

JUDICIAL COUNCIL OF GEORGIA

General Session

Monday, December 8, 2008

Atlanta Marriott Gwinnett Place

1:30 p.m.

*Centennial Ballroom
Salon A & B*



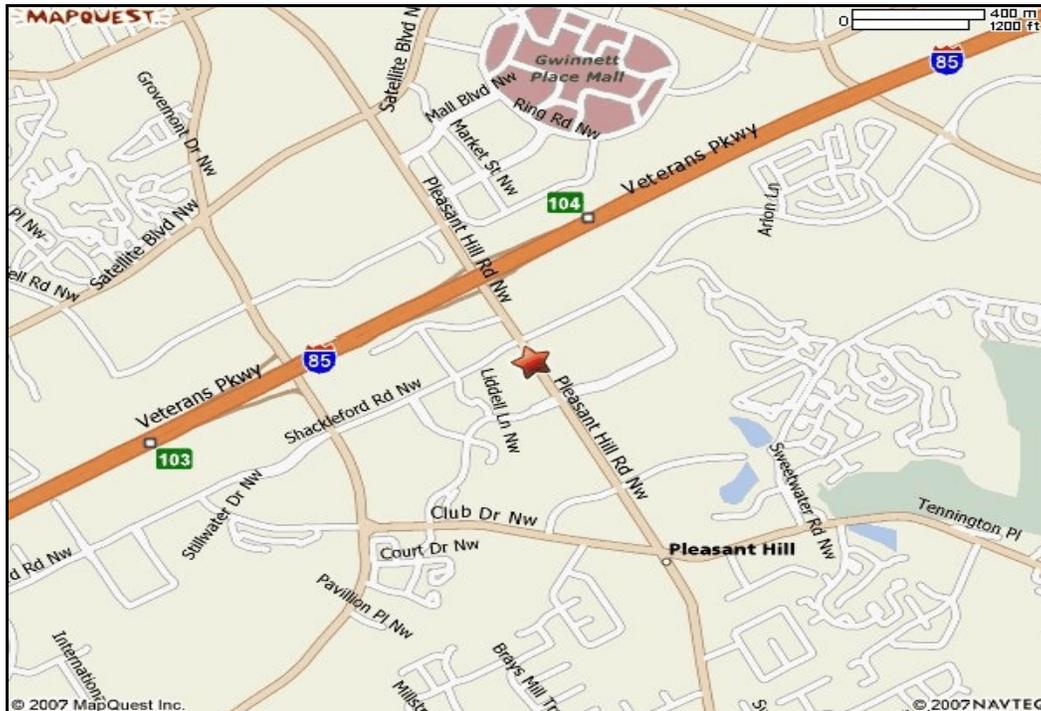
Luncheon

12:30 p.m.

Hall/Walton Room

*1775 Pleasant Hill Road
Duluth, GA 30096*

***Driving Directions to Atlanta Marriott Gwinnett Place Hotel
1775 Pleasant Hill Road at Crestwood
Duluth, GA 30096
770-935-3859***



From North Georgia Traveling Southbound on I-85

Continue South on I-85 to Exit 104 (Pleasant Hill Road). At top of exit ramp turn left and travel approximately 1/4 mile. After crossing Shackleford Road, NW / Breckinridge Blvd., NW take the 1st right (Crestwood Parkway, NW). The hotel will be on your right.

From North Georgia Traveling Southbound on I-75

Continue South on I-75 to I-285 Eastbound. Exit onto I-85 Northbound and continue to Exit 104 (Pleasant Hill Road). At top of exit ramp turn right and travel 1/4 mile. After crossing Shackleford Road, NW / Breckinridge Blvd., NW take the 1st right (Crestwood Parkway, NW). The hotel will be on your right.

From South Georgia Traveling Northbound on I-85

Continue north on I-85 to Exit 104 (Pleasant Hill Road). At top of exit ramp turn right and travel 1/4 mile. After crossing Shackleford Road, NW / Breckinridge Blvd., NW take the 1st right (Crestwood Parkway, NW). The hotel will be on your right.

From South Georgia Traveling Northbound on I-75

Continue north on I-75 merging onto I-85 Northbound. Follow directions above.

From I-20 East or I-20 West

From I-20 merge onto I-85 Northbound and follow directions above.

Judicial Council of Georgia
Atlanta Marriott Gwinnett Place
Duluth, Georgia

Monday, December 8, 2008

1:30 p.m.

Lunch will be served at 12:30 p.m.

1. **Introductions and Preliminary Remarks**
(Chief Justice Leah Ward Sears, Est. Time — 5 Min.)
2. **Approval of August 28, 2008 Minutes** Tab 1
(Chief Justice Sears, Est. Time — 5 Min.)
3. **Approval of ICJE Curricula for Calendar Year 2008** Tab 2
(David L. Ratley for Rich Reaves, Est. Time — 10 Min.)
 - A. Magistrate Courts Training Council
 - B. Municipal Courts Training Council
4. **Reports:**
 - A. **Nominating Committee** Tab 3
(Judge Stephens, Est. Time — 3 Min.)
 - B. **Committee on Reporting Matters** Tab 4
(Chief Judge Boyett, Est. Time — 5 Min.)
 - C. **Board of Court Reporting** Tab 5
(Judge Cowen, Est. Time — 5 Min.)
 - D. **Standing Committee on Drug Courts** Tab 6
Written report for informational purposes only, no action required by the Council
 - E. **Standing Committee on Policy/Legislative Update** Tab 7
(Debra Nesbit, Est. Time — 10 Min.)
 - F. **Judicial Workload Assessment Committee** Tab 8
(Presiding Justice Hunstein, Est. Time — 5 Min.)
 - G. **Georgia Courts Automation Commission** Tab 9
(Judge Pape, Est. Time — 20 Min.)

- H. Commission on Interpreters** Tab 10
Written report for informational purposes only, no action required by the Council
- I. Justice for Children Committee Report** Tab 11
(Michelle Barclay, Est. Time — 5 Min.)
- J. Child Support Commission** Tab 12
(Elaine Johnson, Est. Time — 5 Min.)
- K. Chief Justice Led Task Force to Promote Criminal Justice/
Mental Health Collaboration Final Report** Tab 13
(Jane Martin, Est. Time — 5 Min.)
- L. Budget Matters**
(Justice Hines, Est. Time — 5 Min.)

***** **15 Minute Break** *****

- 5. **Report from AOC Director** Tab 14
(Mr. David Ratley, Est. Time — 10 Min.)
- 6. **Reports from Appellate Courts and Trial Court Councils**
 - A. Supreme Court**
(Chief Justice Sears, Est. Time — 5 Min.)
 - B. Court of Appeals**
(Chief Judge Barnes, Est. Time — 5 Min.)
 - C. Council of Superior Court Judges**
(Judge Goss, Est. Time — 5 Min.)
 - D. Council of State Court Judges**
(Judge Carbo, Est. Time — 5 Min.)
 - E. Council of Juvenile Court Judges**
(Judge Teske, Est. Time — 5 Min.)
 - F. Council of Probate Court Judges**
(Judge Lillis Brown, Est. Time — 5 Min.)
 - G. Council of Magistrate Court Judges**
(Judge Holt, Est. Time — 5 Min.)
 - H. Council of Municipal Court Judges**
(Judge Stokes, Est. Time — 5 Min.)

7. **Old/New Business**
(Chief Justice Sears, Est. Time — 15 Min.)

Date and Place of Next Regular Council Meeting

Wednesday, July 22, 2009

State Bar of Georgia

Time TBA

8. **Concluding Remarks and Adjournment**
(Chief Justice Sears, Est. Time — 5 Min.)

Judicial Council of Georgia

Atlanta Marriot Gwinnett Place

1775 Pleasant Hill Road

Atlanta, GA 30096

December 8, 2008

MEMBERS WHO HAVE LEFT OR ARE KNOWN TO BE LEAVING PRIOR TO THE NEXT JUDICIAL COUNCIL MEETING JULY 22, 2009

1. Chief Justice Leah Ward Sears – Supreme Court of Georgia
2. Chief Judge Anne Elizabeth Barnes – Court of Appeals of Georgia
3. Judge Stephen S. Goss – Council of Superior Court Judges
4. Chief Judge Anne Workman – Stone Mountain Judicial Circuit
5. Judge John C. Carbo – Council of State Court Judges
6. Judge Steve Teske – Council of Juvenile Court Judges
7. Judge Lillis T. Brown – Council of Probate Court Judges
8. Judge Connie J. Holt – Council of Magistrate Court Judges
9. Judge Tammy Stokes – Council of Municipal Court Judges

JUDICIAL COUNCIL OF GEORGIA

Chief Justice Leah Ward Sears
Chairperson
Supreme Court
507 State Judicial Building
Atlanta, GA 30334
404-656-3474/F 657-6997

Presiding Justice Carol W. Hunstein
Vice Chairperson
Supreme Court
501 State Judicial Building
Atlanta, GA 30334
404-656-3475/F 657-9586

Judge Richard T. Alexander, Jr.
Magistrate Court
Gwinnett Justice &
Administration Center
75 Langley Drive
Lawrenceville, GA 30045-6900
770-822-8081/F 822-8075

Judge John Allen
Superior Court
Chattahoochee Judicial Circuit
Post Office Box 1340
Columbus, GA 31902-4269
706-653-4277/F 653-4275

Judge A. Quillian Baldwin, Jr.
Superior Court
Coweta Judicial Circuit
Post Office Box 1364
LaGrange, GA 30241
706-883-1633/F 298-3706

Chief Judge Anne Elizabeth Barnes
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-656-3454/F 463-8303

Judge Lillis J. Brown
Probate Court
Rockdale County
Rockdale County Courthouse
922 Court Street, NE, Room 107
Conyers, GA 30012
770-929-4057/F 918-6502

Judge Tammy S. Brown
Probate Court
Bartow County
30 North Broad Street
Winder, GA 30680
770-307-3045/F 307-4470

Judge John C. Carbo, III
State Court
Clayton County
Harold R. Banke Justice Center
9151 Tara Boulevard, Rm. 3JC202
Jonesboro, GA 30236
770-477-4500/F 477-4595

Judge Michael C. Clark
Superior Court
Gwinnett Judicial Circuit
Gwinnett Justice &
Administration Center
75 Langley Drive
Lawrenceville, GA 30045
770-822-8609/F 822-8637

Chief Judge Doris L. Downs
Superior Court
Atlanta Judicial Circuit
T7955 Justice Center Tower
185 Central Avenue, SW
Atlanta, GA 30303
404-730-4991/F 335-2828

Judge David T. Emerson
Superior Court
Douglas Judicial Circuit
Douglas County Courthouse
8700 Hospital Drive
Douglasville, GA 30134
770-920-7227/F 920-7377

Judge Ronald E. Ginsberg
State Court
Chatham County
133 Montgomery Street, Room 209
Savannah, GA 31401
912-652-7556/F 912-652-7557

Judge Stephen S. Goss
Superior Court
Dougherty Judicial Circuit
Post Office Box 1827
Albany, GA 31702-1827
229-434-2683/F 431-2174

Judge Connie J. Holt
Magistrate Court
Morgan County
Post Office Box 589
Madison, GA 30650
706-342-3088/F 343-6364

Judge Ronnie Joe Lane
Superior Court
Pataula Judicial Circuit
Post Office Box 636
Donalsonville, GA 39845-0636
229-524-2149/F 524-8817

Judge M. Yvette Miller
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-463-3032/F 656-4717

Judge Robert V. Rodatus
Juvenile Court
Gwinnett Judicial Circuit
115 Stone Mountain Street
Lawrenceville, GA 30045
770-619-6188/F 619-6096

Judge Charles Paul Rose, Jr.
Superior Court
Atlantic Judicial Circuit
Post Office Box 9671246
Hinesville, GA 31310
912-877-4770/F 877-2104

Judge Stan Smith
Superior Court
Dublin Judicial Circuit
Post Office Box 2069
Dublin, GA 31040-2069
478-272-4131/F 272-1639

Chief Judge Lawton E. Stephens
Superior Court
Western Judicial Circuit
P. O. Box 1623
Athens, GA 30655
706-613-3175/F 613-3179

Judge Steve Teske
Juvenile Court
Clayton Judicial Circuit
Clayton County Courthouse
Annex 3
3rd Floor
121 S. McDonough Street
Jonesboro, GA 30236
770-477-3260/F 473-5967

Judge Melvin K. Westmoreland
Superior Court
Atlanta Judicial Circuit
T4655 Justice Center Tower
185 Central Avenue, SW
Atlanta, GA 30303
404-335-2570/F 335-2685

Chief Judge Anne Workman
Superior Court
Stone Mountain Judicial Circuit
5230 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-2338

Ex-Officio Member:

Judge Tammy Stokes
Recorder's Court of
Chatham County
133 Montgomery Street, Room 104
Savannah, GA 31401
912-652-7429/F 912-652-7412

Judicial Council of Georgia

Atlanta Marriott Gwinnett Place

August 26, 2008

Members Present:

Chief Justice Leah Ward Sears
Presiding Justice Carol Hunstein
Judge Anne Elizabeth Barnes
Judge John Allen
Judge Richard Alexander
Judge Quillian Baldwin
Judge Lillis Brown
Judge Tammy Brown
Judge John Carbo
Judge Michael Clark
Judge Doris Downs
Judge David Emerson
Judge Ronald Ginsberg
Judge Stephen Goss
Judge Connie Holt
Judge Ronnie Joe Lane
Judge Robert Rodatus
Judge Paul Rose
Judge Stan Smith
Judge Lawton Stephens
Judge Steve Teske
Judge Melvin Westmoreland
Judge Anne Workman
Judge Tammy Stokes, Ex Officio

Members Absent:

Judge Yvette Miller

Staff Present:

Mr. David Ratley
Ms. Kelly Moody
Ms. Debra Nesbit
Ms. C. Clanton
Mr. Bob Bray
Mr. Byron Branch
Ms. Jane Martin
Mr. Vince Harris
Dr. Greg Arnold
Ms. Terry Cobb

Ms. Ashley Stollar
Ms. Billie Bolton
Ms. Tracy Powell
Mr. Chris Patterson
Mr. Kevin Tolmich
Mr. Randy Dennis
Ms. Vonnetta Pryor

Guests Present:

Ms. Tee Barnes, Clerk, Supreme Court of Georgia
Judge Joe Bishop, Pataula Judicial Circuit
Mr. Jeff Bramlett, President, State Bar of Georgia
Mr. John Cowart, Second District Court Administrator
Ms. Judy Cramer, Fifth District Court Administrator
Judge Jason Deal, Northeastern Judicial Circuit
Mr. Danny DeLoach, First District Court Administrator
Mr. Steve Ferrell, Ninth District Court Administrator
Mr. Tripp Fitzner, Eighth District Court Administrator
Mr. Reggie Forrester, Court Administrator, Northeastern Circuit
Judge Andy Fuller, Northeastern Judicial Circuit
Judge Kathlene Gosselin, Northeastern Judicial Circuit
Mr. Tom Gunnels, Tenth District Court Administrator
Justice Harris Hines, Supreme Court of Georgia
Ms. Alison Hodgson, Senate Budget and Evaluation Office
Mr. Eric John, Director, Council of Juvenile Court Judges
Mr. Greg Jones, Third District Court Administrator
Ms. Sandy Lee, Director, Council of Superior Court Judges
Ms. Anne W. Lewis, Attorney, Committee on Civil Justice
Mr. Bill Martin, Court Administrator, Court of Appeals of Georgia
Judge Arch McGarity, Flint Judicial Circuit
Ms. Tia Milton, Chief of Staff, Chief Justice Sears
Mr. Shinji Morokuma, Office of Dispute Resolution
Mr. George Nolan, Georgia Courts Automation Commission
Judge Bonnie Oliver, Northeastern Judicial Circuit
Ms. Jody Overcash, Seventh District Court Administrator
Judge Sammy Ozburn, Alcovy Judicial Circuit
Judge Tim Pape, Juvenile Court of Floyd County
Mr. Rich Reaves, Director, Institute of Continuing Judicial Education
Ms. Sharon Reiss, Director, Council of Magistrate Court Judges
Judge Matt Simmons, Clayton Judicial Circuit
Mr. Will Simmons, Sixth District Court Administrator

Call to Order

Chief Justice Sears called the meeting to order at 9:00 a.m. She began by introducing new members joining the Council: Judges John Allen, Michael Clark, David Emerson, Richard Alexander, Lawton Stephens and Tammy Stokes. She also recognized special guests in the audience: Justice Harris Hines, Supreme Court of Georgia; Ms. Anne Lewis, Civil Justice Commission and Mr. Jeff Bramlett, President, State Bar of Georgia. Before turning to the minutes of the June meeting she asked all council members to introduce themselves followed by those in the audience.

Approval of Minutes

Chief Justice Sears called attention to the minutes of the Judicial Council meeting held on June 3, 2008. She asked for any corrections or additions. Judge Downs moved approval of the minutes as presented. Judge Lillis Brown seconded. The motion carried.

Judgeship Study: 2007 Case Census Data

Mr. Bray began by expressing appreciation to all those who carried out the work of data collection and analysis: the AOC research staff, the superior court clerks, and the district court administrators. He called attention to the report on the status of the trial court caseloads found on page 15 of Tab Two. Efforts have been ongoing to obtain 100% reporting for all classes of court. Detailed caseload figures for the 49 superior court circuits are also found at Tab Two of the agenda.

Mr. Bray noted that the compilation, examination and analysis of superior court caseload figures are overseen by the Judicial Workload Assessment Committee as prescribed by Judicial Council policy. There have been no changes in methodology since the 2006 study. Written explanations of all judgeship study materials as well as Council policies on approval and ranking are also provided. Mr. Bray reported that the Bell-Forsyth Circuit judgeship request had been withdrawn as of yesterday. Carry-over requests for seven circuits will appear on the ranking ballots along with any new circuits gaining approval today. He noted that qualifying values are listed on page 16.

Judge Downs asked if case weights for felonies were tailored to the degree of seriousness of the offense. Mr. Bray stated that current case weight values could be changed to allow for finer distinctions in the felony category, if such distinctions are adopted by the Workload Assessment Committee and the Judicial Council. Discussion followed about various civil and criminal case-types and the possibility that these broad categories may actually distort judicial workloads especially in urban courts overloaded by complex felony matters.

Judge Downs pointed out that the changes to the judgeship policy two years ago had been made to assure fairness for smaller circuits. Her concern today is that the burden of urban circuit criminal caseloads is not accurately reflected under the current case-weight system. Chief Justice Sears stated that these inequities are real and should be addressed by the Workload Assessment Committee. Judge Downs asked new Council members to give careful consideration to her concerns regarding threshold values when casting their ballots.

Vote: The Council approved judgeship requests in three circuits: **Appalachian, Clayton and Western**. The ranking results regarding the seven carry-over approvals and the three newly-approved circuits was as follows: **1. Piedmont; 2. Flint; 3. Clayton; 4. Douglas; 5. Northeastern; 6. Western; 7. Mountain; 8. Southern; 9. Appalachian; 10. Tifton.**

Report of AOC Director

Mr. Ratley announced that Judge Arch McGarity has agreed to serve as the superior court judge representative on the Superior Court Clerks Cooperative Authority, replacing Judge Hugh Stone. He reported that Chief Justice Sears has appointed members of a Judicial Council/AOC Information Technology committee to set priorities for the increasing demands on the limited resources of the AOC IT department. The state budget crisis leading to discontinuation of senior judge funding could be an opportunity to strengthen local Alternate Dispute Resolution Programs.

Turning to data collection issues that must be resolved in the coming months, Mr. Ratley noted three areas of concern: 1) Open Case Inventory; 2) Electronic Data Submission; and 3) Viability of Case Weights. Open cases are not currently taken into account for the judgeship study; however, these cases affect judicial workloads. Automated data collection continues to present difficulties. Software problems must be resolved so that judges have confidence in accuracy of data. Case weights used for the judgeship study must be adjusted to reflect the realities of judicial workloads. Using the values established for the 2007 judgeship study, thirty circuits have reached the qualification threshold. Mr. Ratley stated that funding for new judgeships may not be forthcoming if the Governor and legislators are not confident of the judgeship study process.

Budget Matters

Justice Hines commended the work of members of the Judicial Council Budget Committee: Judges Lillis Brown, John Carbo, Stephen Goss, Connie Holt, Velma Tilley and George Kreeger. He noted that leaders of the judicial branch had received letters from OPB, Rep. Ben Harbin and Sen. Jack Hill regarding decreasing revenue collections and the immediate need to reduce the FY09 budget passed by the General Assembly. In accordance with these requests the budget committee has prepared tables showing reductions for judicial council budget units of six, eight and ten percent. Determination of specific reductions to programs/services will be left to senior managers of these budget units. Justice Hines also stated that all budget improvement requests already authorized by the budget committee have now been withdrawn, with the exception of \$10,000 to ICJE to provide benchbooks, etc. for newly-elected judges.

Justice Hines moved adoption of the FY09 Amended Budget Request reflecting reductions as requested by the Governor and General Assembly. Judge Barnes seconded. The motion carried.

Justice Hines moved adoption of the FY10 Budget Request reflecting reductions as requested by the Governor and General Assembly. Judge Barnes seconded. The motion carried.

Justice Hines moved that the Judicial Council grant authority to the Budget Committee to make decisions regarding the appropriations process during the 2009 session of the General Assembly. Judge Barnes seconded. The motion carried.

Reports from Judicial Agencies

Supreme Court Equal Justice Commission/Committee on Civil Justice. Ms. Lewis, co-chair of the committee reported that Teri McClure of UPS also serves as co-chair. Ms. Jill Radwin is the committee's executive director. The work of the committee is to promote a coordinated system for the delivery of civil legal assistance for low income individuals. In May 2007 five subcommittees were established as follows: Needs Assessment, Mr. Charles Lester, Chair; Pro Se, Judge Wayne Purdom, Chair; Pro Bono, Mr. Terry Walsh, Chair; Public Education, Mr. Timothy Floyd, Chair; and Resources, Ms. Rita Sheffey, Chair. A Family Law Information Center pilot project in the Appalachian Judicial Circuit began operation in July. The committee has established a five-year strategic plan based on data collected by the Burruss Institute of Public Service and Research at Kennesaw State University.

Standing Committee on Drug Courts. Ms. Nesbit called attention to the written report provided in the agenda. The committee has drafted by-laws for the conduct of business which require ratification by the Judicial Council. Judge Lillis Brown moved approval of the By-laws as presented. Judge Downs seconded. The motion carried.

Reports from Appellate and Trial Court Councils

Supreme Court. Chief Justice Sears asked Ms. Barnes, Clerk of Court, for a report. Ms. Barnes stated that the Supreme Court of Georgia has recently been ranked Number One in productivity

among the nation's appellate courts. The measure includes not just number of cases, but also quality of opinions. Ms. Barnes also noted that due to 09 budget restraints, the court's e-filing project has been put on hold. Ms. Tia Milton, Chief of Staff to the Chief Justice, reported that the Commission on Children, Marriage and the Family, in conjunction with the Institute for American Values, is sponsoring a Summit on Marriage and the Family to be held November 19-20 at the United Way Building in Atlanta. A letter will be sent to all chief superior court judges inviting their participation in the summit.

Court of Appeals. Chief Judge Barnes reported that Judge Debra Bernes is doing well and is at home following her recent surgery. She asked Mr. Martin to make the report. Mr. Martin noted that the court is the most productive intermediary appellate court in the nation. The six percent budget cut is of great concern because ninety percent of the court's budget is in personnel costs. The court has cancelled its contract with Westlaw, eliminated the supplementary stipend for the Chief Judge, and withdrawn budget requests for upgrading security measures and adding a public information officer. By October 1 the court anticipates either furloughs or reductions in force to comply with budget cutbacks. The court anticipates that by 2015 an additional three-judge panel will be needed to handle growing caseload.

Superior Courts. Judge Goss stated that the council is engaged in the difficult business of making spending cuts. They have already discontinued use of state funds to pay for senior judge assistance. They will continue to fulfill their constitutional responsibilities to the citizens of Georgia.

State Courts. Judge Carbo expressed appreciation to Mr. Bray and other AOC staff for their assistance to the state courts. They, too, are working on possible budget reductions of six, eight and ten percent. Their October seminar will be held at Jekyll Island, but plans for the spring seminar are

now on hold. He reminded everyone that volunteers are needed for the 2009 High School Mock Trial Competition to be held in Atlanta.

Juvenile Courts. Judge Teske reported that the council will hold a planning conference at the end of the week; they will look for ways to tap county budgets for their technology needs. He stated they are interested in establishing Delinquency Courts in Georgia. Judge Rob Rodatus, chair of the Code Revision committee will continue to lead work on the Juvenile Code revision project. In closing Judge Teske noted that a recent change in conflict rules affecting foster care and adoption proceedings is good news for the children of Georgia.

Probate Courts. Judge Brown stated the probate council will be considering options for making the mandated budget adjustments. The council will work with ICJE to stay focused on training needs; registration fees for their conferences will be considered to shift some of the financial burden to counties. The council plans to conduct more training at the district level.

Magistrate Courts. Judge Holt stated that the council had not requested any budget improvement items for the 09 budget. New videos to assist pro se litigants with civil and criminal cases are in production. The council's strategic planning meeting will be held in October in Columbus.

Municipal Courts. Judge Stokes stated that a strategic planning session is scheduled on August 20 to establish goals for the coming year. The council is working hard to increase participation in council activities and will continue to plan for an automated case-reporting system.

