

20th

Annual
Report

10-28-94

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on the Work of the Georgia Courts
July 1, 1992 - June 30, 1993

Judicial Council of Georgia
Administrative Office of the Courts


20th Annual Report

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 Printed on recycled paper.

July 1, 1992 - June 30, 1993
Fiscal Year 1993

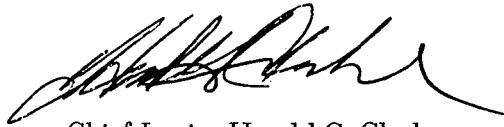
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FOREWORD

This *20th Annual Report on the Work of the Georgia Courts* is presented to inform the Governor, the Legislature and the public of judicial branch activities. In these pages you will find caseload data for all appellate and major trial courts, as well as a narrative of activities from the agencies and commissions serving the third branch.

The dedication, ability, ingenuity and wisdom of its people play a vital role in the daily operation of the judicial branch. We look with pride to the judges of this state who serve with honesty and integrity to ensure justice for all. We appreciate staff members who are determined that the courts operate efficiently and effectively. I commend each of you and call upon you to continue your efforts to achieve excellence. I also take this opportunity to express thanks to the Governor, the executive and legislative branches for their continued support.

We in the judicial branch carry on our duties and activities for a stronger future for justice. I invite readers to review the following pages to learn in detail about the ongoing work of Georgia's court system.



Chief Justice Harold G. Clarke
Chair, Judicial Council of Georgia
June 30, 1993
Atlanta, Georgia



Chief Justice Harold G. Clarke

149042

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Judicial Council of Georgia

June 1993

Chief Justice Harold G. Clarke

Chair

Supreme Court

Atlanta

Presiding Justice Willis B. Hunt, Jr.

Vice Chair

Supreme Court

Atlanta

Judge Dorothy T. Beasley

Court of Appeals

Atlanta

Judge James N. Butterworth

President-elect

Council of State Court Judges

Cornelia

Judge Richard M. Cowart

President

Council of State Court Judges

Valdosta

Chief Judge William W. Daniel

Fifth District Administrative Judge

Atlanta

Judge I. Burl Davis

President

Council of Magistrate Court Judges

Macon

Judge G. Mallon Faircloth

Eighth District Administrative Judge

Cordele

Chief Judge Hilton Fuller

Fourth District Administrative Judge

Decatur

Chief Judge William F. Grant

Tenth District Administrative Judge

Elberton

Judge Loring A. Gray, Jr.

Second District Administrative Judge

Albany

Judge William H. Ison

Sixth District Administrative Judge

Jonesboro

Chief Judge Walker P. Johnson, Jr.

Third District Administrative Judge

Macon

Judge William W. Lavigno, III

President-elect

Council of Juvenile Court Judges

Conyers

Chief Judge Faye Sanders Martin

First District Administrative Judge

Statesboro

Judge Steven J. Messinger

President

Council of Juvenile Court Judges

Douglasville

Chief Judge Bobby C. Milam

Ninth District Administrative Judge

Blue Ridge

Judge LaVerne C. Ogletree

First Vice President

Council of Probate Court Judges

Greensboro

Judge Dan F. Pierce

First Vice President

Council of Magistrate Court Judges

Monroe

Chief Judge Marion T. Pope, Jr.

Court of Appeals

Atlanta

Chief Judge Tom Pope

Seventh District Administrative Judge

Calhoun

Chief Judge Hugh P. Thompson

President-elect

Council of Superior Court Judges

Milledgeville

Chief Judge Robert G. Walther

President

Council of Superior Court Judges

Rome

Judge John Wheaton

President

Council of Probate Court Judges

Leesburg

THE JUDICIAL BRANCH IN REVIEW

Fiscal Year 1993

Highlights of judicial branch activities for fiscal year 1993 are presented in this section. Narratives of agency and council activities appear in the second section of this *20th Annual Report*.

Alternative Dispute Resolution (ADR)

The Supreme Court appointed the Georgia Commission on Dispute Resolution and established ADR rules. The commission is charged with implementing the recommendations of its predecessor, the Joint Commission on Alternative Dispute Resolution.

The commission will: administer a statewide ADR program; oversee the development and quality of all court-annexed or court-referred ADR programs; certify court programs; develop guidelines for programs; and develop criteria for training mediators, arbitrators and neutrals. The commission is comprised of judges, lawyers, legislators and citizens.

In May, a training workshop for mediators was held in the ninth judicial administrative district. Permanent funding for ADR programs will be obtained through a filing fee surcharge of up to \$5.00 in participating counties. OCCA 15-23-1 through 15-23-13, authorizing the filing fee, became law on July 1, 1993.

Court futures

The Georgia Court Futures Vanguard, a group of 100 judges, court officials, lawmakers and lay citizens, released "Justice in the Next Millennium." This report, the result of an 18-month exploration into the future of Georgia's court system, offers means to meet the expanding needs of our courts into the 21st century including: alternative dispute resolution; sentencing alternatives; court automation; improved communication among the three branches of government; improved funding; and development of a mission statement for the state judicial system.

Courts automation

The Georgia Courts Automation Commission (GCAC) used a \$500,000 discretionary grant from the Bureau of Justice Statistics to purchase a statewide license for an automated case-management software system. The SUSTAIN system will provide automated transmission of case disposition information from local courts to the state's central computer. GCAC also introduced a menu-driven, single point of inquiry system to make state databases containing offender history and vital records information quickly accessible to local courts. The Governor's Office of Highway Safety provided another \$75,500 in grant funding to GCAC to expand the automated traffic citation reporting system into 16 additional courts. The traffic software, developed by DOAS Computer Services Division, was initially implemented in 14 test sites and will reduce processing time and paperwork.

Fee and fine accounting system software developed by the Georgia Magistrate Courts Training Council and DOAS was tested in the Crisp County Magistrate Court.

Gender equality

At the recommendation of the Georgia Commission on Gender Bias in the Judicial System, the Supreme Court created the Georgia Commission on Gender Equality. Charges to the commission include: developing educational material and/or programs on gender equality; developing and participating in programs about gender equality; serving as a resource for the media; advocating legislation and seeking funding; developing a mechanism for handling complaints received about biased behavior; and working with the Judicial Nominating Commission.

In fiscal year 1993, the commission met three times. A subcommittee reviewed the commission's creating order and recommended the following: that the Supreme Court add a new member jointly representing Georgia National Organization for Women and the Georgia League of Women Voters; that the Supreme Court clarify the commission's role and authority in processing complaints; and that the Supreme Court make all future appointments to the commission. It was determined that promulgation of a model sexual harassment policy would be the commission's first major project. A committee was appointed to draft an executive summary of the Commission on Gender Bias' original report and arrangements were made to purchase copies of the *Georgia State University Law Review* containing the report (June 1992). The commission addressed the problem of funding by requesting a grant from the Governor's emergency fund.

Racial and ethnic fairness

The Commission on Racial and Ethnic Bias in the Court System, created by the Supreme Court, is charged with: 1) determining how the public and the courts perceive the treatment of minorities and ethnic groups, examining courtroom treatment and determining the extent to which minorities and ethnic groups use the court system voluntarily; 2) studying the courts' administrative policies and reviewing selection and employment processes for judicial and nonjudicial positions; 3) investigating the impact of bias in both criminal and civil justice processes; and 4) reviewing other appropriate areas.

Statewide public hearings to gather testimony and information from professionals and the public will be the first step of the commission's investigation. These

Five-Year Comparison of State Judicial Budget (1990-1994)

Fiscal Year	Total State Appropriation	Percent Change	Judicial Appropriation	Percent Change	Percent of State Budget
1990	\$7,643,807,302	19.4%	\$52,212,242	9.5%	0.68%
1991	\$7,461,512,616	-2.4%	\$56,234,292	7.7%	0.75%
1992	\$7,552,871,790	1.2%	\$56,004,791	-0.4%	0.74%
1993	\$8,252,216,454	9.3%	\$60,828,071	8.6%	0.74%
1994	\$8,972,192,764	8.7%	\$64,783,177	6.5%	0.72%

hearings will begin in October 1993. The commission's hoped-for outcome will be recommendations to the Supreme Court.

Commission members, who were named in May 1993, include representatives of Georgia's minority and ethnic groups selected from the executive and legislative branches, the classes of appellate and trial courts, the legal profession, the academic community, court administration, civic leaders and interested citizens. The term of the commission expires in January 1996.

Resources

The total state budget rose by 8.7 percent for fiscal year 1993; appropriations to the judicial branch increased by 6.5 percent. The percentage of the state budget allocated to the judicial branch fell from 0.74 percent to 0.72 percent. The judicial branch budget includes funds for 14 superior court judgeships and related positions that cannot be filled until final settlement of the Brooks case, a voting rights lawsuit. No new judgeships were approved by the General Assembly in 1993. For more information about the judicial branch budget, please see the charts on pages 4-6.

