

JUDICIAL COUNCIL OF GEORGIA

General Session

Friday, February 26, 2016

10 a.m. – 2 p.m.



James H. "Sloppy" Floyd Building – Floyd Room
2 Martin Luther King, Jr. Drive
West Tower, 20th Floor
Atlanta, GA 30334

Judicial Council of Georgia

James H. “Sloppy” Floyd Building – Floyd Room
2 Martin Luther King, Jr. Drive
West Tower, 20th Floor
Atlanta, GA 30334

Friday, February 26, 2016

10 a.m. – 12 noon

Lunch will be served immediately following the Council meeting

- 1. Preliminary Remarks and Introductions**
(Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)
- 2. Approval of Minutes, December 9, 2015** *(Action Item)* **TAB 1**
(Chief Justice Hugh P. Thompson, Est. Time – 2 Min.)
- 3. Child Support Collaborative/Parental Accountability Courts/ Child Support E-filing**
(Judge Louisa Abbot, Judge Brian Amero, & Ms. Beverly Logan, Est. Time – 25 Min.)
- 4. Judicial Council Committee Reports**
 - A. Strategic Plan Implementation Committee** *(Informational)* **TAB 2**
(Chief Judge Sara Doyle, Est. Time – 5 Min.)
 - B. Technology Committee**
(Justice Harold D. Melton, Est. Time – 5 Min.)
 - C. Budget Committee**
(Justice Harold D. Melton, Est. Time – 5 Min.)
 - D. Policy and Legislative Committee** **TAB 3**
(Presiding Justice P. Harris Hines, Est. Time – 10 Min.)
 - E. Judicial Workload Assessment Committee** **TAB 4**
(Judge David Emerson, Est. Time – 10 Min.)
- 5. Supreme Court Commission on Interpreters** **TAB 5**
(Justice Keith Blackwell, Est. Time – 5 Min.)
- 6. Report from Judicial Council/AOC** **TAB 6**
(Ms. Cynthia H. Clanton, Est. Time – 10 Min.)

- 7. Reports from Appellate Courts and Trial Court Councils** **TAB 7**
 (Est. Time – 10 min.)
- A. Supreme Court**
 - B. Court of Appeals**
 - C. Council of Superior Court Judges**
 - D. Council of State Court Judges**
 - E. Council of Juvenile Court Judges**
 - F. Council of Probate Court Judges**
 - G. Council of Magistrate Court Judges**
 - H. Council of Municipal Court Judges**
- 8. Report from the Council of Superior Court Clerks** **TAB 8**
- 9. Report from the Council of Accountability Court Judges** **TAB 8**
- 10. Report from the Georgia Council of Court Administrators**
- 11. Old/New Business**
 (Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)
- 12. Outgoing Members**
 (Chief Justice Hugh P. Thompson, Est. Time – 2 Min.)
- 13. Concluding Remarks and Adjournment**
 (Chief Justice Hugh P. Thompson, Est. Time – 5 Min.)

Next Judicial Council Meeting

Friday, April 29, 2016	12 p.m. – 5 p.m.	Forsyth, GA (GPSTC)
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Judicial Council Meeting Calendar - 2016

Friday, April 29, 2016	12 p.m. – 5 p.m.	Forsyth, GA (GPSTC)
Wednesday, June 15, 2016	12 p.m. – 5 p.m.	Jekyll Island, GA (TBD)
Wednesday, August 31, 2016	10 a.m. – 2 p.m.	Atlanta, GA (State Bar of Georgia)
Friday, October 21, 2016	12 p.m. – 5 p.m.	Macon, GA (Macon Marriott)
Friday, December 9, 2016	10 a.m. – 2 p.m.	Atlanta, GA (The Carter Center)

Judicial Council Members

As of August, 2015

Supreme Court

Chief Justice Hugh P. Thompson
Chair, Judicial Council
507 State Judicial Building
Atlanta, GA 30334
404-656-3475/F 657-9586
thompsoh@gasupreme.us

Presiding Justice P. Harris Hines
Vice-Chair, Judicial Council
501 State Judicial Building
Atlanta, GA 30334
404-656-3472/F 651-8642
hinesph@gasupreme.us

Court of Appeals

Chief Judge Sara Doyle
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-656-3458/F 657-9764
doyles@gaappeals.us

Judge Stephen Louis A. Dillard
47 Trinity Avenue, Suite 501
Atlanta, GA 30334
404-657-9405/ F 657-8893
dillards@gaappeals.us

Superior Court

Chief Judge Brenda S. Weaver
President, CSCJ
Appalachian Judicial Circuit
P.O. Box 545
Jasper, GA 30143
706-253-8729/ F 253-8734
basw54@gmail.com

Judge Horace J. Johnson, Jr.
President-Elect, CSCJ
Alcovy Judicial Circuit
1132 Usher Street, NW
Covington, GA 30014
770-784-2080/F 784-2130
hjohnson@co.newton.ga.us

Judge John E. Morse Jr.
Eastern Judicial Circuit, 1st JAD
213 Chatham County Courthouse
133 Montgomery Street
Savannah, GA 31401
912-652-7236/F 652-7361
jemorse@chathamcounty.org

Chief Judge Harry J. Altman II
Southern Judicial Circuit, 2nd
JAD
P.O. Box 1734
Thomasville, GA 31799
229-228-6278/F 225-4128
thosct@rose.net

Judge Edward D. Lukemire
Houston Judicial Circuit, 3rd JAD
201 N. Perry Parkway
Perry, GA 31069
478-218-4850/F 218-4855
elukemire@houstoncountyga.org

Chief Judge Tangela M. Barrie
Stone Mountain Judicial Circuit,
4th JAD
5230 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-2338/F 371-3081
tbarrie@dekalbcountyga.gov

Chief Judge Gail S. Tusan
Atlanta Judicial Circuit, 5th JAD
T8955 Justice Center Tower
185 Central Avenue SW
Atlanta, GA 30303
404-612-8520/F 302-8524
gail.tusan@fultoncountyga.gov

Judge Matthew O. Simmons
Clayton Judicial Circuit, 6th JAD
Harold R. Banke Justice Center
9151 Tara Boulevard
Jonesboro, GA 30236
770-477-3484/F 477-3487
matthew.simmons@co.clayton.ga.us

Judge S. Lark Ingram
Cobb Judicial Circuit, 7th JAD
70 Haynes Street
Marietta, GA 30090
770-528-1831/F 528-1834
larkingram@mindspring.com

Chief Judge Kathy Palmer
Middle Judicial Circuit, 8th JAD
P.O. Box 330
Swainsboro, GA 30401
478-237-3260/F 237-0949
kspalmer@bellsouth.net

Chief Judge Melodie Snell Conner
Gwinnett Judicial Circuit, 9th JAD
75 Langley Drive
Lawrenceville, GA 30046
770-822-8660/F 822-8662
melodie.conner@gwinnettcountry.com

Chief Judge J. Carlisle Overstreet
Augusta Judicial Circuit, 10th JAD
735 James Brown Blvd., Suite 4203
Augusta, GA 30901
706-821-2347/F 721-4476
joverstreet@augustaga.gov

State Court

Chief Judge Wayne M. Purdom
President, CSCJ
DeKalb County
556 N. McDonough St, Suite 3220
404-687-7180/ F 687-7185
wmpurdom@dekalbcountryga.gov

Chief Judge Richard A. Slaby
President-Elect, CSCJ
Richmond County
735 James Brown Boulevard
Suite 4105
Augusta, GA 30901-2974
706-821-2582/ F 821-1177
rslaby@augustaga.gov

Juvenile Court

Judge John Sumner
President, CJCJ
Blue Ridge Judicial Circuit
90 North Street, Suite 310
Canton, GA 30114
678-293-6250/F 493-6255
jbsumner@cherokeega.com

Chief Judge Benjamin P. Brinson
President-Elect, CJCJ
Atlantic Judicial Circuit
P.O. Box 667
Claxton, GA 30417
912-739-2533/F 739-2513
bpbrinson@aol.com

Probate Court

Judge Don Wilkes
President, CPCJ
Emanuel County
P.O. Box 70
124 S. Main Street
Swainsboro, GA 30401
478-237-7091/F 237-2633
judgewilkes@yahoo.com

Judge Alice Padgett
President-Elect, CPCJ
Columbia County
P.O. Box 1520
Evans, GA 30809
706-312-7254/F 312-7251
apadgett@columbiacountyga.gov

Magistrate Court

Judge Robert "Bob" Turner
President, CMCJ
Chief Magistrate
Houston County
89 Cohen Walker Drive
Warner Robins, GA 31088
478-987-4695/F 987-5249
bturner@houstoncountyga.org

Judge Kristina Hammer Blum
First Vice-President, CMCJ
Chief Magistrate
Gwinnett County
75 Langley Drive
Lawrenceville, GA 30045-6900
770-822-8081/F 822-8075
kristina.blum@gwinnettcountry.com

Municipal Courts

Judge Leslie Spornberger Jones
President, CMCJ
Municipal Court of Athens-Clarke County
P.O. Box 1705
Athens, GA 30603
706-613-3695/F 613-3696
leslie.jones@athensclarkecounty.com

Judge Gary E. Jackson
President-Elect, CMCJ
Municipal Court of Atlanta
150 Garnett Street, SW
Atlanta, GA 30303-6372
404-658-6930/F 658-7488
gejackson@atlantaga.gov

Directions to the James H. “Sloppy” Floyd Building - Floyd Room

2 Martin Luther King, Jr., Drive

West Tower, 20th Floor

Atlanta, GA 30334

Note: Directions include parking information for the Pete Hackney Garage; however you can park in any number of parking lots around the Capitol and then walk to the Floyd Building (see map attached). Parking will be provided for Judicial Council members in the Pete Hackney Garage, through the main entrance on Jesse Hill Jr. Drive.