Old/New Business

Mr. Ratley stated that reducing the number of Judicial Council meetings held yearly from three to two is being considered. The December meeting will take place as planned, but on an abbreviated schedule. He noted that the Council meeting would convene after lunch to allow time

for the superior court judges' executive committee meeting that morning. The June 2009 Judicial Council meeting will be cancelled due to budget constraints and additional money-saving options will be considered for future meetings. Mr. Ratley stated that Council members will be kept apprised of all scheduling adjustments.

Adjournment

Chief Justice Sears asked members of the Council to gather for a group photograph immediately following adjournment.

The meeting was adjourned.

Respectfully submitted:

Billie Bolton, Assistant Director

The above and foregoing minutes were approved at the meeting held on _____ day of _____, 200_.



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

November 12, 2008

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: David L. Ratley

RE: **Approval of Proposed 2009 Calendar of Course Options for Magistrate Court and Municipal Court Judges Training (basic certification and re-certification)**

The Judicial Council is required under O.C.G.A. §§ 15-10-131(3) and 36-32-21(5) to approve curricula of the magistrate and municipal courts training councils. The 2009 curricular for both have been approved by their respective training councils and are enclosed for your review and approval.

Mr. Richard D. Reaves, Executive Director of the Institute of Continuing Judicial Education, will be in attendance at the Judicial Council meeting and will answer any questions you may have. Copies of the pertinent code sections are enclosed.

Enclosures

This article shall be known and may be cited as “The Georgia Magistrate Courts Training Council Act.”

§ 15-10-131. Definitions

As used in this article, the term:

(1) "Certified magistrate" means a magistrate judge who has the appropriate required certificate of training issued by the council and on file with the council or a magistrate judge who is exempt from such training by subsection (d) of Code Section 15-10-137.

(2) "Council" means the Georgia Magistrate Courts Training Council.

(3) "School" means any school, college, university, academy, or training program approved by the council and the Judicial Council of Georgia which offers basic, in-service, advanced, specialized, or continuing judicial training or a combination thereof and includes within its meaning a combination of course curriculum, instructors, and facilities which meet the standards required by the council.

HISTORY: Code 1981, § 15-10-131, enacted by Ga. L. 1983, p. 884, § 2-1; Ga. L. 1985, p. 1416, § 1; Ga. L. 1990, p. 8, § 15.

This article shall be know and may be cited as “The Georgia Municipal Courts Training Council Act.”

§ 36-32-21. Definitions

As used in this article, the term:

(1) "Certified municipal judge" means a municipal judge who has the appropriate required certificate of training issued by the council and on file with the council.

(2) "Council" means the Georgia Municipal Courts Training Council.

(3) "Municipal court" means and includes any municipal court as defined in subsection (a) of Code Section 36-32-1.

(4) "Municipal judge" means a judge of a municipal court.

(5) "School" means any school, college, university, academy, or training program approved by the council and the Judicial Council of Georgia which offers basic, in-service, advanced, specialized, or continuing judicial training or a combination thereof, and includes within its meaning a combination of course curriculum, instructors, and facilities which meet the standards required by the council.

HISTORY: Code 1981, § 36-32-21, enacted by Ga. L. 1990, p. 882, § 2; Ga. L. 1991, p. 326, § 1.

Magistrate & Professional Enrichment Products (PEPS) 2009 Calendar of Courses

COURSE	MAX. CAPACITY			DATE	VENUE
CERTIFICATION (For <u>N</u>ew, <u>N</u>on-Attorney Magistrates)					
	Mag.	Other	Total	Dates T, C or ?	
40-Hour Basic (Criminal Law)	40		40	Feb. 22-27 C	Georgia Center, Athens
40-Hour Basic (Civil Law)	40		40	Aug.30-Sept.4 C	Georgia Center, Athens
Total 80 Hrs	80				
RECERTIFICATION & PROFESSIONAL <u>E</u>nrichment <u>P</u>roducts* (PEPs)					
20-Hour PEP Firearms Awareness Safety	25	5	30	Mar. ??	Glock, Smyrna
6-Hour Mag. Mentor Orientation	20		20	Mar. 17 T	Georgia Center, Athens
20-Hour PEP WebCt Mental/Jail On-Line	25	10	35	April 6-May 1 C	On-Line (4 weeks).
20-Hour Chief Magistrate	30		30	Apr. 20-22 C	Foundry Park Inn, Athens
20-Hour PEP WebCt DV On-Line	25	10	35	June 2-22 C	On-Line (4 weeks)
15-Hour Mag. Clerks and Secretaries	150		150	July 22-24 C	Brasstown Valley Resort
20-Hour PEP Domestic Violence	70	20	90	Aug. 6-7 C	Chateau Elan, Braselton
20 Hour- Recertification (Blended ICJE/Council)	225		200	Oct. 26-28 C	Sav. Marriott Riverfront
12-Hour Pharmacology of Drugs	20	20	40	Oct. 29-30 T	SLC, UGA, Athens
20-Hour PEP Firearms Safety	25	5	30	Nov. ??	Glock, Smyrna
15-Hour Clerks & Secretaries	150		150	Dec. 2-4 C	Callaway Gardens
Total Recert. Hours:					
TRAINING COUNCIL MEETINGS					
5-Hr. Quarterly Council	Winter			Jan. 14-16	Courtyard Marriott Vinings
5-Hr. Quarterly Council	Spring			April 26-28	Brasstown Valley Resort
5-Hr. Quarterly Council	Summer			June 21-23	Ocean Plaza Beach Resort, Tybee Island
5-Hr. Quarterly Council/ICJE Blended	Fall			Oct. 26-28 C	Sav. Marriott Riverfront

* **Professional Enrichment Products (PEPs)** – Open to Judges from All Classes of Court.
 – Curriculum examines Multi-Court Perspectives
 – See accompanying brochure for more information on these classes

**On a case-by-case basis, Magistrate Judges may seek pre or post approval from the MCTC for non-ICJE sponsored courses. See brochure for more information.

MUNICIPAL COURT JUDGES	HOURS	2009 DATES	LOCATION	LIMIT
Duties other than Traffic Court	12 hours	March TBA	Georgia Center, Athens	75
New Judge Orientation	20 hours	June 24-26	Marriott, Savannah	30
Traffic Law and Practice Update	12 hours	June 25-26	Marriott, Savannah	200
Traffic Law and Practice Update repeat of June 12 hour class	12 hours	September-TBA	Georgia Center, Athens	125
Humanities - Addictions	12 hours	October TBA	Georgia Center, Athens	35
Pharmacology of Drugs	12 hours	October TBA	UGA, Athens	30
Spanish for Judges	12 hours	November TBA	Rural Development Center, Tifton	30

MUNICIPAL COURT CLERKS	HOURS	2009 DATES	LOCATION	LIMIT
New Clerks Certification Must obtain the other 8 hours from a course sanctioned by GMCCC from list below	16 hours	February TBA, 8 am-5 pm	Georgia Center, Athens	60
New Clerks Certification Must obtain the other 8 hours from a course sanctioned by GMCCC from list below	16 hours	October TBA, 8 am-5 pm	Rural Development Center, Tifton	60
Recertification for Clerks	8 hours	April TBA, 8 am to 5 pm	Georgia Center, Athens	175
Recertification for Clerks	8 hours	November TBA, 8 am-5 pm	Rural Development Center, Tifton	175

Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

Reply to:
Office of General Counsel

November 17, 2008

Nominating Committee of the Judicial Council
Judicial Council of Georgia
Administrative Office of the Courts
244 Washington Street
Suite 300
Atlanta, Georgia 30334

Re: Board of Court Reporting Vacancy

Dear Nominating Committee Members:

The Board of Court Reporting of the Judicial Council of Georgia was established to regulate the profession of court reporting. Currently there are nine members on the Board which were recommended by your Committee and appointed by the Judicial Council.

Traditionally, the Judicial Council votes on new Board members at the June Judicial Council meeting. This is particularly important as Board terms begin July 1 of each year. The Judicial Council meeting is currently planned for late July or August (instead of June) which would delay the filling of any Board of Court Reporting vacancies and possibly suspend Board business.

Accordingly, the Board requests that the Committee immediately consider the reappointment of John Larkins for a second term on the Board beginning July 1, 2009. Currently, Mr. Larkins is one of two State Bar of Georgia members on the Board. He will complete his first term of service on June 30, 2008. His resume is attached.

If the Nominating Committee votes favorably on Mr. Larkins, the Judicial Council will consider this reappointment at its meeting on December 8, 2008.

Thank you for your consideration of this matter.

Sincerely,


Cynthia Clanton
General Counsel

cc: The Honorable Linda Cowen, Chair of BCR
Aquaria Smith
Stephanie Chambliss Hines
Debra Nesbit

Attachment

JOHN K. LARKINS, JR.

Personal:

Born, July 17, 1951, Waycross, Georgia. Raised in Waycross and Albany, Georgia. Married, 1973, to Clare Robertson, of Athens, Georgia. Three children, John III ("Jake"), lawyer, McKinley ("Mick"), technical artist, Matt (freshman, TCU). Anglican-Catholic (attending St. Barnabas Anglican Church, Atlanta).

Education:

Vanderbilt University (BA, English, 1973)
University of Georgia School of Law (JD, 1976)

Professional Employment:

Sole practitioner, Athens, Georgia 1976-1986
Instructor, Legal Research & Writing, UGA School of Law 1977-78
Chilivis & Grindler (now, Chilivis, Cochran, Larkins & Bever LLP) 1986 – present

Bar Admissions:

State Bar of Georgia
United States Supreme Court
Eleventh Circuit Court of Appeals
Court of Appeals for the Federal Circuit
U.S. District Court, Northern District of Georgia
U.S. District Court, Middle District of Georgia
Court of Federal Claims
Georgia Supreme Court
Georgia Court of Appeals

Honors:

Best Lawyers In America (Business Litigation); "Best Lawyers In Atlanta" (*Atlanta Magazine*).

Publications:

Georgia Contract, Law & Litigation (West Group, 2002) (plus annual supplements).

"Judge Fite's Contempt: Race and the Rule of Law In Early Twentieth Century Georgia," *Georgia Historical Quarterly*, Vol. XC, No. 1 (2006).

"Considering the Consideration Approach to Classifying Georgia Contracts In Partial Restraint of Trade," *Ga. Bar. J.*, Vol. 10, No. 2 (2004).

"Justice Bleckley's Last Case," *Ga. Bar. J.*, Vol. 8, No. 4 (2003).

"Oral Arguments On Motions," *Litigation*, Vol. 23, No. 2; reprinted in *The Litigation Manual* (3d Ed.) (ABA Section of Litigation, 1999).

"Proving Attorney Fees In Georgia: Puzzles & Paradoxes," *Ga. Bar. J.*, Vol. 2, No. 4 (1997).

Seminar Presentations:

Contract Litigation (Chair) 2002- present (ICLE in Ga.);

Motion Practice (ICLE in Ga);

Corporate Litigation (ICLE in Ga);

Proving & Attacking Damages (ICLE in Ga)

**PROPOSED AMENDMENT TO BYLAW
OF THE BOARD OF COURT REPORTING**

To: Judicial Council Committee on Reporting Matters

From: Board of Court Reporting of the Judicial Council

Date: November 12, 2008

To enable the Board of Court Reporting to deal with emergency events and conduct business, the following Bylaw change is recommended:

Proposed Amendment to Article V: Meetings, Section 2:

A majority of the voting members then on the Board shall constitute a quorum.

Current Article V: meetings, Section 2:

The voting members of the Board present, not less than five, shall constitute a quorum.

Judicial Council of Georgia Board of Court Reporting

The Board of Court Reporting of the Judicial Council of Georgia is the governing body that defines and regulates the practice of verbatim court reporting in the state. The Board ensures the proficiency and competency of reporters by creating and enforcing standards for court reporters, overseeing the certification process, and mandating continuing education requirements. In accordance with O.C.G.A. §15-14-27, the administrative operations are performed by the Administrative Office of the Courts (AOC). The AOC provides staff to the Board for the primary responsibilities of administering certification exams, licensure of court reporters, registration of court reporting firms, compliance of mandated continuing education, and processing of grievances filed against court reporters. The Board encourages growth of the profession by promoting involvement in associations for the exchange of ideas and educational services.

Nine members comprise the Board of Court Reporting of the Judicial Council of Georgia: five certified court reporters, two attorney representatives from the State Bar of Georgia, one superior court judge, and one state court judge. The Judicial Council of Georgia ratifies the Board's rules and appoints members annually.

Board of Court Reporting FY08 Activities

Meetings Held. The **Board of Court Reporting** meetings this year included the required quarterly meetings, standing committee meetings, training seminars, continuing education meetings, and testing retreats. The purpose of the testing retreats was to create the written knowledge test and skills portion of the certification exam administered in the Fall and Spring of FY08. **The Court Reporters' Training Council**, created by the Board for the purpose of developing and implementing procedures and standards for mandated continuing education, met in the Spring and Fall of FY08.

Complaints. The Board of Court Reporting received 20 grievances and held four formal disciplinary hearings.

Judicial Council of Georgia Board of Court Reporting

Disciplinary Sanctions. The Board imposed sanctions of suspension or revocations on 279 court reporters for failure to (i) renew license by April 1; (ii) obtain mandatory continuing education requirements; or (iii) to attend the required Learning Essentials About Professionalism (LEAP) seminar.

Certifications. Court reporters are certified by testing or reciprocity. In FY08, 21% of the test applicants successfully passed the Georgia Certified Court Reporter exam. Two certification exams were administered by the Board, with the help of AOC Staff. Twenty-four applicants were approved for certification by reciprocity or temporary judicial permit. The State of Georgia has 1132 active court reporters and 128 registered court reporting firms.

Training. The Board offered a test prep seminar, “TIPS for the Test,” for test applicants preparing for the certification exam. This preparatory course provided technique and strategies on what to expect and how to best prepare for the certification exam. Another training seminar offered by the Board is the LEAP seminar. Every newly certified court reporter is required to successfully complete the LEAP seminar within the first year of certification. The Board trained 49 persons in FY08.

Board Goals and Accomplishments for Fiscal Year 2008. The Board updated its Continuing Education Manual, with the assistance of the Court Reporters Training Council, reflecting the appeal process for course denials by the Training Council. Additionally, the Board implemented changes to the skills test and created a new grading policy for the certification exam. Lastly, the Board, with the help of AOC Staff, (i) published its first publication, *Board Brief*; and (ii) redesigned its website to include user-friendly features, accessibility of information to the certification process, an updated fee schedule and compensation chart, and registration for license renewals and upcoming training seminars.

Judicial Council of Georgia Board of Court Reporting

Board Initiatives for Fiscal Year 2009. The Board established six performance initiatives for FY2009.

- ❖ Effective January 1, 2009, the Board will outsource its certification exam to the national court reporting associations, National Court Reporters Association (NCRA) and the National Verbatim Reporters Association (NVRA). A Memorandum of Understanding (MOU) has been created between the Board and the national associations.
- ❖ License renewal fees for court reporters and registered court reporting firms will increase in January 2009 as state appropriated funds for the Board were significantly reduced.
- ❖ Disciplinary proceedings are being held in conjunction with the Board's quarterly meetings.
- ❖ A new application process for certification will be implemented. Prospective applicants are required to successfully pass a written exam concentrating on the Board's Rules and Regulations when applying for certification with the Board.
- ❖ A Board Strategic Plan will be developed for more efficient standard business operations and program continuity over the next three-to-five years.
- ❖ The Board's publications, Rules and Regulations, Continuing Education manual, and forms requesting administrative services are now available online to improve access and reduce cost.

The above-mentioned initiatives are expected to provide cost saving measures of 15% to the Board's FY09 budget.

Respectfully submitted,

Judge Linda Cowen
Chair, Board of Court Reporting of the Judicial Council

Save the Date!

Please mark your calendars for the

2009 Georgia Drug, DUI and Mental Health Court Conference

Tuesday, May 26 – Thursday, May 28, 2009

Westin Buckhead Atlanta

3391 Peachtree Road, N.E.

Atlanta, Georgia 30326



Judicial Council of Georgia

Standing Committee on Drug Courts

Judge George H. Kreeger
Chair

Reply to:
Tonya L. Griesbach
Governmental Affairs

Memorandum

TO: Judicial Council Members

FROM: Judge George Kreeger

RE: Drug Court Committee Report

DATE: October 31, 2008

Siemens/COTTS Update

Under the AOC administered Siemens Healthcare Diagnostics Drug Testing Laboratory contract, a total of ten sites have successfully installed Siemens labs, and collectively they service 17 accountability courts. As of October 28, 2008, 380,733 drug tests had been run across the State in Drug Courts, since April, 2007. The number of drug tests does not include Fulton and DeKalb County Drug Courts.

The purpose of these machines was not only to help alleviate some of the cost burden to drug courts for outsourcing their urine-substance abuse analysis tests, but to also be a means to generate revenue for sustaining drug courts. Thus far, four courts have started drug testing for outside agencies. Some of these agencies include probation, county employment offices, and various cases within in Georgia's judicial system.

Siemens Lab Installs, within the AOC Administered Contract		
Installation Site	Courts Served	Provides Services Outside of Drug Court?
Athens, GA	Athens-Clarke County DUI Court	X
Atlanta, GA*	Fulton County Durg Court	
Brunswick, GA	Glynn/Camden Drug Court	
Cartersville, GA	Cherokee Judicial Circuit Drug Court	
Cedartown, GA	Tallapoosa Judicial Circuit Drug Court	
Dallas, GA	Paulding County Family Treatment Court	
Dalton, GA	Conasauga Drug Court	
Decatur, GA*	DeKalb County Drug Court	X
Gainesville, GA	Hall County Drug Court; Hall County DUI Court; Hall County Family Treatment Court; Hall County Mental Health Court	
Lawrenceville, GA	Gwinnett County Treatment (1 Adult Felony and 2 DUI) Courts	X
Marietta, GA	Cobb County Drug Court; Cobb County DUI Court; Cobb County Juvenile Court	X
Waycross, GA	Waycross Judicial Circuit Drug Court	

*These courts have local contract with Siemens Healthcare Diagnostics

COTTS Update

With the purchase of the Siemens drug labs (or the utilization of Georgia operated Siemens Labs), courts also gain free access to the Court Ordered Treatment Tracking System (COTTS), built by Integrated Management Solutions (iMs). With the coordination of the AOC Drug Court Data Coordinator, iMs has built a custom solution for Georgia's Accountability Courts' data and case management needs. Twelve Drug, DUI and Mental Health courts are currently trained and operating on COTTS; and since March 15, 2008, 1,562 clients has been entered into COTTS.

Additionally, iMs has built ten custom reports for the State of Georgia. These include:

1. Retention Rate Report
2. Staffing Report One
3. Staffing Report Two
4. Birthday List
5. Offense Summary Report
6. Summary Disposition Report
7. Participant Status Summary
8. Client Statistics (Detail and Summary) Report
9. Sanction/Incentive Summary
10. Client Address List

In the upcoming calendar year, iMs is charged with adding Family Treatment, Juvenile Drug Court, and a comprehensive treatment/therapeutic add-on, as well as an internal querying feature for users.

It is the goal of the Standing Committee on Drug Courts to eventually have all Georgia accountability courts operating on COTTS. This will facilitate the collection of statewide data for evaluations and decision making.

Case Transfer Subcommittee

The Case Transfer Subcommittee is currently developing standards for transferring drug and DUI court cases. A DUI Court transfer procedure (attached) has been created and is being used by DUI Court Judges. The Drug Court transfer procedure will be modeled after the DUI Court procedures.

Judicial Council of Georgia

Standing Committee on Policy

Presiding Justice Carol W. Hunstein
Chair

Reply to:
Tonya L. Griesbach
Governmental Affairs

Memorandum

TO: Judicial Council Members

FROM: Presiding Justice Carol W. Hunstein

RE: Policy Committee Report

DATE: November 12, 2008

The Policy Committee recommends the following proposed bills for favorable SUPPORT at the Judicial Council meeting on December 8, 2008:

- I. **Judicial Council - O.C.G.A § 17-10-35.1**
Extends the period of review for the Supreme Court's consideration of applications for pretrial proceedings in death penalty cases from 20 to 45 days of the date on which the case was received.
- II. **Judicial Council - O.C.G.A § 38-3-61**
Allows the Chief Justice of the Supreme Court of Georgia to extend the duration of a judicial emergency order when a public health emergency exists. Currently, an order has a limited duration of 30 days however, that order may be modified or extended for no more than two periods not exceeding 30 days each.
- III. **Judicial Council - O.C.G.A § 50-18-2**
Removes the requirement of publishing a volume of rules from the definition of reports. It defines "rules compilation" as a compilation of rules applicable in the courts of Georgia. The rules compilation is to be contained in an electronic database that is made assessable to the public through the Internet or other suitable methods.
- IV. **State Court - O.C.G.A § 40-5-64**
A limited driving permit may be issued to an impaired driving offender after a 120 day suspension period pursuant to compliance of a certificate of eligibility for a limited driving permit being issued at the discretion of the sentencing judge.
- V. **Juvenile Court - O.C.G.A § 47-23-64**
Provides that any member of the Georgia Judicial Retirement System may obtain creditable service for prior service as an active member of the Employee's Retirement Systems of Georgia
- VI. **Juvenile Court - O.C.G.A § 47-23-65**
Allows for any juvenile court judge who is an active member of the Georgia Judicial Retirement System to receive up to five years of creditable service for his or her past service as a associate juvenile court judge who did not vest in a local retirement plan upon payment to the board of trustees of an amount which will allow such creditable service without creating any accrued actuarial unfunded liability as to this retirement system.

- VII. Probate Court - O.C.G.A § 15-9-2.1**
Allows a probate court judge to appoint an associate judge in probate matters on a full-time or part-time basis. The associate probate court judge must be a member in good standing of the State Bar of Georgia and meet the same qualifications required of the elected judge which made the appointment. The associate probate court judge shall serve at the pleasure of the judge.
- VIII. Probate Court - O.C.G.A § 15-9-83**
Provides that the hours of operation for public accessibility be not less than forty hours per week, but does not require the court to operate five days.
- IX. Probate Court - O.C.G.A § 15-9-11.1**
If a vacancy in the office of a judge of the probate court occurs after January 1st in the last year of the term of the judge whose position has been vacated, the person assuming the duties of the judge shall be allowed to complete the term of the vacated judge.
- X. Probate Court - O.C.G.A § 10-6-36**
Regarding effect of incapacity of principal on power of attorney. Changes “guardian of property” to “conservator”.
- XI. Probate Court – Reporting requirement of Adult Guardianships to GBI/GCIC**
Pursuant to 18 U.S.C. 922 a person who is mentally defective is not eligible for a firearms permit. This allows the court’s findings to be submitted to GBI/GCIC’s data base.
- XII. Probate Court - O.C.G.A § 25-10-14**
In reference to fireworks displays, eliminates the use or option of a \$10,000 bond and changes the filing fee from \$10 to \$100. In addition, there is an increase in liability insurance.
- XIII. Magistrate Court - O.C.G.A § 5-3-22**
No appeal shall be filed in the superior court until any costs which have accrued in the court, agency, or tribunal have been paid, unless the appellant files with the superior court or with the court, agency, or tribunal appealed from an affidavit stating that because of his indigence he is unable to pay the costs on appeal.
- XIV. Magistrate Court - O.C.G.A § 17-4-40**
Allows a judge of the magistrate court to issue a warrant for the arrest of a peace officer, law enforcement officer, teacher, or school administrator who commits an offense while in the performance of his or her duties. The magistrate judge has to be delegated such authority by written order of a Superior Court Judge of the circuit in which the magistrate court judge holds office.

The following bill was TABLED by the Policy Committee until a final draft was available to review:

- I. Magistrate Court - O.C.G.A § 15-10-1**
Allows magistrates jurisdiction to assist superior court judges and state court judges by presiding over arraignments, pretrial matters, nonjury trials, receiving pleas of guilty and imposing sentence for any violation that is punishable as a misdemeanor or misdemeanor of high and aggravated nature.

The Policy Committee will meet again in January and throughout the 2009 Legislative Session in order to take a Judicial Council position on bills that are introduced during the session that affect the judiciary.

**Judicial Council of Georgia
Standing Committee on Policy**

2008 – 2009 Members

**Presiding Justice Carol W. Hunstein,
Chair**

Georgia Supreme Court
501 State Judicial Building
Atlanta, GA 30334
404-656-3475
hunsteic@gasupreme.us

**Chief Judge Anne Elizabeth Barnes, Vice-
Chair**

Court of Appeals of Georgia
47 Trinity Avenue
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404-656-3454
barnesa@gaappeals.us

Judge Melvin K. Westmoreland

President-Elect
Council of Superior Court Judges
T4655 Justice Center Tower
185 Central Avenue, SW
Atlanta, GA 30303
404-335-2570
melvin.westmoreland@fultoncourt.org

Judge John C. Carbo, III

President
Council of State Court Judges
9151 Tara Boulevard
Room 3JC202
Jonesboro, GA 30236
770-477-4500
JCCarbo3@aol.com

Judge Steve Teske

President
Council of Juvenile Court Judges
Clayton County Courthouse Annex 3
3rd Floor
121 S. McDonough Street
Jonesboro, GA 30236
770-477-3260
steve.teske@co.clayton.ga.us

Judge Lillis J. Brown

President
Council of Probate Court Judges
922 Court Street, NE
Room 107
Conyers, GA 30012
770-929-4057
lillis.brown@rockdalecounty.org

Judge Connie J. Holt

President
Council of Magistrate Court Judges
PO Box 589
Madison, GA 30650
706-342-3088
cholt@morganga.org

**Judicial Council of Georgia Standing Committee on Policy
Policies and Procedures
Legislative Review- Adopted December 9, 2004**

Composition of Committee

Presiding Justice of the Supreme Court (Chair)
Chief Judge of the Court of Appeals (Vice-Chair)
President Elect of the Council of Superior Court Judges
President of the Council of Juvenile Court Judges
President of the Council of State Court Judges
President of the Council of Probate Court Judges
President of the Council of Magistrate Court Judges

History (Legislative Review)

On June 13, 2001, at the Judicial Council Meeting held at Kiawah Island the Council adopted two Resolutions.