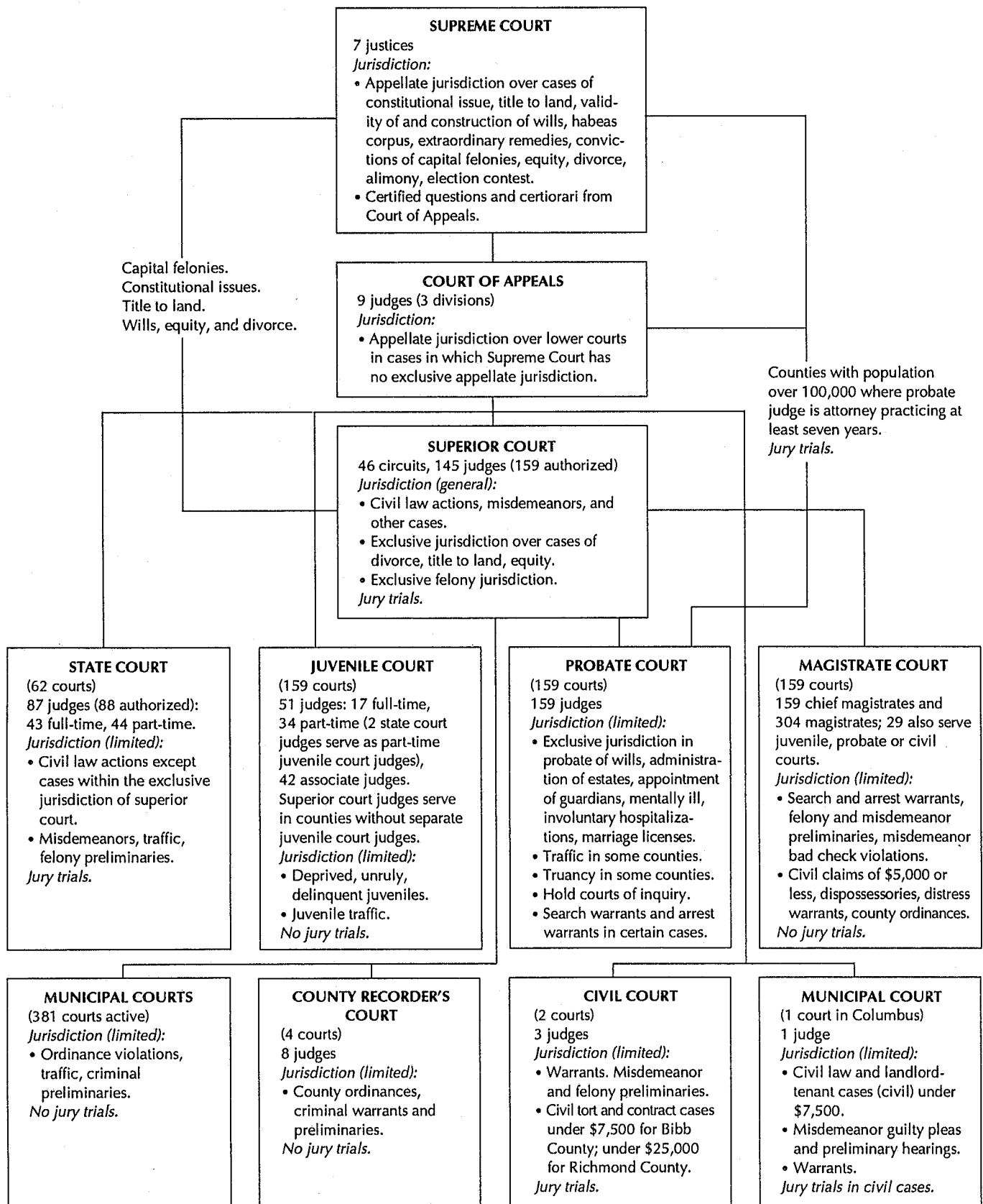
State Appropriations for the Judicial Branch: Fiscal Years 1992, 1993 and 1994

Budget Unit/Agency	FY 1992 Amended Appropriation	FY 1993 Amended Appropriation	Percent Change FY 92-93	1994 General Appropriation	Percent Change FY 93-94
Supreme Court	\$4,453,544	\$4,893,172	9.9%	\$5,131,909	4.9%
Court of Appeals	5,458,995	5,593,669	2.5%	5,778,182	3.3%
Superior Courts (Total)	41,659,778	45,649,233	9.6%	48,888,332	7.1%
Operations	38,724,169	42,124,772	8.8%	45,641,307	8.3%
Council of Superior Court Judges	120,027	114,499	-4.6%	126,609	10.6%
Judicial Administrative Districts	1,045,755	1,464,647	40.1%	1,122,075	-23.4%
Prosecuting Attorneys' Council	1,616,148	1,791,715	10.9%	1,840,926	2.7%
Sentence Review Panel	153,679	153,600	-0.1%	157,415	2.5%
Council of Juvenile Court Judges	817,431	847,005	3.6%	911,803	7.7%
Institute of Continuing Judicial Education (Total)	592,000	634,322	7.1%	639,950	0.9%
Operations	456,000	498,322	9.3%	502,250	0.8%
Magistrate Courts Training Council	136,000	136,000	0.0%	137,700	1.3%
Judicial Council (Total)	1,896,572	2,061,454	8.7%	2,286,773	10.9%
Operations	819,594	986,713	20.4%	1,166,784	18.2%
Board of Court Reporting	39,377	40,241	2.2%	41,689	3.6%
Case Counting	76,500	76,500	0.0%	76,500	0.0%
Council of Magistrate Court Judges	26,000	26,000	0.0%	26,000	0.0%
Council of Probate Court Judges	20,000	20,000	0.0%	20,000	0.0%
Council of State Court Judges	12,000	12,000	0.0%	12,000	0.0%
Council of State Court Clerks	0	0	0.0%	33,800	0.0%
Appellate Resource Center	240,000	240,000	0.0%	250,000	4.2%
Computerized Information Network	663,101	660,000	-0.5%	660,000	0.0%
Judicial Qualifications Commission	123,179	139,258	13.1%	146,228	5.0%
Indigent Defense Council	1,003,292	1,009,958	0.7%	1,000,000	-1.0%
Judicial Branch Totals	\$56,004,791	\$60,828,071	8.6%	\$64,783,177	6.5%

**State Judicial Branch Budget Units: Funds Available and Expenditures
Fiscal Year 1993**

	Supreme Court	Court of Appeals	Superior Courts	Council of Juvenile Court Judges	Institute of Continuing Judicial Education	Judicial Council	Judicial Qualifications Commission	Indigent Defense Council	Totals
Funds Available									
General	\$4,818,172	\$5,743,669	\$45,423,943	\$847,005	\$634,322	\$2,061,454	\$139,258	\$1,009,958	\$60,677,781
Supplemental	75,000	(150,000)	225,290	0	0	0	0	0	150,290
Total State Funds	4,893,172	5,593,669	45,649,233	847,005	634,322	2,061,454	139,258	1,009,958	60,828,071
Federal Funds	25,855	0	1,516,072	897,123	37,710	174,559	0	96,775	2,748,094
Other Funds	508,865	53,896	879,183	4,174	192,132	97,862	0	1,635,045	3,371,157
Total Funds Available	\$5,427,892	\$5,647,565	\$48,044,488	\$1,748,302	\$864,164	\$2,333,875	\$139,258	\$2,741,778	\$66,947,322
Expenditures									
Personal Services	\$3,897,826	\$4,965,063	\$44,470,650	\$498,216	\$0	\$884,024	\$89,627	\$607,620	\$55,413,026
Regular Operating Expenses	463,710	139,388	869,098	1,059,866	164,633	136,687	15,252	1,573,832	4,422,466
Travel	23,513	26,129	560,580	31,020	0	16,894	2,069	20,913	681,118
Equipment Purchases	113,340	147,608	81,712	15,732	0	22,062	1,848	8,556	390,858
Computer Charges	174,611	142,295	128,663	57,926	38,127	1,165,037	205	43,682	1,750,546
Real Estate Rentals	296,649	184,525	147,643	42,861	0	35,448	5,352	33,466	745,944
Telecommunications	38,652	26,291	41,266	13,282	52	11,463	1,950	15,207	148,163
Per Diem, Fees & Contracts	252,476	13,352	1,299,397	24,944	661,293	59,372	22,955	8,706	2,342,495
Total Expenditures	\$5,260,777	\$5,644,651	\$47,599,009	\$1,743,847	\$864,105	\$2,330,987	\$139,258	\$2,311,982	\$65,894,616

Georgia Court System: June 30, 1993



About Filing and Disposition Figures

Filing and disposition figures included in this report cannot and should not be considered a complete measurement of judicial workload borne by any given judge in any given court.

While more detailed case types and disposition methods may represent more accurately the amount of judicial time required of judges in processing their caseloads, statistics alone cannot describe the relative contributions by various members of the judiciary in the performance of their official duties, nor are they indicative of the effort a judge has put forth or the hours spent in performing the duties of office.

For example, a judge might spend a week or more presiding over a felony case in which the death penalty is sought. In that same week another judge might hear dozens of uncontested divorces, traffic cases, or minor civil cases without a jury. In the first example, the judge will dispose of only one case, while the second judge disposes of dozens of cases. Both judges, however, may have expended the same amount of time and effort, and both have performed duties of the office and provided required judicial services for citizens of Georgia.

Therefore, this report should not be used to evaluate or compare judicial performance.

Supreme Court

The Supreme Court has exclusive appellate jurisdiction in the following matters: cases involving the construction of a treaty or of the Georgia or U.S. Constitution; the constitutionality of a law, ordinance or constitutional provision; and election contests. The state constitution gives the Supreme Court jurisdiction of all cases involving title to land, equity, wills, habeas corpus, extraordinary remedies (mandamus, prohibition, quo warranto, etc.), divorce and alimony and all cases in which a sentence of death was imposed or could be imposed. These jurisdictions apply unless otherwise provided by law.

The Supreme Court reviews by certiorari cases from the Court of Appeals and answers questions of law from any state or federal appellate court. Terms of court begin in January, April and September. Oral arguments are heard each month, except in August and December. The constitution provides that all cases shall be decided no later than the term following the term to which the case is docketed. Cases are assigned in rotation to the justices.

The seven justices are elected to staggered, six-year terms in statewide, non-partisan elections. A candidate for judgeship must have been admitted to practice law for at least seven years prior to assuming office. A vacancy on the court is filled by gubernatorial appointment to complete the unexpired term. The justices elect the chief justice and a presiding justice to handle administrative matters for the court. The chief justice presides over the Judicial Council of Georgia.

Each justice has three full-time staff members: two attorneys and one administrative assistant. The attorneys assist the justices in the research and preparation of opinions. They are not permitted to practice law while employed by the court.

The Supreme Court clerk, appointed by the members of the court for a six-year term, is the administrative officer of the court and maintains its records. The opinions of the Supreme Court are published by the official reporter who is also appointed by the court.

The Supreme Court has authority to promulgate orders needed to carry out its functions and has rule-making authority over lower courts. The Administrative Office of the Courts, the Institute of Continuing Judicial Education, the Judicial Council of Georgia, the Office of Bar Admissions and the State Bar of Georgia assist the Supreme Court in its function and duties.

*The Supreme Court caseload for calendar years
1991 and 1992 is shown on the next page.*

Supreme Court Caseload: 1991 and 1992

Filed	1991	1992	Disposed	1991	1992
Direct appeals	541	534	By opinion	364 ¹	305 ⁶
Petitions for certiorari	616	658	Affirmed without opinion (Rule 59)	134	98
Applications for appeal			Allowed withdrawn	44	30
Habeas corpus	149	117	Transferred to the Court of Appeals	60	77 ⁷
Discretionary	238	226	Appeals dismissed	50	79
Interlocutory	52	48	Petitions for certiorari		
Attorney disciplinaries	120	132	Denied	570 ²	526 ⁸
Original petitions/motions	21	22	Granted	82	39
Extraordinary motions	9	7	Other	6	8
Cross appeals	21	21	Habeas corpus applications		
Certified questions	5	7	Denied	171	104
Bar admissions	7	2	Granted	3	7
Judicial qualifications	2	10	Other	1	6
Total	1,781	1,784	Discretionary applications		
			Denied	177 ³	142 ⁹
			Granted	57	34
			Other	5	9
			Interlocutory applications		
			Denied	24	27
			Granted	20	11
			Other	1	3
			Original petitions/motions	23	22
			Extraordinary motions	8	7
			Bar admissions	2	5
			Judicial qualifications	2	5
			Attorney discipline		
			By opinion	75 ⁴	45 ¹⁰
			By order	72	32 ¹¹
			Total	1,959⁵	1,630¹²

¹ In 1991, 363 cases were disposed of by 330 opinions written by the Supreme Court.

