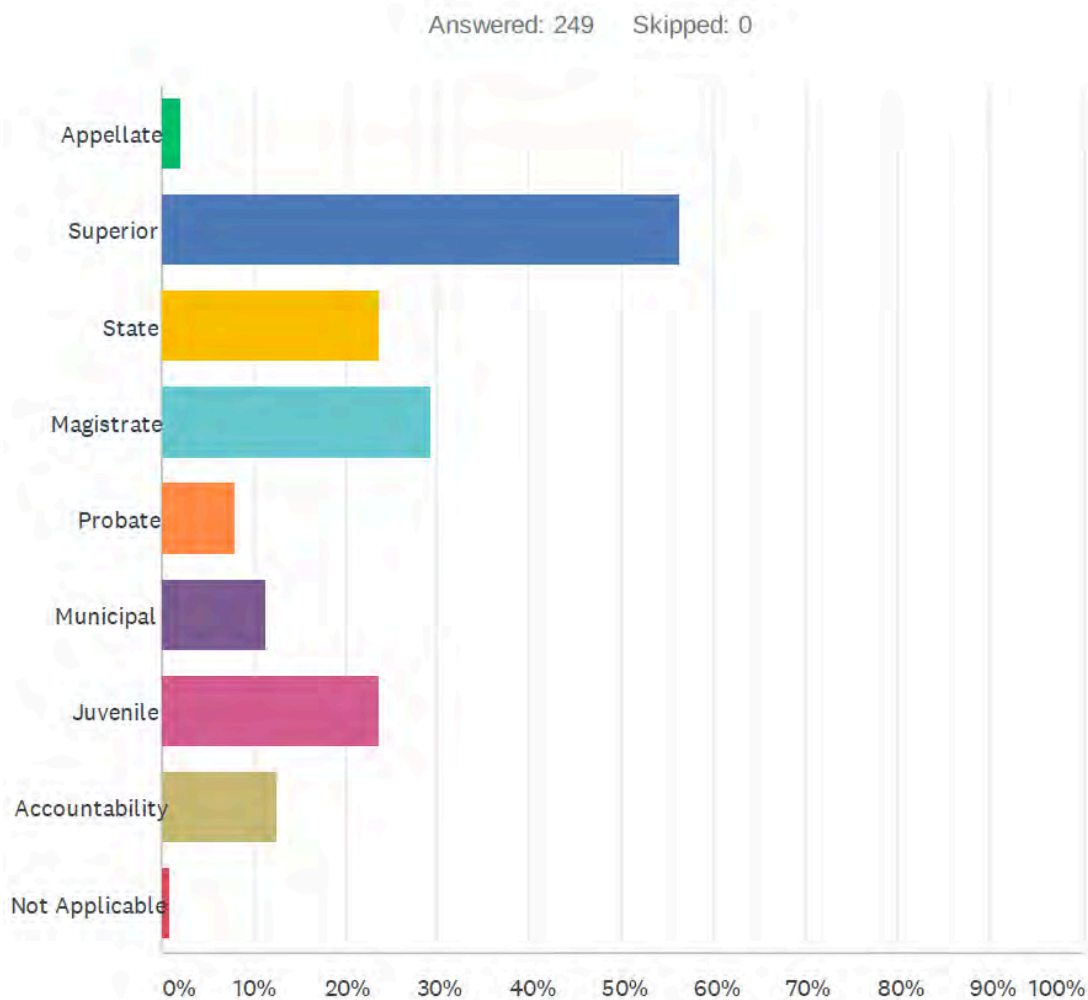
Survey Results
Best Practices for Post-Statewide Judicial Emergency Court Proceedings
Judicial COVID-19 Task Force • August 2021

***Please note, the bulleted responses are the result of synthesizing a large number of unique answers into common themes.**

1. Name (optional)
 - Approximately half of respondents included their name.

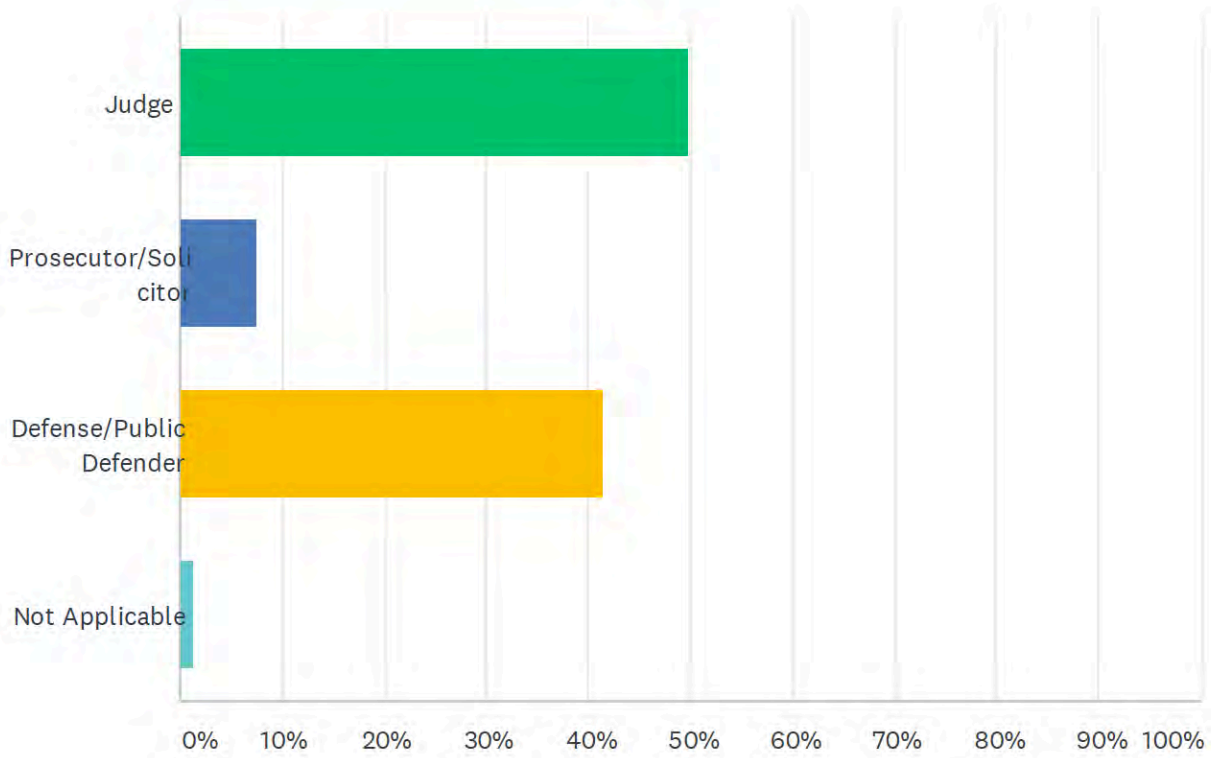
2. Please share the location for which your responses apply (including municipality, county, and/or circuit). If you practice in multiple locations (separate circuits or counties), please complete a separate survey for each area.
 - Responses were received from all over the state, including both rural and urban areas.

3. Please share what court you are responding in regards to (may select more than one)



4. Please share your role in the court.

Answered: 249 Skipped: 0



5. Please share what Covid protocols you are currently mandating in your circuit (masks, social distancing, sanitizing, etc). Check all that apply.