Southbound on I-75/I-85:

Take Exit 248-A (MLK Jr. Dr.). Stay in right lane on exit ramp. Yield to the right onto Jesse Hill Jr. Drive. The entrance to the parking deck is on your right immediately after the pedestrian bridge (Pete Hackney Garage, \$5.00 per day). To enter the Floyd Building, you will need to show a valid picture I.D. ***The Floyd Room is on the 20th floor of the West Tower.***

Northbound on I-75/I-85:

Take Exit 246 (Fulton Street). Take the right exit. Turn right at the traffic light. Move to the left lane. Turn left at the traffic light onto Capitol Avenue. Stay in the right lane. Stay on Capitol Ave. past the State Capitol on your left. Turn right at traffic light onto MLK Jr. Drive. Next, turn left at the traffic light onto Jesse Hill Jr. Drive. The entrance to the parking deck is on your right immediately after the pedestrian bridge (Pete Hackney Garage, \$5.00 per day). To enter the Floyd Building, you will need to show a valid picture I.D. ***The Floyd Room is on the 20th floor of the West Tower.***

Westbound on I-20:

Take Exit 58A (Capitol Avenue). Stay in the right lane. Take a right onto Capitol Avenue. Stay on Capitol Ave. past the State Capitol on your left. Turn right at traffic light onto MLK Jr. Drive. Next, turn left at the traffic light onto Jesse Hill Jr. Drive. The entrance to the parking deck is on your right immediately after the pedestrian bridge (Pete Hackney Garage, \$5.00 per day). To enter the Floyd Building, you will need to show a valid picture I.D. ***The Floyd Room is on the 20th floor of the West Tower.***

Westbound on I-20: Alternate Route

Take Exit 58B (Hill Street). Stay in the right lane. Take a right onto Hill Street. Get in the left lane. Stay on Hill Street past two traffic lights and after going under railroad tracks. At the next traffic light, turn left onto Decatur Street. At the second traffic light, turn left onto Jesse Hill Jr. Drive. The entrance to the parking deck is on your left immediately before the pedestrian bridge (Pete Hackney Garage, \$5.00 per day). To enter the Floyd Building, you will need to show a valid picture I.D. ***The Floyd Room is on the 20th floor of the West Tower.***

Eastbound on I-20:

Take Exit 56B (Windsor St/Spring St). Continue on ramp to third traffic light. Turn left onto Central Ave. Stay in right lane. At the MARTA overpass traffic light (5-way intersection), take right onto Memorial Drive. Continue on Memorial Dr. to third traffic light. Turn left onto Capitol Avenue. Stay in right lane. You will pass the State Capitol on the left then turn right at the traffic light onto MLK Jr. Drive. Next, turn left at the traffic light onto Jesse Hill Jr. Drive. The entrance to the parking deck is on your right immediately after the pedestrian bridge (Pete Hackney Garage, \$5.00 per day). To enter the Floyd Building, you will need to show a valid picture I.D. ***The Floyd Room is on the 20th floor of the West Tower.***

STATE GOVERNMENT COMPLEX



CAPITOL HILL Parking Map

GEORGIA BUILDING AUTHORITY

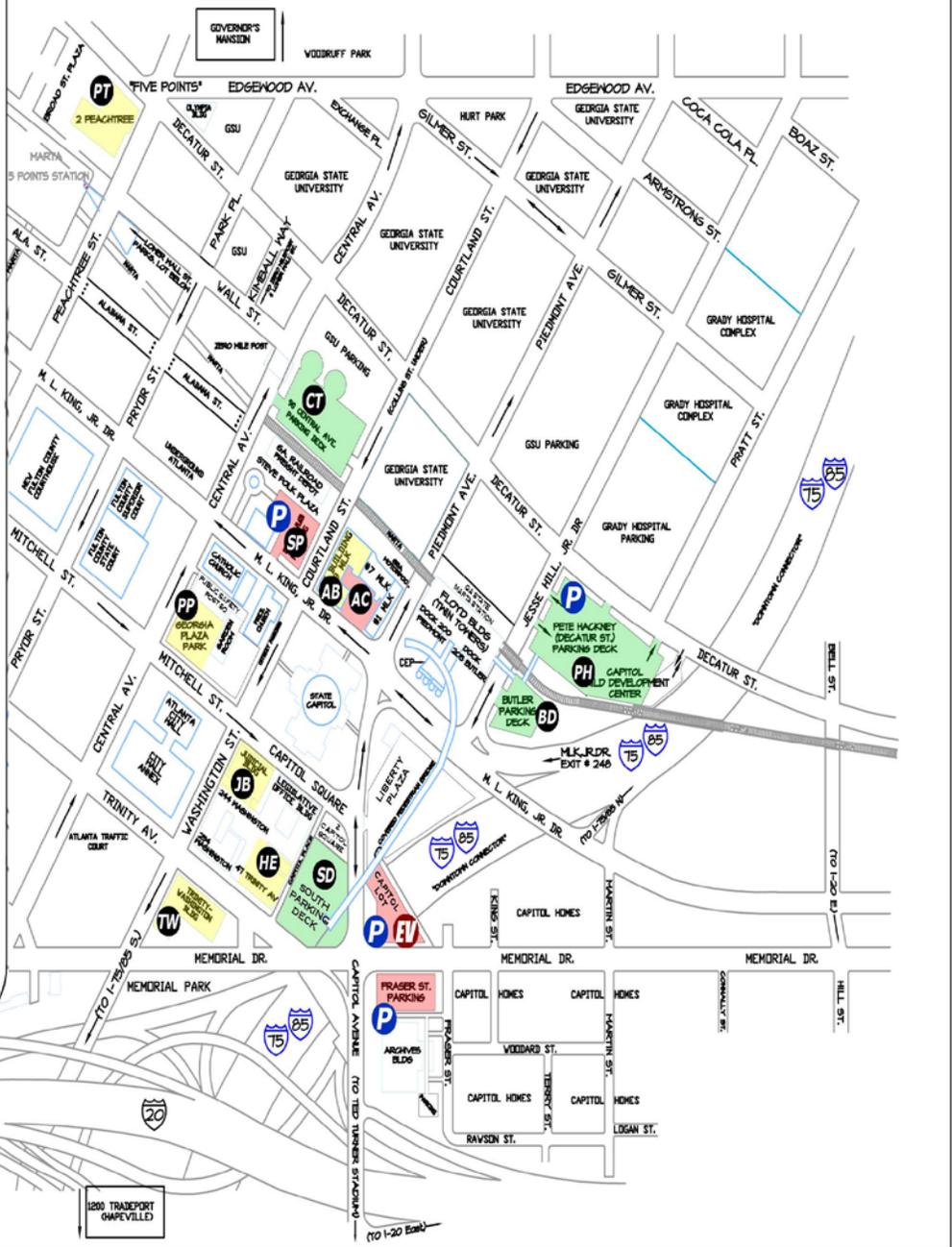
1 Martin Luther King, Jr. Dr. SW, Atlanta, GA 30334

- PT** 2 Peachtree
- CT** 90 Central
- AC** Agriculture Courtyard
- AB** Agriculture Building
- BD** Butler Deck
- HE** Health Deck
- JB** Judicial Building
- PP** Plaza Park
- PH** Pete Hackney
- SD** South Deck
- SP** Steve Polk
- TW** Trinity Washington

- Underground Parking
- Multi-Level Deck Parking
- Surface Lot/Courtyard Parking
- Public Parking
- Electric Vehicle Charging Stations

1-26-15

I J K L M N O P Q R S T U V W X Y Z



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1050 MURPHY
1150 MURPHY

1200 TRANSPORT
1300 GARRETT

Access to the Floyd Building from Pete Hackney Parking Garage

1. Take elevator to Level 5 of the Pete Hackney garage
2. Take immediate right off the elevator to the pedestrian bridge
(If you are walking *towards* the elevator, this will be a left)
3. Exit elevator and take pedestrian bridge across to the
Butler Parking Garage
4. Make immediate right to the elevators
5. Take elevator to Level BR (bridge) of the Butler Parking Garage
6. Exit elevator and take pedestrian bridge to the Floyd Building
(Access through two entry doors is open to the public)
7. You will enter the Floyd Building at the East Tower.
8. Walk across to the West Tower.
9. Check-in with security personnel and take elevator to the 20th floor
10. Meeting will be held in the Floyd Room

Signs are posted throughout the Pete Hackney and Butler parking garages to direct you through these steps to the Floyd Building.