² Includes 13 writs vacated as improvidently granted.

³ Includes 4 denied applications for interim appellate review.

⁴ In 1991, 75 complaints were disposed of by 50 written opinions.

⁵ Includes 7 cases transferred from the Court of Appeals and later returned to the Court of Appeals and 1 case that was stricken from the docket.

⁶ In 1992, 305 cases were disposed of by 268 opinions written by the Supreme Court.

⁷ Includes 1 case remanded and 8 returned to the Court of Appeals.

⁸ Includes 13 writs vacated as improvidently granted.

⁹ Includes 3 denied applications for interim appellate review.

¹⁰ In 1992, 45 complaints were disposed of by 37 written opinions.

¹¹ In 1992, 32 complaints were disposed of by 31 orders.

¹² Includes 9 cases removed or stricken from the docket.

Court of Appeals

The Georgia Court of Appeals was created in 1907 to alleviate the caseload burden of the Supreme Court. This court is now among the busiest appellate courts in the United States.

The Court of Appeals has jurisdiction over appeals from superior, state and juvenile courts in all cases where exclusive jurisdiction is not reserved to the Supreme Court. These cases include civil claims for damages, child custody cases, cases involving workers' compensation and criminal cases other than capital felonies. The court may also certify legal questions to the Supreme Court.

Nine judges serve on panels of three judges each. The court's chief judge is elected to a two-year term, usually based on seniority. The chief judge, who is responsible for the administration of the court, and the presiding judges form the executive council. The chief judge appoints presiding judges who head each panel.

Panel decisions are final unless a single judge dissents. If, after the full court hears a case, the judges are equally divided as to the verdict, the case is transferred to the Supreme Court.

Court of Appeals judges are elected to staggered, six-year terms in statewide, nonpartisan elections. A candidate for judgeship must have been admitted to practice law for at least seven years prior to assuming office. In the event of vacancies, the governor appoints successors to complete unexpired terms.

The court has terms beginning in September, January and April. The Georgia Constitution provides that all cases shall be decided no later than the term following the term to which a case is docketed (the "two term" rule) or the case shall be affirmed by operation of law.

Since October 1, 1989, Rule 52 has provided for a voluntary settlement conference procedure in civil cases after a notice of appeal is filed in the trial court. The procedure affords the possibility of settlement or simplification of the issues of a case prior to docketing with the Court of Appeals. The settlement conference chief judge and clerk in Atlanta, and settlement conference judges throughout the state, consider those cases in which the parties are proceeding under Rule 52.

Court of Appeals filings and dispositions for calendar years 1991 and 1992 are compared in the table on the next page. Statistics for fiscal year 1993 for Settlement Conference cases are also given.

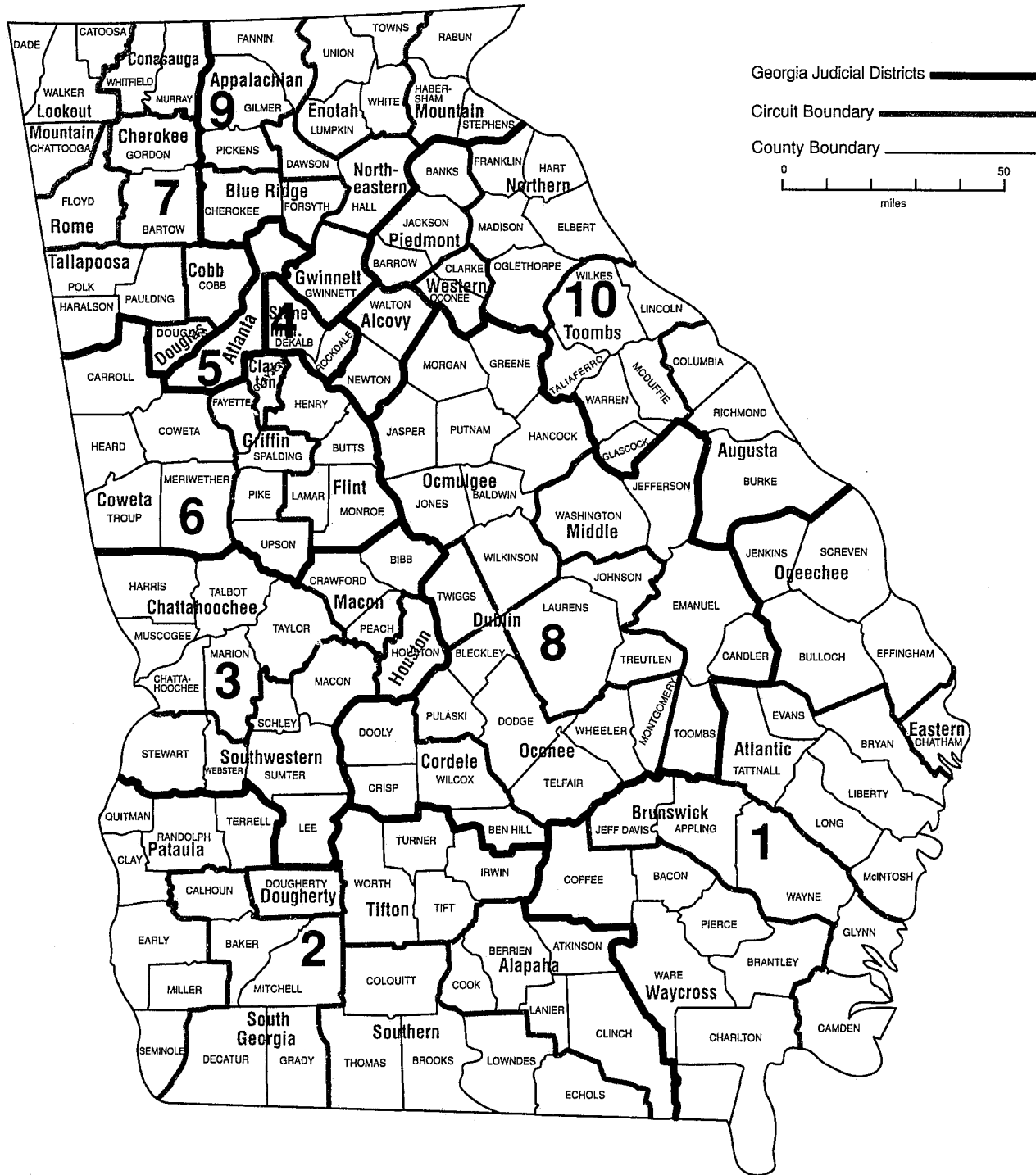
Court of Appeals Caseload: 1991 and 1992

Filed	1991	1992	Disposed	1991	1992
Appeals	2,265	2,455	By opinion	1,268	2,065
Discretionary applications	430	471	By order	358	433
Interlocutory applications	450	486	Discretionary applications		
			Granted	95	89
Total	3,145	3,412	Denied	268	334
			Dismissed	33	34
			Transferred to Supreme Court	9	0
			Withdrawn	1	0
			Changed to Interlocutory	3	5
			Total	409	462
			Interlocutory applications		
			Granted	127	172
			Denied	233	277
			Dismissed	39	31
			Transferred to Supreme Court	3	0
			Withdrawn	3	1
			Total	405	481
			Total	2,440	3,441

Appellate Settlement Conference: Fiscal Year 1993

Cases settled	29
Cases terminated	49
Pending	26
Total cases	104

Georgia's Judicial Districts, Circuits and Counties



Superior Courts

The superior court, Georgia's general jurisdiction trial court, has exclusive, constitutional authority to preside over felony cases and cases regarding title to land, divorce and equity. Their exclusive jurisdiction also covers such matters as declaratory judgments, habeas corpus, mandamus, quo warranto and prohibition. The superior court corrects errors made by lower courts by issuing writs of certiorari; for some lower courts, the right to direct review by the superior court applies.