- Masks required at least in some areas
- Varies by courtroom/judge
- Staff not masked/only some staff/only sometimes
- Discourage family/public attendance
- Staggered calendars
- Some virtual proceedings
- Temp checks/symptom screenings



6. Please share any issues or problems that have arisen post-Statewide Judicial Emergency and how they were handled. *(Answered: 128 Skipped: 121)*
- Space too small/overcrowded
 - Disagreement on masking/refusal to mask/not enforced
 - Cancellations/continuances due outbreak/exposure
 - Delay or lack of timely bond/preliminary hearings
 - No virtual options or too few offered
 - Calendars too large
 - Poor communications when cancelled/continued
 - No action/insufficient action after positive test/exposure
 - Poor access to jailed defendants/jail access frequently changes
 - Inconsistency between judges/courtrooms/circuits
 - FTAs, problems with transfer of inmates
 - Technical issues with virtual
 - Backlog
 - Covid outbreaks in jail
7. Please share any procedures/protocols that you have implemented that are working well. This includes procedures/protocols implemented prior to the end of the post-Statewide Judicial Emergency, that are still working well. *(Answered: 117 Skipped: 132)*
- Virtual/remote appearances /proceedings/voir dire
 - Staggered calendar calls
 - Senior judge
 - Barriers (plexiglass)
 - Mask mandates/temp checks/social distancing
 - Pleas in absentia, waiver of in-person arraignments
 - Larger rooms for in-person jury trials
 - Alternate locations
 - Requiring an attempt to settle before trial
8. Please share any procedure/protocol that was implemented post-Statewide Judicial Emergency that did not work. *(Answered: 82 Skipped: 167)*
- Lack of vaccinations
 - Technical issues with virtual proceedings/live streaming
 - Large calendar calls/requiring in-person proceedings/small spaces
 - Virtual pleas from jail are noisy/difficult to communicate with jailed clients
 - Lack of social distancing/masks/barriers
 - Speedy trial requirements tolled
 - Masks/barriers/screens/audio hindering in-person proceedings

9. Please share the frequency with which you receive juror/witness/party/attorney COVID-19 deferral requests and how you resolve them. (Answered: 141 Skipped: 108)

- Juror deferrals and no-shows - continue and/or subpoena more people
- Juror deferral requests from potential jurors - granted if requested
- Grant deferral requests liberally
- No juror deferrals/rarely made
- Deferred to a date certain to allow time to be vaccinated; more scrutiny after granting once
- Waived/continued if possible
- Excused only with proof of positive COVID test result
- Still figuring it out
- Not an issue because conducting virtually

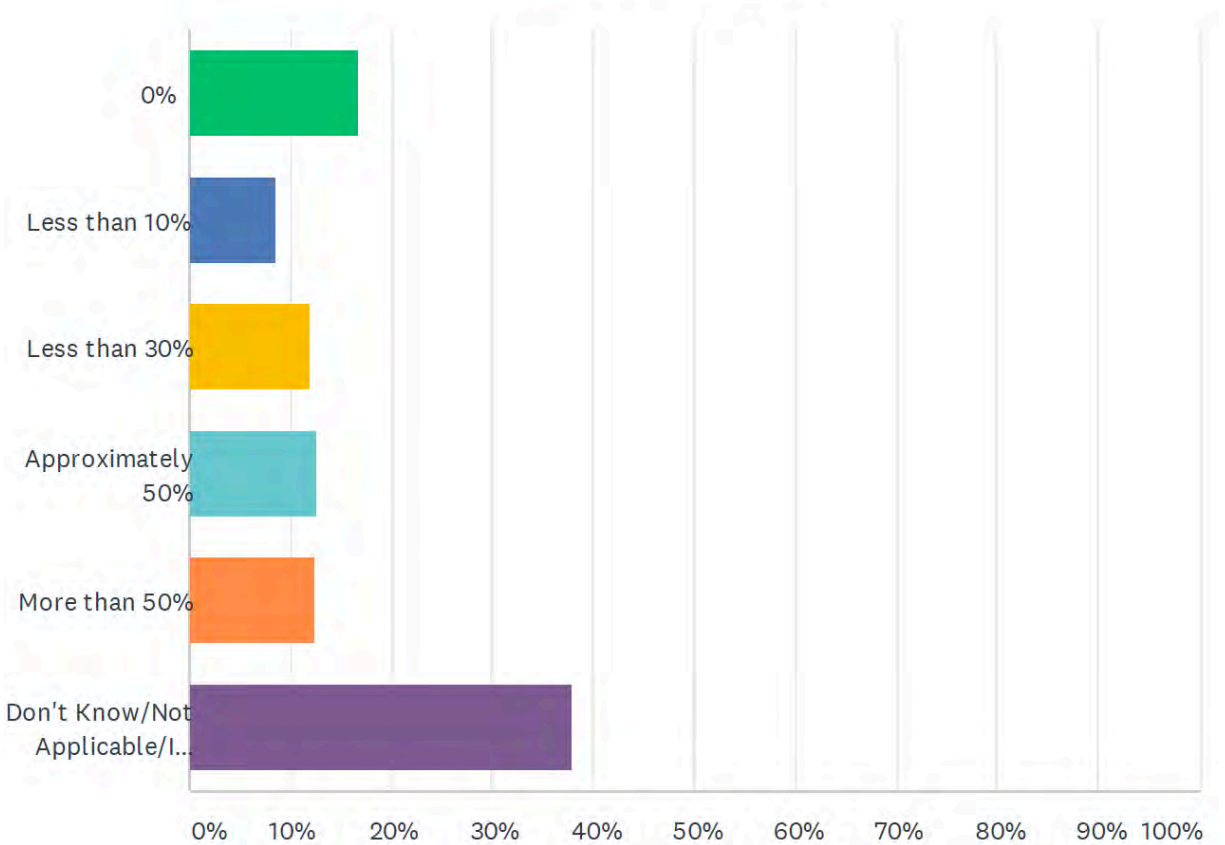
10. Is your local committee still in place and making recommendations?

(Answered: 249 Skipped: 0)

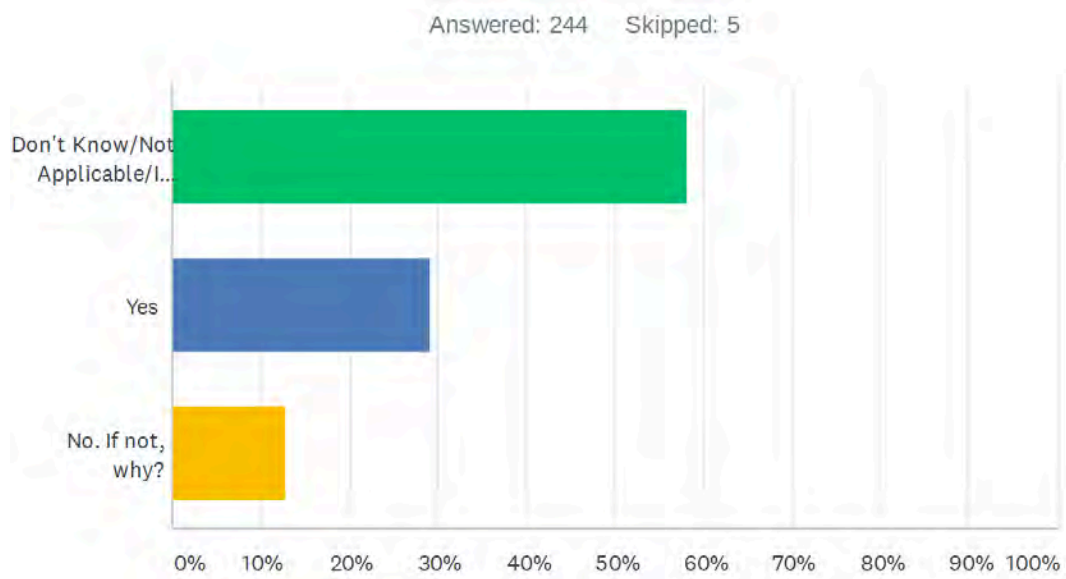
- Still following same protocols from Emergency
- Chief Judge making policies
- Over 50% marked "Don't Know/Not Applicable/Insufficient Info"