Resolution #1

Resolved, that there be a Secretary and Treasurer elected by the Judicial Council from the active membership for a two-year term beginning July 1.

Resolution #2

Resolved, that each court which is a member of the Judicial Council and each court or agency seeking funding whose budget is administered through the Council submit a summary of all general legislation it will seek to have introduced or will support in the upcoming legislative session; that each such piece of legislation be submitted to the Administrative Office of the Courts; that the Administrative Office of the Courts render a "Judicial Impact Statement" to the full Judicial Council; that such "Judicial Impact Statement" shall address such issues as may be directed by the Judicial Council; and that the Judicial Council of Georgia thereafter make such recommendations to the Executive and Legislative Branches of Georgia regarding such proposed legislation as it shall see fit.

On August 29, 2001, Chief Justice Fletcher designated the Standing Committee on Policy as the committee to review legislation and make recommendations to the Judicial Council.

Purpose of Policy Committee

The Policy Committee shall consider and comment on legislation that proposes to affect:

- a. The statutory duties and responsibilities of the Judicial Council;

- b. Programs and services delivered by the AOC;
- c. Uniform rules of court; and
- d. Administrative processes and procedures affecting multiple courts (trial and appellate).
- e. Jurisdictional Issues

The Policy Committee can utilize information gathered by the Advisory Group (described below) and Judicial Impact Statements developed from legal research and input from Advisory Group – to make recommendations to the full Judicial Council on potential positions on legislative matters.

Legislative Advisory Group

1. A representative from the following groups:
Each Judge Council (Superior, State, Juvenile, Probate, Magistrate, Municipal) to be appointed by the President of each council.
District Court Administrator to be appointed by the Chair of the DCA's
County Level Court Administrator, to be appointed by GCCA President
Executive Directors/Legislative Liaisons from Judicial Branch Agencies. The Advisory Group will be appointed and asked to serve by December 20, 2004.
2. The Advisory Committee will work with AOC to review and analyze legislation for Standing Committee on Policy.
3. The Legislative Advisory Group responses and analysis will be utilized for the development of Judicial Impact Statements for the Policy Committee deliberations.

Policy Committee Operating Procedures:

1. The Policy Committee will meet in conjunction with the Judicial Council at each regularly scheduled meeting, prior to the full council meeting or as necessary to prepare for the legislative session. During the session the committee should meet at least bi-weekly via conference call during or as necessary during the legislative session. The committee will be staffed by the Administrative Office of the Courts.
2. The Policy Committee shall review all relevant legislative initiatives of judicial branch agencies identified by the AOC and the Advisory Group, to make a recommendations to the full Judicial Council as to whether the legislation should be supported, opposed or no position taken.
3. During the legislative session the Policy Committee will review legislation introduced that affects the judicial branch and any amendments to legislation previously introduced to make recommendations to the full Judicial Council on the position, if any, to be taken.

4. The AOC will develop an email/fax list to communicate quickly with members of the Judicial Council for a voting procedure.
5. Upon request of the Policy Committee, Advisory Group, Legislators, Judges, or other relevant groups, the AOC will prepare an analysis of legislation and/or Judicial Impact Statements that will include fiscal notes where needed.
6. Once the Judicial Council has taken a position on legislation the Advisory Committee will be advised and asked to develop a strategy to communicate the position of the Judicial Council when necessary. The AOC will provide the administrative support for the publishing of legislative agendas, positions, Judicial Impact Statement, Analysis, or any other communication tools as directed by the Policy Committee on behalf of the Judicial Council.



Judicial Council of Georgia

Judicial Workload Assessment Committee

*Honorable Carol W. Hunstein, Chair
Supreme Court*

*AOC Support Staff:
Bob Bray, Associate Director
Kevin Tolmich, Assistant Director
Kelly McQueen, Policy Analyst*

Memorandum

TO: Judicial Council Members

FROM: Justice Carol Hunstein

DATE: December 5, 2008

SUBJECT: Judicial Workload Assessment Committee Report

This past September Chief Justice Leah Sears reconstituted the Judicial Workload Assessment Committee (JWAC) by updating the membership to include a new chairperson, Presiding Justice Carol Hunstein, twelve Superior Court Judges, one State Court Judge, one Juvenile Court Judge, two Magistrate Court Judges, one Probate Court Judge, two Superior Court Clerks, and three District Court Administrators. A full listing of members is attached to this correspondence.

The first meeting of the new JWAC was held on October 24, 2008 in the Administrative Office of the Courts (AOC) training room. The following are issues discussed and decisions made during this meeting:

1. AOC staff provided members with a detailed explanation of the case count and judgeship process. This explanation included current methodology used in judgeship calculations, current timelines, and an example of how judgeships are calculated.
2. JWAC approved that the AOC is to receive the actual case count totals from each court for criminal cases rather than having the AOC count print outs of dockets or manual counts in the Superior Courts. Case count totals by court will be verified by the Judges and District Court Administrators. Currently, civil cases are not counted by the AOC. Civil case counts are collected through the Superior and State Court Information System (SSCIS).
3. JWAC approved changes to timelines for case count and judgeship requests as follows:
 - a. Superior Court case count totals for criminal cases are to be received in the AOC office by April 1st. This allows additional times for verification

Judicial Council of Georgia

Judicial Workload Assessment Committee

- and to provide feedback to courts on their status of qualifying for an additional judgeship.
- b. Superior Court Judgeship requests for 2009 and beyond will have to be received in the AOC office by May 1.
 - c. Supporting letters and additional information are to be received in the AOC by July 1.
4. JWAC approved that the majority of case count and judgeship correspondence from the AOC will be done electronically through e-mail. The judgeship initiation letter from the Chief Justice will still be mailed out, but any following correspondence will be in an electronic format. JWAC also decided that the District Court Administrators should be included as a cc: on any of this correspondence.
 5. JWAC approved the following from the December 2007 JWAC Minutes:
 - a. The definition of Probation Revocations
 - b. Correspondence for support letters for judgeship requests will be sent to the Chief Judge of the requesting circuit. House and Senate members will not receive communication from the AOC concerning support letters for the circuit.
 6. JWAC approved the elimination of the 4-Factor Chart as part of the judgeship information packet used to determine judgeship rankings.
 7. JWAC developed a “Parking Lot” of ideas that need to be discussed in future meetings. Topics in the “Parking Lot” include case types collected for Superior Courts, case weights assigned to case types, non-bench time for Superior Court Judges and judge year value calculations.
 8. JWAC determined that the Chair of the Council of Superior Court Judges Special Committee on Case Closure/Case Count will be an ex-officio member of JWAC. Currently, Judge Jackson Harris is Chair of this committee.
 9. JWAC requested that the National Center for State Courts make a presentation on the next meeting date to the committee on case count and judgeship methods in other states. The Committee determined that certain legislators involved in the vetting of judgeship request be offered an invitation to hear the National Center presentation.

The second meeting of JWAC was held on December 5, 2008 in Room 125 of the State Capitol. The following are issues discussed and decisions made during this meeting:

Judicial Council of Georgia

Judicial Workload Assessment Committee

1. Ms. Mary McQueen, President, and Ms. Suzanne Tallarico, Principal Court Management Consultant, with the National Center for State Courts made a presentation to JWAC members, legislators and other guests on the ways other states are handling judicial workload assessments, and trends regarding case types collected, case weights and other workload assessment issues.
2. After detailed discussions on current issues regarding Georgia's Superior Court workload assessment model, JWAC determined that two sub-committees be formed. The first sub-committee, chaired by Judge Phillip Brown, will work on data collection, clerk education, and Superior Court case types collected and used in judgeship studies. The second sub-committee, chaired by Judge David Emerson, will work on judicial circuit categories, judge year time values, and case weights for Superior Court judgeship studies.
3. Due to the current budget problems in Georgia and issues related to the current judgeship study, JWAC unanimously approved a motion to be brought to the full Judicial Council that suspends judgeship studies in 2009 for Judicial Council recommendations in the 2010 Legislative session. In addition, the motion allows for an additional carry-over year for the ten circuits recommended in the August 2008 Judicial Council meeting.

JUDICIAL COUNCIL OF GEORGIA

New Superior Court Judgeship Recommendations to the Georgia General Assembly By Rank with Carryover Circuit Status, August 2008

The Judicial Council of Georgia addressed judgeship matters during its Annual Summer Meeting held on August 26, 2008. The Judicial Council approved recommendations to provide an additional judgeship for the following circuits:

2008 Judgeship Recommendations:

Rank	Judicial Circuit	Judgeship	Carryover Year	Proposed Expiration Year
1 st	Piedmont*	4 th	2007	2011
2 nd	Flint*	4 th	2007	2011
3 rd	Clayton	5 th	-	2012
4 th	Douglas*	4 th	2007	2011
5 th	Northeastern*	5 th	2007	2011
6 th	Western	4 th	-	2012
7 th	Mountain*	3 rd	2007	2011
8 th	Southern*	6 th	2007	2011
9 th	Appalachian	4 th	-	2012
10 th	Tifton*	3 rd	2007	2011

* *Carryover Request*



Judicial Council of Georgia

Judicial Workload Assessment Committee

*Honorable Carol W. Hunstein, Chair
Supreme Court*

*AOC Support Staff:
Bob Bray, Associate Director
Kevin Tolmich, Assistant Director
Kelly McQueen, Policy Analyst*

Recommendation from the Judicial Workload Assessment Committee:

- Move that no judgeship study be conducted in 2009 for Judicial Council judgeship recommendations in the 2010 Legislative session.
- Circuits approved in the August 2008 Judicial Council meeting will be given an additional carry-over year to compensate for the year's suspension of the judgeship study.



GEORGIA COURTS AUTOMATION COMMISSION

244 Washington Street, SW, Suite 300
Atlanta, Georgia 30334

December 2008
Report to the Judicial Council

Georgia Courts Automation Commission Report to the Judicial Council of Georgia December 2008

Administrative Activity

The Commission's Strategic Business Plan remains current, last revised in March 2008, and is used as the guide for all Commission activities. The annual budget planning and management processes for the Commission are performed in a manner that aligns with the objectives and programs contained in the Business Plan. A copy of this document is available on the GCAC web site at <http://www.georgiacac.com>.

The Commission Business Plan was developed in a manner as to directly align with the Commission's enabling legislation and to support addressing judiciary-wide needs. The strategic objectives are:

- Establish and Administer Judicial IT Governance
- Obtain Adequate Funding to Meet Objectives
- Communicate and Educate Internal and External Stakeholders

The Commission uses a formal project management and financial review process to track project and budgetary activity on a frequent basis. This review process identifies any issues that require Commission attention and provides an accurate picture of project and budget status on an ongoing basis. The review process integrates with the Strategic Planning Process adopted by the Commission and is especially important in tracking the number of separately budgeted, interrelated projects.

The majority of administrative activity since August 2008 has been focused on planning the December Commission meeting, adjusting the FY09 budget to insure compliance with the new restricted use of FY09 funding, and adjusting the FY10 budget request to align with the current status and needs of the GCAC Program Areas.

Recent Program Area Activity

The Commission organizes projects into three primary Program Areas, **Strategic Planning, Standards and Architecture**, and **Education**. This section provides a brief Program Area overview and highlights the activities by Program Area that have been completed since the last report to Judicial Council.

Strategic Planning

Since the August Judicial Council report, GCAC has actively engaged in activities to support the development and update of individual Council Strategic IT and Operation Plans and the management of the Judiciary-wide Strategic Information Technology (IT) Plan.

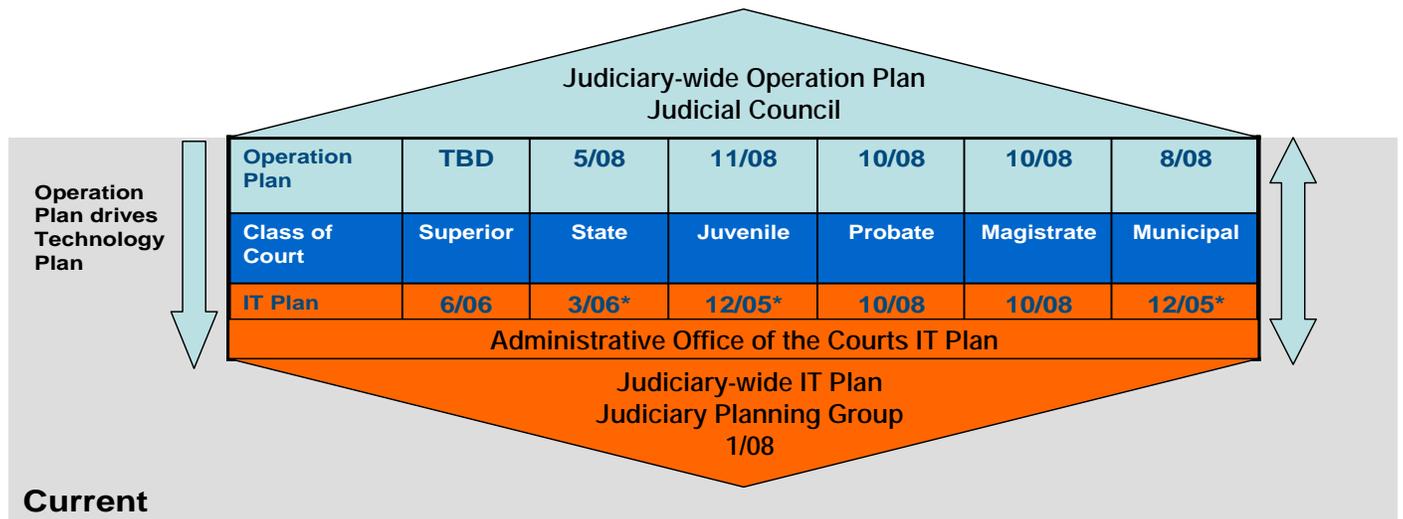
Overview

The Judiciary-wide Strategic IT Plan, developed in November 2007, along with the planning approach has now been approved by all six councils. The Judiciary-wide Strategic Technology Plan is a component of an integrated Judiciary-wide planning approach and addresses a recommendation contained in the SEARCH August 31, 2007 Technical Assistance Report, *Data Dictionary Project Deliverables – Evaluation and Assessment*. The Judiciary-wide planning approach calls for each council to tightly integrate their individual council's Technology and Operation Plans.

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These integrated Operation and Technology plans then form the basis for Judiciary-wide Strategic Operation and Technology Plans. The Judiciary-wide plans are derived from the common needs of the six councils. The Judiciary-wide Strategic IT Plan has been developed and GCAC envisions implementing a Judiciary-wide Operation Planning process in the near future. The Strategy Articulation Map depicting the components of the Judiciary-wide Strategic Technology Plan is contained in Appendix B.

The figure below depicts the Integrated Judiciary-wide Planning Approach along with the date of the last update of a specific council’s plan. During the remainder of Fiscal Year 2009, GCAC will continue working with the individual councils to complete an update of their Strategic Technology Plans.



Additional Notes:

- Juvenile IT Plan update scheduled for 2/09
- State IT Plan update scheduled for 12/08.
- Municipal IT Plan update scheduled for early 2009
- Superior Court plans will be completed in 2009

At the December, 2008 Judicial Council meeting, GCAC will present the Judiciary-wide Strategic IT Plan and seek council support of the proposed Judiciary-wide operation planning process.

Current Activities

The Commission, in conjunction with the respective Court Councils, is actively planning and supporting updates of the Council Strategic IT Plans and a cohesive integration of the individual Council’s IT and Operation Plans. During this reporting period, the Probate and Magistrate Councils each conducted a session to update their Council Operation Plan and integrated the resulting Operation Plan more closely with the Council’s Strategic IT Plan. A number of additional strategic planning activities are planned in the near future, including an update of the State, Municipal, and Juvenile Courts Strategic IT Plans and the creation of the initial Juvenile Operation Plan.

The Commission continues to actively manage the implementation related activities for the Judiciary-wide Technology Plan. One significant Technology Plan activity involves the analysis and development of recommendations to address ten high priority justice system data integrity issues by teams composed of a combination of executive and judicial agencies, as well as state and local entities. These ten high priority

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issues were identified in a collaborative workshop with the various organizations that are working on the issue analysis teams.

At this time, five of the ten issues are under active analysis by the teams. The team-based analysis approach has led to tremendous collaboration between the various agencies in an attempt to address issues that have long been of concern to many justice system users.

Standards and Architecture

Previously, the Commission performed a number of Architecture and Standards projects in order to better define tools and approaches that benefit the judicial stakeholders in the use of the Data Definitions (Court Process Flows and Data Dictionaries). Currently, the Data Definitions effectively support the business user as they perform process or technology projects. The current Data Definitions provide a more limited benefit to the technical user in the performance of programming and technically oriented tasks.

As the Standards and Architecture work progressed, the Commission made a decision to move forward with an attempt to create a multi-organization group to oversee of the Data Dictionary component of the Data Definitions. This is specifically in an attempt to create better value for the technical user. Work is in an early stage of implementation for this approach and will likely include participation from organizations that supported the Data Integrity Issues Workshop and the JDX Committee organized by the Clerks' Council.

Current Activities

The Commission has begun work on a design and development project that will provide improvements to the Data Definitions to better support the technical user. These improvements will also make it easier for the aforementioned multi-organization group to provide input into the Data Definitions maintenance processes.

The Commission also continues work on developing a standard Georgia version of the national Justice Information Exchange Model (JIEM) for use by Georgia Justice Agencies. The work has been near completion for some time, but release has been withheld due to a reporting issue in the JIEM software tool. A new version of the software tool is now available and appears to have resolved that issue.

Both the enhanced Data Definitions and Georgia JIEM are expected to be available by the end of the year.

Education

The Education Programs provide support and transfer of knowledge to those agencies that seek more information about or to use the Commission-developed artifacts. During this period, GCAC has attended meetings with various organizations such as the CJCC Research and Advisory Committee and the Clerk's Council to present and discuss current Commission activities. The Commission has also developed a plan that will allow the Commission to more effectively deploy a web-based knowledge repository containing educational material.

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Budget

The GCAC base operating budget for FY09 of \$844,669 has been reduced to \$794,568. The revised FY09 budget figure in the chart below includes the 2.5% base budget reduction requested by Senate Appropriations and the 6% reduction recently requested by the Governor.

The budget supports the initiatives associated with the three Program Areas, **Strategic Planning, Standards and Architecture**, and **Education**, along with GCAC’s Administrative requirements. During FY08, GCAC reported implementation activities as a separate Program Area. Beginning with FY09, implementation activities are reported in the Program Area with which they are associated in order to better manage and budget the costs associated with each Program Area.

**Program Area Funding Review
FY05 – FY09**

Program Area	FY05	FY06	FY07	FY08	FY09
Administration	\$112,164	\$157,887	\$116,500	\$150,000	\$221,710
Strategic Planning	\$46,000	\$127,500	\$100,000	\$87,500	\$255,000
Standards and Architecture	\$176,000	\$41,000	\$184,217	\$317,627	\$250,258
Education/Advocacy				\$34,400	\$67,600
Standards Implementation				\$76,800	
Totals	\$334,164	\$326,387	\$400,717	\$666,327	\$794,568

FY10 budget request is planned for \$744,669.

The Commission’s budget and Program Areas are comprised of a large number of separately, budgeted projects. These projects are subject to the formal project and financial review process used by the Commission. Current project activities and status are documented in Appendix D.

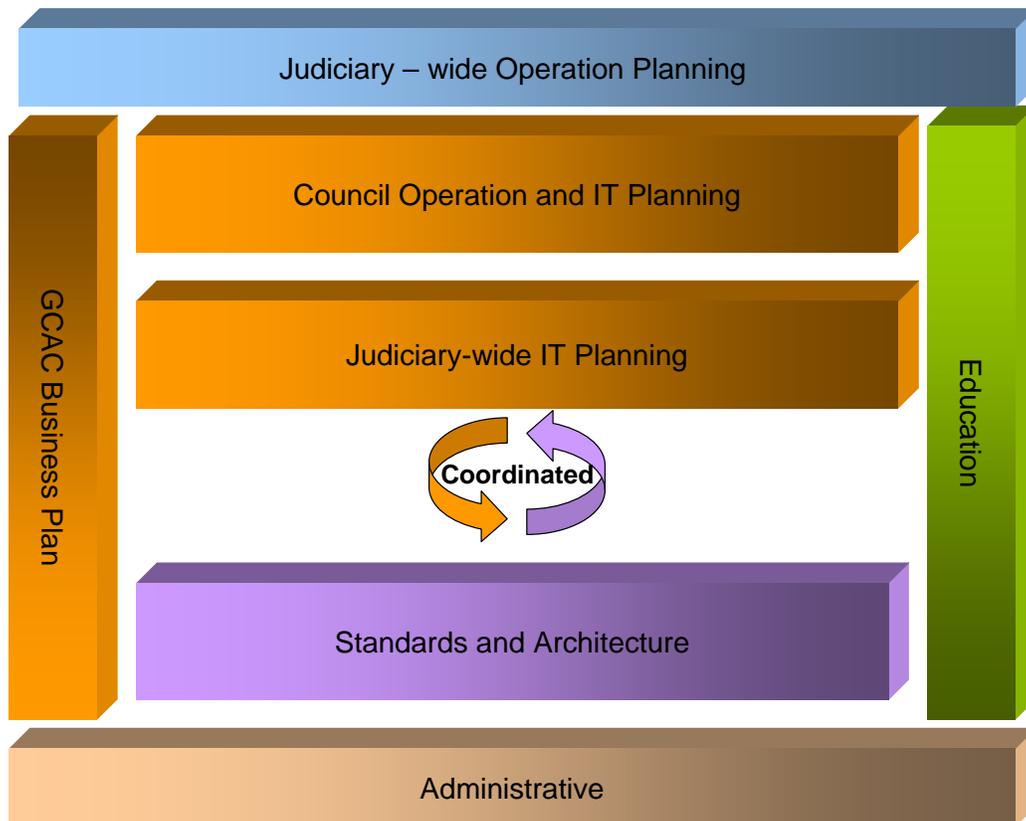
Program Area Summaries

Mission

To govern the planning, automation and sharing of information to benefit the justice system and citizens of Georgia.

The information that follows will outline each of the GCAC Program Areas in more detail. It provides the additional detail necessary to understand the scope of each Program Area and appropriate historical information related to the Program Area. The diagram below outlines Program Area Relationships.

The *Strategic Planning Program* operates in conjunction with council business and technology planning to yield a consensus of Judiciary-wide technology needs. In turn, the Planning Program Area, along with GCAC's Business Plan, drives the Standards and Architecture projects undertaken by the Commission. The Education Program provides the necessary communication and education to ensure stakeholder support and participation in the Planning and Standards and Architecture Programs.



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Strategic Planning
Program Area Summary

Commission Business Planning

The GCAC developed its first Strategic Plan in 2004 and last updated the plan in March 2008. The Strategic Plan ties initiatives of the Commission to Strategic Objectives, with measures for each.

The Strategic Planning process, begun in 2004, focuses on building a strong foundation to deliver against the legislative charter that created the Commission. In a facilitated session held during March 2008, input from full GCAC Leadership representation met to confirm progress against the 2007 Strategic Plan, reprioritize priorities for the coming years, revise the 2007 Strategic Plan to account for progress and shifts in priorities, revise the strategic map for the GCAC organization, and align and prioritize its services and programs with the strategic map.

With the completion of this effort, a Strategic Vision and Articulation Map for 2008 through 2009 was developed that will enable the GCAC to prioritize and deliver the direction and services that will best support the court automation process across the judicial system of Georgia. This resulted in a set of Strategic Objectives that ensure common judiciary-wide needs are effectively addressed, the necessary funding is made available to address those common needs, and appropriate stakeholders are educated and support and participate in the Plan. These formally stated Strategic Objectives are:

- Establish and Administer Judicial IT Governance
- Obtain Adequate Funding to Meet Objectives
- Communicate and Educate Internal and External Stakeholders

Additionally, an action plan has been created to outline the next steps required for the GCAC to begin to implement this vision across the judiciary.