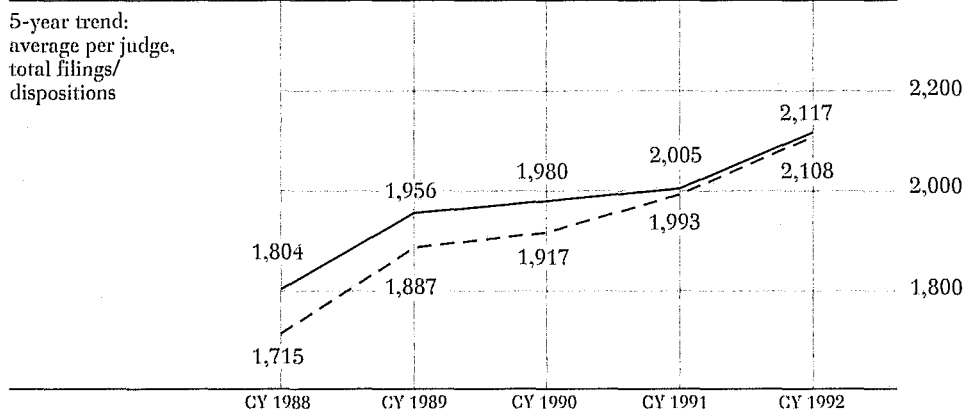
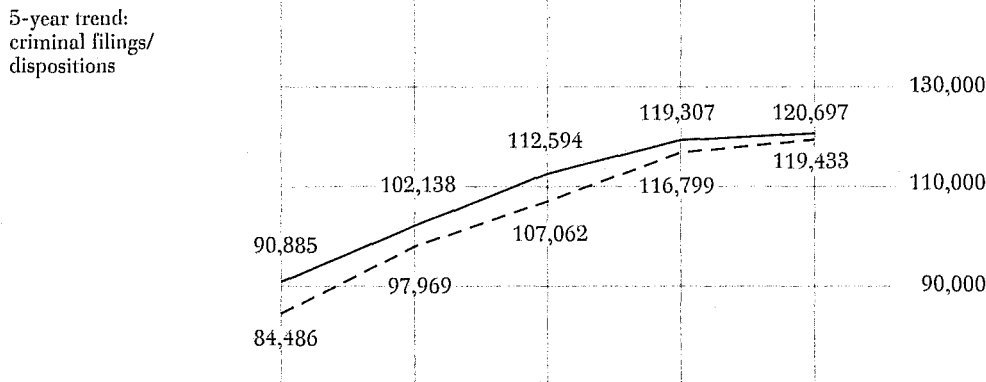
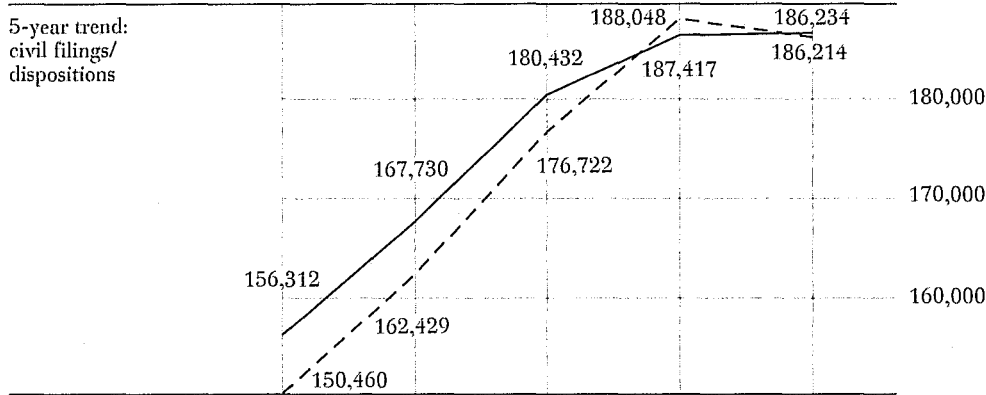
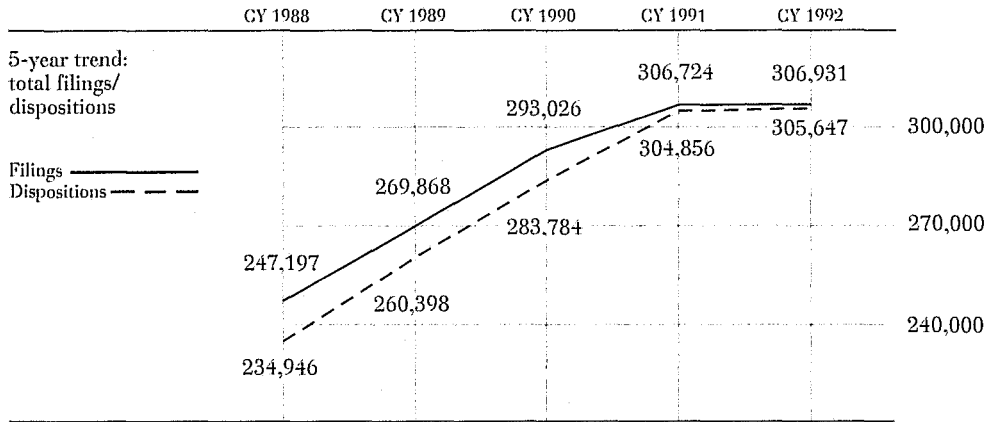
Superior courts are organized into 46 judicial circuits varying in size and population, as well as in the number of judges serving them. Each county has its own superior court, though judges may serve in more than one county. Numbers of superior court judges per circuit range from two judges in each of 21 circuits to 15 judges authorized for the Atlanta Judicial Circuit. A chief judge handles the administrative tasks for each circuit.

The superior courts are also grouped into 10 judicial administrative districts. An administrative judge and a district court administrator serve in each district. Administrative judges have statutory authority to use caseload data and other information for management purposes and to assign superior court judges, with their approval, to serve temporarily in other counties and circuits as needed.

Superior court judges are elected to four-year terms in nonpartisan, circuit-wide races. To qualify as a superior court judge, a candidate must be at least 30 years old, a citizen of Georgia for at least three years, and have practiced law for at least seven years. Superior court judges who have retired from the bench and attained senior status may hear cases in any circuit at the request of a local judge, an administrative judge or the governor.

As of June 30, 1993, 145 judges serve in Georgia's 159 superior courts.

Graphs on page 15 show total, civil, criminal and average per judge filings and dispositions for calendar years 1988 through 1992. Caseload data for the superior courts for calendar year 1992 by circuit and case type is presented in the table on pages 16 and 17.



Filing and Disposition Trends

Superior Court Caseload, Calendar Year 1992 (docket entries)

Circuit	# of Judges	Total Criminal		Felony		Misdemeanor		Probation Revocation	
		Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Alapaha	2	3,143	2,738	1,077	939	1,931	1,666	135	133
Alcovy	2	4,935	4,415	1,622	1,566	2,631	2,188	682	661
Appalachian	2	1,170	1,063	425	386	549	483	196	194
Atlanta	12	14,848	15,282	11,370	11,807	13	10	3,465	3,465
Atlantic	3	2,274	2,144	813	662	1,364	1,385	97	97
Augusta	5	3,101	3,038	1,865	1,812	419	415	817	811
Blue Ridge	3	1,166	1,272	716	813	44	53	406	406
Brunswick	4	2,245	2,529	1,598	1,903	331	310	316	316
Chattahoochee	4	3,049	3,099	2,024	2,055	680	699	345	345
Cherokee	3	3,017	3,173	1,028	1,152	1,077	1,109	912	912
Clayton	4	2,766	2,756	1,863	1,844	37	46	866	866
Cobb	7	6,289	6,061	5,213	4,995	131	121	945	945
Conasauga	3	2,628	2,657	784	792	1,199	1,220	645	645
Cordele	2	1,664	1,732	653	691	512	542	499	499
Coweta	3	2,998	3,016	2,287	2,298	318	326	393	392
Dougherty	2	1,843	1,754	1,279	1,193	197	194	367	367
Douglas	2	2,395	2,002	822	641	1,013	801	560	560
Dublin	2	1,345	1,358	545	545	409	435	391	378
Eastern	4	4,483	4,297	3,496	3,268	0	0	987	1,029
Enotah	2	1,068	1,132	281	302	598	642	189	188
Flint	2	1,576	1,668	684	756	451	476	441	436
Griffin	3	3,117	2,936	1,485	1,330	1,372	1,346	260	260
Gwinnett	6	2,526	2,413	1,840	1,731	11	7	675	675
Houston	2	1,295	1,344	873	912	175	185	247	247
Lookout Mountain	4	2,529	2,670	1,159	1,196	909	1,013	461	461
Macon	4	3,256	3,238	2,429	2,475	258	236	569	527
Middle	2	1,346	1,307	1,054	1,018	8	9	284	280
Mountain	2	845	918	469	542	98	98	278	278
Northeastern	3	2,133	2,172	1,135	1,193	308	325	690	654
Northern	2	1,509	1,335	773	668	338	269	398	398
Ocmulgee	3	3,146	3,134	1,798	1,783	1,246	1,249	102	102
Oconee	2	1,413	1,574	680	841	500	514	233	219
Ogeechee	2	1,423	1,395	1,018	1,007	35	36	370	352
Pataula	2	1,273	1,235	564	543	498	484	211	208
Piedmont	2	1,559	1,471	778	693	400	397	381	381
Rockdale	2	881	846	509	479	97	92	275	275
Rome	3	3,288	2,643	635	454	2,141	1,677	512	512
South Georgia	2	1,068	1,068	520	538	173	166	375	364
Southern	3	3,049	2,959	1,581	1,557	314	333	1,154	1,069
Southwestern	2	1,902	1,972	698	770	595	593	609	609
Stone Mountain	9	6,965	7,599	4,320	4,954	0	0	2,645	2,645
Tallapoosa	3	2,220	2,135	707	689	1,114	1,047	399	399
Tifton	2	1,175	1,068	716	642	275	248	184	178
Toombs	2	1,663	1,521	496	408	880	826	287	287
Waycross	3	1,576	1,578	1,018	1,062	282	239	276	277
Western	2	1,537	1,716	1,061	1,286	155	116	321	314
Total	145	120,697	119,433	68,761	69,191	26,086	24,626	25,850	25,616
Average per Judge*		832	824	474	477	180	170	178	177

*Based on 145 superior court judges.

Superior Court Caseload, Calendar Year 1992 (docket entries)

Total Civil		General Civil		Domestic Relations		Total Caseload		Total Open
Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Caseload
1,861	1,665	648	557	1,213	1,108	5,004	4,403	2,781
4,281	4,102	1,297	1,254	2,984	2,848	9,216	8,517	4,399
1,699	1,693	634	632	1,065	1,061	2,869	2,756	1,790
10,004	9,964	4,227	3,903	5,777	6,061	24,852	25,246	12,031
3,848	3,818	848	768	3,000	3,050	6,122	5,962	1,539
10,767	10,522	2,023	1,893	8,744	8,629	13,868	13,560	5,970
3,001	2,980	738	734	2,263	2,246	4,167	4,252	2,019
4,657	4,873	1,230	1,398	3,427	3,475	6,902	7,402	2,483
6,935	7,369	1,850	2,360	5,085	5,009	9,984	10,468	3,795
2,767	3,095	1,180	1,475	1,587	1,620	5,784	6,268	2,674
4,279	3,744	658	554	3,621	3,190	7,045	6,500	2,457
8,909	8,235	2,085	1,977	6,824	6,258	15,198	14,296	5,932
4,213	4,312	1,264	1,355	2,949	2,957	6,841	6,969	3,125
1,965	2,321	723	800	1,242	1,521	3,629	4,053	670
6,167	5,759	1,454	1,444	4,713	4,315	9,165	8,775	3,539
4,281	4,485	885	1,086	3,396	3,399	6,124	6,239	1,541
2,709	2,800	1,369	1,519	1,340	1,281	5,104	4,802	3,922
2,577	2,930	765	901	1,812	2,029	3,922	4,288	1,178
5,154	5,047	2,067	2,020	3,087	3,027	9,637	9,344	4,061
1,421	1,385	595	586	826	799	2,489	2,517	1,184
4,266	3,810	1,706	1,540	2,560	2,270	5,842	5,478	4,403
5,290	5,093	1,762	1,807	3,528	3,286	8,407	8,029	4,230
8,820	8,547	3,168	3,227	5,652	5,320	11,346	10,960	3,390
3,089	2,484	631	468	2,458	2,016	4,384	3,828	2,476
4,127	4,292	896	957	3,231	3,335	6,656	6,962	2,336
5,028	4,145	1,630	1,475	3,398	2,670	8,284	7,383	3,953
2,973	3,065	833	913	2,140	2,152	4,319	4,372	1,912
1,857	1,915	562	579	1,295	1,336	2,702	2,833	848
3,394	3,376	951	1,026	2,443	2,350	5,527	5,548	1,832
2,878	3,040	929	913	1,949	2,127	4,387	4,375	2,435
4,769	5,367	1,780	1,980	2,989	3,387	7,915	8,501	1,916
2,228	2,427	692	778	1,536	1,649	3,641	4,001	795
3,350	3,311	979	990	2,371	2,321	4,773	4,706	799
1,568	1,598	504	509	1,064	1,089	2,841	2,833	1,463
2,917	2,894	991	1,020	1,926	1,874	4,476	4,365	2,033
1,671	1,550	590	515	1,081	1,035	2,552	2,396	1,163
3,102	2,536	1,081	841	2,021	1,695	6,390	5,179	2,655
2,745	2,944	683	734	2,062	2,210	3,813	4,012	1,020
4,671	4,938	1,546	1,728	3,125	3,210	7,720	7,897	3,276
1,966	1,999	768	824	1,198	1,175	3,868	3,971	1,113
11,839	13,279	2,107	2,626	9,732	10,653	18,804	20,878	5,995
2,849	2,768	1,322	1,357	1,527	1,411	5,069	4,903	2,925
1,708	2,382	726	1,069	982	1,313	2,883	3,450	1,701
1,625	1,592	573	552	1,052	1,040	3,288	3,113	1,487
3,172	2,966	1,288	1,224	1,884	1,742	4,748	4,544	2,125
2,837	2,797	1,119	1,226	1,718	1,571	4,374	4,513	1,960
186,234	186,214	56,357	58,094	129,877	128,120	306,931	305,647	127,331
1,284	1,284	389	401	896	884	2,117	2,108	878