11. What percentage of your court's felony criminal calendar is currently being handled via video stream?

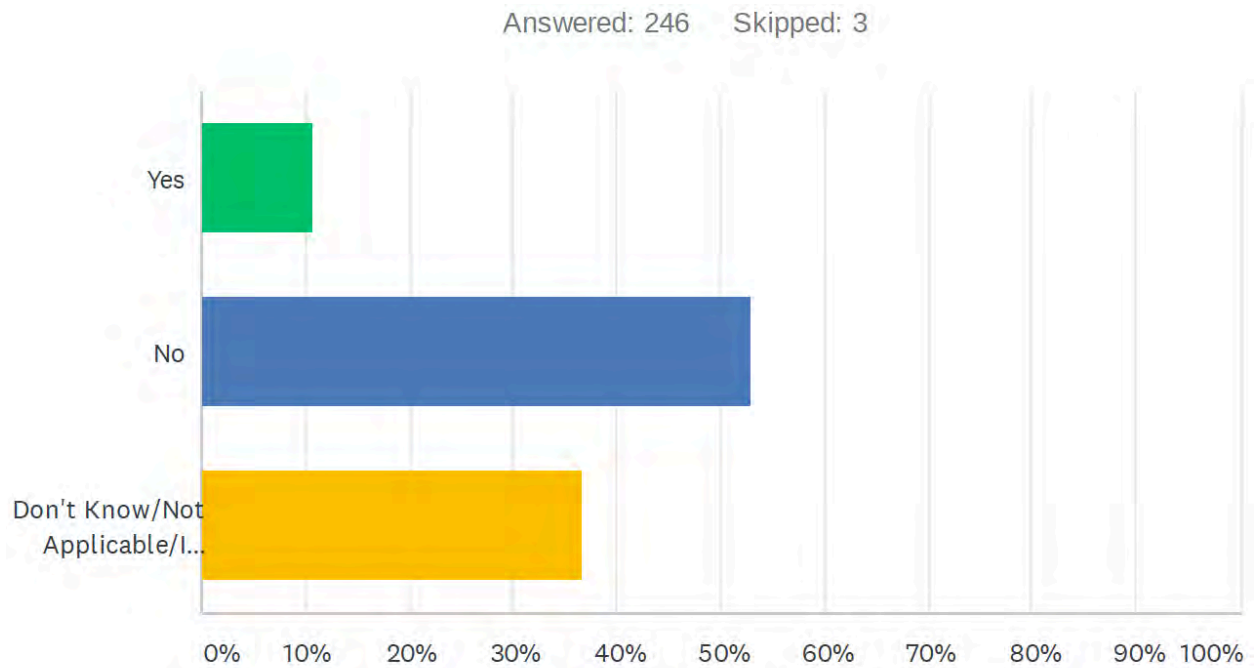
Answered: 245 Skipped: 4



12. Is your circuit processing more criminal cases by accusation rather than by indictment per the recent statute amendment?

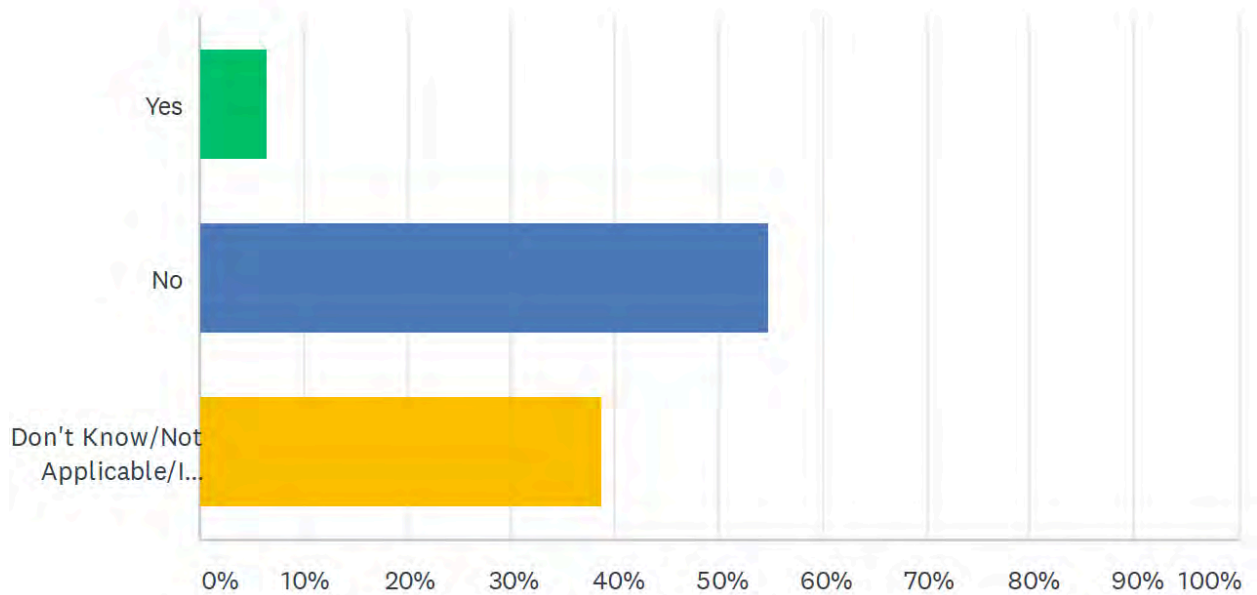


13. Are you seeing an increase in demands for statutory speedy trial?



14. Have any criminal defendants asked for a bench trial over the objection of the State?

Answered: 243 Skipped: 6



15. How are you dealing with the backlog of civil and criminal cases respectively?

(Answered: 138 Skipped: 111)

- No backlog currently
- Prioritizing custody criminal cases
- Increased calendars/staff/senior judges/hours
- Heavier calendars
- Prioritizing criminal
- More frequent trial schedule
- Six person juries with consent in civil cases
- Encouraging pre-trial resolution/mediation/plea offers
- Employing virtual court/voir dire

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: Judge Sara L. Doyle, Chair

RE: Strategic Plan Standing Committee Report

DATE: November 22, 2021

The Strategic Plan Standing Committee met on November 9, 2021 and continued work on the strategic plan. The Committee heard strategic plan updates and set meeting dates for 2022. The Committee will meet March 22, 2022, July 19, 2022, and November 8, 2022.