The Floyd Building is located at the corner of Martin Luther King Jr. Drive and Piedmont Avenue.



Administrative Office of the Courts

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

Cynthia H. Clanton, Director
404-656-5171

As of February 19, 2016

Director's Office

Budget

Ashley Garner
404-656-6404

Governmental and Trial Court Liaison

Tracy Mason
404-463-0559

Kevin Holder
404-463-6296

LaShawn Murphy
404-651-6325

James Rodatus
404-656-5453

Human Resources

Stephanie Hines
404-657-7469

Jacqueline Booker
404-463-0638

General Counsel

Jessica Farah
404-463-3805

Zan Patorgis
404-463-3821

Legislative Liaison

Christine Butcher
404-651-7616

Judicial Services

Christopher Hansard
Division Director
404-463-1871

Research and Data Analysis

Robert Aycock
404-656-0371

Danita Chiles
404-463-3887

Carla Hardnett
404-232-1857

Jeffery Thorpe
404-656-6413

Court Professionals

Shinji Morokuma
404-463-3785

Bianca Bennett
404-463-6478

Herbert Gordon
404-232-1409

Tynesha Manuel
404-463-3785

Linda Smith
404-657-4219

Children, Families, & the Courts

Michelle Barclay
404-657-9219

Patricia Buonodono
404-463-0044

Elaine Johnson
404-463-6383

Paula Myrick
404-463-6480

Bruce Shaw
404-463-6106

Communications

Ashley Stollar
404-656-6783

Financial Administration

Randy Dennis
Division Director
404-651-7613

Kim Burley
404-463-3816

Roxanne Harkcom
404-463-9016

Monte Harris
404-656-6691

Matthew Kloiber
404-463-5177

Nancy Nevels
404-463-1907

Tanya Osby
404-463-0237

Tax Intercept

Michael Cuccaro
404-656-7780

Information Technology

Jorge Basto
Division Director
404-657-9673

Willie Alcantara
404-519-9989

Bradley Allen
404-844-7808

Angela He
404-657-4006

Wendy Hosch
404-656-6413

Christina Liu
404-657-4006

Tony Mazza
404-657-4006

Michael Neuren
404-657-4218

Wanda Paul
404-538-0849

Kriste Pope
404-731-1358

Pete Tyo
404-731-1357

Georgia Judicial Exchange

Tajsha Dekine
404-656-3479

Arnold Schoenberg
404-463-6343

Judicial Council of Georgia
General Session
The Carter Center Atlanta, GA
December 9, 2015 • 10:00 a.m.

Members Present

Chief Justice Hugh P. Thompson, Chair
Presiding Justice P. Harris Hines
Judge Harry J. Altman, II
Judge Brian Amero (for Judge Matthew O. Simmons)
Judge Tangela Barrie
Judge Kristina Hammer Blum
Judge Benjamin P. Brinson
Judge Melodie Snell Conner
Judge Stephen Louis A. Dillard
Chief Judge Sara L. Doyle
Judge S. Lark Ingram
Judge Gary E. Jackson
Judge Horace J. Johnson, Jr.
Judge Leslie Spornberger Jones
Judge Richard Kent (for Judge Richard A. Slaby)
Judge Edward D. Lukemire
Judge John E. Morse, Jr.
Judge J. Carlisle Overstreet
Judge Alice Padgett
Judge Kathy Palmer
Judge Wayne M. Purdom
Judge John Sumner
Judge Robert Turner
Judge Gail S. Tusan
Judge Brenda S. Weaver
Judge Don E. Wilkes

Members Absent

Judge Matthew O. Simmons
Judge Richard A. Slaby

Staff Present

Ms. Cynthia H. Clanton, Director
Mr. Brad Allen
Ms. Michelle Barclay
Ms. Bianca Bennett
Ms. Christine Butcher
Ms. Ashley Garner
Mr. Christopher Hansard
Ms. Tracy Mason
Ms. LaShawn Murphy
Ms. Ashley Stollar

Guests (Appended)

Call to Order and Welcome

The meeting of the Judicial Council of Georgia (Council) was called to order at 10:12 a.m. by Chief Justice Thompson. The following judges were recognized as designees for absent members: Judge Brian Amero (for Judge Matthew O. Simmons) and Judge Richard Kent (for Judge Richard A. Slaby). Members and designees identified themselves for the purposes of roll call, followed by staff and guests.

Adoption of Minutes – September 30, 2015

Chief Justice Thompson directed the Council's attention to the minutes of the September 30, 2015, meeting. A motion to approve was offered by Judge Wilkes, followed by a second from Judge Padgett. No discussion was offered and the motion passed with no opposition.

Adoption of Minutes – November 3, 2015

Chief Justice Thompson directed the Council's attention to the minutes of the November 3, 2015, Executive Session. A motion to approve was offered by Judge Turner, followed by a second from Judge Wilkes. No discussion was offered and the motion passed with no opposition.

Preparing for the 2016 Legislative Session

Representative Bert Reeves and Mr. Rusty Sewell spoke to the Council about the upcoming legislative session. Rep. Reeves spoke to the legislation he is sponsoring on behalf of the Council of Municipal Court Judges (HB 480) as well as other legislation he plans to carry. He encouraged the Council to communicate with their local legislators and thanked the Council for the opportunity to work together. Mr. Sewell expressed regards from Chairman Wendell Willard, who had been invited but was unable to attend, and spoke to the Council regarding the expected timeline of the session and the importance of communication between judges and legislators.

Chief Justice Thompson recognized Ms. Butcher, who introduced herself to the Council and provided an update on the items in the Council's legislative package. Chief Justice Thompson thanked Rep. Reeves, Mr. Sewell, and Ms. Butcher and noted the Council is in a good posture going into the legislative session.

Committee Reports

Strategic Plan Implementation Committee. Chief Judge Doyle referred to the written report provided in the materials. The Committee is in its third year and will round out its work with recommendations for the governance and structure of the Judicial Council. A new Judicial

Council Standing Committee on Strategic Planning has been created and will begin its work January 1.

Policy and Legislative Committee. Justice Hines reported that the Committee met on December 2, 2015, to finalize preparations for the 2016 legislative session; no items were being recommended for action today. Justice Hines recognized Judge Purdom to speak to the updated language of the Council of State Court Judges' legislative proposal to include DUI courts in the definition of "drug court division" and also to the work of the Joint Task Force on Garnishment Reform.

Justice Hines provided an update on the work of the Criminal Justice Reform Council and a brief update on the Judicial Council legislative package. An in-session status report will be provided at the next Council meeting.

Council of Superior Court Clerks. A written report was provided in the materials and Chief Justice Thompson recognized Ms. Cinda Bright representing the Council of Superior Court Clerks. Ms. Bright highlighted the initiation of the Document Access Portal and discussion of possible enhancements to the master jury list compilation process.

Judicial Workload Assessment Committee. Mr. Hansard referred to the written report provided in the materials and provided a summary of the Committee's current work.

Board of Court Reporting. A written report was provided in the materials.

Review and Approval of Training Curricula for Georgia Magistrate Courts and Georgia Municipal Courts Training Councils

Mr. Richard Reaves reviewed the proposed training curricula provided in the materials. The proposals fulfill the statutory requirements for annual training for magistrate court judges, and municipal court judges and clerks. Mr. Reaves requested approval of the proposals by the Council; a motion to approve was offered by Judge Altman, followed by a second from Judge Palmer. The recommendation was approved with no opposition.

The Chief Justice called for a break at 11:31 a.m. The meeting reconvened at 11:42 a.m.

Report from Judicial Council/AOC

Chief Justice Thompson formally introduced Ms. Cynthia Clanton as the new Director of the Judicial Council/AOC. Ms. Clanton expressed her honor to have been selected for the position and stated that the Judicial Council/AOC is focused on service, communication and collaboration. She highlighted several Communications projects, including the 2015-2016

Georgia Courts Directory, now available online and the Judicial Council/AOC Annual Report, which was submitted ahead of schedule.

Reports from Appellate Courts and Trial Court Councils

Supreme Court. Chief Justice Thompson referred members to the written report provided in the materials. He highlighted his participation on the Board of the Conference of Chief Justices and the progress of the Court's Electronic Records Project. The Court will hold oral arguments at Georgia State University Law School on January 20, 2016, to commemorate the new building. Chief Justice Thompson noted that the annual State of the Judiciary Address will highlight the Judicial Council/AOC.