A 1970 legislative act established Georgia's state court system by designating as such certain existing countywide courts of limited jurisdiction. In counties where they are located, these courts may exercise jurisdiction over all misdemeanor violations, including traffic cases, and all civil actions, regardless of the amount claimed, unless the superior court has exclusive jurisdiction.

State courts are authorized to hold hearings on applications for and issuance of search and arrest warrants and to hold preliminary hearings. The Georgia Constitution grants state courts authority to review lower court decisions as provided by statute.

The General Assembly creates state courts by local legislation. The legislature also establishes the number of judges and whether the judges are to be full or part-time. Part-time judges may practice law except in their own courts.

In fiscal year 1993, 62 state courts operated in 65 counties. One state court serves Cherokee and Forsyth counties. Of the 88 authorized judgeships, 87 are filled; 43 are full-time and 44 are part-time. The 1993 General Assembly created state courts in Brooks and McIntosh counties and added an additional state court judgeship in Gwinnett County.

State court judges are elected to four-year terms in nonpartisan, countywide elections. Candidates must be at least 25 years old, have been admitted to practice law for at least five years, and have lived in the state for at least three years. The governor fills vacancies by appointment.

Filings and dispositions are given for those state courts which provided caseload data.

State Court Caseload, 1992 Reporting Year (docket entries)

County	Reporting Year	Misdemeanor		Traffic		Civil		Total	
		Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Baldwin ¹	FY	-	-	-	-	-	-	5,227	-
Bibb	CY	6,448	6,256	1,401	1,184	1,256	1,250	9,105	8,690
Bryan	FY	262	158	6,033	6,075	63	35	6,378	6,268
Burke	CY	547	505	1,218	1,152	132	99	1,897	1,756
Candler	CY	194	190	1,797	1,600	39	28	2,030	1,818
Carroll	FY	481	598	4,748	3,802	670	536	5,899	4,936
Chatham ²	CY	1,971	1,863	1,188	1,076	2,562	2,809	5,721	5,748
Chattooga	CY	926	797	2,286	2,069	56	37	3,268	2,903
Cherokee/Forsyth ^{3,4}	FY	-	-	10,276	7,083	1,081	859	11,357	7,942
Clarke	FY	2,510	2,447	7,789	7,709	638	562	10,937	10,718
Clayton	CY	15,348	15,845	18,921	18,802	4,362	5,384	38,631	40,031
Cobb	FY	8,300	7,285	99,401	88,714	22,694	21,431	130,395	117,430
Coffee	CY	356	124	3,730	2,439	219	113	4,305	2,676
Coweta	CY	1,101	990	6,816	6,324	448	392	8,365	7,706
Decatur ⁵	FY	619	-	2,113	-	64	30	2,796	30
DeKalb	CY	7,913	8,617	3,716	2,491	55,862	35,012	67,491	46,120
Dougherty	FY	3,957	3,492	6,499	5,780	690	461	11,146	9,733
Early	FY	395	354	1,265	1,153	18	12	1,678	1,519
Effingham	FY	562	429	3,835	3,383	230	118	4,627	3,930
Elbert	FY	550	430	926	781	89	68	1,565	1,279
Fulton	FY	25,606	N/A	23,742	11,439	90,397	31,562	139,745	43,001
Glynn ⁴	FY	-	-	9,257	8,225	238	157	9,495	8,382
Grady	CY	221	182	1,457	1,388	70	60	1,748	1,630
Habersham ⁴	FY	-	-	3,685	3,424	-	-	3,685	3,424
Hall	FY	5,239	5,334	5,811	5,673	969	925	12,019	11,932
Houston	CY	2,051	2,085	15,080	14,833	862	926	17,993	17,844
Jackson ⁴	CY	-	-	8,130	7,849	153	124	8,283	7,973
Jeff Davis	FY	305	184	900	870	30	13	1,235	1,067
Jenkins	CY	138	125	1,224	1,213	12	9	1,374	1,347
Miller	CY	111	109	634	600	12	8	757	717
Mitchell	CY	445	412	1,180	1,112	13	10	1,638	1,534
Muscogee	FY	3,736	3,290	3,970	3,571	973	476	8,679	7,337
Putnam	FY	50	50	713	713	0	0	763	763
Rockdale	CY	1,145	1,148	5,220	5,678	425	372	6,790	7,198
Screven	CY	240	218	1,409	1,391	32	28	1,681	1,637
Sumter	FY	958	905	1,581	1,581	51	9	2,590	2,495
Stephens	CY	480	466	1,324	1,315	186	139	1,990	1,920
Tattnall	CY	151	132	1,487	1,487	41	37	1,679	1,656
Thomas	CY	2,451	2,420	1,511	1,390	144	105	4,106	3,915
Tift	CY	9,405	8,882	3,143	2,324	202	166	12,750	11,372
Toombs	CY	577	515	1,621	1,538	54	43	2,252	2,096
Troup ⁴	FY	3,044	2,804	5,028	5,028	303	120	8,375	7,952
Wayne	CY	783	695	1,103	1,002	106	53	1,992	1,750
Total		109,596	80,336	283,168	245,261	186,446	104,578	584,437	430,175

Note: 43 of 62 courts submitted data.

¹ Provided total filings only.

² Caseload based on defendants.

³ Cherokee County data only.

⁴ Traffic includes misdemeanor cases.

⁵ Provided filings only for criminal.

Juvenile Courts

The purpose of Georgia's juvenile courts is to protect the well-being of children, provide guidance and control conducive to a child's welfare and the best interests of the state, and secure care for children removed from their homes.

The exclusive, original jurisdiction of juvenile courts extends to cases of delinquent and unruly children under the age of 17, and deprived children under the age of 18. Juvenile courts have concurrent jurisdiction with superior courts in cases involving capital felonies, custody and child support cases, and in proceedings to terminate parental rights. The superior court has the authority to terminate parental rights in adoption proceedings. In addition, the juvenile court has jurisdiction over minors enlisting in the military services, consent to marriage for minors, and cases involving the Interstate Compact on Juveniles. Most cases appealed from the juvenile courts are heard by the Court of Appeals.

There are 51 full- and part-time juvenile court judges. In counties or circuits with no separate juvenile court judge, superior court judges hear juvenile cases. Forty-two associate judges, who must be admitted to the State Bar or have graduated from law school, serve in 42 counties to assist the juvenile or superior court judge with handling cases.

Juvenile court judges are appointed by superior court judges of the circuit for either a four- or six-year term. (Only the juvenile court judge of Floyd County is elected.) Judges must be at least 30 years of age, have practiced law for five years and have lived in Georgia for three years. Full-time judges cannot practice law while holding office.

*Juvenile court filings and dispositions for calendar year 1992
are presented for counties submitting caseload data
to the Administrative Office of the Courts.*

Juvenile Court Caseload, Calendar Year 1992 (number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	74	73	27	25	24	23	6	6	3	3	134	130
Atkinson	10	9	7	7	17	15	12	10	0	0	46	41
Bacon	28	25	3	4	23	21	2	2	0	0	56	52
Baker	9	9	0	0	2	2	0	0	1	1	12	12
Baldwin	219	199	40	39	117	100	58	65	8	8	442	411
Banks	32	28	5	6	8	5	4	4	0	0	49	43
Barrow	166	171	52	51	92	48	48	43	0	0	358	313
Bartow	345	313	223	205	270	253	165	148	84	70	1,087	989
Ben Hill	192	187	40	37	76	78	13	14	0	0	321	316
Berrien	87	57	44	25	1	0	10	6	0	0	142	88
Bibb ¹	1,702	-	188	-	176	-	256	-	434	-	2,756	-
Bleckley	45	45	0	0	8	6	2	2	4	4	59	57
Branley	31	34	4	7	11	21	0	0	2	2	48	64
Bryan	94	80	40	41	11	15	22	15	0	0	167	151
Bulloch	154	152	43	43	31	28	35	37	0	0	263	260
Burke	194	184	5	5	55	58	25	21	0	0	279	268
Butts	115	80	18	14	48	44	7	4	16	14	204	156
Calhoun	13	13	5	5	0	0	4	4	0	0	22	22
Camden ²	133	132	104	100	88	88	31	31	121	121	477	472
Candler	23	23	4	4	9	3	0	0	0	0	36	30
Carroll	322	314	245	241	136	126	229	229	2	2	934	912
Charlton	40	40	6	6	23	24	1	2	0	0	70	72
Chatham	2,260	1,800	324	242	688	652	333	252	101	95	3,706	3,041
Chattahoochee	22	17	8	9	2	2	3	3	0	0	35	31
Chattooga	45	37	36	29	25	21	102	102	27	26	235	215
Cherokee	219	159	140	115	170	142	269	217	32	29	830	662
Clarke	826	826	303	303	320	320	372	372	42	42	1,863	1,863
Clay	7	7	1	1	8	8	6	6	0	0	22	22
Clayton	1,344	905	366	249	706	562	565	503	392	280	3,373	2,499
Clinch	9	9	5	5	8	6	2	2	0	0	24	22
Cobb	2,298	1,777	827	717	893	791	1,589	1,403	143	126	5,750	4,814
Coffee	167	75	41	17	0	0	110	55	25	7	343	154
Colquitt	255	181	18	18	75	64	15	14	7	7	370	284
Columbia	353	361	122	122	19	15	130	126	3	3	627	627
Cook	155	122	20	20	11	3	24	25	8	4	218	174
Coweta	422	422	165	165	195	195	189	189	4	4	975	975
Crawford	13	11	3	2	18	18	7	5	0	0	41	36
Crisp	218	242	40	42	87	94	30	30	34	33	409	441
Dade	56	56	23	23	40	40	10	10	9	9	138	138
Decatur	138	129	24	24	41	39	44	44	2	0	249	236
DeKalb ¹	5,613	-	1,501	-	1,394	-	1,416	-	310	-	10,234	-
Dodge	87	68	2	1	1	1	11	8	4	3	105	82
Dooly	42	46	5	1	34	44	3	4	0	0	84	95
Dougherty	1,522	1,411	75	69	178	173	451	428	0	0	2,226	2,081
Echols	6	6	3	3	0	0	1	1	0	0	10	10
Effingham	121	133	34	34	13	18	59	61	4	4	231	250
Elbert	91	83	5	6	16	15	32	31	0	0	144	135
Emanuel	24	25	0	0	20	16	0	0	1	0	45	41
Evans	79	83	15	25	8	8	9	8	1	1	112	125
Fannin	29	25	10	8	39	29	31	24	0	0	109	86
Fayette	210	210	126	126	160	160	228	228	59	59	783	783
Floyd	552	435	290	242	134	105	392	342	423	381	1,791	1,505
Franklin	43	39	0	0	31	17	21	21	0	0	95	77
Fulton ¹	13,873	-	815	-	725	-	2,513	-	817	-	18,743	-
Gilmer	22	15	17	13	16	12	3	3	0	0	58	43
Glascocock	2	3	0	0	2	0	4	4	1	1	9	8
Grady	72	71	4	4	29	28	13	10	0	0	118	113
Greene	115	102	38	37	6	7	26	22	11	10	196	178
Gwinnett ¹	2,275	-	688	-	519	-	1,570	-	725	-	5,777	-
Habersham	71	48	27	17	88	84	31	31	0	1	217	181
Hancock	1	3	0	0	12	11	0	0	1	0	14	14