Strategic Objectives 1 and 4

As part of Strategic Objective 1, *Improve Citizen Experience with Georgia Courts*, the AOC worked with judicial branch stakeholders and the Judicial Council Standing Committee on Access to Justice to create self-help resources and videos, including self-help divorce forms, which were approved by the Council of Superior Court Judges. The AOC will monitor website metrics to determine how often the forms are accessed and plans to link to other self-help resources from judicial branch entities such as the Council of Probate Court Judges.

As part of Strategic Objective 4, *Enhance the Professional and Ethical Image of the Judiciary*, the AOC continues to support judges in community engagement and maintains a clearinghouse of resources for judges to utilize when engaging with their communities. The AOC recently held a Twitter Town Hall that trended on Twitter, created a Bill of Rights video with judges, and is working with an animator to create a Bill of Rights Day video that will be shared with schools for Bill of Rights Day. The AOC will also be posting quotes from veteran's courts as part of Veterans Day.

Key Initiative 1.1

In efforts to modernize the regulation of court professionals under key initiative 1.1, the AOC is working with the new Judicial Council Standing Committee on Interpreters, formerly the Supreme

Court Commission on Interpreters, to update the court interpreting rules. Efforts to modernize court reporting through legislation are still pending and the AOC is looking for sponsors for the Judicial Council's court reporting legislation. The legislation updates dated language and addresses digital court reporting.

Key Initiative 2.2

Work is moving forward under Key Initiative 2.2, *Improve the process for data collection and data integrity*. The Automated Data Collection Committee, a joint subcommittee of the Judicial Council Standing Committee on Judicial Workload Assessment and the Standing Committee on Technology, reviewed a data standards document created by the National Open Court Data Standards (NODS), which includes data elements of all case types. The Subcommittee has asked courts to identify relevant data elements to provide data for their needs. The Subcommittee will review the data elements identified and through the Judicial Workload Assessment Committee, make recommendations to the Judicial Council on what data elements are necessary for reporting with the goal of moving closer to automated data collection.

Key Initiative 2.4

As part of key initiative 2.4, *Improve technology access, support and training across all classes of courts*, the AOC has partnered with the Council of Superior Court Judges to act as its managed services provider and is available to assist other judicial branch partners with technology needs. The AOC is also working with a national reseller of audio-visual equipment to develop a field guide and master price list for courtroom technology. The list will be tailored to Georgia courtrooms and general court room designs with set pricing. Courts can utilize this list to easily procure courtroom technology needs.

At the request of AOC staff, the Committee voted to close out the measurable action under 2.4 of *Collaborating with ICJE to offer classes or online training on video conferencing*, noting that courts have been utilizing such technology for over a year and have grown comfortable with using it, therefor reducing the need to focus on additional training. The AOC currently maintains how-to videos on using court technology for virtual courtrooms.

TAB 9



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: December 10, 2021

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. Former GA CIP Director, Jerry Bruce, was appointed as Director of the Office of the Child Advocate of Georgia by Governor Kemp on June 15, 2021. After two weeks of posting the position of GA CIP Director and many interviews, Pro Tem Juvenile Court Judge Diana Rugh Johnson was offered the position and she accepted, effective August 1, 2021. 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.

- The Cold Case Project is a joint project of the J4C Committee, the Office of the Child Advocate (OCA), 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. Each CII meeting includes a session for judges to review safety and permanency data for all jurisdictions and to participate in a moderated discussion on best-practice implementation in light of the needs revealed by the data. The next CII meeting will be held on March 3-4, 2022.
- 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 renewal and recertification fees.
- J4C, DFCS, OCA, and GA CASA are planning the fifth annual statewide Child Welfare Law Summit for November 17-19, 2021. It will be a hybrid conference once again. Though the challenges of holding such a large conference in a hybrid fashion were extensive, last year we managed three days of plenary sessions and workshops with interactions from both in-person and virtual audience members.
- 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. An MD-CANI training was hosted in Forsyth and Dawson Counties in September and one will be hosted in Coweta and Troup Counties in December. J4C is focused on evaluating the efficacy of MD-CANI and making changes as necessary to ensure that these trainings result in measurable changes to permanency outcomes in participating jurisdictions.
- J4C also sponsors the Harris 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. An announcement regarding the opening of nominations for the 2022 Harris Hines Awards will be made by Chief Justice Nahmias at the Child Welfare Law Summit in November.
- **The next J4C Committee meeting will be held on December 7, 2021.**

- **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 that may be found at <https://georgiacourtsjournal.org/> . At that website, in addition to back issues of the Georgia Courts Journal, you will also 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 1st), Constitution Day (September 17th), and Bill of Rights Day (December 15th) working with judges and schools to host events—in person or virtual as needed. We also manage the Georgia Courts Directory: <http://georgiacourts.knack.com/gcd2/>; Our social media platforms are: <https://www.facebook.com/GACourts>; <https://twitter.com/Gacourts>; <https://www.instagram.com/gacourts/> and our YouTube channel <https://www.youtube.com/judicialcouncilofgeorgia>.
- **Child Support Commission:** 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 next Child Support Commission Meeting will be held on Friday, December 10, 2021 from 1:30 to 3:30 p.m. via Zoom during which several items of business will be 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 to return to in-person and hybrid meetings in the future.
 - 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 and the work of that study committee continues and has been extended through December 2021. 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. 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 26th and September 23rd 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 4th 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 will proceed by establishing the scope of service and entering into a contract with CPR.

- 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 coordinated with the Georgia Office for Dispute Resolution and provided child support calculator trainings on June 6, 2021 and on August 18, 2021 because of the high demand for this training by registered neutrals. Staff have also 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: We continue to support and train PAC coordinators on use of the database to produce statistical evidence of the efficacy of those courts. JC/AOC's Research Division completed a second study and evaluation in June, 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.

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 Self-Help Resources Tool Kit for Georgia Judges is available. We received a grant from the Georgia Civil Justice Foundation for additional printing. This resource has been updated and the booklet has been printed. It has also been translated into Spanish and the same has been added to the A2J website.
- 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) will be presented on November 5, 2021, for all Magistrate Judges.

- 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 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. 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.
- 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](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. **The next A2J Committee meeting will be via Zoom on November 10, 2021.**

TAB 10



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

As we discussed during the October 29 emergency meeting of the Judicial Council, the Governor has allocated \$110 million in federal American Rescue Plan Act (ARPA) funds to the courts to be used to address case backlogs caused by the COVID pandemic, with priority given to backlogs of serious violent felony cases. The Governor's office and the Office of Planning and Budget (OPB) have asked the Judicial Council to coordinate a total of \$96 million in grants to judicial branch entities, with the remaining \$14 million going to public defenders through the Georgia Public Defender Council. Presiding Justice Michael Boggs and I worked hard to make this happen, and we have worked along with the Administrative Office of the Courts (AOC) to get the grant process started. I established a Judicial Council Ad Hoc Committee on ARPA Funding for the Judicial Branch, chaired by the Presiding Justice, to oversee the process. The Committee has already met; Presiding Justice Boggs and I have met with all of the chief superior court judges – who are being asked to coordinate the grant applications for the courts and court-related entities in their circuits; and the first grant application window has opened. We expect that the first round of awards will be made this month.