Court of Appeals. Chief Judge Doyle reported that the Court is anticipating the newly appointed panel of judges to be in place January 1, 2016. The Court is scheduled to hold oral arguments in Savannah and Albany in the coming months and asked that any court interested in hosting oral arguments contact Clerk Steve Castlen.

Council of Superior Court Judges. Judge Weaver referred members to the written report provided in the materials. Judge Weaver reported an anticipated increase in senior judges in 2016 and highlighted that 47 of 49 judicial circuits have an accountability court.

Council of State Court Judges. Judge Purdom referred members to the written report provided in the materials. He noted the new version of the State Court benchbook and thanked the Council of Magistrate Court Judges for permission to include material from that Council's benchbook.

Council of Juvenile Court Judges. Judge Sumner expressed the Council's excitement and gratitude to the Council of Accountability Court Judges for including juvenile court representatives on its Board and Committees. Judge Sumner spoke briefly to the Council's initiative to increase full time judges and revise the formula by which juvenile court positions are funded. A proposal is being worked on and will be ready for the February Judicial Council meeting.

Council of Probate Court Judges. Judge Wilkes referred members to the written report provided in the materials. He reported that the Council of Probate Court Judges will initiate district-level legislative meetings around the state.

Council of Magistrate Court Judges. Judge Turner reported on two items. He thanked the Council of State Court Judges for working with the Council on the proposed uniform rule on

garnishments; the Council is looking forward to the legislative resolution to the issue. Judge Turner noted that Magistrate Day at the Capitol will be held on February 2, 2016.

Council of Municipal Court Judges. Judge Jones referred members to the written report provided in the materials. She reported the benchbook is now complete and has been published, with special thanks given to Judge Glen Ashman for his work.

Council of Accountability Court Judges. Ms. Jones referred members to the written report provided in the materials and provided a brief update on the Council's current activities.

Georgia Council of Court Administrators. Mr. BeMent referred the members to the written report provided in the materials. He expressed appreciation to the Judicial Council for its support of GCCA's budget enhancement request.

Old Business

No old business was offered.

New Business

Chief Justice Thompson introduced Trooper Dexter Harden. He also announced the Judicial Council Legislative Reception to be held on January 27, 2016.

Adjournment

Hearing no further business, Chief Justice Thompson adjourned the meeting at 12:25 p.m.

Respectfully submitted:

Tracy Mason
Assistant Director, Judicial Council/AOC

The above and foregoing minutes
were approved on the _____ day of
_____, 2016.

Hugh P. Thompson
Chief Justice

Judicial Council of Georgia
General Session
The Carter Center Atlanta, GA
December 9, 2015 • 10:00 a.m.

Guests Present

Mr. Todd Ashley, Prosecuting Attorneys' Council
Mr. Joe Baden, Third Judicial Administrative District
Mr. Tracy J. BeMent, Tenth Judicial Administrative District
Mr. Bob Bray, Council of State Court Judges
Ms. Cinda Bright, Superior Court of Irwin County / Council of Superior Court Clerks
Ms. Jacqueline Bunn, Criminal Justice Coordinating Council
Mr. Richard F. Denney, First Judicial Administrative District
Mr. Steven Ferrell, Ninth Judicial Administrative District
Trooper Dexter Harden, Georgia State Patrol
Mr. Michael Holiman, Council of Superior Court Clerks
Mr. Joe Hood, Governor's Office of Planning and Budget
Ms. Taylor Jones, Council of Accountability Court Judges
Ms. Yolanda Lewis, Fifth Judicial Administrative District
Ms. Cathy McCumber, Fourth Judicial Administrative District
Justice Harold Melton, Supreme Court of Georgia
Mr. Charles Miller, Council of Superior Court Judges
Mr. David Mixon, Second Judicial Administrative District
Mr. Bob Nadekow, Eighth Judicial Administrative District
Justice David Nahmias, Supreme Court of Georgia
Mr. Patrick T. O'Connor, State Bar of Georgia
Ms. Jody Overcash, Seventh Judicial Administrative District
Judge Jack Partain, Superior Court, Conasauga Judicial Circuit
Mr. Jourdan Read, Georgia General Assembly
Mr. Rich Reaves, Institute of Continuing Judicial Education
Representative Bert Reeves, Georgia House of Representatives
Ms. Sharon Reiss, Council of Magistrate Court Judges
Mr. Rusty Sewell, State Bar of Georgia
Ms. Rita Sheffey, Emory University School of Law
Mr. William Simmons, Sixth Judicial Administrative District
Mr. Bryan Tyson, Georgia Public Defender Council
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Judge James R. Whitfield, Juvenile Court, Cobb Judicial Circuit
Judge Max Wood, Office of State Administrative Hearings



Chief Justice Hugh P. Thompson
Chair

Judicial Council of Georgia

Administrative Office of the Courts

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council of Georgia

FROM: Chief Judge Sara L. Doyle

RE: Strategic Plan Implementation Committee Report

DATE: February 26, 2016

The Strategic Plan Implementation Committee (SPI) met on February 9, 2016, to discuss ongoing communications efforts and action items related to priority initiative 6 dealing with the composition of the Judicial Council and its committees. Members of the newly appointed Judicial Council Strategic Plan Standing Committee also attended the meeting to learn about the on-going work of the SPI Committee.

Over the course of its three years in existence, the SPI Committee had numerous discussions about the composition of the Judicial Council. The SPI committee has concluded its work on this issue and has submitted to the Supreme Court of Georgia an order memorializing the current composition of the Judicial Council, adding clarifying language, and adding an additional non-voting member. Specifically, the order makes the following changes to previous composition orders:

- Designates the Vice-Chief of the Court of Appeals as a Judicial Council member (rather than a Judge of the Court of Appeals selected by the Court);
- Clarifies that the First Vice President of the Council of Probate Court Judges and Council of Magistrate Court Judges will be a Council member rather than the President Elect, which is consistent with Georgia law;
- Allows the Presiding Justice or other designee of the Chief Justice to preside in absence of the Chief Justice (rather than only the Presiding Justice);
- Clarifies that all members are entitled to vote in accordance with the Judicial Council Bylaws. The Bylaws follow Roberts Rules of Order which allow for the Chief Justice to vote to break or create a tie (rather than only in the event of a tie); and
- Includes the President of the State Bar of Georgia or their designee as a non-voting member of the Council (the President and Immediate Past President of the Bar were voting members of the Judicial Council from 1973 until August 1983).

A copy of the proposed order is included.

The SPI Committee also discussed proposed amendments to the current Judicial Council Bylaws. The proposed amendments define the general purpose of Standing and Ad Hoc Committees, streamline their composition and allow the Council Chair to accept proposed amendments to Bylaws if Council members are afforded at least sixty (60) days' notice prior to the final regular meeting of the fiscal year. The proposed amendments to the Bylaws are attached and will be voted on at the April meeting. If you have any comments or concerns about the proposal, please contact Cynthia Clanton at Cynthia.clanton@georgiacourts.gov or Jessica Farah at Jessica.farah@georgiacourts.gov.

The next meeting of the SPI Committee will be March 29, 2016 at the State Bar of Georgia. The newly appointed Standing Committee will also be invited to attend.

Attachments (Supreme Court of Georgia Order of January 6, 2016; Proposed Judicial Council Composition Order; Proposed Judicial Council Bylaws Amendments)



SUPREME COURT OF GEORGIA

Atlanta

January 6, 2016

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

Upon consideration, the Court hereby establishes the Judicial Council Strategic Plan Standing Committee with the mission of accomplishing the ongoing and future strategic planning efforts of the Judicial Council for fiscal years 2017-2019. This Committee is created as a successor to the Judicial Council Strategic Plan Implementation Committee which shall sunset on June 30, 2016. The Administrative Office of the Courts shall provide staff support to the Committee.

In accordance with the Bylaws of the Judicial Council of Georgia, membership shall include at least one current Judicial Council member. Future membership terms shall run concurrent to Judicial Council strategic plans.

The following members are hereby appointed to the Judicial Council Strategic Plan Standing Committee for terms ending June 30, 2019:

Chief Judge W. Allen Wigington, Chairperson
Presiding Judge Stephen Dillard, Co-Chairperson
Judge Horace J. Johnson, Jr.
Chief Judge Greg Fowler
Judge James R. Whitfield
Judge Chase Daughtrey
Chief Judge Leslie Spornberger-Jones
Justice Keith Blackwell, Advisory Member

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto
affixed the day and year last above written.