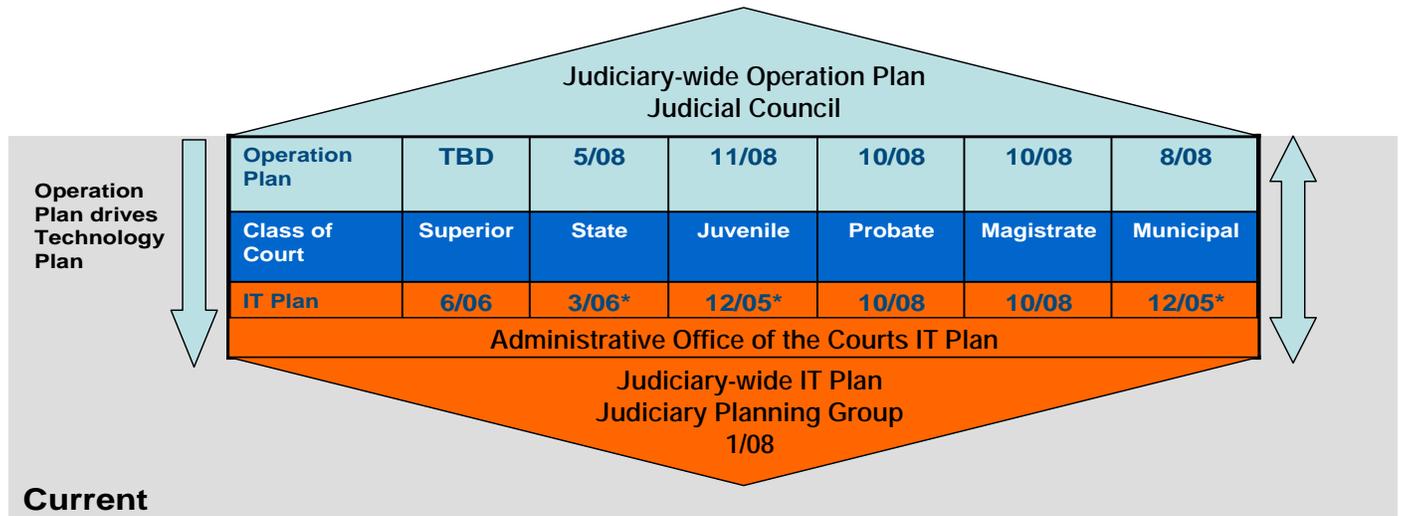
Several key highlights of the GCAC Strategic Plan are presented in the Strategy Articulation Map diagram in Appendix A and GCAC Objectives by Fiscal Year diagrams contained in the Appendix C.

Council Technology Planning

Since 2005, the Commission has worked with the councils to develop council specific Strategic Technology Plans. Common needs from each of the council plans have been consolidated into the Judiciary-wide Technology Plan. The Judiciary-wide Strategic Plan serves to plan and support budget requests for initiatives common to all classes of court.

This work with the councils leads to an integrated planning model that combines business and technology planning at the council level. The individual council plans are then consolidated to form judiciary-wide operation and technology plans.

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Additional Notes:

- Juvenile IT Plan update scheduled for 2/09
- State IT Plan update scheduled for 12/08.
- Municipal IT Plan update scheduled for early 2009
- Superior Court plans will be completed in 2009

This planning approach is consistent with leading strategic planning approaches adopted by the Executive Branch, recommend in SEARCH’s August 31, 2007 Technical Assistance Report, *Data Dictionary Project Deliverables – Evaluation and Assessment*, and the Government Technology Magazine article *Aligning IT and Business Is Priority for Public CIOs*¹.

Recent Program Area Updates

- Update of the Magistrate Court Operation Plan and integration with the Magistrate Court Strategic IT Plan.
- Update of the Probate Court Operation Plan and integration with the Probate Court Strategic IT Plan.
- Creation of collaborative executive and judicial Data Integrity Issue teams to focus on high priority judicial data integrity issues resulting from the Data Integrity Issue Identification workshop.
- Development of a standardized Strategic Plan Management process for use by the Councils for managing their Operation and IT Strategic Plans.

¹

(http://www.govtech.com/gt/articles/284857?utm_source=newsletter&utm_medium=email&utm_campaign=Local_2008_5_5)

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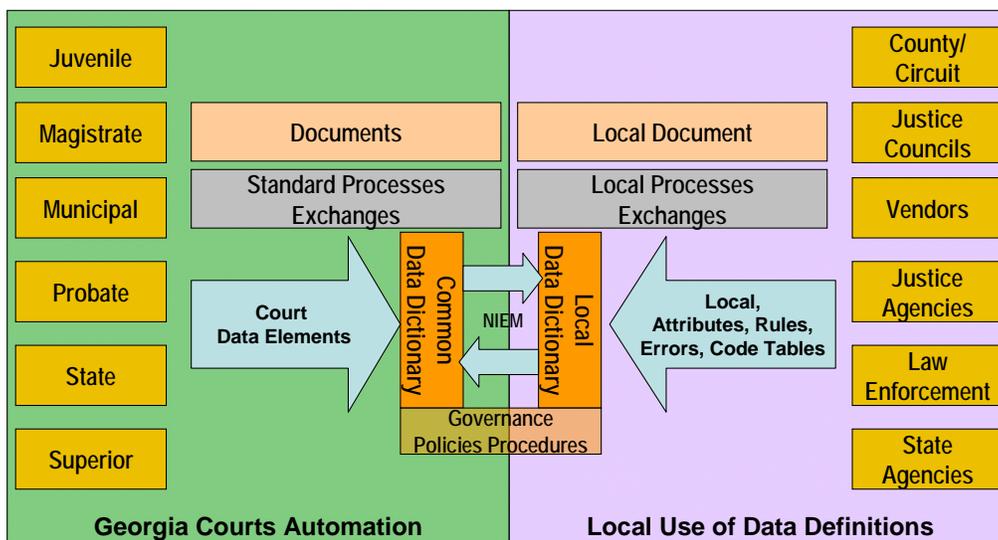
***Standards and Architecture*
Program Area Summary**

The Commission’s Standards and Architecture emphasis is to develop and provide standards and artifacts based on national standards that are applicable for use in Georgia and to provide technology assistance and review for projects with a judicial impact. The emphasis of this Program Area resulting from the 2008 Business Plan update is a natural evolution of the Data Definitions work. It aligns with the GCAC legislative charter and is needed to support the governance, adoption, and implementation of the standards and consistent operating processes across the judiciary.

Establishing the necessary governance processes and rules is a significant focus area of the Commission’s FY09 and future work. The need for these processes and rules are essential to support consolidation of funding and resource requests necessary to support those common judiciary-wide needs. The adoption and implementation of these processes and rules will require coordination with and support from the Judicial Council and individual court councils.

GCAC will also continue to support this Program Area by providing the Data Definitions for use by agencies, counties, and vendors. The Commission also has activities underway to engage with vendors and counties on the best way in which to extend the Data Definitions in order to support implementation needs at the local level. Extension of the Data Definitions is based on the concepts detailed in the Data Exchange Development Diagram that result the ongoing need to *localize* Data Definitions as they are applied at the local level.

Data Exchange Development Diagram



Recent Program Area Updates

- Continued work on the Georgia Justice Information Exchange Model.
- Completed design and began development of an enhanced Data Definition model to better support the technical user community and multi-organizational oversight model.

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Education
Program Area Summary

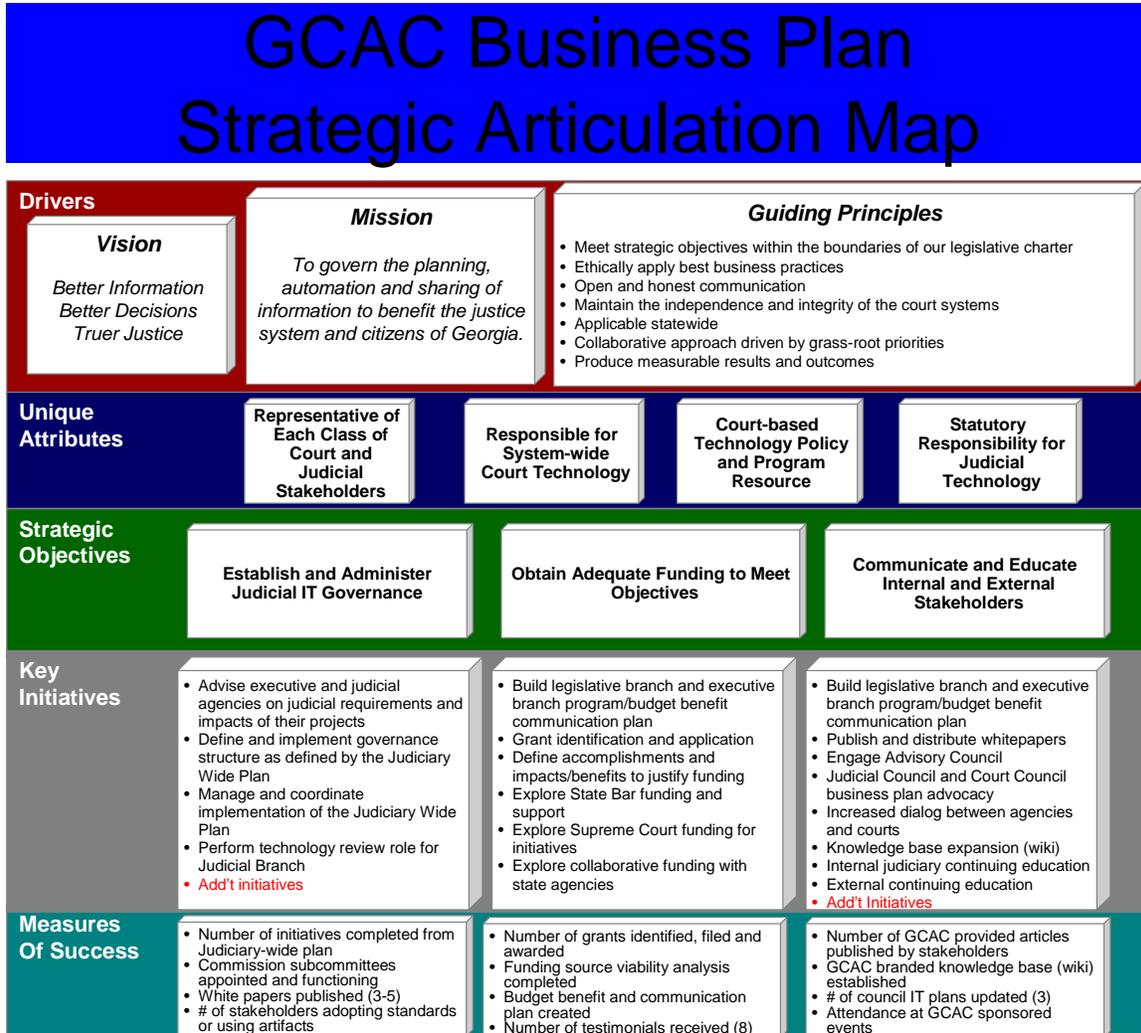
The Commission's primary focus of the Education Program Area is to promote the Integrated Planning Approach, provide access to standards and best practice material and expertise, and support the effective use of the Data Definitions and other GCAC Program methods and artifacts.

Recent Program Area Updates

- Attendance and support of the CJCC Research and Advisory Committee and meetings with the Clerks' Council
- Design of an enhanced web-based Knowledge Repository

Appendix A

GCAC Business Plan



Appendix B

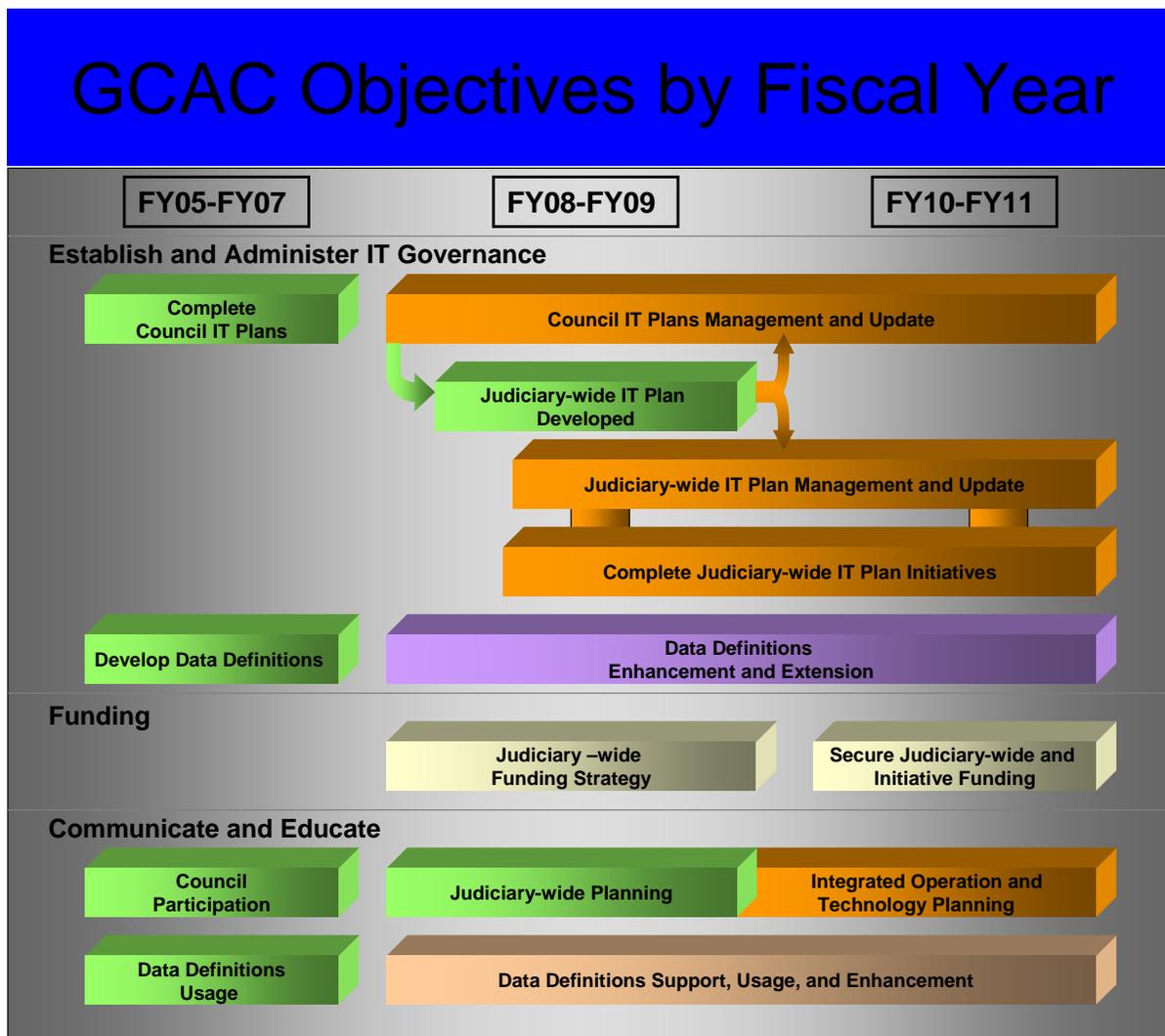
Judiciary-wide Strategic IT Plan

**Judiciary-wide Technology Plan
Strategic Articulation Map**

Drivers					
<p>Vision</p> <p>Sound Information Solutions Supporting Justice</p>	<p>Mission</p> <p>To advance the administration of justice for the citizens of Georgia through effective access to information</p>		<p>Guiding Principles</p> <ul style="list-style-type: none"> • Judiciary-wide Applicability • Beneficial to Judicial System Stakeholders • Achievable Consensus • Sustainable • Measurable Results 		
Unique Attributes					
	Non-unified / Non-uniform Courts	Multiple Funding Sources	Diversity and Disparity of Courts and Stakeholders	Lack of Clearly Defined IT Governance	
Strategic Objectives					
	Advocate for the Automation of Secure Court Processes	Monitor the Establishment and Implementation of Standards	Seek and Secure Sustainable Funding	Establish Effective Collaborative IT Governance	Educate and Communicate
Key Initiatives					
	<ul style="list-style-type: none"> • Information Security/Data Integrity <ul style="list-style-type: none"> - Paperless Judicial Process - Forms Document Collaboration - Self Help Kiosks - Digital Electronic Signature - Electronic Evidence - Automate the Generation of Court Orders - Electronic Fine and Fee Payments • Remote Court Appearances • Initiate Enabling Legislation 	<ul style="list-style-type: none"> • Online Public Access to Courts and Court Information (E-Judiciary) • Disaster Recovery/Business Continuity • Inventory of current resources • Strategic Plan Management • Standards-Related Legislative initiatives • Adoption of NIEM • Judiciary-wide IT Support for Standards • Data Definition Maintenance 	<ul style="list-style-type: none"> • Funding Strategy and Sourcing Initiatives <ul style="list-style-type: none"> - Legislation - Grants - Federal Initiatives - Technology Fees - Multi-state - Multi-agency • Surplus Equipment and Software Management/ Distribution 	<ul style="list-style-type: none"> • Create Governance Model and Charter <ul style="list-style-type: none"> - Roles and Responsibilities - Membership - Governance Contracting Capabilities • Legislative initiatives to Enable Governance Model and Charter • Ongoing Prioritization of key Judiciary-wide IT needs 	<ul style="list-style-type: none"> • Communication and Marketing of IT Plan <ul style="list-style-type: none"> - Judiciary - Legislature - Executive - Local Government - Public - Other Stakeholder • Training <ul style="list-style-type: none"> - Judiciary - Stakeholder
Measures Of Success					
	<ul style="list-style-type: none"> • Identification of Data Integrity Issues • Establish Baseline Measure • Increased Percentage of Implementation • Legislation Submitted and Passed 	<ul style="list-style-type: none"> • Establish Baseline Measure • Monitoring of Complete Initiatives • Percent Increase in Implementation • Adoption of Standard by Councils 	<ul style="list-style-type: none"> • Establish Baseline • FY09 Appropriations • Future Year Appropriations • Redistribution Rates • Costs Avoided 	<ul style="list-style-type: none"> • Model and Charter Established • Meeting with Key Influencers • Legislation Established • Needs Document and Tracked • Percent of Needs Addressed 	<ul style="list-style-type: none"> • Coordinated Plan with Councils and Stakeholder Associations • Council Endorsement of Judiciary-wide Strategic Plan • Judicial Council Adoption of Judiciary-wide Strategic Plan

Appendix C

GCAC Objectives by Fiscal Year



**Georgia Courts Automation Commission
Report to the Judicial Council of Georgia
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Appendix D

Detailed Project Report

Project Status Report Summary Chart

The table below is a component of the formal project management and financial review process used by GCAC. It highlights each FY09 project along with current activities, planned activities, and comments.

Accomplishments	Next Steps/Activities	Comments
Strategic Planning Program Area		
Judiciary Wide Strategic Planning		
<ul style="list-style-type: none"> Conducted third meeting of the Judiciary-wide Plan Data Integrity group Developed Judiciary-wide Plan presentation material for Chief Justice and Judicial Council 	<ul style="list-style-type: none"> Present Judiciary-wide Plan to Judicial Council Implement Judiciary-wide Plan Goal Manager Program Continue follow-up projects for issues identified in Data Integrity workshop Plan Probate Session for identification of Data Integrity Issues 	
Council Planning		
<ul style="list-style-type: none"> Planned Juvenile Operation Planning Session 	<ul style="list-style-type: none"> Support implementation of Goal Manager reporting system Conduct Juvenile Operation Planning Session Conduct State Court IT Plan update for December Reschedule Municipal IT Planning Session Schedule Superior Court Operation and IT Sessions 	
Standards and Architecture Program Area		
<ul style="list-style-type: none"> Made significant progress on implementing Phase 1 Data Dictionary improvements (Enhanced view of GCAC Data Definitions) 	<ul style="list-style-type: none"> Implement Data Dictionary improvements to improve NIEM mapping capabilities Present Data Definitions to potential Governance members Complete JIEM Analysis Complete Data Definitions Annual Update 	
Education Program Area		
<ul style="list-style-type: none"> Finalized plan for GCAC branded WIKI 	<ul style="list-style-type: none"> Implement WIKI plan for Data Integrity team and determine if open source license is available for GCAC Support fall and winter Council Meetings 	

State Of Georgia Georgia Courts Automation Commission



Courts Automation Commission

Judicial Council
Judiciary-wide Strategic IT Plan
Overview
December 2008

Georgia Courts Automation Commission



Integrated Judiciary-wide Operation and Technology Planning

Georgia Courts Automation Commission

The Georgia Courts Automation Commission (GCAC), along with all of the classes of courts, developed the Judiciary-wide Strategic IT Plan.

On behalf of all classes of court, GCAC is presenting the Judiciary-wide Strategic IT plan to the Judicial Council for their support.

GCAC is also requesting the Judicial Council consider sponsoring the development of a Judiciary-wide Strategic Operation Plan.

GCAC is also seeking support to include the Court of Appeals and Supreme Court into the planning model at an appropriate time for those Courts.

The Judiciary-wide Operation and IT Plans are essential for building and communicating the consensus priorities of the Judiciary, providing for the effective management of judicial operations, and supporting legislative budget requests and requirements.

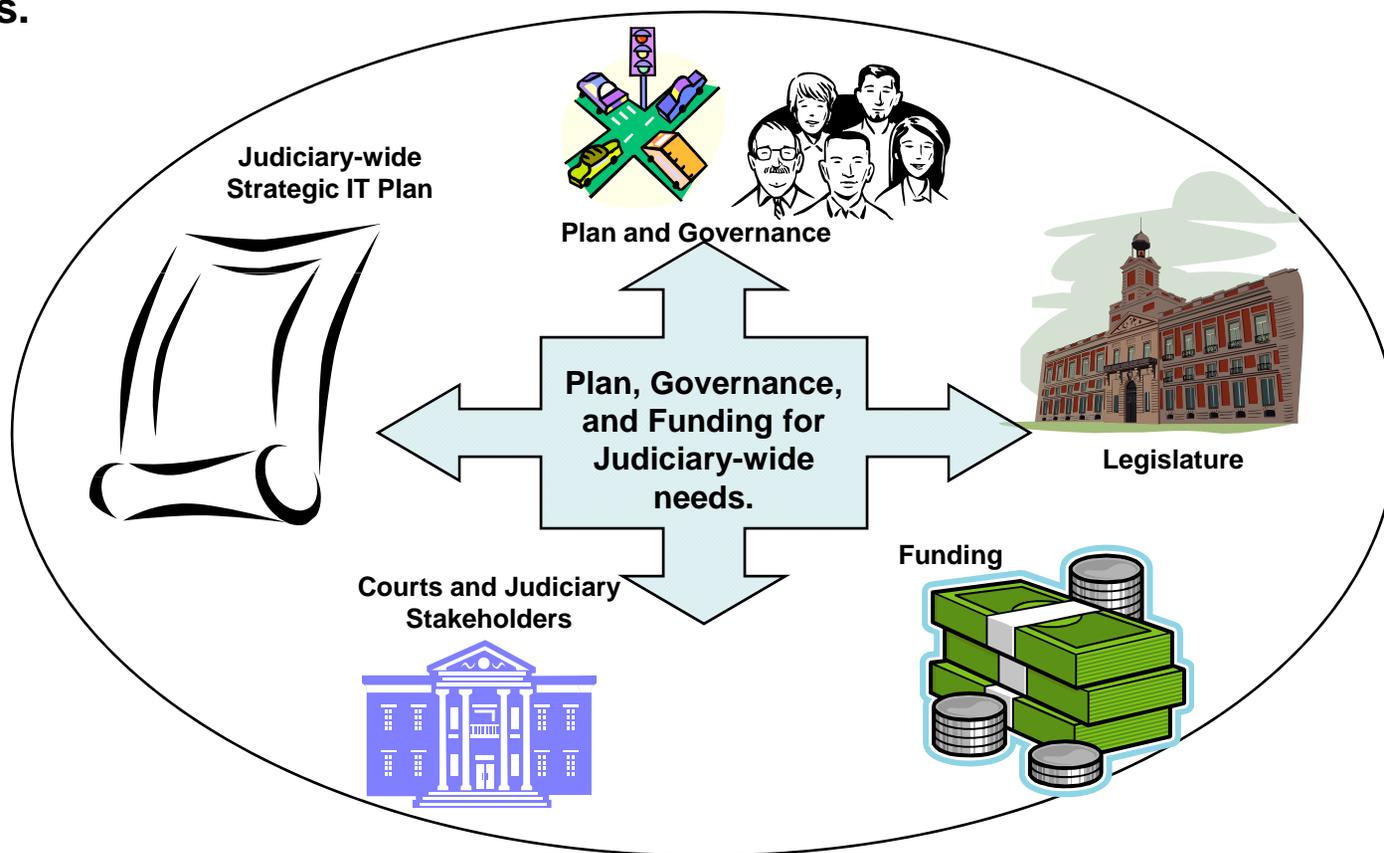


Judiciary-wide Strategic IT Plan Plan Purpose

Georgia Courts Automation Commission

The Judiciary-wide Strategic IT Plan is a consensus plan addressing needs important to all classes of the courts.

It serves as a guiding plan to communicate those common needs and associated legislative funding requests and is intended to augment the individual councils planning processes.