This is a complicated process that must operate within the many restrictions provided by United States Treasury and OPB guidelines for the use of these specific funds, so we greatly appreciate your cooperation, coordination, and patience as we try to make the best use of these funds to get our courts fully back on track. You should also understand that the process may evolve over time, and may allow broader uses of these funds (or additional funds) in the future. I want to personally thank Presiding Justice Boggs for taking the lead on this very time-consuming project, as well as Cynthia Clanton and her great AOC team, including Darron Enns, Tracy Mason, and Maleia Wilson.

We know that all of you have continued to work and adapt to the many challenges caused by COVID. We thank you for your service and dedication to our state's judiciary day in and day out. This has been a long road, and while there is still a long path to forge ahead, we hope to ensure that you have every tool and

resource needed to assist in your efforts. As our circuits continue to utilize the provisions of OCGA § 38-3-62 (providing chief superior court judges the authority to address local judicial emergencies) and Senate Bill 163 (addressing statutory speedy trial requirements), we hope that the Standing Committee on Legislation and the Judicial COVID Task Force will identify any additional statutory provisions which might assist in your efforts.

On a related note, as we look forward to the 2022 legislative session, I am preparing to deliver my first State of the Judiciary address to the General Assembly. I hope to highlight the successes of Georgia's judicial branch in dealing with the pandemic and in other areas, as well as articulate our need for continued support. In doing so, I would like to include anecdotes and examples from your circuits, your courthouses, and your courtrooms – particularly those that bolster the themes of perseverance, resourcefulness, adaptation, and innovation. Please share those with our Court's Public Information Officer, Kathleen Joyner.

I am extending the charter of the Judicial COVID Task Force, chaired by Justice Shawn Ellen LaGrua, for another year in part so it can revise and update the Pandemic Preparedness Notebook. When this resource was originally drafted, the circumstances were hypothetical and focused on the possibility of an influenza pandemic. Now, almost two years deep into a real pandemic, we've realized many practicalities that should be included, updated, or edited in order to memorialize what we have learned and to serve as an improved resource for the future (though we certainly hope it will not be needed again any time soon . . .).

Finally, the Georgia Legal History Foundation (GLHF) helped the Supreme Court of Georgia celebrate our 175th Anniversary with a reception and dinner at the Commerce Club on December 1 and a CLE program at the still-new Nathan Deal Judicial Center on December 2-3. The program featured many of our Court's current and former members and showcased the Court's fascinating history since it first heard cases in 1846. I appreciate the work of the GLHF to preserve the history of the Supreme Court and all of Georgia's judicial institutions.

As always, I am honored to serve you as Chair of the Judicial Council of Georgia. It is my goal to be available if you have any concerns or suggestions for our judiciary, even as we continue to meet remotely. In this regard, Emily Youngo, whom many of you know from her work with the Council of Superior Court Judges, has returned to the Supreme Court to serve as our Deputy Court Executive. One of her duties is assisting me and Presiding Justice Boggs with our Judicial Council

responsibilities. Please do not hesitate to contact me or Emily if we can be of assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Nahmias", with a long horizontal flourish extending to the right.

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

(404) 232-1591
rickmanb@gaappeals.us

Report to Judicial Council of Georgia
December 10, 2021 Meeting

The Court of Appeals judges and staff continue to adjust to changes wrought by the pandemic as the court returns to more in-person operations. When the pandemic hit with full force in March of 2020, the Court had only just moved into the Nathan Deal Judicial Center. Like many courts across Georgia, our judges and staff began virtual operations very quickly, and many months passed without opportunities to enjoy the building or share it with others. But now that people can gather more safely, we have spent more time in our offices and begun to host a few events for members of the public and the Bar.

This fall, for example, we began offering lawyers the option to attend oral arguments in person or by Zoom. After some fine-tuning by our IT staff, the court began holding hybrid oral arguments, allowing attorneys to choose whether to argue personally or virtually. During one October calendar, we had three variations of argument: one with both lawyers appearing in person, one with a lawyer in person and a lawyer on Zoom, and the final one with both lawyers appearing on Zoom. We will continue experimenting with hybrid oral arguments through the end of the year before deciding whether to formalize the process through rules changes.

Also in October, high school students participating in the 2021 Georgia Mock Trial Law Academy visited our courtroom, hosted by Presiding Judge Dillard. And in November, the Judicial Qualifications Commission conducted a two-day trial in our courtroom.

But virtual appearances also continue as the judges reach out to participate in civic affairs across the state. On Constitution Day, September 17, Presiding Judge Anne Elizabeth Barnes, Presiding Judge Stephen Louis A. Dillard, and Judge Elizabeth Gobeil participated in a Twitter Town Hall hosted by the Judicial Council/Administrative Office of the Courts. Students from all over Georgia asked judges questions about the U.S. Constitution.

We will continue to push forward in 2022, in person and virtually, and if our Court can help in any way with your service to the citizens of Georgia, please do not hesitate to let me know.

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

(404) 656-4964 Fax (404) 651-8626

Council of Superior Court Judges Report to Judicial Council December 2021

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.

The Council of Superior Court Judges will hold its annual meeting and winter training seminar in Athens, Georgia, January 18-21, 2021. Approximately 250 judges and senior judges are expected to participate. The main educational seminar presented by the Institute of Continuing Judicial Education (ICJE) will include topics such as judicial workload assessment and case counts; merger; interpreters; a case assistance exchange regarding sex crimes issues; 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; courthouse security; pro se litigants; case law update; evidence; and a judging and humanities immersion. Additionally, the death penalty course will include pre-trial case management issues, including dealing with the media; 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. CSCJ will elect officers and receive committee reports at its business meeting.

Oxford College of Emory University renamed a historic campus building after the late Judge Horace J. Johnson Jr. of the Alcovy Judicial Circuit, an Oxford alumnus and past CSCJ president. Oxford also established an endowment for need-based scholarships in Judge Johnson's honor.

Judge Wade Padgett and Judge Tain Kell, in conjunction with ICJE, will train many new judges at the New Judges Orientation in Athens during the week of December 13, 2021.

Governor Brian Kemp appointed Judge Amanda Heath to the bench of the Augusta Judicial Circuit. Governor Kemp previously named Judge Henry Thompson to fill the new judgeship in the Cobb Judicial Circuit.

CSCJ congratulates Judge David Emerson of the Douglas Judicial Circuit and Judge Linda Warren Hunter of the Stone Mountain Judicial Circuit on their retirement and thanks both judges for their service. Governor Kemp will appoint judges to fill both vacancies in addition to the new judgeships in the Ogeechee Judicial Circuit and the Flint Judicial Circuit and the vacancy in the Chattahoochee Judicial Circuit.

CSCJ is sad to report the deaths of Senior Judge L.A. "Buster" McConnell of the Houston Judicial Circuit and Senior Judge F. Larry Salmon of the Rome Judicial Circuit.