Therese A. Baumeister, Clerk



SUPREME COURT OF GEORGIA

Atlanta _____, 2016

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

Pursuant to the authority of O.C.G.A. §15-5-20 and the authority of this Court, the Judicial Council of Georgia is hereby continued in existence with the following membership:

- Chief Justice of the Supreme Court,
- Presiding Justice of the Supreme Court,
- Chief Judge of the Court of Appeals,
- Vice-Chief Judge of the Court of Appeals,
- President and President-Elect of the Council of Superior Court Judges,
- Ten administrative district judges selected as provided by O.C.G.A. §15-5-4,
- President and President-Elect of the Council of State Court Judges,
- President and President-Elect of the Council of Juvenile Court Judges,
- President and First Vice President of the Council of Probate Court Judges,
- President and First Vice President of the Council of Magistrate Court Judges, and
- President and President-Elect of the Council of Municipal Court Judges.

Members of the Judicial Council shall serve while holding their respective offices specified above. The Chief Justice of the Supreme Court shall serve as Chair and presiding officer of the Council. In the absence of the Chief Justice, the Presiding Justice of the Supreme Court or other designee shall preside. All members shall be entitled to vote in accordance with Judicial Council Bylaws.

The Judicial Council shall also have the following non-voting members:

- President of the State Bar of Georgia or his or her designee.

ARTICLE IV: COMMITTEES

Standing Committees

~~Standing Committees exist to address issues of ongoing, long-term importance to the Council. Standing Committees and their memberships shall be determined by Supreme Court order, or the Council Chair, and should include at least one current Council member. The Council Chair should endeavor to include as members on each committee representatives from every affected entity represented on the Council.~~ Committee membership may include advisory members appointed, as needed, by each Standing eCommittee eChair. ~~All chairs and members shall serve at the pleasure of the Council Chair.~~ Advisory members may be heard but shall not be entitled to vote.

Ad-Hoc Committees

~~Ad-Hoc Committees exist to address issues of limited scope and duration.~~ The Council Chair shall create and charge name ad-hoc committees as are necessary to conduct the business of the Council.¹ Committee membership may include advisory members appointed, as needed, by each Ad-Hoc Committee Chair. ~~The Chair of the Council shall appoint the chairs of the ad-hoc committees who shall be current or past Council members. The ad-hoc committee chair may appoint the remaining committee members after receiving the approval of the Council Chair. At least one current Council member shall be appointed to serve on each ad-hoc committee.~~ Advisory members may be heard but shall not be entitled to vote.

ARTICLE VI: AMENDMENTS TO BYLAWS

The Council shall vote on any proposed bylaw amendments during its final regular meeting of the fiscal year. Proposed amendments shall be sent to the Chair no later than December 31. ~~but may be accepted by the Chair thereafter if received within such period of time that the Council members may be afforded at least sixty (60) days' notice prior to the final regular meeting of the fiscal year.~~ Council members shall receive at least sixty (60) days' notice of proposed amendments prior to the date of the meeting. ~~Proposed amendments may be accepted by the Chair after December 31 if received within such period of time that the Council members may be afforded at least sixty (60) days' notice prior to the final regular meeting of the fiscal year.~~ The bylaws shall be approved by a two-thirds vote of the Council. The bylaws may also be amended at any time as a result of a Supreme Court order.

¹ Supreme Court Order dated August 5, 1983.

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¹ Supreme Court Order dated August 5, 1983.



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council Members

FROM: Presiding Justice P. Harris Hines
Chair, Policy and Legislative Committee

P.H.H.

RE: Committee Report

DATE: February 18, 2016

The following report provides the status of each item that the Judicial Council has taken a position of support on for the 2016 legislative session, as of February 18, 2016. Any updates will be reported at the Judicial Council meeting on February 26, 2016.

- I. HB 691 - Removal for cause of municipal court judges
(O.C.G.A. § 36-32-2)**
Sponsor: Rep. Kevin Tanner (R – Dawsonville)
Committee: House Judiciary; Senate State and Local Governmental Operations
Status: House Passed by Substitute, 2/3/16; Senate Read and Referred, 2/4/16
(*Crossed over*)
- II. SB 205 - Municipal courts to become a “court of record”
(O.C.G.A. § 36-32-1)**
Sponsor: Sen. Charlie Bethel (R – Dalton)
Committee: Senate Judiciary
Status: Senate Read and Referred, 3/5/15
- III. HB 480 - Creation of the Office of Prosecuting Attorney of Municipal Courts
(O.C.G.A. § 15-18-91 & O.C.G.A. § 15-18-95)**
Sponsor: Rep. Bert Reeves (R – Marietta)
Committee: House Judiciary
Status: House Second Readers, 2/26/15

- IV. HB 856 - Bonding amounts in probate courts**
(O.C.G.A. § 15-9-7)
Sponsor: Rep. Barry Fleming (R – Harlem)
Committee: House Judiciary
Status: House Committee Favorably Reported, 2/4/16
- V. Definition of Drug Court Division to include DUI Court**
(O.C.G.A. § 15-1-15)
Included as part of Criminal Justice Reform legislation, SB 367, as new Code Section 15-1-19 to establish operating under the influence court divisions
Sponsor: Sen. John Kennedy (R – Macon)
Committee: Senate Judiciary Non-Civil
Status: Senate Committee Favorably Reported, 2/18/16
- VI. HB 207 - Judicial disqualification based on degrees of relationship with parties**
**Senate version SB 262*
(O.C.G.A. § 15-1-8)
Sponsor: Sen. Jesse Stone (R – Waynesboro)
Committee: Senate Judiciary; House Judiciary
Status*: Senate Passed by Substitute, 2/10/16; House Second Readers, 2/16/16
(Crossed over)
- VII. SB 64 - Repeal of Administrative Legitimation**
(O.C.G.A. § 15-11-2, Title 19, and Chapter 10 of Title 31)
Sponsor: Sen. Chuck Hufstetler (R – Rome)
Committee: Senate Special Judiciary; House Juvenile Justice
Status: Senate Agreed to House Substitute as Amended, 4/2/15
- VIII. HB 939 - Tax Refund Intercept Program**
(O.C.G.A. Title 48 Chapter 7 Article 7)
Sponsor: Rep. Betty Price (R – Roswell)
Committee: House Ways & Means
Status: House Committee Favorably Reported, 2/17/16
- IX. HB 741 - Adjustment of appellate court terms**
(O.C.G.A. § 15-2-4)
Sponsor: Rep. B.J. Pak (R – Lilburn)
Committee: House Judiciary
Status: House Committee Favorably Reported by Substitute, 2/1/16;
Amendment to HB 927: House Committee Favorably Reported by Substitute,
2/11/16; House Passed by Substitute, 2/18/16 (Crossed over)

X. Juvenile court; update and revise the state grant investment in the juvenile code
Status: No legislation filed

XI. SB 255 - Garnishment proceedings; modernize, reorganize, and provide constitutional protections (O.C.G.A Title 18)

Sponsor: Sen. Jesse Stone (R – Waynesboro)

Committee: Senate Judiciary; House Judiciary

Status: Senate Passed by Substitute, 2/10/16; House Committee Favorably Reported by Substitute, 2/11/16; House Withdrawn, Recommitted, 2/18/16

(Crossed over)



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council Members

FROM: Cynthia H. Clanton

CC: Presiding Justice P. Harris Hines

RE: Judicial Council Policy and Legislative Committee Report

DATE: January 15, 2016

The purpose of this memo is to provide you with an update on the actions of the Judicial Council Policy and Legislative Committee.

On January 14, 2016, the Committee met to consider two legislative items for the 2016 Session of the General Assembly. Presiding Justice Hines convened the meeting in his capacity as Chair. In its authority to act¹ on behalf of the Judicial Council, the Committee voted to adopt the following positions:

I. Juvenile court; update and revise the state grant investment in the juvenile code

Proposal: To update and revise the state grant investment in the juvenile code so as to reflect the current status of the court system, to fully implement the revised juvenile code and to meet the future needs of the court system. (*Proposal attached*)

The Committee voted that the Judicial Council **support** the concept to update and revise the state grant investment in the juvenile code so as to reflect the current status of the court system, to fully implement the revised juvenile code, and to meet the future needs of the court system.

¹ Excerpt from the minutes of the September 30, 2015, Judicial Council General Session: "Justice Hines moved that the Judicial Council designate authority to the Committee to make decisions/take positions on legislation and related policy issues on behalf of the Council during the 2016 legislative session. A second was offered by Judge Slaby, and the motion was approved with no opposition."

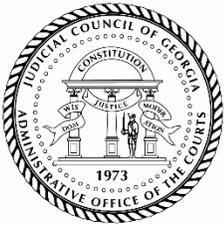
II. Senate Bill 255 – Garnishment Proceedings; modernize, reorganize, and provide constitutional protections (Prefile, LC 29 6767)
(O.C.G.A Title 18)

Proposal: To support Senate Bill 255, legislation providing for garnishment reform, in concept. (*Legislation attached*)

The Committee voted that the Judicial Council **support** SB 255, legislation providing for garnishment reform, in concept.

If you have any questions about these matters, please contact Tracy Mason at tracy.mason@georgiacourts.gov.

Thank you.