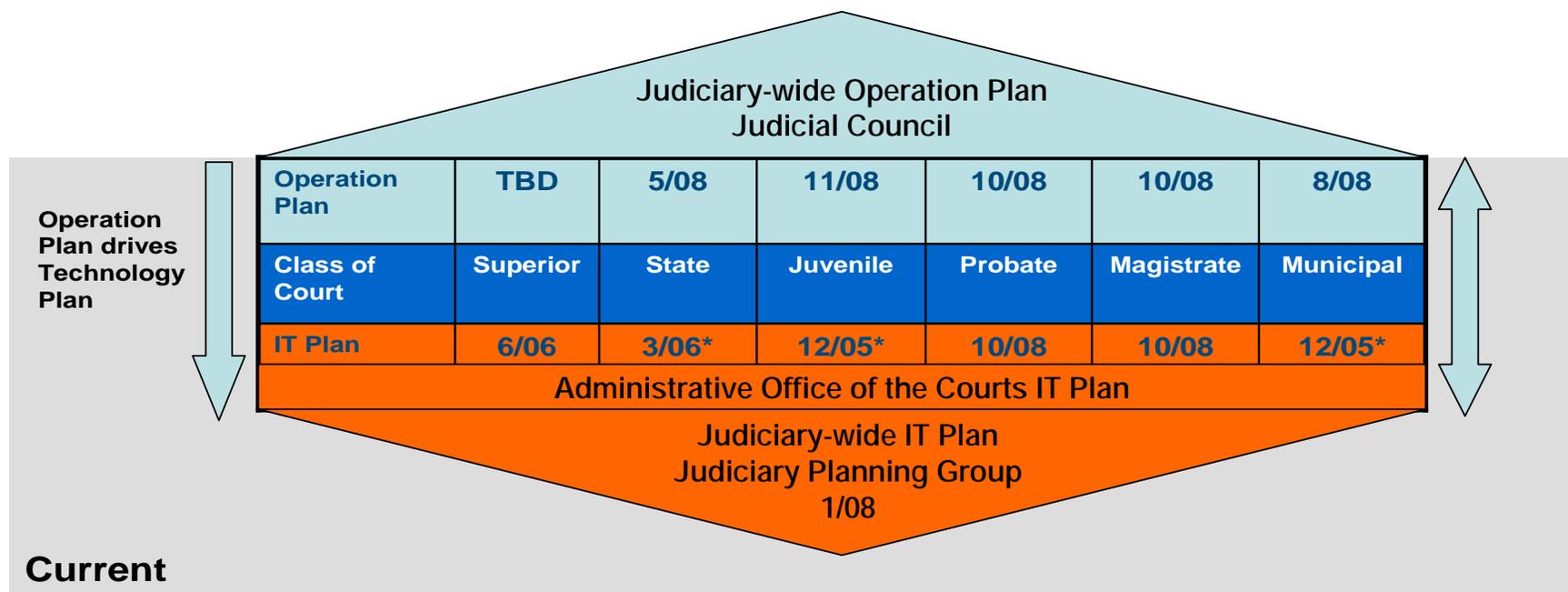




Integrated Operation and IT Planning Model

Georgia Courts Automation Commission

The planning process promotes integrated operation and technology planning at the individual council level. It also promotes consolidated operation and technology planning at Judiciary-wide level.



Additional Notes:

- Juvenile IT Plan update scheduled for 2/09
- State IT Plan update scheduled for 12/08.
- Municipal IT Plan update scheduled for early 2009
- Superior Court plans will be completed in 2009

Future activities should address the incorporation of the Court of Appeals and Supreme Court into the planning model.

Georgia Courts Automation Commission Strategic Planning Program

Map of Outcomes by Stakeholder

The Judiciary IT Planning approach results in an outcome-based, coordinated plan. The various stakeholders have been favorably impacted as the Strategic Planning Program has been implemented.

		 Courts	 Citizens	 Justice Agencies	 Legislature
Incremental Steps and Change / Aligned with Operation Plans	FY05	Limited Planning and Strategies	Unmet Needs	Non-Standard Implementations	Disjointed Funding Requests
	FY06 /07	Standardized IT Planning Standards Development	Varying Services Received	Recommended Procedures and Standards	Individual Court Outcome-Based Funding Requests
	FY08	Judiciary-wide Planning Standards Enhancement	Common Services Provided	Practical Standards Coordinated Solutions Reduced Costs	Joint Standards Coordinated Solutions
	FY09	Integrated Operation and Technology Planning Application of Standards	Efficient and Effective Services	Coordinated, Outcome-Based Funding Requests	Highly Prioritized, Coordinated, Outcome-Based Funding Requests

Georgia Courts Automation Commission Judiciary-wide Strategic IT Plan

As the Judiciary-wide Strategic IT Plan represents a consolidation of common needs of the classes of courts, many projects are already underway. However, they are now examined from a judiciary-wide perspective versus the perspective of a single class of court.

Drivers

Mission

To advance the administration of justice for the citizens of Georgia through effective access to information

Strategic Objectives

Advocate for the Automation of Secure Court Processes

Monitor the Establishment and Implementation of Standards

Seek and Secure Sustainable Funding

Establish Effective Collaborative IT Governance

Educate and Communicate

Key Initiatives

- Information Security/Data Integrity
 - Paperless Judicial Process
 - Forms Document Collaboration
 - Self Help Kiosks
 - Digital Electronic Signature
 - Electronic Evidence
 - Automate the Generation of Court Orders
 - Electronic Fine and Fee Payments
- Remote Court Appearances
- Initiate Enabling Legislation

- Online Public Access to Courts and Court Information (E-Judiciary)
 - Disaster Recovery/Business Continuity
 - Inventory of current resources
 - Strategic Plan Management
 - Standards-Related Legislative initiatives
 - Adoption of NIEM
 - Judiciary-wide IT Support for Standards
 - Data Definition Maintenance

- Funding Strategy and Sourcing Initiatives
 - Legislation
 - Grants
 - Federal Initiatives
 - Technology Fees
 - Multi-state
 - Multi-agency
- Surplus Equipment and Software Management/ Distribution

- Create Governance Model and Charter
 - Roles and Responsibilities
 - Membership
 - Governance Contracting Capabilities
- Legislative initiatives to Enable Governance Model and Charter
- Ongoing Prioritization of key Judiciary-wide IT needs

- Communication and Marketing of IT Plan
 - Judiciary
 - Legislature
 - Executive
 - Local Government
 - Public
 - Other Stakeholder
- Training
 - Judiciary
 - Stakeholder

In Process

FY09 to FY11 Planned

Future

Measures Of Success

- Identification of Data Integrity Issues
- Establish Baseline Measure
- Increased Percentage of Implementation
- Legislation Submitted and Passed

- Establish Baseline Measure
- Monitoring of Complete Initiatives
- Percent Increase in Implementation
- Adoption of Standard by Councils

- Establish Baseline
- FY09 Appropriations
- Future Year Appropriations
- Redistribution Rates
- Costs Avoided

- Model and Charter Established
- Meeting with Key Influencers
- Legislation Established
- Needs Document and Tracked
- Percent of Needs Addressed

- Coordinated Plan with Councils and Stakeholder Associations
- Council Endorsement of Judiciary-wide Strategic Plan
- Judicial Council Adoption of Judiciary-wide Strategic Plan



Judiciary-wide IT Plan Adoption and Participants

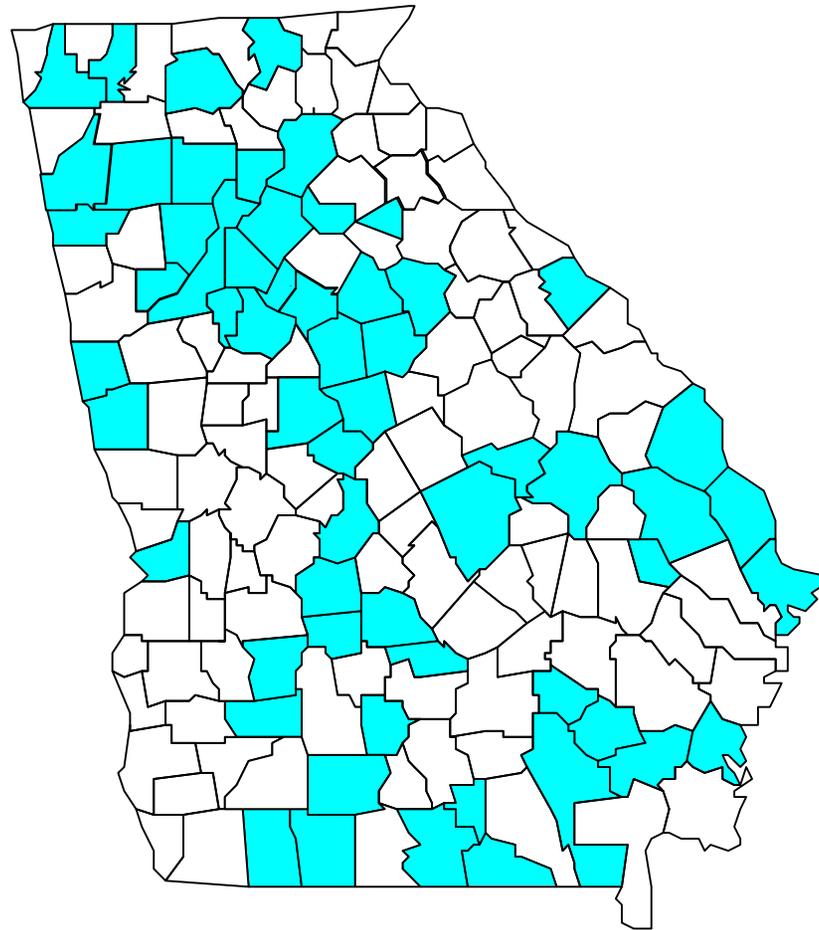
Georgia Courts Automation Commission

The Judiciary-wide Strategic IT Plan and Process has been presented to and adopted by all Court Councils.

The Strategic IT and Operation Planning Program has involved representatives from all parts of the State.

The map to the right highlights the home counties of participants to date.

It understates the actual participation as many of the representatives provided representation for their circuit or district.





Judiciary-wide Strategic IT Plan Current Projects

Georgia Courts Automation Commission

The initial projects resulting from the Judiciary-wide IT plan have been well-received by both judicial and executive stakeholders.

- ▶ **Judicial Data Integrity Sample Project**
 - **Supported by more thirty-two (32) participants from twenty-three (23) justice system organizations.**
 - **Projects involving participants from all levels and branches have begun to address five high priority issues.**
 - **Standard Charges Codes, Data Sharing, Victim Notification, Conditions of Sentencing, Criminal History**

Participant Survey Comments:

- **We need to continue to press the issue of the importance of court integration projects. In addition we need to fix the many problems with the GCIC. Currently data is not being reported correctly and most Clerks are at a loss of what to do to correct the problem.**
- **Collaboration is the key to using our resources effectively and efficiently to produce high-quality results. Without trustworthy, reliable data our processes and systems are not defensible.**
- **Our ability to effectively communicate impact the lives of citizens in profound ways**
- **Getting agreement between all parties so we can establish baselines and begin directing the system as a whole towards measurable change that we can track achievable outcomes. This will go a long way in establishing public trust.**
- **This is a forum for severely needed communication among our entities.**



Georgia Courts Automation Commission

- ▶ **The Judiciary-wide Strategic IT Plan is the result of work with all classes of courts and represents the State's first consensus Judiciary-wide Plan.**

- ▶ **A plan of this type is essential as it will:**
 - **Identify, justify, and provide support for initiatives important to the Judiciary**
 - **Protect continuity of funding to address those essential and common needs**
 - **Identify those areas where we can gain efficiencies across multiple courts**
 - **Provide a consensus and measurable plan**

- ▶ **Therefore, GCAC is requesting the Judicial Council:**
 - **Support the Judiciary-wide Strategic IT Plan**
 - **Sponsor the development of a Judiciary-wide Strategic Plan.**
 - **Recommend the inclusion of the Court of Appeals and Supreme Court into the Strategic Planning model at an appropriate time for those Courts**

State Of Georgia Georgia Courts Automation Commission



Courts Automation Commission

Judicial Council
Judiciary-wide Strategic IT Plan
Overview
December 2008

Georgia Courts Automation Commission

Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

Reply to:
Commission on Interpreters

To: Members of the Judicial Council of Georgia

From: Cynthia Clanton, General Counsel and Associate Director for Regulatory
Linda P. Smith, Project Coordinator for COI

Re: Georgia Commission on Interpreters Annual Report (FY 2008)

Date: December 8, 2008

CC: Presiding Justice Carol Hunstein, Chair of Commission on Interpreters

Since 2003, the Georgia Commission on Interpreters (COI) has continued to successfully carry out its charge by regulating court interpreters in Georgia and approving court interpreter programs, developing the criteria for the training and certification of interpreters, and establishing standards of professional conduct. Currently, the Commission regulates 329 licensed court interpreters, representing 14 different languages, such as Arabic, Cantonese, Farsi, Haitian-Creole, Japanese, Korean, Mandarin, Persian, Polish, Portuguese, Romanian, Russian, Spanish, and Vietnamese. Eighty-five of these interpreters are “certified” by the Commission and have passed a rigorous national exam administered by the COI staff. In an effort to expand the pool of qualified interpreters serving the courts, in 2008 the Commission voted to create a new classification of interpreters, “Conditionally Approved,” for individuals who have passed certain licensing exams but have not yet become certified. This classification will now give the Commission three licensing levels for court interpreters: Certified, Registered and Conditionally Approved. It is anticipated that on January 1, 2009, thirty-one interpreters will be eligible for the new Conditionally Approved classification.

The 20 person Commission met five times this year in order to oversee all of the above-listed work. Additional accomplishments included the following:

- The development of a “Model Form” for use when an individual is appointed to serve temporarily as an interpreter but is not currently licensed by the Commission;
- The development of specific guidelines for use when reviewing an interpreter candidate’s criminal history prior to licensure;
- Conducting a new and innovative skill-building workshop for potential interpreters at Georgia State University;
- Two hundred and fourteen written and/or oral examinations were administered to prospective court interpreters. This was an increase from last year.
- One hundred and thirty nine prospective and/or active interpreters were trained;
- A new training was developed and conducted on the use of interpreters in hearings before Administrative Law Judges; and
- The Commission began developing a strategic plan to guide its future activities.

Judicial Council of Georgia

Administrative Office of the Courts

David L. Ratley
Director

Supreme Court of Georgia's Commission Children, Marriage and Family Law Committee on Justice for Children Judicial Council Report, December 2008

On October 4, 2006, The Supreme Court of Georgia renamed the Child Placement Project to the Committee on Justice for Children. This name works in conjunction with the new Supreme Court Commission on Children, Marriage and Family Law, which includes the Committee on Justice for Children (J4C). The Committee on J4C was re-funded to continue its work by Congress for an additional five years beginning in October 2006. For the last 12 years, the mission of this work has remained constant, which is to improve the court process of child deprivation cases.

Justice P. Harris Hines serves as the current chair of the Committee on J4C. Committee members representing the judiciary, the state bar, the Department of Family and Children Services as well as the community include: Ms. Isabel Blanco, Deputy Director of the Division of Family and Children Services; Mr. Duaine Hathaway, Executive Director of Georgia CASA; Judge Michael Key, Troup County Juvenile Court; Dr. Normer Adams, Executive Director of the Georgia Association of Homes and Services for Children; Attorney Kathleen Dumitrescu, Atlanta Volunteer Lawyer Foundation; Judge Peggy Walker, Douglas County Juvenile Court; Judge Jackson Harris, Superior Court Judge, Blue Ridge Judicial Circuit; Senior Juvenile Court Judge James Morris; Judge Desiree Peagler, DeKalb County Juvenile Court; Attorney Robert Grayson, Cobb County, Special Assistant Attorney General; Judge Lawton Stephens, Western Judicial Circuit; W. Terrence Walsh, Alston & Bird, Chair of the State Bar Committee Children and the Courts; Ms. Lisa Lariscy, Gwinnett County DFCS Director; Judge Kevin Guidry, Juvenile Court of the Piedmont Circuit, and former Juvenile Court Judge Tom Rawlings, now Director of the Office of the Child Advocate. An extensive list of Committee advisors has also been formed and is listed on the website below.

Georgia has over 12,000 children in state custody due to child abuse or neglect. Priority goals for 2008 include: improving the process of appealing termination of parental rights cases; improving the quality of representation of children, parents and the agency; defining and implementing a set of child outcome measures for courts in deprivation cases; hosting summits to reach over 12 judicial circuits (52 counties); and exploring the judiciary's role in family preservation.

Improvement goals for the past nine years have included: automation of the deprivation case records; cross-training and setting standards of practice for all participants in juvenile court; increasing the representation of parents and children in juvenile court; and obtaining state funding for juvenile court judges. Benchmarks for some of these goals have been reached, while others have needed refinement.

For 2009, J4C will continue to focus on quality assurance for continuous improvement, which is done by reviewing children's case files and observing court hearings. These reviews will focus on timeliness of hearings, due process measures and quality of representation. J4C has a web site hosted by the AOC with regular progress reports and publications as well as a list serve open to all interested. See: www.gajusticeforchildren.org



Judicial Council of Georgia

Administrative Office of the Courts

David L. Ratley
Director

CHILD SUPPORT COMMISSION

The Child Support Commission appointed a Forms Subcommittee to assist the Commission in fulfilling the duties of developing, publishing, and updating the worksheets and schedules associated with the use of the child support obligation table and the child support guidelines. The Forms Sub-committee Chair appointed an Electronic Worksheet Task Force to review use of the electronic worksheets, Excel and web-based.

During those meetings it was determined that use by the public of the web-based calculators is limited and that most of the judges are using the Excel electronic calculator. Continuing emphasis was placed on determining if it would be prudent to continue to operate and maintain the web-based calculators. It was determined that the expenditures needed for continued maintenance by the Department of Human Resources, Office of Child Support Services are too costly. The Administrative Office of the Court and the Office of Child Support Services has agreed that it will be necessary to phase out and shut down the web-based calculators.

The AOC will assume full responsibility for the maintenance of and enhancements to the Excel calculator to ensure functionality for the courts. A phase out plan and transition to Excel is being coordinated between these agencies to ensure little or no impact to the court system and the general public. Training will be offered to judges, their staff, attorneys, the Office of Child Support Services staff, Family Law Information Centers, librarians and many others to prepare them for this phase out of the web-based calculators and to make all users aware of the enhancements added to the Excel calculator tools. Effective November 3, 2008, the AOC began hosting the downloadable Excel calculators for access by all users. Enhancements to the Excel worksheets include:

- **Opt In/Opt Out Box for the Low Income Deviation**—will allow the Noncustodial parent to request the Low Income Deviation with Self Support Reserve.
- **Comment Box and footnote**—will allow entry of comments and footnotes intended for court communications.
- **Specify Type of Deviation on Line 10 of Worksheet**—will display on Line 10 of the Worksheet the types of deviations entered on Schedule E.
- **Add language at top of Schedule E requiring if any deviation is requested or determined, questions labeled as “b,” “c,” and “d” must be completed**— will stress why these questions must be answered when deviations are requested.
- **Print only appropriate pages with data entered**—option to print only pages containing data.
- **Data Entry Form and Standard Worksheet and Schedules**—electronic method for collecting information on Worksheet and Schedules using one continuous page or will allow one the option to enter information on the worksheet and schedules.

- **Eliminate wasted space in current forms to reduce printed pages**—existing Worksheet and Schedules will be modified to better utilize available space, including changes to font sizes.
- **Self Employment Income Calculator**—a Self Employment Income Calculator will enter results in an amount that will populate on Line 3 of Schedule A.
- **Change parenting time deviation to not adjust line 5**—changes how parenting time displays and calculates. Removes calculation from Line 5 of worksheet to Schedule E with Deviations.
- **Use bubble help in the Excel electronic calculator for explanations**—will use bubble boxes for help and instructions.
- **Excel should be compatible with Excel 97 and greater**—and with Apple Macintosh computers.
- **Round off the final support obligation**—round final child support obligation amount to a whole number.
- **Design Changes to Specific Deviations 2b through 9**—will create a better understanding of what numbers to enter on the specific and nonspecific deviation lines on Schedule E, Lines 2b through 10.
- **Add DHR, ex rel., to heading of web-based and Excel worksheets**—style of a case filed by the (DHR), Office of Child Support Services (OCSS), will reflect DHR on behalf of the children.
- **EZ Paper and Pen Version**—will allow for quick entry of worksheets in Domestic Violence cases.



A CALL TO ACTION



Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration

November 7, 2008

Chief Justice Leah Ward Sears

**Chief Justice-Led Task Force to Promote
Criminal Justice/Mental Health Collaboration**

A Call to Action
Final Report and Recommendations



**Presented to Chief Justice Leah Ward Sears
November 7, 2008**

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Executive Summary

Large numbers of persons with mental illness repeatedly make their way into Georgia's jails, courtrooms and prisons for misdemeanor and low level felony crimes precipitated by their mental illness. About 16-20 % of the people in Georgia's jails and prisons have been identified as living with a serious mental illness. The population of mentally ill offenders in the Georgia prison system has increased to more than 8,500 - a more than six and a half fold increase since 1991. The prevalence of mental illness in the Georgia inmate population is several times greater than that of the general population.

The task force finds that the issues regarding persons with mental illness in the criminal justice system have been well-studied, researched, and documented by federal agencies, other states, and advocates for the mentally ill in Georgia and around the country. The problems and service gaps that the task force has identified in Georgia are similar to the problems in other states. The solutions we propose for adults include widely accepted best practices which are described in our recommendations and in a September 2008 white paper prepared by the Forensic Taskforce of the Board of Directors of the National Alliance on Mental Illness (NAMI), included as Appendix A. These best practices have documented outcomes to improve the lives of persons with mental illness, to reduce crime and increase public safety, and to save taxpayer dollars. The task force recognizes the need for effective prevention, early intervention and best practice treatment programs to be adopted in Georgia for children and youth, from birth through adolescence, to reduce risks, build resilience, and identify and intervene with early symptoms of mental illness.

To ensure that taxpayer dollars are wisely spent on the most effective solutions, there must be flexibility to create an effective community based service delivery system based on research-based best practices for prevention and treatment of mental illness and co-occurring addictive diseases. This community based services system will ultimately decrease the demand for costly hospital services and incarceration. The Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration issues a call to action for policymakers to prioritize state spending to focus on a comprehensive quality system of community -based and inpatient services for children, youth and adults with mental illness that can reduce the risk of their coming into contact with the juvenile and criminal justice systems. To ensure justice for people with mental illness who do come in contact with the juvenile and criminal justice systems, and to promote public safety, priority must be given to funding care management-based community programs that are alternatives to incarceration. Policymakers, judges, advocates, and the treatment community must also review Georgia's civil commitment statutes to ensure that they are most effective in providing for public safety while protecting the rights of persons with mental illness. The members of the task force stand ready to participate as part of a broad coalition of stakeholders to implement these recommendations.

Public policy must change. As a State, we must recognize and act on the need to change. We must fund and implement what we know works.

Acknowledgements

The members would like to express their appreciation to Chief Justice Leah Ward Sears for her leadership in implementing the Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration.

Executive Steering Committee Members:

Chief Judge John D. Allen, Muscogee County Superior Court, Co-chair
Chief Magistrate Judge Winston P. Bethel, DeKalb County Mental Health Court, Co-chair
Judge Stephen S. Goss, Dougherty County Superior Court
Judge Peggy Walker, Juvenile Court of Douglas County
Mr. Richard Harrison, Director of Behavioral Health Services, Department of Juvenile Justice
Sheriff Bill Masee, Georgia Sheriff's Association, Baldwin County Sheriff
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Judge Kathlene Gosselin, Northeastern Circuit Superior Court
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Judge Susan Tate, Clarke County Probate Court
Ms. Gwen Skinner, Director, DHR, Division of Mental Health, Developmental Disabilities and Addictive Diseases

Task Force Members:

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 Ms. Eden Freeman – Assistant Director for Grants and Project Management
 Ms. Melva Steps – Project Director, Georgia Alliance for Drug Endangered
 Children
 Ms. Debra Oliver – Assistant, Children, Families and the Courts
 Ms. Christine Fludd – Project Assistant Intern, Spelman College

Background

In February 2007 the Council of State Governments (CSG) Justice Center¹ selected Georgia's State Supreme Court to participate in the *Chief Justices' Criminal Justice / Mental Health Leadership Initiative*, a national project designed to assist state supreme court chief justices in guiding efforts in their state to improve the response to people with mental illnesses in the criminal justice system. According to a 2006 report by the U.S. Bureau of Justice Statistics, nearly a quarter of both state prisoners and jail inmates who reported they had a mental health problem had served three or more prior sentences to their current incarceration.²

"Improving outcomes for people with mental illness involved in the criminal justice system requires extensive collaboration among leaders in the judiciary, the legislature, and the administrators of multiple state agencies," said Massachusetts State Representative Mike Festa, Chair of the Justice Center Board of Directors, "We established this initiative because in many states, a state supreme court's chief justice is uniquely positioned to convene and lead a multi-branch discussion on this issue that leads to real, meaningful action."

The Georgia Supreme Court Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration began meeting in June 2007. Chief Justice Sears wanted to bring together an inclusive group of stakeholders. The seventy member group includes judges, legislators, executive branch state, county and local agencies, members of the medical and treatment communities, consumers and consumer advocates, law enforcement officials and officials in Governor Sonny Perdue's administration. The Executive Steering Committee consisting of the task force co-chairs and co-chairs of the four working groups guided the work.

Statement of the Problem

In recent years, there has been an increase in the number of persons coming into the court system with documented mental health and co-occurring substance abuse issues. Many of these persons have committed misdemeanor or non-violent, low-level felonies precipitated by their mental illness. This is due, in part, to years of cutbacks in public mental health funding in spite of the 51% increase in Georgia's population since 1990. The consequence is a public mental health system with inadequate community services resulting in an over reliance on an underfunded hospital system. Georgia is the nation's 9th most populous state but out of 51 states, Georgia ranks 35th in state hospital spending, 42nd in community mental health spending and 45th overall in for state agency mental health spending.³

The Georgia Sheriffs' Association estimates that at least 20% of the persons incarcerated in county jails throughout the state have a serious mental illness (schizophrenia, bi-polar disorder, major depression). The Georgia Department of Corrections reports that 16% of inmates have a diagnosed serious mental illness. Many others have symptoms of mental illness and approximately 66 - 75% has co-occurring substance abuse issues.⁴ In less than 20 years, the state prison population has increased 209%⁵ and the county jail population has increased at least 134%⁶,

greatly increasing the number of persons with mental illness who are incarcerated. The increasing numbers of people with mental illness appearing in criminal courts, and the frequency with which they cycle through Georgia's prisons and jails, has significant implications for the administration of its judicial system, as well as for public safety and government spending. The biggest impact is on the well being of the person with mental illness and their opportunity to live a stable life in the community.