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

244 Washington Street, S.W.
Suite 300
Atlanta, GA 30334
404-651-6204 • FAX 404-463-5173

Staff

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 Eddy 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
December 10, 2021

The Council held its Fall Conference both in person and by recording the presentations for the judges to view on demand. The educational programs this year were: Starting an Accountability Court by Executive Director Taylor Jones; Attorneys Mark Meliski and David Hanson gave a presentation on Medical Malpractice cases; Judge Patsy Porter (Fulton) hosted a panel discussion about New Misdemeanor Competency Issues and Evaluations that included Chief Judge Pam South (Gwinnett), Dr. Karen Bailey and Dr. Kiana Wright. Jeffrey Thorpe with the Administrative Office of the Courts gave a presentation on Case Counting and Workload Reporting in preparation for the upcoming Judicial Workload Assessment by the National Center for State Courts. Judge Ben Studdard (Henry) gave his annual Criminal Law Update and Judge Russ McClelland addressed Technology in the Courts and hosted a panel discussion on How Courts will Operate Post-Pandemic along with a panel of Judges: Chief Judge Pam South (Gwinnett) and Judge Wes Taylor (Fulton). Court of Appeals Judges Stephen Dillard, Judge Ken Hodges and Chief Judge Brian Rickman gave a presentation on How Not To Be Reversed. Judge Dax Lopez (formerly DeKalb) spoke about Best Practices in Using Court Interpreters. Mr. Carl Brown spoke about the Evolving Nature of Misdemeanor Probation. Judge Greg Sapp (Chatham) and Probate Judge Alice Padgett gave a presentation on Special Needs Trusts and Appointment of Guardians.

The Council wishes to congratulate: Judge Shawn Rowland (Jeff Davis) for being elected as Chair of District 2; Judge Eddy Barker (Douglas) who was elected as Chair of District 4; and Judge Eric Richardson (Fulton) on his election as Chair of District 7.

During the Banquet Dinner of the Fall Conference, Judge Patsy Y. Porter of the State Court of Fulton County was presented the Ogden Doremus / Kent Lawrence Award. The award is given to a state court judge that has achieved the highest level of respect from his or her peers as being a judge recognized for their judicial ethics and professionalism on the bench and their involvement in their communities. In the award presentation it was noted that along with her many years of service on the bench, Judge Porter worked tirelessly serving on the reconstituted Judicial Qualifications Commission during its legislative reorganization. In addition to her work on the bench and contributions to the state, Judge Porter is actively involved in numerous professional and civic associations. She has received numerous awards and commendations for her work in the community. She received her law degree from Woodrow Wilson College of Law and her undergraduate degree from Georgia State University



Judge Patsy Y. Porter (center) is presented the Ogden Doremus – Kent Lawrence Award by the Council President Judge Al Wong (left) and Judge Jeannette Little (right) at the CSCJ Conference in Savannah on October 14, 2021.

This September, the Bryan County State Court established a Family Violence Court Program (FVCP). This is the first such program in a non-metropolitan jurisdiction and only the fifth in the State of Georgia. Judge Billy Tomlinson (Bryan) created this innovative court to address the underlying behaviors involved in domestic violence cases to reduce recidivism and help the victims of such cases lead a better life in a safe environment.

Respectfully submitted,

Alvin T. Wong

Judge Alvin T. Wong, President



REPORT
COUNCIL OF JUVENILE COURT JUDGES
to
SUPREME COURT/AOC JUDICIAL COUNCIL
DECEMBER 6, 2021

Since the last full Judicial Council meeting, the Council of Juvenile Court Judges has successfully completed its bi-annual conference and training seminar in Athens, Georgia. Attendance was facilitated in a hybrid manner with a significant number of in person attendees as well as virtual attendees via a digital network.

At the Fall CJCJ business meeting, an intensive discussion was had as to the determine of the appropriateness and procedures for CJCJ to retain the services of a legislative liaison to present the position or concerns of CJCJ to legislators as to any proposed legislation affecting the Juvenile Courts that might arise during the upcoming Georgia General Assembly legislative session. This potential procedure was vetted by a subcommittee of the CJCJ Executive Committee led by Juvenile Court Judge Neal Brunt of Bartow County who made inquiries to the Judicial Qualifications Commission to insure no judicial ethical violations would occur in proceeding in such manner. All Judges present at the business meeting felt that the current CJCJ Executive Director, Eric John has done and will continue to do an excellent job espousing the concerns of the members of the Juvenile Court council, but a supplemental facilitator might be beneficial as well in working with Mr. John. Such was approved by majority vote of the full body of members present, per the bylaws of the Council of Juvenile Court Judges.

As well, it is sad and unfortunate that the Council of Juvenile Court Judges has been notified by Juvenile Court Judge Bobby Simmons of Clayton County, Georgia that it is his intention to retire at the beginning of the upcoming calendar year. Previously, Clayton County Presiding Juvenile Court Judge Steve Teske retired this year as well. The Council of Juvenile Court Judges recognizes the significant efforts of Judge Simmons, not only in his long term service to Clayton County and CJCJ, but as well for his service on the Judicial Council Technology Committee and as well the JDEX development and implementation committee.

The Council of Juvenile Court Judges at its Fall business meetings recognized the efforts of several individuals who have gone above and beyond in service to our state's Courts, families and children. The Council awarded the Martha Glaze award to Mr. Doug Ashworth, Director of the Institute of Continuing Judicial Education for his significant efforts over many years in facilitation and coordination of excellent educational training sessions and seminars for our state Juvenile Court Judges. The Council of Juvenile Court Judges is sad to acknowledge Mr. Ashworth's determination to leave his position as Director of ICJE, but wishes him well in his new professional endeavors.

As well, CJCJ upon vote of its Executive Officers and Executive Committee posthumously awarded the Aaron Cohn award for superior service as a Juvenile Judge, to the late Judge Ben Brinson. Judge Brinson of Claxton, Georgia unfortunately passed from this life in 2019 while attending the Fall CJCJ training conference in Athens, Georgia but his memory will live on as has his impact on the children and families of his circuit. As well, each of the state's Juvenile Court Judges that knew him and worked with him as the former President of the Council of Juvenile Court Judges will confirm the appropriateness of this award.

The Council of Juvenile Court Judges will have its Spring Seminar at the King and Prince Resort Hotel and Conference Center on St. Simmons Island, GA on May 2nd through the 4th, 2022. Depending upon the status of the Covid virus and its various mutations, the seminar will be presented in person. However, the determination as to such must wait until closer to the preparation and implementation period, and as well to see who shall be determined to be the successor to ICJE Director Doug Ashworth.

Honorable C. GREGORY PRICE, President, Council of Juvenile Court Judges, 2021-2022.

HON. C. GREGORY PRICE



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
December 10, 2021**

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

Strategic Plan

Recently, our Council held a strategic plan session, which was facilitated by Jim Poulakos and Greg Maxey of HKA Strategy. Also, I am grateful to the group of judges who gave of their time and energy to contribute to the formulation of our new strategic plan. We are confident that the initiatives set forth in our new strategic plan will provide for continued advancement of our Council and the common interests of probate courts across Georgia. In addition, we have also established a Strategic Plan Committee, which will be chaired by Judge Virginia Acord of Worth County.

Judge Jon M. Payne and Judge Nancy S. Stephenson

Last year, Judge Jon M. Payne of Chattooga County and Judge Nancy S. Stephenson of Dougherty County both passed away from complications of Covid-19. Unfortunately, at that time, neither were able to be memorialized in the proper manner. On October 22, 2021, tributes were held for both judges. In Chattooga County, the county's government annex building and cross streets near the county courthouse were named in Judge Payne's honor. In Dougherty County, a celebration of life service was held for Judge Stephenson. We sincerely hope the lives of these two amazing people will continue to serve as a blessing for all who had the pleasure to know them.