Juvenile Court Caseload, Calendar Year 1992 (number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Haralson	57	38	25	23	59	31	18	16	0	0	159	108
Harris	56	50	20	16	19	19	24	24	0	0	119	109
Hart	49	49	5	5	18	11	22	24	1	0	95	89
Heard	-	-	-	-	-	-	-	-	-	-	69	-
Henry	241	234	131	122	22	22	54	54	55	54	503	486
Houston	553	476	273	230	553	542	251	247	76	60	1,706	1,555
Irwin	22	30	1	2	16	18	15	20	0	0	54	70
Jackson	121	104	35	35	42	33	45	41	2	1	245	214
Jasper	9	11	2	1	29	29	14	14	1	2	55	57
Jeff Davis	83	73	12	9	16	0	18	17	9	8	138	107
Jefferson	23	12	6	5	18	12	6	6	0	0	53	35
Jenkins	37	39	10	12	18	21	8	9	1	1	74	82
Johnson	32	35	11	15	12	10	6	7	0	0	61	67
Jones	65	59	3	3	30	25	19	22	11	7	128	116
Lamar	42	49	25	13	11	11	17	19	2	3	97	95
Lanier	37	44	6	6	38	41	3	3	1	1	85	95
Laurens	511	485	51	51	51	11	87	87	0	0	700	634
Lee	108	103	25	25	10	10	25	22	0	0	168	160
Liberty	362	323	217	168	154	84	92	89	4	3	829	667
Lincoln	21	13	4	3	2	2	5	2	0	0	32	20
Long	18	24	7	7	11	15	3	4	0	0	39	50
Lowndes	456	268	75	51	49	25	113	99	0	0	693	443
Lumpkin	42	42	15	10	11	17	32	29	1	0	101	98
Macon	78	66	34	43	20	22	17	18	0	0	149	149
Madison	41	35	4	2	39	31	41	42	0	2	125	112
Marion	10	11	8	2	3	3	16	13	1	0	38	29
McDuffie	137	126	21	20	34	32	43	50	0	0	235	228
McIntosh	40	53	32	44	16	19	3	3	10	10	101	129
Meriwether	80	73	6	6	74	74	29	29	32	32	221	214
Miller	17	17	4	4	10	9	3	3	0	0	34	33
Mitchell	106	72	2	2	26	18	16	12	1	1	151	105
Monroe	84	80	39	37	23	24	85	78	38	37	269	256
Montgomery	12	12	5	5	1	2	4	4	0	0	22	23
Morgan	51	49	6	6	22	14	16	12	2	2	97	83
Murray	147	132	102	92	81	46	16	11	14	14	360	295
Muscogee ³	2,561	2,305	829	746	439	395	634	606	367	330	4,830	4,382
Newton	492	492	256	256	241	241	106	106	253	253	1,348	1,348
Oconee	43	29	8	5	19	16	32	29	2	3	104	82
Oglethorpe	26	22	1	0	3	8	10	10	0	0	40	40
Paulding	145	141	54	52	64	33	46	48	2	9	311	283
Peach	113	71	14	14	47	34	1	0	3	3	178	122
Pickens	44	43	21	18	16	15	6	6	5	0	92	82
Pierce	65	59	10	10	25	23	37	30	2	0	139	122
Pike	37	34	7	6	21	17	16	16	0	0	81	73
Polk	196	183	57	51	106	82	20	20	1	1	380	337
Pulaski	29	29	7	7	0	0	5	6	1	1	42	43
Putnam	49	25	6	3	56	51	2	2	2	2	115	83
Quitman	13	2	0	0	4	0	3	0	0	0	20	2
Rabun	29	21	2	2	15	5	10	10	0	0	56	38
Richmond	1,769	1,600	250	243	294	164	83	74	192	132	2,588	2,213
Rockdale	175	155	86	81	25	23	207	198	123	97	616	554
Schley	13	16	3	1	3	3	5	5	0	0	24	25
Screven	82	85	18	19	6	6	6	8	0	0	112	118
Seminole	20	8	18	3	11	0	1	0	0	0	50	11
Spalding	550	550	91	91	395	399	52	52	7	7	1,095	1,099
Stephens	98	106	18	17	55	64	39	40	0	0	210	227
Stewart	29	25	6	5	4	4	1	1	0	0	40	35
Talbot	22	19	4	1	12	14	2	3	0	0	40	37
Taliaferro	7	7	2	2	0	0	0	0	0	0	9	9
Tattnall	62	49	75	81	26	26	8	11	2	1	173	168
Taylor	27	20	0	1	15	15	3	3	0	0	45	39

Juvenile Court Caseload, Calendar Year 1992 (number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Telfair	54	40	13	11	9	5	15	14	0	0	91	70
Terrell	120	120	2	2	34	34	9	9	10	10	175	175
Thomas	274	229	57	21	74	74	63	55	4	4	472	383
Tift	304	224	35	40	27	31	111	95	0	0	477	390
Toombs	95	84	3	2	60	49	10	6	42	27	210	168
Towns	8	7	1	1	7	7	4	4	1	1	21	20
Treutlen	27	21	0	0	6	2	10	9	2	2	45	34
Troup	828	703	187	164	398	321	128	116	30	25	1,571	1,329
Turner	92	92	16	16	0	0	43	43	0	0	151	151
Twiggs	30	29	16	15	18	20	6	5	0	0	70	69
Union	34	26	32	30	13	13	19	19	0	0	98	88
Upson	264	245	46	42	75	64	78	70	0	0	463	421
Walker	156	155	77	72	35	34	88	88	34	34	390	383
Walton	692	643	198	88	22	20	119	115	333	321	1,364	1,187
Ware	357	248	159	114	109	92	46	37	54	45	725	536
Warren	8	6	1	1	6	3	5	1	1	1	21	12
Washington	180	142	3	3	27	24	3	2	0	0	213	170
Webster	22	11	2	2	0	0	6	8	0	0	30	21
Wheeler	12	13	1	2	1	1	0	0	0	0	14	16
White	73	60	25	35	23	23	68	73	5	5	194	196
Whitfield	337	294	281	245	189	154	188	154	199	150	1,194	997
Wilcox	23	20	0	0	11	9	0	1	0	0	34	30
Wilkes	29	29	1	1	4	4	8	9	0	0	42	43
Wilkinson	16	14	3	2	31	36	12	12	2	2	64	66
Worth	63	63	33	33	18	18	61	61	2	2	177	177
Total	52,227	25,011	11,481	7,287	12,594	8,616	15,145	8,647	5,804	3,056	97,320	52,618⁴

Note: 146 of 159 counties provided data.

¹ Provided filings only.

² All motion hearings are included in special proceedings.

³ Estimate.

⁴ Dispositions not reported by four of the largest courts: Bibb, Fulton, DeKalb, Gwinnett.

Probate Courts

Located in each of Georgia's 159 counties, the probate court exercises exclusive original jurisdiction in the probate of wills, the administration of estates, the appointment of guardians and the involuntary hospitalization of incapacitated adults and other dependent individuals.

If provided by statute, probate judges may serve as election superintendent, appoint persons to fill public offices, administer oaths of office, issue marriage licenses, hold habeas corpus hearings or preside over criminal preliminary hearings. In those counties where there is no state court, probate courts may also hear traffic cases and violations of state game and fish laws, unless there is a demand for a jury trial, in which instance a case would be transferred to the superior court.

In counties with a population greater than 100,000 and where the probate judge has practiced law for at least seven years, a party to a civil case has the right to a jury trial if so asserted by a written demand with the first pleading. Appeals from such civil cases may be to the Supreme Court or Court of Appeals, depending on the particular matter.

Most probate court judges are elected to four-year terms in countywide, partisan elections. Fulton and DeKalb counties hold nonpartisan elections. A candidate for office must be at least 25 years of age, a high school graduate, a U.S. citizen and a county resident for at least two years preceding the election. In counties with a population over 100,000, candidates must fulfill additional qualifications concerning age and practice of law.

Fiscal year 1993 criminal and civil caseload data is published as submitted.