In the State of Georgia alone, approximately 350,000 individuals have a severe mental illness. In 2006, the National Alliance on Mental Illness (NAMI) gave Georgia a grade of "D" for its mental health system.⁷ Sadly, "D" was the average grade for the country. Many individuals with mental illness are homeless, living on the streets, or are incarcerated in jails. While improvements in medications and other methods of treatment over the years are significant, community services are largely inadequate and a lack of understanding about mental illnesses and other brain disorders dramatically reduce the availability and acceptance of treatment services.⁸

The population of mentally ill offenders in the Georgia prison system has increased to more than 8,500 - a more than six and a half fold increase since 1991.⁹ The prevalence of schizophrenia and other psychotic disorders in the inmate population is 3-5 times greater than the general population, and for bi-polar disorders the prevalence is 1.5-3 times greater than the general population.¹⁰ The de-institutionalization of the mental health system, without the funding of adequate community resources, has caused jails to become *de facto* mental health centers.¹¹ Compounding the issue, at the local level, many of our county jails are filled to capacity with mentally ill persons, creating a financial burden on the community. In addition, prisons and jails are often not equipped to properly treat those persons with mental illnesses.

As in most states which have not yet revised their statutory procedures for involuntary treatment of mental illness in certain specified circumstances, the criteria in Georgia to order a person to receive involuntary mental health treatment on an outpatient basis closely mimics the criteria for involuntary inpatient commitment. Largely due to this one obstacle, courts often lack the ability to intervene on a timely basis when involuntary outpatient treatment is warranted, or to otherwise use Georgia's mental health code to help chronically, seriously ill persons who are unable or unwilling to obtain treatment on their own. Consequently, such persons often fall through the cracks of the system. The tragedy of the Virginia Tech shootings in 2007 has raised anew this issue. Virginia's outpatient commitment statute has since been revised, as have the statutes of 18 other states over the past 10 years.¹²

A good involuntary treatment statute must reflect a balance of procedures that protect the rights of the individual, his or her safety and well-being, and public safety. It must afford the opportunity for outpatient treatment sufficient to stabilize the person to the extent that he or she can live safely in the community. A statute should be crafted to enable us to deal with serious problems effectively without casting an overly broad net. People who are willing to receive treatment but unable to access it and people who are not seriously, chronically ill should not be swept into the involuntary system unnecessarily.

Involuntary outpatient treatment for at least 6 months was found in a comprehensive North Carolina study to decrease hospitalizations by 57%.¹³ Recent data from the New York Department of Mental Health reveals that since the implementation of Kendra's Law 5 years ago, 77% fewer participants who receive assisted outpatient treatment experience hospitalization.¹⁴ A critical aspect of Georgia's current statutory scheme which must be noted is that it was created in a time when seriously ill persons were committed to state hospitals on a long-term basis without adequate due process protections. In today's world of deinstitutionalization and short hospital stays of only a few days to a few weeks, the old roadblocks to prevent someone from being shut away for life should not be permitted to stand in the way of a person's being required to receive treatment in the community for one, or possibly two, years in order to prevent them from becoming a danger to themselves or others. In other words, a statute focused on community based, involuntary *treatment* should be structured quite differently from a statute focused on long-term hospitalization through involuntary *commitment*.

One jurist author on this subject has suggested that there is another possible fallacy in our statutory approach. As he frames the problem, "For all other illnesses, if the patient does not have the capacity to make an informed decision about his or her illness, a third party can be given the power to consent to timely treatment. However, this is not the case for mental illness . . . in most states, the current Mental Health Code will not permit involuntary treatment for mental illness, even if the individual lacks the capacity to make an informed decision about his or her illness, unless it is also proven that the person is a danger to self or others. For example, a guardian is empowered to make end of life decisions, permanent placement decisions, and decisions about amputation and other major decisions; but, the guardian has no authority to consent to involuntary mental health treatment that would restore capacity and avoid harms such as homelessness or incarceration."¹⁵ In the opinion of some, constitutional standards do not require that the right to refuse treatment be extended to the mentally ill when they lack the capacity to make an informed decision regarding treatment (which would include a basic understanding of the benefits and consequences thereof). Much is made of a patient's right to refuse treatment. There is very little consideration of a patient's right to be well.

Children and Youth

Neuroscientists have documented that our earliest days, weeks and months of life are a period of unparalleled growth when trillions of brain cell connections are made. Research and clinical experience also demonstrate that health and development are directly influenced by the quality of care and experiences a child has with his parents and other adults. Zero-to-Three is a national nonprofit, multidisciplinary organization that supports the healthy development and well-being of infants, toddlers and their families. The mission of Zero-to-Three is to promote the health and development of infants and toddlers. The organization carries out that mission through a range of activities that inform, educate, and support the adults who influence very young children's lives.¹⁶

Poor and minority children face risks and disadvantages that often pull them into a Prison Pipeline. This Pipeline leads children to marginalized lives and premature deaths. The Prison Pipeline initiative works to break this crisis by

expanding the access and use of available local resources. These resources include providing all children needed mental health care, improving low-income and minority children's access to quality education, and preventing youth with mental health problems from being subjected to zero tolerance expulsion policies, entering the juvenile justice system, or incarceration.¹⁷

The problems related to youth entering the juvenile justice system are troubling. Approximately 65% to 70% of juvenile justice youth have at least one diagnosable mental health disorder. About 20% of children and adolescents experience a mental disorder. About 10% experience mental illness severe enough to cause impairment at home, in school, and in the community. Less than 50% of these youth receive the treatment they need.¹⁸ These children and youth often exhibit some form of chronic disruptive behavior in the classroom, but unfortunately identification and case management does not usually begin until the children enter the juvenile justice system.

While it is difficult to precisely define "disruptive behavior," it is a chronic pattern of threatening and/or troublesome behavior that deviates significantly from the cultural norm of the peer group. This behavior creates an atmosphere that interferes with the efficient functioning of the living or learning environment. The use of the word "chronic" in this definition implies a habitual pattern of behavior as opposed to a rare or occasional outburst.

A child or teenager with a diagnosed condition or mental illness does not automatically fall into this group if their condition is being adequately managed and they are able to function fairly well. Nor is a specific diagnosis required. Consider the fourth-grader who consistently disrupts the classroom, sometimes violently, or the junior high student from an extremely chaotic home who barely attends school, has started using drugs and alcohol, and seems drawn to risky situations and peers. Also consider the depressed, suicidal high school girl whose concerned parents are at wit's end.¹⁹

Left alone, the problems of these youth are likely to worsen and to cause continued disruptions in adulthood that result in a higher likelihood of involvement with the corrections system. The suffering and hardship for these children and youth also has serious effects on immediate family, peers, classmates, teachers, schools, neighborhoods, and communities. The public bears many direct and indirect financial costs, such as increased security costs in schools and other public facilities, costs associated with the criminal justice system, medical and substance abuse treatment, and in general the higher costs of later help if early intervention did not occur or was not effective.

Often times, youth with chronic disruptive behavior do not receive appropriate intervention or case management services until they reach the juvenile justice system. The signs are present that they need immediate attention, but often disregarded as a mere issue of personality flaw, individual characteristic, or lack of appropriate and positive family support. A more assertive process must be in place to identify youth with this type of mental illness, refer to the appropriate resources, and provide an effective system of case management and care.

There appears to be a lack of continuity, coordination, and communication among systems on a local and state level in Georgia. Currently high caseloads carried by the different agencies that serve children may not leave enough time to communicate and coordinate services among agencies.

Former First Lady Rosalynn Carter eloquently states that the problem of incarcerating the mentally ill for non-violent crimes and misdemeanors has two causes: an inadequate mental health infrastructure and misplaced priorities of people who can help.²⁰ In their newly released book, Responding to Individuals with Mental Illness, Michael T. Compton, M.D., and Raymond J. Kotwicki, M.D., have designed a guide for criminal justice professionals for recognizing mental illness and responding to those people during times of crisis. The book highlights the multitude of problems with the criminalization of the mentally ill. “Because individuals with a serious mental illness are no more likely to commit a serious crime than those in the population without mental illness, it would seem that their high arrest rate and incarceration rates are unnecessary mistakes. Mental health-criminal justice partnerships are key ways to avoid making the same mistakes in the future.”²¹

Activities of the Task Force and Work Groups

The Council of State Governments held a national forum in Atlanta on April 30 – May 1, 2007, for the seven Supreme Courts and their teams that were selected for the *Chief Justices’ Criminal Justice / Mental Health Leadership Initiative*. Key leaders from each state received training from national experts on starting the local Chief Justice-Led Task Forces on Criminal Justice/Mental Health Collaboration.

The inaugural meeting of the Georgia task force was held on June 26, 2007. Chief Justice Sears welcomed the task force members and recognized the collective talents and experience that the members brought for this critical effort and stated that collaboration, compassion, and intense commitment will be integral to making this initiative a success.

Justice Sears addressed the task force with the following remarks:

“When I was a Superior Court judge in the 1980’s, there were few options available for a defendant who was mentally ill, but competent to stand trial. He or she was subject to the traditional criminal justice model like everyone else, regardless of whether the mental illness precipitated the arrest. As you can imagine, mentally ill defendants all too often found themselves back in my courtroom shortly after their release. But in the past decade, we in the criminal justice system have finally come to realize that if we want to ensure appropriate justice for people with mental illness, we have to change our approach. Over the past few years, several Georgia judges, who are here today, have started mental health courts to provide alternatives to incarceration for people whose mental illness precipitated their crime, through community-based treatment and support. Across the country, these courts have proven to be effective in reducing recidivism by addressing the mental illness that is at the root of some people’s criminal behavior.”

“Of course, mental health courts are not a panacea, and they are only one part of the broad-based solution that this task force will seek. Today you will hear reports on two additional Georgia programs – Crisis Intervention Teams that train law enforcement officers to handle incidents with mentally ill people; and the Transition and Aftercare for Probationers and Parolees Program, or TAPP, which facilitates successful community reintegration of people with mental illness who are released from prison. You will also hear a report of survey results on mental health issues in Georgia from the Georgia Appleseed Center for Law and Justice.”

“Lasting solutions to this problem require all of us - the executive, legislative, and judicial branches of government, as well as community leaders and advocates – to collaborate as partners. To that end, I am pleased that the Georgia Supreme Court was recently selected by the Council of State Governments to participate in the Chief Justices’ Criminal Justice/ Mental Health Leadership Initiative.”

Chief Justice Leah Ward Sears then charged members of the Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration to review the systemic problems that cause people with mental illness to be arrested and incarcerated in disproportionate numbers to the rest of the population and to identify solutions to these problems. She stated, “We must reverse this trend. The decriminalization of mental illness is not just a matter of improving the efficiency of the criminal justice system and saving taxpayer dollars – it is a matter of social justice. I look forward to the work that lies ahead of us.”

Justice Sears appointed two judges to co-chair the Task Force: Superior Court Chief Judge John D. Allen, Muscogee County Mental Health Court and Chief Magistrate Winston P. Bethel, DeKalb County Mental Health Court. Judge Bethel is a member of the National Advisory Group of the Judges’ Criminal Justice/Mental Health Leadership Initiative (JLI), which is coordinated by the Council of State Governments Justice Center and the National GAINS Center.

Superior Court Judge Stephen S. Goss, Dougherty County Mental Health/Substance Abuse Court served as a member and special advisor to the task force. Judge Goss’s court is a Bureau of Justice Assistance (BJA) Mental Health Court Learning Site. In addition, Judge Goss represents the Georgia Judiciary on Governor Sonny Perdue’s Mental Health Commission.

The full task force held meetings on June 26, 2007; October 10, 2007; January 4, 2008; May 22, 2008; with final recommendations presented on November 7, 2008. At these meetings the task force heard presentations from the following experts:

- June 26, 2007 – Judge Winston P. Bethel – Review of Council of State Governments Judicial Leadership Initiative;
Lei Ellingson – Carter Center Mental Health Program Overview;
Sharon Hill, Executive Director – Georgia Appleseed’s Justice for Persons with Mental Illness Project Report;

- Dr. Janet Oliva, Georgia Bureau of Investigation and Nora Lott-Haynes, National Alliance on Mental Illness – Crisis Intervention Teams;
Bill Kissel, DHR/MHDDAD – Transition and Aftercare for Probationers and Parolees (TAPP)
- October 7, 2007 – Dan Abreu, National GAINS Center – Jail Screening Protocol and Other Technical Assistance;
 - January 4, 2008 – David deVoursney, MPP, Division of Prevention, Traumatic Stress and Special Program, SAMHSA, Department of Health and Human Services; John Rosiak, Technical Assistance Specialist from National Center for Mental Health Promotion and Youth Violence Prevention;
 - May 22, 2008 – Judge Steven Leifman, Advisor on Mental Health Issues to the Supreme Court of Florida – Transforming Florida’s Mental Health System

The task force created four work groups and members selected the work groups on which they would like to serve:

- Juvenile – Judge Peggy Walker and Mr. Richard Harrison – Co-chairs
- Protocols – Sheriff Bill Masee and Mr. Bill Kissel– Co-chairs
- Resources and Training - Judge Kathlene Gosselin and Ms. Sharon Hill – Co-chairs
- Statutory Review - Judge Susan Tate and Ms. Gwen Skinner – Co-chairs

The work group members and staff reviewed data, reports, evaluations, best practices, statutes, and other materials. The work was carried out through meetings, telephone conferences, and communication via electronic mail.

Recommendations

The task force identified service gaps that contribute to persons with mental illness coming in contact with the criminal justice system.

Lack of –

- Prevention efforts
- A continuum of treatment services in the community
- Care management/court diversion coordinators
- Appropriate medication
- Supportive and permanent housing
- Job training and supported employment
- Early identification and diversion to appropriate care
- Communication, coordination and collaboration among systems

These gaps are addressed by these recommendations.

RESOURCES/TRAINING WORK GROUP

1. Provide an array of diversion alternatives to incarceration for the courts. Diversion refers to the process of diverting individuals with severe mental illness and/or co-occurring addictive diseases away from the justice system and into the community mental health/addictive diseases system where they are more appropriately served. Diversion includes:

Interception	Identification of mental health needs of individuals involved with the justice system as early as possible.
Defining Alternatives	Negotiating individualized community-based treatment alternatives to incarceration.
Linkages to Care	Implementing linkages to comprehensive systems of mental and behavioral health care and community supervision consistent with the disposition of the criminal justice contact.

All diversion models are based on the use of forensic care management and boundary spanners.

Care Management: Individuals with mental illness often lack the resources to access needed services and supports even when they are available in their communities. Care management is the key to assuring appropriate access to services. Key care management activities include planning, linking, monitoring, and advocacy.²²

Boundary Spanners: The success of the diversion models depends upon communication between multiple individuals across organizational lines. Many successful partnerships can be traced to the establishment of "boundary spanners," who serve as liaisons to coordinate cross-system activities. Boundary spanners must be able to understand and work within different cultures, policies, and procedures of multiple areas (e.g., courts, law enforcement, corrections, parole, and community mental health) and successfully bridge the gaps between different service systems that individuals with mental illness often fall through. According to SAMHSA and the National GAINS Center, the Boundary Spanner Model is highly promising as part of a systemic approach to justice-mental health problems.²³

The Resources/Training Work Group developed and recommends piloting a unique diversion model, Judge Appointed Mental Health Advocate (JAMHA).

Judge Appointed Mental Health Advocate (JAMHA) Pilot Project

The Georgia JAMHA Pilot Project will plan and create a court-based diversion program as an alternative to prosecution and sentencing programs. Based on the judge and the case, some cases may result in a participant's charges being dropped, and others will be post-sentence with the participant sentenced to probation rather than jail or prison – both are diversion models from incarceration. The project will use a courtroom team approach to arrive at recommended treatment and supervision plans with a person specifically designated as a "boundary spanner" (the JAMHA) to ensure actual linkage. Examples of services provided include helping participants

identify their individual needs to live in the community and assisting them in receiving the services they need including treatment, transportation, housing, medication, medical and dental care, employment services, and applying for benefits. Working with the individual, the JAMHA will help the participant follow through with any needed services that have been identified by the needs assessment developed with the client by the clinician. The JAMHA will supplement professional services by providing the necessary care management to participants. Appropriate monitoring will then occur under court aegis with possible criminal sanctions for noncompliance, such as reinstating continued charges or sentences.

The JAMHA model combines the “boundary spanner” concept with the highly successful Court Appointed Special Advocate (CASA) program in use in juvenile courts across the country. The CASA model uses trained community volunteers to advocate for the best interests of abused and neglected children in court. These advocates are appointed representatives of the court and judges rely on the information these trusted advocates present. The JAMHA program would be loosely based on the evidence-based CASA program, but instead of children as the focus, the JAMHA would work with adults with mental illness who come into contact with the criminal justice system.

The project purpose is to hire a JAMHA Coordinator who will recruit, train, and supervise volunteers that will be assigned to assist persons with mental illness in linking to services in the community. The volunteer JAMHA will then be appointed to persons who the court determined did not have family or other support to help them navigate the systems. The JAMHA would serve as an officer of the court and would be a resource to help the judge, defense, and prosecuting attorneys respond to cases that need diversion from further penetration into the criminal justice system for the good of the system, the defendant, the victim, and the community.

Guidelines that will be Used to Identify Participants

Eligible participants for JAMHA will be screened at the county jails upon arrest. Jail staff will be trained in a curriculum developed by the Task Force in advance of project implementation to identify persons who may have a mental illness. The Brief Jail Mental Health Screening Instrument will be administered. A mental health assessment will be conducted at the Jail for each person identified as a potential project participant. The screening criteria will be determined by each jurisdiction but will in general use screening criteria used by Mental Health Courts. Project participants must reside a county of the judicial circuit served. Some cases may be eligible for dismissal of charges and others may be post conviction. This screening and eligibility process consists of the following:

Criteria	Description
Mental Health	Severe and persistent mental illness (psychotic disorders and major mood disorders) Other disorders that are primary to their involvement in the criminal justice system

Legal	Misdemeanors and felonies Prosecutors consent is required for enrollment into the program. This consent frequently involves consultation with both victim(s) and involved family members.
Exclusion	Murder, rape, aggravated sodomy, aggravated child molestation, kidnapping with bodily injury, armed robbery, all sexual offenses, trafficking, verified gang affiliations, currently serving a state sentence, organic brain disorders (traumatic and acquired brain injuries), mental retardation (persons with mental illness that are mentally retarded will not be excluded), primary substance/addiction issues, or personality disorders. Also exclusionary are extensive criminal histories that would often indicate a primary anti-social disorder or criminal orientation.
Voluntary Participation	The program demands an individual maintain participation in active mental health treatment.
Participant Age	Must be age 17 and older – criminal adult population.

The JAMHA program would include the following elements:

Use of Evidenced- Based Practices	Promote the use of evidenced- based practices and promising approaches in mental health treatment, services, administration, and funding.
Integration of Services	Initiate and maintain partnerships between mental health and other relevant systems to promote access to the full range of services and supports, to ensure continuity of care, and to reduce duplication of services.
Co-Occurring Disorders Treatment	Promote system and services integration for co-occurring mental health and substance use disorders.
Housing Initiatives	Develop and enhance housing resources that are linked to appropriate levels of mental health supports and services.
Consumer and Family Member Involvement	Involve consumers and families in mental health planning and service delivery.
Cultural Competency	Ensure that racial, cultural, and ethnic minorities receive mental health services that are appropriate for their needs.
Workforce Initiatives	Determine the adequacy of the current mental health workforce to meet the needs of system’s consumers.

System Accountability	Establish and utilize performance measures to promote accountability among systems administrators, funders, and providers.
Advocacy	Build awareness of the need for high quality comprehensive services and of the impact of stigma and discriminatory policies on access to them.

Project Outcomes

1. Stable participants living meaningful lives in their communities
2. Reduced criminal recidivism for participants
3. Reduced jail and prison costs
4. Reduced stays in state psychiatric hospitals
5. Increased access to treatment/wraparound services for persons with mental illness

A federal grant application was submitted by the Administrative Office of the Courts for funding for a JAMHA pilot project in one judicial circuit for fiscal year 2009. That grant was not awarded. Additional federal grant and foundation sources are being investigated to fund the pilot project.

2. Develop Local Community Resource Directories as part of JAMHA

The work group identified a lack of local resource directories that are kept updated, especially in rural areas of the state. United Way of Metro Atlanta and United Way organizations in a few other areas of the state have 211 telephone help lines and websites. The Division of Mental Health, Developing Disabilities and Addictive Diseases, operates a Behavioral Health Crisis and Access helpline which has been recognized by the Council of State Governments as an innovation in state government. However, there is a need for locally developed web-based directories that can be designed to feed into a new statewide 211 system if such a system is put in place. The JAMHA Coordinator would be responsible for the development and maintenance of a local directory to include a pre-listing and annual review of each resource listed in the directory. Community mapping could be used to identify resources and gaps in resources. Technology such as Wiki, computer software that allows users to easily create, edit and link web pages and is often used to create collaborative websites and to power community websites²⁴ may be used as a potentially low-cost way to keep an on-line manual updated.

3. Support Statewide Implementation of Crisis Intervention Teams and Expansion of CIT Training to all First Responders

The JAMHA project will complement Georgia's existing efforts to implement a statewide Crisis Intervention Team (CIT) program focusing on the mentally ill person's initial interaction with law enforcement personnel. Currently, utilizing funding provided by the Georgia Division of Mental Health, Developmental Disabilities and Addictive Diseases the Georgia Bureau of Investigation and NAMI-GA have provided CIT training to over 2000 front line law enforcement officers, with plans to have 20% of

all officers in the state certified in CIT by the end of 2009. The Task Force supports the implementation of CIT statewide to include all first responders.

In early 2002, NAMI Georgia initiated “Partners in Crisis,” an effort to develop partnerships among leaders across the state to facilitate jail diversion of the mentally ill. This initiative conducted an analysis of jail overcrowding in Georgia and looked at the success of Georgia’s first mental health courts. In October 2003 a state CIT summit was held in Georgia. Representatives from the summit visited Memphis, Tennessee in early 2004 to observe the CIT model (founded in Memphis). In July 2004, 22 persons completed the 40 hour CIT course in Memphis. A Georgia CIT Advisory Board was created and has expanded the scope of CIT from metropolitan Atlanta to the entire state.

The vision of the Georgia CIT program is a Georgia where individuals with mental illnesses and other brain disorders receive medical treatment, not criminal incarceration. The mission of the Georgia CIT programs is to equip Georgia law enforcement officers with the skills to assist people with mental illness and other brain disorders in crisis, thereby advancing public safety and reducing stigma.

The Crisis Intervention Team (CIT) is a dynamic collaboration of professionals committed to people with mental illness and other brain disorders. The CIT program is sponsored by the National Alliance for the Mentally Ill and the Georgia Department of Human Resources Division of Mental Health, Development Disabilities, and Addictive Diseases, Georgia Bureau of Investigation, Georgia Association of Chiefs of Police, Georgia Sheriff’s Association, Inc., and Georgia Public Safety Training Center.

A description of CIT is in Appendix A, pages 7-8.

4. Implementation of Mental Health Courts

Mental health courts are specialized “problem-solving” courts designed to serve the needs of mentally ill defendants by working to decriminalize mental illness while ensuring accountability and protecting the public safety. Mental health courts are encountering success in appropriately diverting offenders from jails into community treatment for their mental illness and providing the necessary support services such as housing and jobs.²⁵

Studies of Mental Health Courts show that mandated treatment for 12 to 24 months, depending on the individual, is often effective in stabilizing people to the point where they are not only much less likely to reoffend, and do so less often, but that often enables the participants to re-stitch the fabric of their lives back together, repairing ruptured family relationships, reducing or eliminating social ostracism, and re-establishing them as productive members of society.²⁶

At present there are nine active mental health courts across the state:

- DeKalb County Mental Health Court
- Dougherty County Mental Health Substance Abuse Court
- Fulton County Mental Health Felony Court

- Fulton County Mental Health Misdemeanor Court
- Hall County Mental Health Court
- Muscogee County Mental Health Court
- Bibb County Mental Health Court
- Chatham County Mental Health Court
- Clarke County Mental Health Court

A description of Mental Health Courts is in Appendix A, pages 8-10.

5. Training on Mental Health Issues and Resources for Judges in all Classes of Courts

Training needs will be identified through the Institute for Continuing Judicial Education and the training councils for each class of court. Judges have indicated that they want to know what resources are available to them from the MHDDAD system, the Georgia Department of Corrections, and local non-profit and community organizations and how to access those resources. Whenever a JAMHA office is opened and the local resource manual is in place, all judges in all the local courts (superior, state, probate, magistrates, and municipal) will receive training in mental health issues and treatment and about the resources being developed at the local level. Judges will provide local community leadership by convening a local stakeholder mental health/criminal justice advisory committee.