Judge Janice Spires

Judge Janice Spires of the Houston County Probate Court retired on December 1, 2021, after having served 24 years on the bench. Judge Spires has always been well-regarded by her fellow colleagues, and we wish her the best in retirement. Kristy Harris, a graduate of Georgia Southern University and Florida Coastal School of Law, has been named as Judge Spires's successor. We are happy to welcome Judge Harris to our probate court family, as we will do everything possible to aid her in getting acclimated into this new role.

New CPCJ Directory

Finally – and thankfully, might I add – our Council's new directory has been printed. By the time you all read this, you will have received a copy of it in the mail. It is not hyperbole when I say that a lot of man hours of gathering information, pictures, and editing on multiple occasions went into the creation of our directory. I want to personally thank Judge Danielle McRae, Judge G. Tony Thompson, Judge Darin McCoy, Judge Don Wilkes, and Kevin Holder for everything they contributed to the creation of our new directory.

Respectfully submitted,

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



Council of Magistrate Court Judges

244 Washington St., S.W., Suite 300, Atlanta, GA 30334-5600
(404) 656-5171 • Fax (404) 651-6449
Georgiamagistratecouncil.com

Executive Director
Sharon Reiss

President
Judge Quinn Kasper
Cobb County

President-Elect
Judge Becky Pitts
Butts County

Vice-President
Judge Brandon Bryson
Bartow County

Secretary
Judge Berryll A. Anderson
DeKalb County

Treasurer
Judge Jennifer Lewis
Camden County

Immediate Past President
Judge Michael Barker
Chatham County

District One
Judge Nathan Grantham
Judge Scott Lewis

District Two
Judge David Crosby
Judge Heather Culpepper

District Three
Judge Angela Sammons
Judge Jennifer Webb

District Four
Judge Phinia Aten
Judge Matt McCoy

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 have a busy fall. The resurgence of the delta variant posed some challenges but all courts and the Council worked to utilize available resources to continue to do business without creating more of a backlog.

President Kasper and a few other judges have been working with Access to Justice to provide information for their projects and research, especially as it relates to COVID and the eviction moratorium. The Access to Justice Committee requested participation from our courts regarding a survey and at least thirty percent of the counties participated. The survey showed that COVID has not produced much of a backlog for most of Georgia. The metro areas do have some backlog but also have a great deal of resources and have been innovative in their approaches to dealing with those cases and the members of the public needing resources.

Our Council has participated in several meetings and trainings with the other levels of court. President Kasper met with Mr. Boring and Ms. Veal of the Judicial Qualifications Commission and discussed some ways to tweak their presentations so that our judges would get some more practical guidance. The presentation given out at our most recent training for newer judges was excellent and leadership is confident that reaching out for help has created a stronger relationship and movement in a positive direction.

President Kasper also participated in a cross-court Continuing Legal Education training for lawyers which focused on best practices and professionalism as we emerge from the pandemic. She also was grateful to be included in a presentation to the Public Safety Committee regarding rising crime. One outcome of the meeting was her commitment to educating our judges on offenses for which magistrates were not allowed to set bail. However, she also felt that education for the public, including members of the legislature, may be needed on the subject of bail as well as it is unclear to what extent those outside the judiciary understand judges sitting by designation and what that entails.

Unfortunately, with COVID resurging, the Magistrate Court Training Council and the Council of Magistrate Court Judges leadership made the difficult decision to move both our new judge training in September and our recertification in October to an online streaming viewing option instead of in person training. It was felt that new judges needed some actual facetime and the ability to ask questions during the presentations so most of the new judge training was conducted via



Council of Magistrate Court Judges

244 Washington St., S.W., Suite 300, Atlanta, GA 30334

(404) 656-5171 • Fax (404) 651-6449

Georgiamagistratecouncil.com

Executive Director
Sharon Reiss

President
Judge Quinn Kasper
Cobb County

President-Elect
Judge Becky Pitts
Butts County

Vice-President
Judge Brandon Bryson
Bartow County

Secretary
Judge Berryll A. Anderson
DeKalb County

Treasurer
Judge Jennifer Lewis
Camden County

Immediate Past President
Judge Michael Barker
Chatham County

District One
Judge Nathan Grantham
Judge Scott Lewis

District Two
Judge David Crosby
Judge Heather Culpepper

District Three
Judge Angela Sammons
Judge Jennifer Webb

District Four
Judge Phinia Aten
Judge 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

zoom, while the Recertification was done by video replay.

President Kasper felt that a face-to-face meeting was important despite cancelling the meeting and trainings this fall. Therefore, she decided to move forth with a zoom Executive Meeting rather than cancel it. Some of the committees also had virtual zoom meetings prior to the Executive Meeting and were able to provide written reports.

We are currently preparing to testify in front of the House Committee on Public Safety in December and are looking forward to the upcoming Judicial Council Meeting.



COUNCIL OF MUNICIPAL COURT JUDGES

November 23, 2021

Judge Lori B. Duff, President

City of Monroe
PO Box 1418
Loganville, GA 30052
(770) 466-6149
duff@jonesandduff.com

**Judge JaDawnya Baker,
President-Elect**

City of Atlanta
JCBaker@AtlantaGa.Gov

**Chief Judge Matthew
McCord,**

Vice President
City of Stockbridge
matt@matthewmccordlaw.com

Vacant, Secretary

Judge David Will, Treasurer

City of Clarkston
dwill@rovallaw.net

**Chief Judge Willie Weaver
Sr.**

Immediate Past President
Cities of Albany, Sylvester
wweaverlaw@aol.com

District One

Judge Joe Huffman
Judge Richard Sanders

District Two

Chief Judge Willie Weaver Sr.
Judge Gregory T. Williams

District Three

Judge Chimere Trimble
Judge Bill NeSmith

District Four

Judge Michael Nation
Judge Jennifer Mann

District Five

Judge Gary E. Jackson
Judge Roberta Cooper

District Six

Judge James Dalton II
Judge Wanda Dallas

District Seven

Judge Robert Cowan
Vacant

District Eight

Judge Joseph Sumner
Judge Dexter Wimbish

District Nine

Judge Pamela Boles
Judge William Brogdon

District Ten

Judge Dale "Bubba" Samuels
Judge Ryan S. Hope

Report to the Judicial Council of Georgia – December 2021

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

Council Meeting Endeavors

The Council's full Executive Committee met on October 6, 2021, at The Legacy Lodge at Lake Lanier Islands, Buford, Georgia. The Council also held its annual Fall Business Meeting on October 7, 2021, where the Membership received the CMuCJ Post Judicial Order Recommendations & Sample Order for Mask Requirement.

Municipal Court Judges Benchbook

The updated edition, through the CY2021 Legislative session, of the E-Book of the Municipal Judges Benchbook by MyCLE was distributed to all Council members for download. Two separate trainings, for seasoned and new judges, were provided by MyCLE staff and Judge Parag Shah at the Law & Practice Updates: Benchbook Tour: Nuts & Bolts and an Introduction to the Benchbook.