Probate Court Criminal Caseload, Fiscal Year 1993 (docket entries)

County	Misdemeanor		Traffic		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Bacon	0	0	977	977	977	977
Baker	0	0	567	537	567	537
Banks	124	104	1,353	1,044	1,477	1,148
Barrow	0	0	4,134	4,134	4,134	4,134
Bartow	394	394	5,777	5,777	6,171	6,171
Ben Hill ¹	20	18	516	420	536	438
Brantley	89	89	1,231	1,231	1,320	1,320
Butts	97	97	1,413	1,341	1,510	1,438
Camden ²	17	19	3,335	3,335	3,352	3,354
Crawford	103	110	1,452	1,303	1,555	1,413
Cook	48	48	3,688	3,769	3,736	3,817
Dawson	255	255	508	502	763	757
Fannin	66	76	614	614	680	690
Fayette	48	36	2,386	2,346	2,434	2,382
Floyd ²	0	0	4,953	4,265	4,953	4,265
Glascocok	31	31	149	148	180	179
Gordon ¹	14	30	1,272	1,557	1,286	1,587
Grady	28	76	0	0	28	76
Greene	147	160	1,581	1,342	1,728	1,502
Haralson	139	105	2,331	2,039	2,470	2,144
Harris	0	0	0	2,423	0	2,423
Heard ³	68	68	702	702	770	770
Henry	94	97	4,049	4,796	4,143	4,893
Jasper	0	0	235	656	235	656
Jones ¹	0	5	1,408	1,045	1,408	1,050
Lanier ¹	34	34	265	265	299	299
Laurens ²	93	92	2,936	2,567	3,029	2,659
Lee	0	0	2,139	2,411	2,139	2,411
Macon	0	0	1,244	1,021	1,244	1,021
Madison	2	9	1,228	1,228	1,230	1,237
Marion	0	3	0	1,053	0	1,056
McDuffie	0	0	2,317	2,317	2,317	2,317
McIntosh	0	0	0	1,896	0	1,896
Monroe ³	74	42	3,490	2,821	3,564	2,863
Murray ¹	21	21	1,106	1,106	1,127	1,127
Newton	68	66	3,562	3,471	3,630	3,537
Oconee	0	0	2,217	2,217	2,217	2,217
Oglethorpe	19	19	670	684	689	703
Paulding	62	32	905	667	967	699
Peach	0	0	6,010	6,010	6,010	6,010
Pickens ⁴	0	0	0	2,411	0	2,411
Polk	65	52	1,970	1,786	2,035	1,838
Pulaski	0	0	0	891	0	891
Randolph	0	0	1,730	1,730	1,730	1,730
Seminole	17	18	1,910	1,657	1,927	1,675
Taylor	0	0	1,896	1,795	1,896	1,795
Telfair ¹	9	9	573	532	582	541
Terrell	57	47	1,419	1,372	1,476	1,419
Thomas	42	31	0	0	42	31
Towns	65	48	301	254	366	302
Turner	0	0	7,175	3,599	7,175	3,599
Twiggs ¹	37	37	490	483	527	520
Union	105	89	528	451	633	540
Walton	102	103	5,743	5,051	5,845	5,154
Warren ¹	5	4	622	501	627	505
Wheeler	15	6	818	818	833	824
White	37	25	945	701	982	726
Whitfield ³	0	0	1,360	1,360	1,360	1,360
Wilkes ¹	12	12	552	551	564	563
Wilkinson	77	71	404	342	481	413
Total	2,800	2,688	101,156	102,322	103,956	105,010

Note: 60 of 96 courts with criminal jurisdiction submitted data.

¹ Reported for two quarters of fiscal year.

² Reported for three quarters of fiscal year.

³ Reported for one quarter of fiscal year.

⁴ Reported for calendar year 1993.

Probate Court Civil Caseload, Fiscal Year 1993 (docket entries)

County	No Administration		Probate			Year's		Habeas Corpus	Licenses		Total Civil
	Administration	Necessary	Common	Solemn	Guardianship	Support	Hospitalization		Marriage	Pistol	
Bacon	25	15	5	85	30	10	8	0	91	89	358
Baker	4	0	0	10	2	0	9	0	19	23	67
Baldwin ¹	20	1	1	44	25	4	159	0	265	199	718
Banks	4	1	3	21	4	12	8	0	68	81	202
Barrow	29	4	3	71	58	9	28	0	216	241	659
Bartow	35	16	3	149	49	6	56	0	383	505	1,202
Ben Hill ²	6	0	2	26	0	2	6	0	90	22	154
Berrien	14	4	2	30	4	4	9	0	116	35	218
Bibb	73	21	28	403	80	38	61	1	1,603	563	2,871
Brantley	6	0	0	14	3	3	0	0	100	73	199
Bryan	13	4	0	22	28	4	8	0	91	123	293
Bulloch	30	1	6	79	17	0	31	0	319	255	738
Butts	7	0	2	40	7	5	9	0	116	125	311
Camden ²	7	1	0	9	8	1	0	0	338	68	432
Candler	6	2	0	19	7	0	0	0	81	14	129
Carroll ³	34	4	2	178	49	20	178	0	771	930	2,166
Cherokee	41	9	11	149	35	21	34	0	546	576	1,422
Clarke	30	10	11	173	92	13	63	0	674	582	1,648
Clayton	87	24	14	285	306	36	44	0	1,497	664	2,957
Clinch ³	9	2	0	11	12	3	0	0	70	47	154
Cobb	184	27	29	788	474	64	100	39	4,180	2,578	8,463
Coffee	31	3	3	72	16	2	0	0	373	129	629
Colquitt	17	21	3	100	22	5	34	0	407	85	694
Cook	7	3	1	39	14	3	16	0	122	71	276
Coweta	35	14	3	138	75	21	48	0	504	408	1,246
Crawford	5	2	0	20	10	2	0	0	58	71	168
Dawson	10	4	0	18	4	2	7	0	88	85	218
Decatur	24	0	1	52	15	0	17	0	208	97	414
DeKalb	785	77	205	1,119	1,533	181	597	17	4,265	2,778	11,557
Dougherty ²	47	10	7	102	44	9	51	0	490	389	1,149
Douglas	29	9	3	114	61	17	0	0	829	560	1,622
Early ¹	6	2	0	27	17	0	6	0	50	49	157
Effingham ³	19	1	4	51	68	22	17	0	165	22	369
Elbert ⁴	9	2	3	23	5	3	3	0	29	65	142
Emanuel	13	6	4	58	15	4	47	0	166	275	588
Evans	14	0	0	21	2	1	5	0	71	57	171
Fannin	12	4	0	34	18	8	14	0	109	149	348
Fayette	8	8	2	118	52	24	0	0	545	582	1,339
Floyd ¹	27	11	17	195	34	12	37	0	435	351	1,119
Forsyth	15	5	2	113	8	6	0	0	443	420	1,012
Fulton ⁵	471	209	197	1,593	1,257	108	25	0	6,693	3,000	13,553
Glascock	3	4	0	13	7	1	0	0	18	10	56
Glynn	101	5	12	189	57	68	30	0	779	374	1,615
Gordon ²	20	1	1	45	23	4	16	0	154	136	400
Grady	28	9	0	44	26	1	30	0	180	60	378
Greene	6	2	0	19	7	1	20	0	77	111	243
Gwinnett	104	25	18	457	376	51	55	0	3,529	2,124	6,739
Habersham ²	23	5	5	129	31	2	19	0	225	165	604
Hall	63	22	3	259	41	12	38	0	806	600	1,844
Haralson	24	1	0	74	25	10	30	0	203	169	536
Harris	7	3	0	51	4	5	0	0	185	186	441
Heard	4	0	0	26	15	4	19	0	55	63	186
Henry	25	11	13	110	94	32	21	2	515	605	1,428
Houston	46	8	4	191	85	10	56	0	880	568	1,848
Jackson ¹	14	2	4	49	16	10	13	0	150	173	431
Jasper	6	4	2	21	12	5	4	0	46	75	175
Jeff Davis	4	2	0	17	7	0	0	0	155	54	239
Jefferson	10	8	5	42	14	7	0	0	100	94	280
Jones ²	3	1	0	22	9	1	16	0	73	91	216
Lanier ²	1	1	0	14	3	0	3	0	44	11	77
Laurens ¹	17	2	2	60	16	6	55	0	260	370	788

Probate Court Civil Caseload, Fiscal Year 1993 (docket entries)

County	No Administration		Probate			Year's		Habeas Corpus	Licenses		Total Civil
	Administration	Necessary	Common	Solemn	Guardianship	Support	Hospitalization		Marriage	Pistol	
Lee	7	2	11	24	28	1	24	0	140	178	415
Liberty	50	0	0	62	266	8	24	0	581	81	1,072
Long	8	0	0	6	12	1	2	0	45	31	105
Lowndes	58	11	7	200	53	11	29	0	959	450	1,778
Macon	15	1	1	33	8	1	13	60	95	69	296
Madison	21	4	0	55	20	8	22	0	149	189	468
Marion	5	1	0	12	2	2	0	0	45	28	95
McDuffie	16	3	1	65	27	6	12	0	148	125	403
McIntosh	10	1	1	23	9	1	0	0	55	35	135
Mitchell	11	4	1	60	10	4	7	0	165	114	376
Monroe ⁴	2	1	1	16	0	3	0	0	25	28	76
Murray ²	12	1	0	26	15	4	11	0	87	80	236
Muscogee ²	54	6	16	215	85	42	27	0	858	167	1,470
Newton	41	18	11	114	105	11	1	0	395	388	1,084
Oconee	7	4	3	52	27	4	6	0	139	227	469
Oglethorpe	14	0	1	26	17	1	6	0	80	155	300
Paulding ¹	6	2	4	54	27	9	0	0	316	267	685
Peach	4	0	0	66	10	1	3	0	137	120	341
Pickens ²	10	3	2	43	2	3	35	0	130	144	372
Polk	30	7	5	127	40	1	53	0	308	277	848
Pulaski	3	3	1	27	2	1	16	0	75	67	195
Putnam ¹	11	2	2	43	29	1	5	0	90	81	264
Rabun	17	12	1	47	36	6	5	0	110	89	323
Randolph	3	1	9	29	5	2	5	0	48	99	201
Richmond	110	42	39	458	111	152	133	0	1,366	1,031	3,442
Rockdale	18	9	5	111	90	10	3	0	617	472	1,335
Seminole	13	4	2	36	3	0	10	0	550	28	646
Spalding	20	8	5	154	74	21	54	0	535	448	1,319
Sumter ²	12	3	3	41	6	2	7	0	124	149	347
Tattnall ²	9	1	1	21	8	1	7	0	67	58	173
Taylor	5	0	1	25	1	0	18	0	62	42	154
Telfair ²	12	1	2	10	5	0	6	0	46	42	124
Terrell	13	2	3	26	4	3	4	0	76	86	217
Thomas	24	2	2	91	13	4	579	0	400	127	1,242
Tift	26	4	2	81	14	2	21	0	415	178	743
Toombs ³	28	19	0	143	35	7	6	0	238	272	748
Towns	6	4	2	35	5	0	1	0	69	91	213
Troup	45	22	13	155	40	11	67	0	469	415	1,237
Turner	9	12	1	39	15	0	7	1	64	53	201
Twiggs ²	4	1	1	7	5	5	23	0	37	34	117
Union	13	2	4	32	7	0	0	0	89	72	219
Walton	29	13	5	100	52	18	41	0	304	297	859
Ware	28	12	3	142	28	19	24	0	435	207	898
Warren ²	3	0	0	8	1	0	0	0	9	19	40
Washington ¹	5	7	3	40	11	2	2	0	81	80	231
Wheeler	4	0	0	11	3	0	0	0	44	12	74
White	4	3	4	41	5	2	14	0	155	88	316
Whitfield ⁴	22	6	1	45	9	7	14	0	70	87	261
Wilkes ²	6	1	1	29	7	1	19	0	35	21	120
Wilkinson	8	4	3	36	6	2	9	0	52	118	238
Worth	13	4	2	55	14	1	13	0	182	164	448
Total	3,661	926	832	11,842	6,835	1,317	3,548	120	47,889	31,655	108,625

Note: 112 of 159 probate courts submitted data.