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Hugh P. Thompson
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council of Georgia

FROM: Judge David Emerson

RE: Judicial Workload Assessment Committee Update

DATE: February 11, 2016

Introduction

The Judicial Workload Assessment Committee determines the methodology for the Judicial Council's annual superior court workload assessment that serves as the basis for recommendations for additional judgeships or circuit boundary adjustments to the Governor and General Assembly. The Committee also guides discussion and activity related to improvements in caseload data collection and analysis. The Committee's goal is to ensure that the workload of Georgia's courts are accurately reported.

The Judicial Workload Assessment Committee membership is composed of the Chief Justice, nine superior court judges, and one judge from each class of limited jurisdiction court. Two court clerks and three court administrators serve as advisory members.

Update

The Judicial Workload Assessment Committee met on January 15, 2016. The major topic of discussion during the meeting was caseload reporting. Staff presented a protocol for facilitating caseload reporting and summarized recent training efforts. The Committee offered several suggestions to improve caseload reporting including improved communication and data validation methods. Based on these discussions, staff is working on the following improvements to communication with court clerks.

- Staff will send confirmation and verification communications to court clerks within twenty-four hours of receipt of their caseload report. This will be tested first with superior courts while staff examines options that can work for all classes of courts.

- Staff will work to develop a system whereby clerks, judges, and court administrators can see their current, real-time caseload report on the AOC web site.
- Staff have provided contact information, including email addresses and phone numbers, where they can be reached directly at any time. Staff are logging all communications with clerks to ensure issues are handled promptly.
- Staff is ensuring that council directors, district court administrators, trial court administrators, and chief judges are copied on all caseload communications.

The Committee also intends to review proposals from the National Center for State Courts to update the superior court workload assessment with the goal of presenting a funding request for a new time and motion study for the Judicial Council's Fiscal Year 2018 budget. The Committee will also work with other classes of courts who may be interested in a time and motion study.

Finally, the Committee discussed efforts to assist limited jurisdiction courts in their caseload reporting efforts. These efforts include caseload training for magistrate courts and updates to the probate court reporting form. Discussions on additional training for state courts are ongoing, and staff has traveled to eight of ten superior court districts in the past six months to train clerks.



Chief Justice Hugh P. Thompson
Chair

Judicial Council of Georgia
Administrative Office of the Courts

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council of Georgia

FROM: Supreme Court Commission on Interpreters

RE: New Bench Card

DATE: February 11, 2016

The Supreme Court Commission on Interpreters will unveil its latest practical tool to help the courts meet their responsibilities to provide language services to court customers. The new “Bench Card for Working with Limited English Proficient Persons and Foreign-Language Interpreters in the Courtroom” will be made available in electronic and laminated form to all Georgia judges.

The new bench card is designed to serve as a companion to the “Bench Card for Working with Deaf or Hard of Hearing Persons and Sign Language Interpreters in the Courtroom,” which the Commission introduced to the Judicial Council at its August 6, 2015, meeting.



WORKING WITH LIMITED ENGLISH PROFICIENT PERSONS AND FOREIGN-LANGUAGE INTERPRETERS IN THE COURTROOM

— A Bench Card for Judges —

The Law on Foreign-Language Interpreters for Participants in Court Proceedings

Under Federal law, including Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and Georgia statutory law, case law, and Supreme Court rules, Georgia courts are required to provide qualified foreign-language interpreters to participants in court proceedings who are limited English proficient (LEP). They must provide these services when necessary to ensure effective communication by and with LEP participants. LEP participants can include litigants, witnesses, and spectators. Court proceedings include all court services, programs, and activities. LEP participants:

- Cannot be required to arrange or pay for their own interpreters, nor can their attorneys be required to do so;
- Must be provided an interpreter for any criminal or civil proceeding;
- Can waive their right to an appointed interpreter if the waiver is in writing and is approved by the court, and can revoke that waiver at any time;
- Do not waive their right to an appointed interpreter simply because they do not request one;
- Do not lose the right to an appointed interpreter because they speak or understand some English.

Identifying the Language of LEP Participants

LEP participants in court proceedings can self-identify their preferred language by using a Language Identification Guide: coi.georgiacourts.gov/content/language-identification-guide

Determining the Need for a Foreign-Language Interpreter

An interpreter shall be appointed when the decision maker, which would include the judge, magistrate, special master, commissioner, hearing officer, arbitrator, neutral, or mediator, determines, after an examination of the participant in the court proceeding, that:

- The party cannot understand and speak English well enough to participate fully in the proceedings and to assist counsel; or
- The witness cannot speak English so as to be understood directly by counsel, the decision maker, and/or the jury.

Sample Questions to Assess the English Proficiency of a Participant

- How did you learn English?
- Please tell me about your native country.
- Describe some of the things you see in this courtroom.

After examination, the decision maker should state his or her conclusion on the record, and the case file should be clearly marked and data entered electronically to ensure that an interpreter will be present when needed in any subsequent proceeding.

In some instances, the decision maker may appoint an interpreter based solely on a participant's written or verbal request.

Courts should encourage participants to alert the court to their need for an interpreter and the language needed as soon as possible so the court has adequate time to locate a qualified interpreter. Participants should not be required to wait to make their first request for an interpreter in person in court.

Finding a Qualified Foreign-Language Interpreter

The Supreme Court Commission on Interpreters (Commission) maintains an online database of state-licensed interpreters that can be searched by language and by county, at coi.georgiacourts.gov.

Interpreters licensed through the Commission have fully satisfied rigorous examinations, training, and court observation, and have undergone background checks.

If there is no interpreter on the registry for the language you need, contact the Commission at 404-463-3808 or gcr.interpreters@georgiacourts.gov.

Credentials of Foreign-Language Interpreters

Courts should make a diligent effort to appoint a "Certified" interpreter. If a Certified interpreter is unavailable, a "Conditionally Approved" or "Registered" interpreter should be given preference. If the court is unsure of an interpreter's qualifications, the court should *voir dire* the interpreter:

Sample Voir Dire to Assess an Interpreter's Qualifications

- “What training/credentials do you have?”
- “What is your native language?”
- “State some canons from the Code of Professional Responsibility for Interpreters.”
- “How many times have you interpreted in court?”
- “What types of cases have you interpreted?”

If, after a diligent search by the court, a Certified or other licensed interpreter is unavailable, the court should weigh the need for immediacy in conducting a hearing without a licensed interpreter or with an unlicensed interpreter or telephonic interpreter, against the potential compromise of due process, or the potential of substantive injustice, if the quality of interpreting is inadequate. Failure to appoint a qualified interpreter or no interpreter at all can result in reversible error on appeal.

If the court determines that the use of a non-licensed interpreter is warranted, refer to the Commission's Instructions for Use of a Non-Licensed Interpreter: coi.georgiacourts.gov/content/forms-brochures. When a non-professional interpreter is used, the court should personally verify the interpreter's basic understanding of his or her role, on the record.

Additional Considerations When Selecting Foreign-Language Interpreters

Courts should consider other factors to determine whether an interpreter is suited to work in court. For example:

- The interpreter's prior professional and/or social contact or association with the LEP participants;
- Education, professional training, and formal legal training completed by the interpreter; and
- The types of court proceedings in which the interpreter has experience.

Courts should also consider that:

- The ability to speak a foreign language does not equal the ability to interpret nor qualify a person to interpret;
- Relatives or friends of LEP parties, witness, judges, or attorneys should not interpret court proceedings. Minor children should never be used to interpret;
- Court personnel or bilingual staff should not function as interpreters unless they are Certified and employed as staff interpreters;
- Court interpreting is strenuous, so it is advisable to schedule regular breaks. Sometimes, appointing more than one interpreter may be necessary for proceedings expected to last more than two hours;
- The interpreter is a neutral party whose sole job is to facilitate communication by interpreting everything said during the proceedings;

- The interpreter cannot participate in any capacity other than as the interpreter;
- The interpreter may not provide advice or explanations about what was said or done in court;
- The interpreter is a conduit for information exchange, and not a direct participant in the proceeding.

Recording the Proceedings

Where a Certified interpreter is used, no audio or audiovisual record of the non-English testimony is required, but the court may authorize the making of a recording.

Where a non-Certified (e.g., Conditionally Approved, Registered, or unlicensed) interpreter is used, the court shall make an audio or audiovisual recording of any non-English testimony. This recording shall become part of the record of the proceeding: coi.georgiacourts.gov/content/supreme-court-rules.

Foreign-Language Interpreter's Ethics

All Georgia-licensed court interpreters are subject to the Code of Professional Responsibility for Interpreters: coi.georgiacourts.gov/content/supreme-court-rules.

Foreign-Language Interpreter's Oath

The court should administer an oath prior to the start of court proceedings. Below is an example:

“Do you solemnly swear or affirm that you will faithfully interpret from (the foreign language) into English and from English into (the foreign language) the proceedings before this court in an accurate manner to the best of your skill and knowledge?”