Legislation

For the 2022 session of the General Assembly, the CMuCJ plans to introduce a "clean up" bill amending OCGA 36-32-2.1 (e) to provide for procedural rules to comport with due process in proceedings to remove appointed municipal court judges. The bill also amends the referenced code section to eliminate the exception for consolidated governments. The Council is seeking this measure to ensure that removal proceedings are conducted fairly, statewide. The initiative has been provided as an informational item to the Judicial Council Standing Committee on Legislation.

Additionally, the Council supports the Georgia Municipal Court Clerks Council (GMCCC) in their effort to become statutorily recognized and looks forward to the passage of the proposed legislation from the Certiorari Review Subcommittee to streamline and economize the appellate practice from a lower judiciary to superior or state court in Georgia.

Continuing Judicial Education

The Council held its Fall Law and Practice Seminar October 6-8, 2021, in Buford, in person with some topics via simulcast. Conducted through the Institute of Continuing Judicial Education (ICJE), the three-day program provided accreditation for those serving as of January 1, 2021 (New Judges), in addition to recertifying judges. The curriculum included Emotional Intelligence for Judges and Lawyers; Updates on DUI Law and Legislation; Implicit Bias; Criminal Non-Jury Administration and Procedure 101; Probation: Sentencing Alternatives & Revocation; Professionalism for Judges / JQC Update; DDS; Mental Illness and How It Presents in Your Court; Benchbook Tour: Nuts & Bolts; Interpreters in the Courts; Case Law Update and Evidence. Additional subject matter tracks were provided to new judges as well.

COUNCIL OF MUNICIPAL COURT JUDGES

The Council thanks Mr. Douglas Ashworth, Executive Director, Institute of Continuing Judicial Education (ICJE) for his service to the municipal court judges (and clerks) during his tenure and much success in his future endeavors.

Next Meeting

The next meeting of the Council of Municipal Court Judges Executive Committee is scheduled to take place in conjunction with a tentative legislative breakfast.

Respectfully submitted,

Judge Lori B. Duff

Judge Lori B. Duff

President, Council of Municipal Court Judges

TAB 11



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 December 2021

In the time since the Council of Accountability Court Judges (CACJ) last reported to the Judicial Council, the CACJ held its annual training conference September 26-29, 2021. The conference was held in a hybrid format with 485 attendees onsite in Athens at The Classic Center. Additionally, CACJ hosted 850 attendees online. CACJ once again featured national and local speakers for this training event. Attendees had the opportunity to learn new, innovative ideas from their peers and gather information on the latest best practices from around the nation. During the training event, CACJ recognized an inaugural set of model veteran treatment courts and family treatment courts. These courts will serve as model programs and learning sites for others through 2025. The goal of Georgia's Accountability Court Model Court Program is to recognize the great work of accountability courts across the state, as well as identify strong programs that may serve as mentors for other courts. Programs identified as "model courts" are those that have met and exceeded adherence to Georgia's Standards as dictated by strong performance on the certification and peer review processes. All certified accountability courts were evaluated by objective criteria to determine eligibility. CACJ's Nominations Committee, comprised of judges who preside over all accountability court types, determined the final candidates for the model courts. The Nominations Committee is committed to selecting model courts of each court type that are representative of Georgia's diverse communities.

The 2022-2025 Model Veterans Treatment Courts and their respective presiding judges are: Appalachian Circuit Veterans Court, Chief Judge Brenda Weaver; Atlantic Judicial Circuit Veterans Court, Judge Robert L. Russell, III; Cobb County Veterans Accountability and Treatment Court, Judge LaTain Kell; and Coweta Veterans Treatment Court, Judge John Simpson.

The 2022-2025 Model Family Treatment Courts and their respective presiding judges are: Chatham County Family Treatment Court, Judge Tom Cole; Cobb County Family Treatment Court, Judge Jeffrey Hamby; Enotah Family Treatment Court, Judge Jeremy Clough; Hall County Family Treatment Court, Judge Alison Toller; Muscogee County Family Drug Court, Judge Andrew Dodgen; and Tallapoosa Family Treatment Court, Judge Laura Wheale.

Further, CACJ's Funding Committee met on November 5, 2021. During this meeting, mid-year grants were considered. The Funding Committee was able to award \$324,017 as part of the SFY22 Enhancement and Innovative grant opportunity, and \$120,517 as part of the SFY22 Accountability Court Law Enforcement grant opportunity. Additionally, CACJ, in partnership with the Criminal Justice Coordinating Council, was awarded \$3,526,900 in Emergency Solutions Grant-CARES Program funds for participant housing from the Department of Community Affairs. As of November 9, 2021, CACJ was able to distribute \$3,289,237 to the accountability courts that applied for these funds.

CACJ is preparing for its semi-annual meeting planned for January 21, 2022. CACJ is looking forward to another successful year of further developing and expanding Georgia's accountability courts.



GEORGIA COMMISSION ON DISPUTE RESOLUTION

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

Recognition of outgoing Commission Member Hon. Charles E. Auslander III and JC/AOC staff Ms. Alison Lerner

At the November 3 meeting, the Commission recognized long-standing member Hon. Charles E. Auslander III for his 15-year service to GCDR. Judge Auslander was appointed to the GCDR in 2006, served as Chair of the Ethics Committee from 2010-2012, and Chair of the Commission from 2012-2019. Some of his accomplishments as Chair included development and implementation of the Strategic Plan; partnering and collaborating with the Georgia Commission on Family Violence to create a working group charged with reviewing the existing guidelines for mediating cases with issues of domestic violence; and leading a working group to evaluate the benefits of enacting the Uniform Mediation Act in Georgia.

Commission members also paid tribute to Ms. Alison Lerner, who has provided the GCDR with legal counsel since 2018. She worked closely with several GCDR Committees including Training & Credentials, Ethics, Domestic Violence Rules, and Rules. Some of her more notable projects included the revisions to the *Supreme Court of Georgia's ADR Rules Appendix B: Qualifications and Training of Neutrals* and Training Approval Guidelines as well as the creation of *Appendix D: Rules for Mediation in Cases Involving Issues of Domestic Violence*. Most recently, Ms. Lerner has been assisting the Rules Committee with reviewing the ADR Rules and drafting recommendations necessitated by the passage of the GUMA. The Commission thanked Ms. Lerner for her service and dedication and wished her all the best in her new professional journey.

Training for Neutrals

In a continued partnership with the Georgia Commission on Child Support, a Mediators' Child Support Calculator Lunch and Learn was held on September 18, with a second scheduled for December 8. We are thankful to the Child Support Commission staff for helping us provide on-going specialized child support guidelines and calculator training to registered neutrals.

Probate Court Mediation Working Group

Members of the Probate Court Mediation Working Group met on August 11 and November 8 to discuss recommendations to increase use of mediation in the probate courts.

Case Management System

Expanded reporting features have been added to Schedule ADR, the case management system designed specifically for court ADR programs. This new feature will allow for customized reporting based on the program's needs and audience. The system is available to all court ADR programs at no cost.

Upcoming Commission Meeting Date

The next Commission meeting date is February 9, at 2:00 p.m. Meeting information as well as previous minutes are posted on the GODR website at www.godr.org.

Chief Justice's Commission on Professionalism

Please [click here](#) to access report

Institute of Continuing Judicial Education

Please [click here](#) to access report