JUVENILE WORK GROUP

1. Implement Prevention and Early Intervention Best Practices

The three best ways to protect youth from severe, entrenched problems are to 1) reduce their risks, 2) build up their resilience or ability to cope and bounce back, and 3) act early to head off problems. Complex, long-term problems need to be treated with approaches that are backed up by solid evidence of effectiveness. A great deal of research has been done about what works, and the evidence points to some effective approaches. Certainly more is known than is widely put into practice.²⁷

2. Implement KidsNet System of Care Model Statewide

A system of care model is:

- Child-centered
- Family-focused
- Community-based
- Multi-system
- Culturally competent
- Least restrictive / least intrusive

KidsNet, a best practice system of care model serving children and families, is an integrated service delivery model at the local level. The model requires that the referred families and their children, child-serving agencies, and other community stakeholders work as a team. First, a parent, school or agency refers a child to KidsNet. The KidsNet Service Coordinator sends a Family Advocate to meet, assist,

and assess eligibility. The family is then assigned the Family Advocate who works with them from beginning to end. Next, the KidsNet Team comes together to agree upon a Community Care Plan (Unified Plan)-a single, collaborative treatment plan. The entire team meets weekly to keep the plan on track and to evaluate progress.²⁸

KidsNet utilizes a screening and assessment process for identification of youth in need of assistance in the community. The stated purpose of this screening process is to identify the children that are least likely to be successfully treated by conventional services, and most at-risk of escalating behavior disorder and out-of-home placements in restrictive and high-cost settings such as inpatient hospitalization, residential treatment, and incarceration.

Although KidsNet plays a vital role of case management within the community, an unresolved issue for KidsNet is case management across systems. To assure that children have services at the earliest possible point, the development of a model to connect children with chronic disruptive behaviors in elementary and middle school must be developed and implemented as a joint effort between education and mental health through KidsNet.

3. Implement innovative models Zero-to-Three, the Pipeline to Prison Initiative, and evidence-based practices identified by the DHR, Division of Public Health for prevention and early intervention of mental illness in children ages zero to five.
4. Implement a Mental Health Administrator position.

This position would serve as a liaison between the programs introduced by this task force and the courts. The Administrator would work with all pertinent state agencies (i.e. Department of Human Resources, Department of Juvenile Justice, Department of Education, Administrative Office of the Courts), and local community agencies to develop, implement and coordinate statewide programs for at-risk and /or adjudicated youth with mental health treatment needs prior to involvement in the juvenile justice system.

As overwhelming and complicated as the behavior problems and even the risk factors can be, these children and youth are not beyond help. Improving their lives may not be easy, but it is possible. It is our belief that achieving true systemic change means changing the fundamental ways in which we do our business with children and families and with other agencies and groups who serve those same children and families

PROTOCOLS WORK GROUP

Provide Training and On-Going Technical Assistance to Georgia Sheriff Departments on Key Components of a Jail-Based Mental Health Program

The Georgia Sheriff's Association identified a need for sheriffs and their leadership staff to have training on managing inmates who may have mental illness. The Protocols Work Group has developed a training curriculum that addresses these issues:

- Identification
- Medication access
- Housing
- Monitoring
- Suicide prevention
- Discharge planning

In collaboration with the training staff of the Georgia Sheriff's Association, the curriculum was piloted in the spring of 2008. Through October 2008, six training sessions have been held that have been attended by staff of 25 sheriff's departments. Baldwin County Sheriff Bill Masee and Mr. Bill Kissel have presented to the Georgia Sheriff's Association to inform sheriffs statewide about the availability of the training.

Training is being conducted by Mr. Kissel, courtesy of CorrectHealth. Mr. Kissel has over 25 years experience in the criminal justice and mental health fields. Curriculum manuals and travel for Mr. Kissel are provided by Council of State Government's project grant funds. A copy of the curriculum manual is available by contacting Ms. Eden Freeman, Administrative Office of the Courts, at freemane@gaaoc.us.

STATUTORY REVIEW WORK GROUP

Convene a stakeholder committee to review Georgia's statutory scheme for involuntary outpatient treatment and recommend any needed revisions.

Statutory revisions should be undertaken as part of a holistic redirection of the Georgia's mental health system to focus on community services.

The Statutory Review work group has spent time reviewing commitment procedures with an emphasis on newly revised outpatient involuntary treatment procedures in other states. Technical Assistance has been received from John Petrila, J.D., Florida Mental Health Institute's Department of Mental Health Law and Policy, University of South Florida. The department's focus includes examining the impact of statutory and regulatory change upon mentally disabled individuals as well as their families.

The work group finds that the states which have had the most success and impact in implementing revised outpatient treatment statutes established an effective, accountable system of community resources and allocated additional resources into outpatient treatment services. The work group also recognizes that a well-crafted outpatient treatment statute is just one tool out of many approaches to be used in conjunction with an array of available treatment and services options, depending on what is most appropriate for any given individual patient. At the very least, Georgia should adopt some form of advance directives for psychiatric care so that patients can designate a person to act as their decision maker if their physician deems them unable to make an informed decision.

For those who are seriously and chronically ill, we are convinced that we can assist more people in achieving maximum self-reliance and independence by providing

sensible mechanisms designed to create optimum conditions for their stability and recovery through court-ordered community based treatment which is long enough to enable them to see what benefits proper treatment affords.

Conclusion

To ensure that taxpayer dollars are wisely spent on the most effective solutions, there must be flexibility to create an effective community based service delivery system based on research-based best practices for prevention and treatment of mental illness and co-occurring addictive diseases. This community based services system will ultimately decrease the demand for costly hospital services and incarceration. The Chief Justice-Led Task Force to Promote Criminal Justice/Mental Health Collaboration issues a call to action for policymakers to prioritize state spending to focus on a comprehensive quality system of community –based and inpatient services for children, youth and adults with mental illness that can reduce the risk of their coming into contact with the juvenile and criminal justice systems. To ensure justice for people with mental illness who do come in contact with the juvenile and criminal justice systems, and to promote public safety, priority must be given to funding care management-based community programs that are alternatives to incarceration. Policymakers, judges, advocates, and the treatment community must also review Georgia’s civil commitment statutes to ensure that they are most effective in providing for public safety while protecting the rights of persons with mental illness. The members of the task force stand ready to participate as part of a broad coalition of stakeholders to implement these recommendations.

Public policy must change. As a State, we must recognize and act on the need to change. We must fund and implement what we know works.

Endnotes

¹ The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The Justice Center provides practical, nonpartisan advice and consensus driven strategies, informed by available evidence, to increase public safety and strengthen communities. This project is coordinated through the Judges' Criminal Justice / Mental Health Leadership Initiative, managed by the Justice Center in partnership with the National GAINS Center. The support to the state task forces is made possible through grants awarded from the JEHT Foundation and the Conrad N. Hilton Foundation. Funding support for the planning phases of this project was provided by the U.S. Justice Department's Bureau of Justice Assistance, and the U.S. Department of Health and Human Services' Substance Abuse and Mental Health System Administration. For more information on the Judges' Criminal Justice / Mental Health Leadership Initiative, please visit <http://consensusproject.org/JLI>.

² BJS Special Report, *Mental Health Problems of Prison and Jail Inmates*, September 2006. Located at <http://www.ojp.usdoj.gov/bjs/pub/pdf/mhppji.pdf>

³ Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities and Addictive Diseases, April 2008

⁴ Georgia Department of Corrections, April 29, 2008

⁵ Georgia Department of Corrections, April 29, 2008

⁶ Georgia Department of Community Affairs, County Jail Report, <http://www.dca.state.ga.us/development/research/programs/jailReports.asp>, Accessed April 28, 2008.

⁷ "A Hidden Shame: Danger and Death in Georgia's Mental Hospitals," *Atlanta Journal Constitution*, January 7-8, 2007

⁸ National Alliance on Mental Illness, Georgia Chapter website, accessed April 28, 2008.

⁹ Georgia Department of Corrections, April 29, 2008

¹⁰ RAND Corporation, *Prisoner Reentry: What are the Public Health Challenges*, May 19, 2003. <<http://www.rand.org/publications/RB/RB6013/>> (2 December 2003).

¹¹ *The Criminal Justice System and Mentally Ill Offenders* before the Senate Committee on the Judiciary, 107 Congress(2002) available at http://judiciary.senate.gov/hearing_search.cfm (see statements of Hon. Patrick Leahy, U.S. Senator and Capt. John Caceci, Monroe County jail, Rochester, New York). See, Stephen S. Goss, "Mental Health Court Programs in Rural and Nonaffluent Jurisdictions", Volume 33, Number 3, *Criminal Justice Review* 405 (2008)

¹² "Ten Years of Progress, More to Come" Treatment Advocacy Center <http://www.treatmentadvocacycenter.org>, accessed October 28, 2008

¹³ Treatment Advocacy Center Briefing Paper, March 2005, <http://www.psychlaws.org/BriefingPapers/BP4.htm>, Accessed October 28, 2008.

¹⁴ Treatment Advocacy Center Briefing Paper, March 2005, <http://www.psychlaws.org/BriefingPapers/BP4.htm>, Accessed October 28, 2008.

¹⁵ "Involuntary Treatment for the 21st Century" presented at the 110th Annual Conference of the Michigan Probate Judges Association on June 13, 2006, by the Honorable Milton L. Mack, Jr., chief Judge, Wayne County Probate Court.

¹⁶ Zero to Three, *About Us*. (n.d.). Retrieved October 22, 2008, from Zero to Three: http://www.zerotothree.org/site/PageServer?pagename=abt_aboutus

¹⁷ Carl Vinson Institute of Government, University of Georgia, *The Prison Pipeline: The Intersection of Childhood and the Criminal Justice System*, accessed October 22, 2008 <http://www.cviog.uga.edu/childfamilypolicy/pipeline>

¹⁸ Rosiak, John. "Developing Safe Schools Partnerships: Spotlight on Juvenile Justice and Mental Health." National Center for Mental Health Promotion and Youth Violence Prevention. 22 October 2008
<http://promoteprevent.org/Publications/partnership_spotlights/JJandMH.pdf>.

¹⁹ Mattessich, Paul. Hosley, Cheryl. "Severely troubled children and youth: What everyone needs to know." Amherst H. Wilder Foundation.
<http://www.wilder.org/download.0.html?report=663>, Accessed October 22, 2008.

²⁰ Compton, M.D., Michael T., and Kotwicky, M.D., Raymond J., *Responding to Individuals with Mental Illness*, p. xiii, Jones and Bartlett Publishers, Inc., 2007

²¹ Compton and Kotwicky, p. 17.

²² Models of Community Care for Severe Mental Illness: A Review of Research on Case Management; <http://schizophreniabulletin.oxfordjournals.org/cgi/reprint/24/1/37>

²³ Steadman, Henry J. "Boundary Spanners: A Key Component for the Effective Interactions of the Justice and Mental Health Systems," *Law and Human Behavior* 16:1, 1992, pp. 75-86.

²⁴ <http://www.answers.com/topic/wiki>

²⁵ *Mental Health Courts Program*, Bureau of Justice Assistance, Criminal Justice/Mental Health Consensus Project, Council of State Governments, 2004, <http://www.ojp.usdoj.gov/BJA/grant/MentalHealthCtFS.pdf>

²⁶ Herman, Madelynn, "Mental Health Court Evaluations: An Annotate Review of the Literature with Commentary," National Center for State Courts, http://www.ncsconline.org/WC/Publications/KIS_MenHeaCtEvaluations.pdf, Accessed October 28, 2008.

²⁷ Mattessich, Paul. Hosley, Cheryl.
<http://www.wilder.org/download.0.html?report=663>, Accessed October 22, 2008.

²⁸ *Frequently Asked Questions*. (n.d.). Accessed October 22, 2008, from KidsNet Georgia: <http://kidsnetgeorgia.org/FAQ.html>

References

1. Wexler DB, Winick BJ. *Essays in Therapeutic Jurisprudence*. Durham, NC, Carolina Academic Press. 1991.
2. Wexler DB, Reflections on the Scope of Therapeutic Jurisprudence. *Psychology, Public Policy, and Law* 2, 1996, pp.220-224.
3. "Transforming Florida's Mental Health System, Constructing a Comprehensive and Competent Criminal Justice/Mental Health/Substance Abuse Treatment System: Strategies for Planning, Leadership, Financing and Service Development", Supreme Court of the State of Florida, 2008.
4. *Tough on Crime and The Budget*, The Difficult Balancing Act of Public Safety and Skyrocketing Prison Costs, Robert Z. Welsh, Georgia Budget and Policy Institute Special Report, January, 2008

Appendix A

Decriminalizing Mental Illness: Background and Recommendations

**A White Paper Prepared by the Forensic Taskforce of the
NAMI Board of Directors**

FULL REPORT

September, 2008

Decriminalizing Mental Illness: Background and Recommendations

A White Paper Prepared by the Forensic Taskforce of the NAMI Board of Directors

Introduction

The enormously increased presence of persons with serious mental illness in the criminal justice system is one of the great problems of our day. As a result, mental health professionals and society have become increasingly concerned about the number of persons with mental illness in jails and prisons, as well as the treatment provided to these persons, both in such facilities and after release. These issues are relatively recent ones. Reports of large numbers of persons with mental illness in American jails and prisons began appearing in the 1970s, a phenomenon that had not been reported since the 19th century. In keeping with the priorities of NAMI, the focus here will be on persons with serious mental illness. The Forensic Taskforce of the NAMI Board of Directors will examine how criminalization came about, the extent of criminalization and how to reduce criminalization.

Magnitude of the Problem

The nation's prisons and jails held 2,299,116 inmates as of June 30, 2007.¹ Methodologically sound estimates of the percentages of persons diagnosed with serious mental illness (schizophrenia, schizo-affective disorder, bipolar disorder, and major depression) range from 10 to 19 percent in jails, 18 to 27 percent in state prisons, and 16 to 21 percent in federal prisons as determined by the National Commission on Correctional Health Care.²

By using the lower percentages to avoid overstating this phenomenon, the estimates of inmates in jails with serious mental illness were 76,601 (10%), in state prisons were 245,779 (18%), and in federal prisons were 30,573 (16%) as of June 30, 2006. Thus, the total number of persons in jails and prisons who were diagnosed with serious mental illness was at least 352,953 as of 2006 and is probably higher today.

One of the major concerns of mental health advocates is that placement in the

criminal justice system is a serious impediment to the treatment and rehabilitation of persons with serious mental illness. Even when quality psychiatric care is provided in jails and prisons, the person is doubly stigmatized as both a person with a mental illness and a criminal record.³

Further, jails and prisons have been established to mete out punishment and to protect society; their primary mission and goals are not to provide treatment. The correctional facility's overriding need to maintain order and security, as well as its mandate to implement society's priorities of punishment and social control, greatly restrict the facility's ability to establish a therapeutic milieu and provide all the necessary interventions to treat mental illness successfully. In fact, conditions of confinement within these facilities and the punitive methods frequently used by correctional staff to respond to people in crisis may further exacerbate psychiatric symptoms.⁴

Causes of Criminalization

A number of reasons for the placement of persons with mental illness in the criminal justice system have been suggested, and they include: deinstitutionalization, inadequate capacity for acute, intermediate and long-term psychiatric hospitalization in state and local hospitals, more formal and rigid criteria for civil commitment, the lack of adequate support systems, including housing, for persons with mental illnesses in the community, and the difficulties that persons coming from the criminal justice system have in gaining access to community mental health treatment.⁵ It has also been suggested that persons with serious mental illness and a co-occurring substance abuse disorder that have been caught up in the war on drugs are more likely to be fast tracked into the criminal justice system.⁶ Many law enforcement personnel believe that they can deal with deviant behavior more quickly and efficiently within the criminal justice system than in the mental health system.

The Role of the Police

Since the advent of deinstitutionalization and the exodus of persons with mental illness into the community, the role of law enforcement agencies in the management of persons who are experiencing psychiatric crises has grown. The rationale for police intervention in the lives of persons with mental illness derives from two common-law principles: the power and the authority of the police to protect the safety and welfare of the community and the government's paternalistic or *parens patriae* authority, which dictates protection of citizens with disabilities, such as people with acute mental illnesses, who cannot care for themselves.⁷

The police are typically the first and often the sole community resource called on to respond to urgent situations involving persons with mental illness. They are often called upon to decide whether the person they are dealing with has a mental illness and is in need of treatment. In that case they have to be able to connect the person with the proper treatment resources. Alternatively, they may decide that, regardless of the perceived mental status of the individual, the nature of the illegal act requires that the person be arrested and entered into the criminal justice system. This responsibility thrusts them into the role of primary gatekeepers who determine whether the individual will enter the mental health or the criminal justice system.

Police officers have a legal obligation to respond to calls and to provide services 24 hours a day, seven days a week. With respect to persons with mental illness, police in all states have the power to transport persons for psychiatric evaluation and treatment when there is probable cause to think that they are a danger to themselves or to others because of their mental condition. As a result, law enforcement officers have assumed the role of "street-corner psychiatrist" by default. A major problem with having to fulfill this role is that the police have little training in performing this kind of triage. This lack of training, coupled with an overall lack of alternative treatment options, is one of the factors that have played an important part in the criminalization of persons with mental illness. The training of law enforcement officers will be a major focus of the recommendations of this taskforce.

Some Characteristics of People with Serious Mental Illnesses who are Incarcerated

We know that there are very large numbers of persons with serious mental illness in our jails and prisons. What do we know about them in terms of their criminal histories and legal status? What psychiatric services do they use while incarcerated and what challenges might they present in psychiatric treatment after release?

A study by Lamb, et al (2007) attempted to answer these questions. It was a retrospective study of inmates with serious mental illness who were arrested and placed in a large, urban county jail.⁸ It should be noted at the outset that the findings do not necessarily represent what one would find in a similar study conducted in state and federal prisons, or even in other jails. However, these findings are congruent with clinical impressions of persons with serious mental illness in these other facilities. The study revealed that 76% of these inmates required and received psychiatric inpatient care or its equivalent for part of their time in jail during the current offense. Clearly, a large number of people with serious mental illness are receiving their acute psychiatric inpatient treatment in the criminal justice system rather than the mental health system.

With respect to these inmates' history before the current arrest, at least 92% were known to be non-adherent to psychiatric medications, 94% had prior arrests, 72% had prior arrests for violent crimes, and 76% were known to have a history of substance abuse. Given these data, in addition to the fact that three-quarters required inpatient psychiatric care in the jail, it would appear that the jail had acquired the responsibility to manage and treat many of the most difficult and expensive to treat persons with serious mental illness.

That 92% of the study sample had a history of being non-adherent to psychiatric medications suggests that successful reentry into the community requires evaluation, supervision, and timely access to appropriate services and supports such as, but not limited to, assertive community treatment (ACT), integrated mental health and substance abuse treatment, and supported housing. It also requires that reinstatement to entitlements occur concurrently with the release, so that the person has access to medical care and medications without delay.

Diverting Persons with Mental Illness from the Criminal Justice System

It was observed in the preceding study, as it frequently is in jails generally, that a number of persons with serious mental illness are arrested when it appears that their offending conduct was due primarily to their illness. The nature and circumstances of the offenses suggest that they should have been treated in a psychiatric hospital instead of being taken to jail.

The growing awareness of the very large and increasing number of persons with serious mental illness in jails and prisons has sparked efforts to divert them from the criminal justice system to the mental health system. Jail diversion generally takes two forms: pre-booking diversion and post-booking diversion.

Pre-booking diversion occurs before the person is actually booked into jail. These interventions include mobile crisis teams of police officers and/or mental health professionals. They require coordination between police and mental health professionals as well as mental health training for law enforcement officers. Pre-booking diversion programs may help in reducing arrests.

Post-booking diversion consists of interventions that occur after a person enters the criminal justice system. It includes specialized mental health courts that deal exclusively with offenders who have mental illnesses. Mental health consultation to arraignment and other courts can assist the court by offering recommendations for treatment in lieu of incarceration. One approach could be assigning court appointed specialized mental health advocates whose task is to support offenders with mental illness during court proceedings, advise courts of mental health alternatives to incarceration, and advocate for necessary community services and supports. Serious consideration should be given to training consumers of mental health services to serve in this role.

Another model to consider is one currently operating on a statewide basis in Connecticut. The Connecticut Department of Mental Health and Addictions Services operates jail diversion programs in all 22 arraignment courts in the state. Mental health clinicians, operating out of local community mental health centers, work with the arraignment courts to link individuals with serious mental illness and co-occurring substance use disorders with treatment as an alternative to incarceration. Outcomes data

collected by this program demonstrates that individuals diverted to treatment subsequently spend significantly fewer days in jails and psychiatric hospitals as compared with those who do not receive these services.⁹

Crisis Intervention Teams (CIT) and Other Mobile Crisis Programs

The demand is growing for law enforcement officers to become front-line responders to people with serious mental illness who are in crisis. However, there is evidence that most police officers are not adequately trained to recognize the symptoms of mental illness and to relate effectively to persons who have mental illnesses.¹⁰ For example, they may have been trained to use the standard police tactic of surrounding or closing in on an individual, but may not know that this could make the problem worse or precipitate a violent incident when they are dealing with a person in a psychiatric crisis.

Law enforcement officers know that they lack adequate training to manage this segment of the population. They want to know how to recognize mental illness, how to de-escalate a crisis situation, how to handle violence or potential violence, and what to do when a person is threatening suicide. They also want to know what community resources are available and how to gain access to them. They are eager to learn how to identify people with mental illness, who appear to be at risk of causing harm to themselves or to others. They want to know how to move those people into the mental health system rather than the criminal justice system.

This kind of mental health education is likely to be useful to all police officers, not just for those who are part of the specialized mobile crisis teams. For example, CIT programs typically include training for dispatchers, since these individuals play a key role in communicating essential information to responding police officers.

An increasing number of jurisdictions use sworn police officers who have special and extensive mental health training in the provision of crisis intervention services. These officers are members of Crisis Intervention Team (CIT) programs that are closely linked to their community mental health system. This approach is often referred to as the “Memphis Model” because it was developed in Memphis, Tennessee.¹¹

These specially trained officers may deal with mental health emergency situations on-site or act as consultants to the officers at the scene. This model places a heavy reliance on psychiatric emergency services that have agreed to a no-refusal policy for persons brought to them by the police.

The CIT model has been adopted in hundreds of communities in 35 states and is being implemented on a statewide basis in Florida, Georgia, Kentucky, Ohio and Utah. Outcomes studies conducted on CIT programs show that they are successful in reducing arrests and re-arrests, increasing referrals and participation in mental health treatment, changing officer attitudes towards people with mental illnesses, reducing officer injuries, reducing involvement of SWAT teams in incidents involving people with mental illnesses, and decreasing police shootings of people with mental illnesses.¹²

Mental Health Courts

Post-booking diversion strategies are increasingly available through specialty mental health courts.¹³ Initially, these courts were limited to hearing cases involving persons with mental illness who were charged with misdemeanors. In recent years, they have increased their purview to serve people with mental illness charged with felonies.¹⁴

In mental health courts, all the courtroom personnel, such as the judge, prosecutor, defense counsel, and other relevant professionals have experience in mental health issues and are familiar with relevant community resources. Mental health courts hear cases involving defendants with mental illness in a non-adversarial proceeding. They work with the local mental health system to identify and order appropriate treatment and they monitor the defendant's compliance with its orders. Noncompliance may involve sanctions by the court, although with many courts, these sanctions include jail only as a last resort.

The mental health court system collaborates with the local mental health service provider and other social service agencies to prepare and implement a treatment plan that includes medications, therapy, housing, as well as social and vocational rehabilitation. The goal of the treatment plan is to assure that the person has the tools and motivation necessary to achieve and maintain a timely and durable recovery. Sometimes, despite the

best intentions, community resources are not adequate to implement the treatment plan. For instance, there is often insufficient community psychiatric treatment, rehabilitation, and housing capacity in the existing mental health system to accommodate persons with mental illness diverted from the criminal justice system.

Underlying the concept of mental health courts is the principal of *therapeutic jurisprudence*, which emphasizes that the law should be used, whenever possible, to promote the mental and physical well being of the people it affects. It assumes that the application of the law can have therapeutic consequences.¹⁵ It should be emphasized that therapeutic jurisprudence does not diminish the importance of public safety, which is fully taken into account by the court.

In keeping with the “therapeutic” nature of these systems, mental health court judges typically respond to people with serious mental illnesses in a more flexible way than their counterparts in *drug courts*. For example, whereas a drug court judge may sanction a defendant who fails a drug test by sending him or her back to jail, mental health court judges are less inclined to automatically punish individuals for deviating from treatment plans. They recognize that psychiatric symptoms can sometimes interfere with compliance and thus tend to approach non-compliance more flexibly. They work in partnership with the individual and the treatment team to address barriers that may be interfering with compliance.

In a system characterized by therapeutic jurisprudence, people with serious mental illnesses charged with crimes may be diverted into programs designed to address their treatment and service needs, rather than simply being incarcerated while their treatment needs are neglected. Even individuals with serious mental illnesses convicted of serious crimes can be provided with humane and appropriate treatment while incarcerated. Generally, mental health courts facilitate linking offenders with serious mental illness to appropriate services and supports upon discharge from jail in order to enable them to successfully reenter their communities.¹⁶

In many traditional criminal courts, which are not mental health courts, the judge maintains jurisdiction over the person with mental illness, who reports directly to the court on a regular basis. In addition, the treating clinician may send periodic reports of the person’s progress in treatment to the judge or probation officer. The judge uses his or

her authority and interest in the individual to ensure that the person adheres to treatment and remains in recovery. Moreover, the person is expected to refrain from violence and illegal activity. Such arrangements have been highly successful in many non-mental health criminal courts.