Resources

Georgia Supreme Court Rule on Interpreters

coi.georgiacourts.gov/content/supreme-court-rules

“Is It Reversible Error?” *Georgia Courts Journal* (March 2015)

w2.georgiacourts.gov/journal/index.php/march-2015/322-is-it-reversible-error

Georgia Council of State Court Judges 2016 Benchbook, Chapter on Appointing Qualified Interpreters (appropriate for all trial courts)

statecourt.georgiacourts.gov/content/chapter-11-appointing-qualified-interpreters

National Association of Judiciary Interpreters & Translators Code of Ethics and Professional Responsibilities

www.najit.org/about/NAJITCodeofEthicsFINAL.pdf

Federal Interagency Website on Limited English Proficiency

www.lep.gov/



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice **Hugh P. Thompson**
Chair

Cynthia H. Clanton
Director

Memorandum

TO: Judicial Council of Georgia

FROM: Michelle Barclay, Division Director

RE: Office of Communications, Children, Families and the Courts

DATE: February 26, 2016

In alignment with the strategic plan of the Judicial Council of Georgia to improve the administration of justice, the AOC, under Director Cynthia Clanton, continues to evolve to better communicate and to assist the courts serving our state's most vulnerable populations. The Communications, Children Families and the Courts Division of the AOC serves as the hub of all communications and provides staff for the Supreme Court of Georgia Committee on Justice for Children, chaired by Presiding Justice P. Harris Hines; the Georgia Commission on Child Support, chaired by Judge Louisa Abbot; and the Access, Fairness, Public Trust and Confidence Committee of the Judicial Council, co-chaired by Justice Robert Benham and Justice Carol Hunstein, as well as any grant funded work related to children and families.

In addition, this staff also serves as a liaison to the Georgia Commission on Family Violence (GCFV), chaired by Holly Tuchman and the Council of Accountability Courts with Judge Jason Deal as its current President.

Following is a brief synopsis of the work.

- **Committee on Justice for Children:** The staff of the J4C are working in partnership with many executive branch agencies on the Cold Case Project, which provides expert attorney reviewers for children who have been in Georgia's foster care system for many years, to see what legal or due process problems exist in each case that could be resolved to help these children achieve legal permanency. The staff and attorney contractors are also hosting multiple legal training opportunities as well as a statewide Juvenile Court Improvement meeting on February 18 and 19 in Cobb County, Georgia, to review child welfare outcome measures and best practices. The next meeting for the J4C Committee will be held on April 22, 2016 to decide the funding priorities of the new federal grant and to discuss improvements for the child welfare system.

- **Communications:** Improving communications for internal and external judicial branch audiences remains a priority under the Judicial Council Strategic Plan and a consultant assisted the JC/AOC with a Communications Plan which will be implemented in 2016. In the meantime, the daily and periodic tasks within communications include working on writing the JC/AOC Annual Report, publishing the quarterly Courts Journal; maintaining the Georgia Courts Directory; assisting with drafting and distribution of press releases; updating Judicial Council outgoing certificates and letterhead; updating Facebook/Twitter accounts; uploads to georgiacourts.gov; taking photos and drafting daily messages for events and communications. This past month, staff have been posting profiles of GA African-American judges in honor of Black History Month. See: <https://www.facebook.com/GACourts> and some responses below.
- **Child Support Commission:** The Child Support Commission sponsored its first ever statewide Child Support Conference in November, which was very successful. Commission staff are focused on working with the vendor to get a new online child support calculator finalized and released publicly. The Commission has appointed a subcommittee on Gender Neutrality to address some of the issues that have arisen due to the *Obergefell* decision, such as how best to identify the parties on the child support worksheets that are presently designated simply as “mother” and “father.” The Commission continues to push forward its legislation seeking to repeal administrative legitimation. Staff works collaboratively with DHS on the Parental Accountability Courts, training court coordinators on use of the database that will give us statistical evidence of the efficacy of those courts. Staff also provides training throughout the state on child support, income deduction, and other related subjects, and responds daily to questions from judges, attorneys and the public.
- **Access, Fairness, and Public Trust and Confidence Committee:** Contract attorney, Karlise Grier, staffed a committee meeting on February 10, 2016. Topics included: a new Georgia ADA handbook; a (2017) National Association of Women Judges conference; the new Lawyers for Equal Justice (Law Incubator); a submitted grant proposal to host a Human Trafficking and the Courts Summit; and continued discussion around the Ferguson report.
- **Family Violence:** In addition to serving as liaison to the GCFV as mentioned above, the staff in this division will be managing grants related to family violence including the Federal Office of Violence Against Women (OVW) and Criminal Justice Coordinating Council Violence Against Women Act (VAWA). The OVW grant supports the DeKalb County Domestic Violence Court by supporting the costs of its coordinator and two legal advocates. The CJCC grant supports domestic violence courts throughout the state with training and follow up visits. This division is also in the process of taking over the civil legal services grants for victims of domestic violence.



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Kudos to @GACourts for their excellent spotlight on African American Judges in Georgia during #BlackHistoryMonth 🍪🍪. bit.ly/1VN8dCH

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ATL's John Marshall
@AtlantaJMLS



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In a moving tribute to #BlackHistoryMonth 🍪🍪 @GaCourts highlights several African American judges in #Georgia - buff.ly/1Lha2SH.

2:47 PM - 10 Feb 2016



Reply to [@AtlantaJMLS](https://twitter.com/AtlantaJMLS)



Council of Superior Court Judges of Georgia

Suite 104, 18 Capitol Square, Atlanta, Georgia 30334
(404) 656-4964 Fax (404) 651-8626

Council of Superior Court Judges Report to Judicial Council February 2016

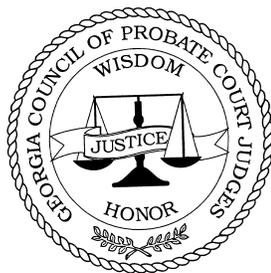
The Council of Superior Court Judges met for its annual conference and continuing education seminars in Athens, Georgia, January 19-22, 2016. The conference provided training seminars on such topics as interviewing children on abuse allegations; abuse, neglect, and exploitation of older adults and adults with disabilities; proper remedies for contempt; social media evidence; spoliation of evidence; updates on the Code of Judicial Conduct; recent changes to law in behavioral health issues; and updates on the evidence code. There was also special training for judges handling death penalty cases and an orientation program for the four newest judges. Approximately 200 superior court judges and senior judges attended the conference. Court of Appeals Judge Mike Boggs was the keynote speaker.

Also at its 2016 annual meeting in Athens, the Council of Superior Court Judges awarded the fifth annual Emory Findley Award for Outstanding Judicial Service to Judge A. Wallace Cato, who has served as a South Georgia Judicial Circuit superior court judge for over 37 years. Judge Cato also served as the Council's president May 1984 to April 1985. The award is named for the late Atlantic Judicial Circuit superior court Judge Emory Findley, who was instrumental in strengthening the Council of Superior Court Judges and served as a superior court judge from 1976-1994. Judge Findley died in 2004, still serving as a senior judge. The annual award is given to honor a judge who exemplifies Judge Findley's virtues of visionary leadership, resolve, and dedication.

CSCJ will soon welcome numerous new judges as well as new senior judges. Many judges have announced their intent to retire at the end of their present terms or, in some cases, resign and retire prior to the end of the current term. Most are planning to seek senior judge appointments from the Governor. The Governor will also appoint replacements for those judges who retire before their terms conclude and for the new judgeship in the Western Judicial Circuit that begins in April 2016. Appointments of new judges that are made fewer than six months from the next nonpartisan election will not be required to run for re-election in the current cycle but will run in the cycle two years away.

Judge Amanda Mercier resigned her superior court seat in the Appalachian Judicial Circuit on December 31 in order to become a Judge of the Court of Appeals. Judge David Cavender, Judge Roger Bradley, and Judge Quillian Baldwin both retired effective February 1, 2016. Numerous other judges have announced they will not run for re-election this year. We expect a class of as many as 35 to 40 new superior court judges in our new judge orientation in December 2016.

Superior Courts now have over 100 accountability courts, with more planned to begin throughout the remainder of 2016. Currently, accountability courts are operating in 46 of 49 circuits.



Council of Probate Court Judges

Judge Don Wilkes
President (Emanuel)

Judge Alice W. Padgett
President Elect (Columbia)

Judge Rooney Bowen, III
First Vice President (Dooley)

Judge Darin McCoy
Secretary-Treasurer (Evans)

Judge L. Chase Daughtrey
Immediate Past President (Cook)

<p>Report to Judicial Council of Georgia Feb. 26, 2015</p>
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The following is a summary of activities and current initiatives by the Council of Probate Court Judges:

Constitutional Officers' Association of Georgia

Several probate judges attended COAG's Legislative/Leadership Conference that took place January 25 through 27. The CPCJ's Executive Committee met during the conference and many probate judges were able to attend the State of the Judiciary Address on Jan. 27.

Legislative Initiatives

The Council's retirement bill and its bill to increase bonding requirements for probate judges both passed out their respective House committees before legislative day 17. The retirement bill has passed the House. Our Legislative Committee is working hard to get both bills signed into law this year, as well as procure funding for a Probate Records Warehouse.

The CPCJ sponsored the Jan. 26 Georgia Legislative Rural Caucus luncheon. We were pleased to have Chief Justice Hugh P. Thompson join us.

Vital Records

The State Office of Vital Records is providing three training sessions this week for our judges who serve as local records custodians. We are assisting the Office in promulgating a rule regarding information it wants collected from marriage license applicants that is not now statutorily required to be collected. The CPCJ is also working with the State Office of Vital Records to establish an appeals procedure for situations in which a probate judge contests being removed as the local records custodian or registrar by the director of the Office.

CPCJ Day at the Capitol

The Council of Probate Court Judges' Day at the Capitol was February 23, which was after this written report was due. I will provide an oral report.

Upcoming Events

April 18 through 21, the CPCJ will hold its annual meeting on St. Simons Island, during which the Executive Committee members for 2016-17 will be elected. Our new Benchbook and Handbook should be available shortly.

Respectfully submitted,

Don E. Wilkes

Don E. Wilkes

President, Council of Probate Court Judges



Council of Municipal Court Judges

**Judge, Leslie Spornberger Jones
President**

Athens-Clarke County
P.O. Box 1705
Athens, GA 30603
706-613-3690
Leslie.Jones@athensclarkecounty.com

**Judge Gary E. Jackson
President-Elect, City of Atlanta**
gejackson@Atlantaga.gov

**Judge Douglas G. Andrews
Vice President, City of Pooler**
doug347@bellsouth.net

**Judge LaTisha Dear Jackson
Secretary**
City of Stone Mountain
latishadear@me.com

**Judge John Clayton Davis
Treasurer**
City of Lovejoy
claydavis@claydavislaw.com

**Judge E.R. Lanier
Immediate Past President**
City of Norcross
erlanier@aol.com

District One
Judge Keith Barber
Judge W. Scott Brannen

District Two
Judge Jason Moon
Judge Willie Weaver, Sr.

District Three
Judge Michael P. Cielinski
Judge Jim Thurman

District Four
Judge Garland "Gary" C. Moore
Judge John Roberts

District Five
Judge Rashida Oliver
Judge Christopher Ward

District Six
Judge J. Kristi Lovelace
Judge Christopher E. Chapman

District Seven
Judge Timothy McCreary
Judge Roger Rozen

District Eight
Judge Richard Michael Gailey
Judge Tommy J. Smith

District Nine
Judge William F. Brogdon
Judge Margaret Gettle Washburn

District Ten
Judge Lori Duff
Judge Dale Samuels

Report to the Judicial Council of Georgia February 26, 2016

Here is an overview of recent Council events, programs, and activities:

Training Initiatives and Strengthening the Council

Council of Municipal Court Judges Crisis Media Guidelines

In an effort to assist our courts communicate key messages effectively with the media and the public at large during a crisis, the Council, in conjunction with the AOC Office of Communications, has developed guidelines for judges and court personnel. We recognize the open flow of communication between the "Court and the Council" is critical during a time of crisis and want to be supportive by providing tools. The guidelines, created in the form of a bench-card, will be laminated and disseminated to the membership during trainings and meetings. Additionally, the bench-card is accessible in the password protected area of the municipal judges' website.

Alabama League of Municipalities

The Alabama League of Municipalities (ALM) petitioned the Council for a representative to speak at the ALM's municipal judges' association spring conference on April 1st. The requested topic, the Georgia model on pre-trial/probation services in municipal courts, will be facilitated by Judge Leslie Spornberger Jones. The subject matter is of great interest to this group as private probation services are no longer being used in Alabama.

The League is a nonpartisan membership association of more than 440 cities and towns in Alabama.

Credentials for Municipal Court Judges

Interests have been raised within the Council regarding the need for uniform credentials for municipal court judges; there is concerns when it comes to weapons carry identification purposes and judicial access. In an effort to provide all members with this documentation, the Council has engaged a vendor to create identification cards.

Legislative Update

The Judicial Council approved the 2016 legislative package of the Council which included proposed legislation to mandate prosecutors in all municipal courts (HB 480); this bill has since been withdrawn for this session. Continued efforts on legislation providing power to correct errors and grant new trials (SB 205) and legislation regarding removal for cause (HB 691) will remain a priority this session.

Commission on Interpreters Court Forms Translation Initiative

The Council, in participating in this worthwhile initiative, has submitted court forms for translation into Spanish to enhance the judiciary's language assistance services. This also serves as a starting point to standardize key forms in Municipal Courts statewide.

Next Meeting: Executive Committee Meeting, April 2016, in Thomasville, Georgia.



1231 COLLIER RD. NW, STE. J • ATLANTA, GA 30318
PHONE • 678-222-4232 • FAX 404-249-8831

COUNCIL OF SUPERIOR COURT CLERKS OF GEORGIA

February 16, 2016

Report to Judicial Council

The Council has received nominations from the Judicial Council, Prosecuting Attorney's Council, and Public Defenders' Council for participation on our Jury Improvement Process Committee. The committee will begin its work on March 1st and hopes to have a report by the end of April 2016.

Electronic Document Program Status

Our Council's portal for **civil eFiling** has 87 Superior Courts and 18 State Courts currently accepting eFiling's from any filer (105 total).

There are 114 Superior Courts and 9 State Courts signed up for our eTranscript service with 163 court reporters submitting eTranscripts via this portal.

We have initiated our '**Document Access Portal (DAP)**' and have begun testing electronic delivery of court records to judges, attorneys and the public. After only one month the DAP has 30 counties enrolled covering 42 courts (Superior & State).

When fully implemented, judges and other users may use the DAP to view any document, in their circuit or statewide. Of course there will be no charge for judges to use this system and access is independent of the individual clerk's case management system.

All registered users will have the ability to search the DAP, using a variety of search criteria, returning results from all participating courts.

Thank you for the opportunity to update you on our work.

Cinda Bright
President
Council of Superior
Court Clerks &
Clerk of Superior Court
Wilkinson County

Mike Holiman
Executive Director
Council of Superior Court Clerks
1231 Collier Road, NW
Suite J
Atlanta, GA 30318



Council of Accountability Court Judges

Judge Jason J. Deal

Chair - Executive Committee
Northeastern Judicial Circuit

Taylor Jones
Executive Director

Council of Accountability Court Judges
Report to Judicial Council
February 2016

In December 2015, the Council of Accountability Court Judges (C.A.C.J) Executive Committee authorized the employment of four staff members, in addition to the Executive Director, to carry out the efficient and effective purposes of the Council. Mr. Joshua Becker has been hired as the Chief Certification Officer; Ms. Lasheika Kassa as a Certification Officer; Ms. Sacha Greene as a Certification Officer; and Ms. Erica Cawood as the Operations Coordinator. The C.A.C.J. staff is housed within the AOC/JC Offices located at 244 Washington Street, SW. Suite 300. Atlanta, Georgia 30334.

The C.A.C.J Training Committee met on 1/20/16 in Athens, Georgia to continue the planning of the FY17 Accountability Court Training Conference. The committee compared two locations, The Classic Center in Athens, Georgia, and the Georgia International Convention Center in College Park, Georgia. Items considered within the comparison of the two venues were: proximity of location, average lodging expenses, average audio/visual costs, training facilitator expenses, and catering expenses for conference attendees; once the comparison was complete, The Classic Center proved to be the more cost-effective venue. The C.A.C.J is currently working with the Institute of Judicial Education (I.C.J.E), and the Criminal Justice Coordinating Council (C.J.C.C.) to contract with The Classic Center. The projected dates of the training conference are 9/12/16-9/13/16.

Also on 1/20/16, the C.A.C.J Executive Committee met in Athens, Georgia. In sum, the Executive Committee approved the C.A.C.J Standards & Certification Committee's recommended revisions to the Adult Felony Drug Court Standards; Judge Kathelene Gosselin, Chair of the C.A.C.J Funding Committee, reviewed the upcoming FY17 Accountability Court Grant timeline, and discussed the FY16 Accountability Court Supplemental Grant Awards; and the C.A.C.J Nominations Committee Chair, Judge Scott Smith, discussed the request by the Governor's Office of Highway Safety to provide potential candidates for the State Judicial Outreach Liaison (SJOL) position.

Important upcoming Accountability Court dates include:

February 29th, 2016 – Adult Felony Drug Court & Adult Mental Health Court certification applications due for programs that began in FY15 and FY16.

March 25th, 2016 – Accountability Court Grant application due date.

April 8th, 2016 - Adult Felony Drug Court & Adult Mental Health Court re-certification applications due for programs that began in FY14.