Integrating Treatment and Case Management

The purpose of case management is to help people obtain the right services, in the right place, at the right time, and in the right amount, for as long as necessary to achieve a timely and durable recovery. The integration of modern concepts of case management with clinical treatment is an important component of successful outpatient treatment for all people with serious mental illness. It is particularly important for people at risk of involvement with criminal justice systems.¹⁷

Case management requires a designated professional or team of professionals who have responsibility to work with the consumer of services to identify, select, provide, and monitor the effectiveness of the chosen services and supports. The case manager/treatment team formulates an individualized treatment and rehabilitation plan in collaboration with the consumer of services, mental health professionals and criminal justice professionals. As care progresses, the case manager/treatment team monitors the person to determine if he or she is receiving treatment, has an appropriate living situation, has adequate funds, and has access to vocational rehabilitation. In addition, the case manager and/or treatment team professionals work with the person wherever he or she is living, whether alone, with family, in a board-and-care home, or in another residential setting.

Forensic Assertive Community Treatment (FACT) Programs

The Assertive Community Treatment (ACT) model focuses on consumers of mental health services with the most severe disabilities and it uses a multidisciplinary fully integrated treatment team, with a small individual to staff ratio, to provide comprehensive, community-based psychiatric treatment, rehabilitation, and support.

Services are provided wherever the person happens to be at any given time.¹⁸

Forensic Assertive Community Treatment (FACT) programs have been established specifically to serve individuals with serious mental illnesses who have a history of cycling in and out of criminal justice systems.¹⁹ Many of these individuals have co-occurring substance-related disorders. These programs are typically staffed by teams of professionals and peers (psychiatrists, case managers, substance abuse counselors, and peer support specialists) who have relatively small caseloads. Services are carefully coordinated and integrated. They are designed to prevent or reduce incarceration and hospital admissions and to improve the person's quality of life. FACT teams engage in mobile outreach to serve people who may be in danger of de-compensation or relapse. One of the keys to the success of FACT teams is that parole and probation officers are often part of the team and thus are less apt to revoke and re-incarcerate individuals for treatment failures.

Supported and Therapeutic Living Arrangements

For most people who have a serious mental illness, survival in the community depends on an appropriately supportive and structured living arrangement. The person sometimes lives with family but it is not unusual for people who have a mental illness to live alone successfully. Nevertheless, there are times when the kind and degree of structure the person needs can be found only in a living arrangement with a high staff to resident ratio, where medication is dispensed by staff, and where recovery oriented therapeutic activities are offered. Successful models of therapeutic living arrangements include:

- Permanent supportive housing linked to health, mental health, employment and other support services;
- Group homes and other congregate living arrangements in which small groups of individuals with mental illnesses reside together, often with a full-time or part-time counselor; and
- Housing First programs, in which people who are homeless and have serious mental illnesses are provided with permanent independent housing. While

services are available and participation in these services is encouraged, people are not required to participate as a condition for entering and/or retaining housing. However, aggressive outreach, treatment, and support is provided, usually through ACT teams.²⁰ The Pathways to Housing program in New York City is an example of a “Housing First” type program.²¹

Treatment of Co-Occurring Disorders

It is estimated by mental health professionals and other professional personnel in the criminal justice system, who are knowledgeable about incarcerated persons with serious mental illness, that at least 75% of these individuals meet the DSM-IV-TR criteria for drug and/or alcohol abuse or dependence. Clearly, if treatment after release is to be successful, both the mental illness and substance abuse must be addressed concurrently.²²

These services should be integrated in the community and it has been found that the same treatment team should provide and coordinate both mental health and substance abuse treatments. This is often a long term process involving both coordinated inpatient and outpatient treatment.

Working with the Family and Peers

Family members and peers should be considered vital resources in the recovery of offenders with mental illnesses. Social support found in religious affiliations, social clubs, advocacy and peer support organizations, recreational facilities, and social service agency programs, coupled with support of family and friends are keys to reintegration into the community. Assessing problems that may develop between the person and family members or significant others is essential if contact between them is anticipated. Moreover, family members should be involved in support groups to help them during crises. In self-help programs, they can benefit from the experience of other families in similar situations and educational programs such as NAMI’s Family to Family are important sources of useful information about how to help a loved one navigate the mental health system.

Likewise, peer education and support programs such as NAMI's Peer to Peer, NAMI Connections, and In Our Own Voice are powerful mechanisms for empowering consumers to take control over their own treatment and to help others navigate the complexities of mental health and criminal justice systems. These programs and others like them should be encouraged and supported in all communities.

Crisis Services and Inpatient Treatment

In most cases, crisis care and psychiatric inpatient treatment should be the responsibility of the mental health system and not the criminal justice system.²³ As noted earlier, by the year 2006, at least 361,182 people with serious mental illness were incarcerated in jails and prisons rather than receiving appropriate mental health services. If there were not shortages of both acute and tertiary care inpatient beds in the mental health system, many of these individuals would not have come to the attention of law enforcement officers. Or if they had, they would have been transported to a crisis center, an emergency room, an acute/intermediate care psychiatric inpatient treatment facility, or a state hospital, rather than entering the criminal justice system.

Although some states and local communities have recognized the need for more crisis resources, there are still not enough of them to meet the demand. The shortage of acute and intermediate care beds continues to grow as more community hospitals close existing psychiatric units and state psychiatric hospitals remain chronically in excess of budgeted and/or licensed census. In the absence of access to an appropriate and timely treatment facility, even with the best of intentions, the highest motivation, and the necessary training to accomplish effective diversion, it will not happen.

Access to crisis services and inpatient psychiatric acute, intermediate, and tertiary care beds must become a high priority for the mental health system.²⁴ That would make it possible for a shift in inpatient focus from managing census to achieving the best possible outcome for the individual being treated. For example, stays in acute facilities would be long enough to stabilize the person and there would not be pressure to discharge in an unreasonably short time. This would have a direct impact on the number of people with mental illnesses in jail or prison because people who are discharged before

they are stabilized often find their way into the criminal justice system. It is crucial that inpatient treatment be tied closely to the community after care treatment system, so that when the individual leaves the hospital, he or she will already be integrated into community treatment and follow up.

Cultural Competency

It is important that mental health professionals understand the roles that ethnicity, race, culture, gender, and age play in the ways that mental illness manifests itself. It is also important to know how these variables should influence what treatments are offered and how they are delivered. It is only in this context that the mental health system can provide appropriate services to people of diverse racial, cultural, and ethnic backgrounds as well as persons of all ages and genders.

Necessary Expansion of Services in the Community Mental Health System

A significant increase in mental health services for persons with serious mental illness, from outpatient treatment and case management to 24-hour care, would no doubt result in far fewer people with mental illnesses committing criminal offenses. The stigma attached to people with mental illness is already a terrible burden, but that burden is magnified when they have been in a jail, prison, or forensic hospital. They have been categorized as having both mental illnesses and being offenders, which makes it extremely difficult to find community treatment and housing programs that will accept these individuals. If the goal of reducing the criminalization of people with serious mental illness is to be accomplished, the mental health and criminal justice systems must be provided with all the necessary resources to identify and treat these individuals in the most appropriate setting. It cannot be emphasized enough that the criminal justice system should not be viewed as a suitable substitute for the mental health system.

Policy Recommendations

Pre-Booking Diversion, CIT, and Training of Law Enforcement Officers

- Resources should be directed from all levels of government (federal, state, and local) to support the development and implementation of Crisis Intervention Team (CIT) programs. CIT programs have been proven to reduce costs associated with incarceration and to increase the safety of law enforcement officers and the people with serious mental illness to whom they are responding.
- Since police today are first responders to people with serious mental illness in crisis, all police officers should be trained to recognize the symptoms of mental illness and to relate effectively to persons with serious mental illness. Additionally, a subgroup of officers (approximately 25%) should receive specialized, intensive CIT training and be designated, whenever possible, to respond to calls involving people experiencing psychiatric crises.

Post-Booking Diversion

- A variety of post-booking jail diversion options should be considered and supported at state and local levels, including Mental Health Courts, diversion programs through regular, non-mental health courts, such as Connecticut's statewide jail diversion project and Memphis' Jericho Project, and Court Appointed Special Mental Health Advocates.

Linkages Between Criminal Justice and Mental Health Systems

- Strong linkages should be established at state and local levels between law enforcement, the courts, corrections and the mental health system to ensure that the mental health and related service needs of incarcerated people with serious mental illness are addressed immediately following release.

Mental Health Services and Supports

- A range of supported, therapeutic, and community-based living options should be available for people with serious mental illnesses involved or at risk of being involved with criminal justice systems. These should include:
 - Permanent supportive housing options;
 - Group homes and other congregate living arrangements; and
 - "Housing first" programs, which provide permanent independent housing and the availability of services on a voluntary basis for individuals with serious mental illness who are homeless.
- Integrated mental health and substance abuse treatment services must be available in one setting for individuals with mental illness involved or at risk of involvement with the criminal justice system. Studies suggest that at least 75% of people with serious

mental illness who are incarcerated also meet DSM-IV-TR criteria for drug and/or alcohol abuse or dependence.

- Family and peer support and educational programs are vital resources in the recovery of offenders with serious mental illnesses and should be available for all who can benefit from them. For example, the Forensic Peer Specialist model developed in New York City offers promise as a model for helping offenders with mental illnesses reintegrate into their communities.
- Adequate numbers of inpatient beds for acute, intermediate and tertiary psychiatric care must be maintained for individuals who need them. It is cruel, inhumane and highly inappropriate to use jails and prisons as substitute inpatient treatment facilities.
- Mobile crisis management teams and crisis stabilization services should be available and easily accessible for individuals in crisis who need immediate assistance. This would significantly reduce burdens on law enforcement as first responders.
- Mental health services should be culturally competent and designed to respond to the unique needs of people of diverse racial, cultural and ethnic backgrounds as well as people of different ages and genders.
- Funding for inpatient and community-based services for people with serious mental illnesses must be increased significantly so that the needs of all individuals with these illnesses are addressed. Adequate funding of mental health services will result in savings for other systems, such as criminal justice, that have in recent years frequently been forced to assume the burdens of responding to people in crisis.

¹ U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, “Prison Statistics”, available at <http://www.ojp.usdoj.gov/bjs/prisons.htm>. Accessed May 22, 2008.

² National Commission on Correctional Healthcare, “Prevalence of Communicable Disease, Chronic Disease, and Mental Illness among the Inmate Population”, in The Health Status of Soon-to-be-Released Inmates: A Report to Congress, Washington, DC, National Commission on Correctional Health Care, 2002, available at www.ncchc.org/stbr/volume1/chapter3.pdf. Accessed May 22, 2008.

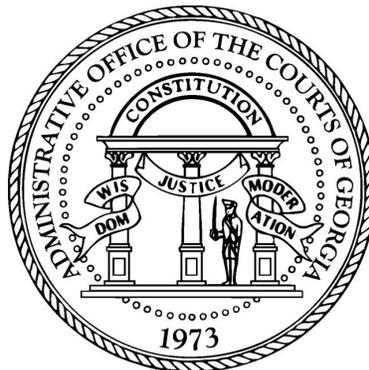
³ Lamb, HR and Weinberger, LE, “The Shift of Psychiatric Inpatient Care from Hospitals to Jails and Prisons”, *Journal of the American Academy of Psychiatry and Law* 33: 529-534, 2005.

⁴ Human Rights Watch, “Difficulties Mentally Ill Prisoners Face Coping in Prison”, in Ill Equipped: U.S. Prisons and Offenders with Mental Illness, 2003, available at http://www.hrw.org/reports/2003/usa1003/7.htm#_Toc51489457. Accessed August 29, 2008

⁵ Lamb HR and Weinberger, LE, “Persons with Severe Mental Illness in Jails and Prisons: A Review”, *Psychiatric Services* 49:483-492, 1998.

⁶ Lurigio, AJ and Fallon, J, “Individuals with Serious Mental Illness in the Criminal Justice System”, The Case of Richard P”, 6 *Clinical Case Studies*, 362, 2007.

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- ⁷ Lamb HR, Weinberger LE, and DeCuir WJ, “The Police and Mental Health”, *53 Psychiatric Services* 1266-1271, 2002.
- ⁸ Lamb HR, Weinberger LE, Marsh JS, and Gross BH, “Treatment Prospects for Persons in an Urban County Jail”, *Psychiatric Services* 58(6): 782-286, 2007.
- ⁹ Council of State Governments, Reentry Policy Council, “Connecticut Jail Diversion Project”, available at http://www.reentrypolicy.org/program_examples/jail_diversion_project. Accessed September 4, 2008.
- ¹⁰ Lamb, HR, Weinberger, LE, DeCuir, WJ, “The Police and Mental Health”, *Psychiatric Services*, 53:1266-1272, 2002.
- ¹¹ Compton MT, Bahora M, Watson AC, and Olive JR, “A Comprehensive Review of Extant Research on Crisis Intervention Team (CIT) Programs”, *Journal of the American Academy of Psychiatry and the Law*, 36(1) 47-55, 2008.
- ¹² National Alliance on Mental Illness, “CIT Facts”, available at www.nami.org/cittoolkit. Accessed September 4, 2008.
- ¹³ Slate RN and Wesley WW, *Criminalization of Mental Illness*, Durham, NC, Carolina Academic Press, 2008.
- ¹⁴ Fisler, C., “Building Trust and Managing Risk: A Look at a Felony Mental Health Court”, *Psychology, Public Policy and Law*, (11(4): 587-604, 2008.
- ¹⁵ Slate RN and Johnson WW, *Criminalization of Mental Illness*, Durham, NC, Carolina Academic Press, 2008.
- ¹⁶ Hiday, VA, “Putting Community Risk in Perspective: A Look at Correlations, Causes, and Controls”, *International Journal of Law and Psychiatry*, 25(4): 316-333, 2006.
- ¹⁷ Lamb, HR, Weinberger, LE, and Gross, BH, “Mentally Ill Persons in the Criminal Justice System: Some Perspectives”, *Psychiatric Quarterly*, 75(2): 108-126, 2004.
- ¹⁸ Stein LL and Santos AB, *Assertive Community Treatment of Persons with Severe Mental Illness*. New York: Norton; 1998.
- ¹⁹ Lamberti JS, Weisman R, and Faden DI, “Forensic Assertive Community Treatment: Preventing Incarceration of Adults with Severe Mental Illness”, *Psychiatric Services* 55: 1285-1293; 2004.
- ²⁰ National Alliance to End Homelessness, *Housing First*, available at <http://www.endhomelessness.org/section/tools/housingfirst>. Accessed September 4, 2008.
- ²¹ McCarroll, C., “Pathways to Housing the Homeless”, *Christian Science Monitor*, May 1, 2002.
- ²² Minkoff K and Cline CA, “Changing the World: The Design and Implementation of Comprehensive, Continuous Integrated Systems of Care for Individuals with Co-Occurring Disorders”, *Psychiatric Clinics of North America*, 27(4): 727-743, 2001.
- ²³ Torrey, EF, *The Insanity Offense*, New York: Norton, 2008.
- ²⁴ Bachrach, LL, “The state of the state mental hospital at the turn of the century”, *New Directions for Mental Health Services*, (91) 89-106, 2001.



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**AOC General Counsel Division
Legal and Regulatory Services
Performance Results
Fiscal Year 2009**

Purpose/Mission Statement:

To provide oversight of grant funding for civil legal services to victims of family violence, legal and administrative support to the Judicial Council Board of Court Reporting (BCR), the Commission on Interpreters (COI), the County and Municipal Probation Advisory Council (CMPAC), and the AOC, its staff, related judicial branch entities, and projects.

Staffing:

Legal

General Counsel
Assistant Director of Legal

Regulatory (BCR, COI and CMPAC)

Assistant Director for Regulatory
3 Program Managers/Staff Director
3 Compliance Analysts/Coordinator
3 Administrative Assistant

FY 2009 Performance Indicators

Result Measures	FY 2009 Actual	FY 2009 Goal
Percentage of legal assistance to AOC and related organizations	49%	100%
Percentage of court reporters regulated	99%	100%
Percentage of court interpreters regulated	100%	100%
Percentage of misdemeanor companies regulated	98%	100%
Percentage of eligible domestic violence victims in Georgia provided legal services with grant funds	(First 6 month report due January 1, 2009)	5%

Output Measures	FY 2009 Actual	FY 2009 Goal
Number of requests for contracts or other legal documents completed	40	85
Number of requests for AOC legal assistance completed	74	150
Number of court reporters tested	67	100
Number of court reporters trained	42	50
Number of court reporters regulated	1132	1140
Number of court reporters disciplined (includes disciplinary hearings, suspensions and revocations)	116	128
Number of interpreters tested	73	240
Number of interpreters trained	24	130
Number of court interpreters regulated. <i>The decrease reflects the new designation of interpreters effective 1/09</i>	329	125
Number of trainings for probation providers	1	3
Number of compliance visits	10	50
Number of miles traveled for compliance visits	4,536	20,000
Number of probation providers registered /regulated	108	110
Number of probation employees monitored	1190	1200
Number of criminal background checks performed	250	500
Number of eligible domestic violence victims provided legal assistance in Georgia	(First six month report due January 1, 2009)	4000

AOC Children, Families and the Courts Performance Results Fiscal Year 2008-2009

Children, Families and the Courts - Grants Management

Purpose/Mission Statement:

The purpose of the Grants Management section is to assist courts in securing and administering grants, managing projects, providing technical assistance, and developing outcome studies. All of these activities will improve the administration of justice in Georgia's courts.

Staffing:

Associate Director; Children, Families and the Courts
Program Development Manager
Assistant Director for Grants and Project Management
Project Director GADEC
Project Assistant, GADEC
Drug Court Data Coordinator

Output Measures	FY2008 Goal	FY2008 Actual	FY2009, 1st Quarter
Dollar amount of grant awards received	\$3,000,000	\$3,376,906.78	\$3,446,207.00
Dollar amount of subgrant awards made	\$2,000,000	\$1,995,899.00	\$2,189,163.00
Number of grant applications completed	8	18	13
Number of grants administered	20	23	29
Number of subgrant awards administered	47	47	60
Number of court projects managed	12	10	8
Number of meetings arranged	40	69	42
Number of conferences planned	3	3	1
Number of educational sessions facilitated	60	50	5
Number of grant applications reviewed for others	15	10	3
Number of technical assistance requests provided from office	500	1025	384
Number of technical assistance requests provided on-site	25	30	8
Number of grant reports completed	50	69	31
Number of subgrant claims processed	160	255	36
Number of invoices processed	1000	800	342
Number of trainings conducted***			18
Number of start-up accountability courts assisted	10	16	18

***Newly added measure, FY2009

**AOC Children, Families and the Courts
Performance Results
Fiscal Year 2008-2009**

Division of Children Families and the Courts- The Committee on Justice for Children

Purpose/Mission Statement:

To improve the legal and court process of court-involved children in civil proceedings.
Federal funding from the Court Improvement Project (CIP).

Staffing:

Project Director
Deputy Project Director
J4C Training and Data Manager
Court Improvement Initiative Coordinator

	FY2008 GOAL	FY2008 ACTUAL	FY2009, 1st Quarter
Output Measures			
Number of educational opportunities for attorneys	5	17	169
Number of educational opportunities for judges	20	8	17
Number of Justice for Children summits held in GA judicial circuits	12	8	3
Number of meetings/contacts with judges and stakeholders to	4	2	0
Number times Measures for Courts website is updated	2	1	0
Number of national meetings where staff attends or presents as CIP	4	2	1
Number of Measures for Courts/Court Improvement meetings held	4	4	1
Number of County File Reviews and Court Observations	6	2	3
Number of legislative initiatives passed or researched	2	2	0
Hours spent keeping website up to date	40	51	0
Number of legal articles written and published	3	4	2
Number of county stakeholder meetings held	100	57	9
Number of case law review summaries published	2	7	0
Number of webcasts sponsored and published on website	15	18	0
Number of technology equipment purchased or supported for courts	10	1	1

AOC Children, Families and the Courts Performance Results Fiscal Year 2008-2009

Division of Children, Families and the Courts The Office of The Child Support Commission

Staffing:

Staff Attorney for Child Support Commission
Child Support Guidelines Coordinator
Administrative Assistant

	FY2008 Goal	FY2008 ACTUAL	FY2009, 1st Quarter
Output Measures			
Number of Judges and Judges' personnel training seminars	24	14	1
Number of Technical/Substantive Assistance Calls from Courts and public (including attorneys)	200	282	75
Number of Child Support Commission Meetings Attended, Staffed and Administered	4	4	0
Number of Child Support Commission Subcommittee Meetings Attended, Staffed and	4	10	1
Number of Child Support Guidelines Training for Attorneys	3	5	4
Number of Child Support Guidelines Trainings for Pro Se Litigants	10	6	0
Number of Child Support Guideline Trainings for Court Personnel and Institutions (libraries)	5	18	*4
Number of Legal Research Projects, including those researching best practices of other states	10	11	1
Number of Training Materials provided for Courts (not volume but individual items created)	5	55	1
Number of Training Materials Provided for Non-Court (including attorneys and pro se litigants)	10	92	4
Number of Court Visits, not related to a Child Support Training Seminar	5	4	1
Number of Implementation Measurement tools, such as surveys, created	4	5	3
Number of Projects related to Child Support Judicial Liaison responsibilities	2	9	3
Number of National Meetings attended or served as a representative or member of board	2	3	1
Number of Meetings/Conferences Attended and/or Presented at regarding Child Support	6	8	1



AOC TECHNOLOGY AND OPERATIONS DASHBOARD REPORT

Mission: To provide technology and operations services to the AOC in it's mission to support the judiciary.

Vision: To support AOC statutory mandates, promote clear understanding of responsibilities, fulfill the technology and operations needs of the individual courts and the judicial system, serve as the judicial data agent for the state and implement technology to improve the quality of justice.

Technology and Operations Staff: 11 Full-time In-House Positions 5 Grant Funded Positions
7 Full-time Field Staff Positions

The Technology and Operations Division consists of two (2) database administrators, one network and one desktop support position, four (4) software specialists, four (4) field tech support persons, one (1) webmaster and five (5) developers.

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Software Services as of:

10/17/08

Citrix Enabled Products (Web)

	Sustain	TIPS	PCIS	MCIS	GA Jury	E-Filing	Sustain/CTX	PCIS/CTX	MCIS/CTX	GA Jury/CTX	Total
Superior	14	2	0	0	19	2	6	0	0	0	43
State	8	3	0	0	0	0	3	0	0	0	14
Juvenile	10	12	0	0	0	0	6	0	0	0	28
Probate	7	12	43	0	0	0	16	14	0	0	92
Magistrate	11	1	0	45	0	0	9	0	18	0	84
Municipal	4	51	0	0	0	0	4	0	0	0	59
District Attorney	2	0	0	0	0	0	0	0	0	0	2
Solicitor	3	0	0	0	0	0	0	0	0	0	3
Recorders	4	1	0	0	0	0	0	0	0	0	5
Total	63	82	43	45	19	2	44	14	18	0	330

Support Calls by District

10/13/08 - 10/16/08

	1	2	3	4	5	6	7	8	9	10	Total
Superior	0	0	3	0	0	0	10	0	5	3	21
State	0	1	0	0	0	0	0	0	0	0	1
Juvenile	0	0	0	0	0	1	0	2	0	2	5
Probate	0	1	4	0	0	0	1	0	0	4	10
Magistrate	3	0	0	0	0	0	1	0	0	0	4
Municipal	1	0	1	0	0	0	0	0	0	0	2
Recorders	0	0	0	0	0	0	0	0	0	0	0
Total	4	2	8	0	0	1	12	2	5	9	43

YTD	1010	354	721	39	15	513	1135	1581	299	532	6199
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Prior Year YTD	805	294	502	38	10	368	661	926	206	330	4140
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Network Metrics

Inbound Email (YTD)	Good	Spam	Virus	Totals
	1,153,312	3,257,971	3,108	4,414,391
Outbound Email (YTD)	Good	Spam	Virus	Totals
	402,473	0	2	402,475

10/13/08 - 10/16/08	Inbound	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Totals	Average
Good	1,204	1,846	2,226	2,300	0	0	0	0	7,576	1,082
Spam	6,640	7,250	6,386	6,433	0	0	0	0	26,709	3,816
Virus	0	0	0	0	0	0	0	0	0	0

Outbound	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Totals	Average
Good	646	1,146	1,114	1,180	0	0	0	4,086	584
Spam	0	0	0	0	0	0	0	0	0
Virus	0	0	0	0	0	0	0	0	0

www.georgiacourts.org	YTD	Hits	Visitors	Bandwith (MB)
	Totals	30,542,204	2,038,678	356,912
	Average	2,545,184	169,890	29,743

www.georgiacourts.org	10/13/08 - 10/16/08	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Totals	Average
	Hits	93,014	106,568	103,786	45,582	0	0	0	348,950	49,850
	Visitors	14,237	16,133	17,139	6,884	0	0	0	54,393	7,770
	Page Views	14,237	16,133	17,139	6,884	0	0	0	54,393	7,770

Top Initiatives for FY08:

1. Increase Web Functionality / Presence
2. Co-location Facility and Hardware Upgrade
3. Disaster Recovery / Business Continuity
4. TIPS Program/TRCC
5. Online Directory with CID
6. Project Management for Information Technology Groups
7. Expansion of Child Support / E-Filing
8. Content / Document Management throughout Agency
9. Virtualization – Greening the Data Center

The AOC Technology and Operations Dashboard can be viewed at:

www.georgiacourts.org/dashboard/dashboard.html