¹ Reported for three quarters of fiscal year.

² Reported for two quarters of fiscal year.

³ Reported data for calendar year 1993.

⁴ Reported for one quarter of fiscal year.

⁵ Reported data for calendar year 1992.

Magistrate Courts

Magistrate court jurisdiction encompasses civil claims of \$5,000 or less; issuing distress warrants and dispossessory writs; trials for county ordinance violations; trials for misdemeanor violations of bad check laws; preliminary hearings; and issuing summonses, arrest warrants and search warrants. A chief magistrate, who may be assisted by one or more magistrates, presides over each of the 159 magistrate courts in the state.

Magistrates may grant bail in cases where the setting of bail is not exclusively reserved to a judge of another court. Magistrates also administer oaths and issue subpoenas, as well as sentence and fine for contempt up to 10 days imprisonment and/or \$200.

No jury trials are held in magistrate court. If a defendant submits a written request for a jury trial, cases are removed to superior or state court.

The chief magistrate of each county assigns cases, sets court sessions, appoints other magistrates (with the consent of the superior court judges) and resolves disputes among magistrates. The number of magistrates in addition to the chief is usually set by majority vote of the superior court judges.

Chief magistrates are elected in partisan, countywide elections to serve a four-year term, unless otherwise provided by local legislation. Terms for other magistrate judges run concurrently with that of the chief magistrate who appointed them.

To qualify as a magistrate, an individual must reside in the county for at least one year preceding his or her term of office, be 25 years of age, and have a high school diploma or its equivalent. New magistrates, unless active members of the State Bar, are required to complete an initial 40-hour course for certification. All magistrates must attend annual 20-hour continuing education seminars to maintain certification.

The Georgia Magistrate Courts Training Council formulates the curricula for the seminars and sets the standards for certification.

Judges of other limited jurisdiction courts may also serve as magistrates in the same county. At the end of fiscal year 1993, 159 chief magistrates and 304 magistrates served in Georgia; 23 probate judges, three civil court judges, and three juvenile court judges or associate judges were among this number.

*Fiscal year 1993 magistrate court caseload is presented.
Submission of data is required by the Uniform Rules
for the Magistrate Courts.*

Magistrate Court Caseload, Fiscal Year 1993 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
			Filed	Disposed	Filed	Disposed	Filed	Disposed		
Appling	828	648	378	101	664	587	140	140	2,010	1,476
Atkinson ¹	358	2	27	0	206	200	70	68	661	270
Bacon ¹	148	99	251	46	311	311	126	83	836	539
Baldwin ¹	2,283	106	0	0	2,114	2,111	1,615	1,615	6,012	3,832
Banks	624	132	46	39	182	175	66	63	918	409
Barrow	1,890	992	83	83	600	600	743	744	3,316	2,419
Ben Hill	1,322	575	361	361	715	635	733	733	3,131	2,304
Berrien	927	0	0	0	340	299	158	100	1,425	399
Bibb	6,949	5,045	2,078	1,426	3,538	6,030	2,046	1,743	14,611	14,244
Bleckley	701	245	0	0	254	365	184	218	1,139	828
Brantley	177	136	89	84	210	195	39	39	515	454
Brooks	533	403	115	94	430	303	223	197	1,301	997
Bryan	832	227	53	53	481	556	143	143	1,509	979
Bulloch	4,987	215	1	1	1,422	2,293	807	555	7,217	3,064
Burke ¹	1,087	339	0	0	678	761	376	295	2,141	1,395
Butts ²	272	111	123	117	160	160	118	109	673	497
Camden	1,270	840	517	435	513	348	351	334	2,651	1,957
Candler ³	102	38	0	0	82	82	44	44	228	164
Carroll ²	1,122	61	360	298	934	281	657	499	3,073	1,139
Catoosa	2,425	685	514	294	450	428	476	345	3,865	1,752
Charlton	485	366	108	118	180	207	82	76	855	767
Chatham	8,834	3,194	1,503	2,475	6,671	4,220	9,148	4,935	26,156	14,824
Chattahoochee ¹	104	67	20	32	40	30	13	13	177	142
Chattooga	2,398	747	0	0	682	629	343	302	3,423	1,678
Cherokee	4,325	1,520	345	375	1,301	1,624	1,653	1,370	7,624	4,889
Clarke	7,747	2,684	0	30	1,605	1,206	2,129	1,636	11,481	5,556
Clay	347	125	5	6	82	75	24	21	458	227
Clayton	10,182	13,846	2,800	1,775	2,658	1,771	10,911	6,598	26,551	23,990
Clinch	352	15	0	0	124	123	98	82	574	220
Cobb	18,813	15,393	4,921	4,921	3,647	2,643	2,006	1,039	29,387	23,996
Coffee	5,058	333	8	8	1,463	826	1,081	644	7,610	1,811
Colquitt	1,835	195	0	0	1,784	536	643	472	4,262	1,203
Columbia	1,752	279	1,330	1,148	1,013	696	509	406	4,604	2,529
Cook	1,156	3	112	0	290	312	150	158	1,708	473
Coweta	2,748	17	564	557	1,293	1,190	1,228	922	5,833	2,686
Crisp	1,562	799	891	767	653	575	522	280	3,628	2,421
Dade	639	309	0	0	104	110	80	77	823	496
Dawson	973	453	23	0	306	465	111	90	1,413	1,008
Decatur	1,304	445	0	0	692	305	328	220	2,324	970
DeKalb ²	8,768	18,675	1,844	947	2,616	1,102	43	0	13,271	20,724
Dodge	1,078	0	185	0	374	163	175	95	1,812	258
Dooly	551	125	0	0	323	269	136	112	1,010	506
Dougherty	6,099	3,997	1,122	616	3,175	2,677	3,852	1,789	14,248	9,079
Douglas	4,068	166	163	155	874	1,384	1,516	1,112	6,621	2,817
Early	698	254	0	0	545	223	291	154	1,534	631
Effingham	1,156	126	553	389	338	289	188	179	2,235	983
Elbert	1,274	407	57	58	422	387	281	179	2,034	1,031
Emanuel	1,026	973	296	285	723	671	407	308	2,452	2,237
Evans	439	130	202	169	246	104	221	165	1,108	568
Fannin	461	113	150	84	292	243	82	82	985	522
Fayette	1,095	753	521	259	580	537	577	490	2,773	2,039
Floyd	4,454	1,867	978	1,841	2,422	1,637	2,726	1,438	10,580	6,783
Forsyth ¹	1,373	414	345	345	412	412	230	210	2,360	1,381
Franklin	769	483	239	281	509	540	291	216	1,808	1,520
Fulton	14,656	23,814	24,742	20,708	7,175	3,518	38,095	27,698	84,668	75,738
Gilmer	706	131	231	83	438	436	126	102	1,501	752
Glascocock	37	5	9	2	62	40	12	7	120	54
Glynn	4,732	1,871	2,259	2,271	2,083	2,083	1,846	1,847	10,920	8,072
Gordon	3,021	571	178	178	1,440	1,049	869	710	5,508	2,508
Grady	1,291	336	10	124	667	542	307	305	2,275	1,307
Greene	624	738	0	0	570	557	367	304	1,561	1,599

Magistrate Court Caseload, Fiscal Year 1993 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
			Filed	Disposed	Filed	Disposed	Filed	Disposed		
Gwinnett	9,361	4,333	2,518	810	4,140	3,854	8,099	4,251	24,118	13,248
Hall	2,408	6,395	2,527	1,917	2,031	2,457	2,073	1,735	9,039	12,504
Hancock	441	391	139	139	584	584	213	213	1,377	1,327
Haralson	842	107	4	4	324	233	183	175	1,353	519
Harris	918	0	8	6	524	514	300	226	1,750	746
Hart	652	537	161	123	440	327	376	271	1,629	1,258
Heard ²	259	14	25	18	203	114	54	35	541	181
Henry	1,730	2,765	684	656	1,165	1,447	902	404	4,481	5,272
Houston ¹	5,184	3,268	385	385	848	825	1,199	1,142	7,616	5,620
Irwin	279	1	0	0	248	248	214	160	741	409
Jackson	2,157	246	1	1	568	1,919	443	506	3,169	2,672
Jasper	280	99	3	3	221	219	122	110	626	431
Jeff Davis	634	703	382	382	548	548	479	479	2,043	2,112
Jefferson	784	479	282	282	730	540	484	484	2,280	1,785
Jenkins	340	38	0	0	467	319	196	195	1,003	552
Johnson	407	31	23	20	225	211	149	141	804	403
Jones ¹	587	93	0	0	359	276	159	120	1,105	489
Lamar	584	87	0	0	430	432	258	182	1,272	701
Lanier	502	0	0	0	187	113	41	27	730	140
Laurens	3,231	1,522	898	898	900	844	857	857	5,886	4,121
Lee	505	178	60	60	344	344	130	109	1,039	691
Liberty	2,293	934	96	57	684	563	639	446	3,712	2,000
Lincoln	191	39	112	6	279	208	95	73	677	326
Long	251	80	79	14	109	109	31	28	470	231
Lowndes	6,387	2,232	1,856	97	2,112	555	2,176	1,611	12,531	4,495
Lumpkin ⁴	677	396	221	159	285	178	132	123	1,315	856
Macon	491	129	60	0	406	283	258	193	1,215	605
Madison	494	205	211	81	378	220	99	85	1,182	591
Marion	172	110	0	0	158	105	119	68	449	283
McDuffie	1,052	43	238	23	852	517	699	232	2,841	815
McIntosh	427	401	20	16	338	311	64	64	849	792
Meriwether	1,204	21	0	0	940	940	457	358	2,601	1,319
Monroe	672	250	133	131	713	534	351	251	1,869	1,166
Montgomery ²	165	23	344	344	61	61	31	31	601	459
Morgan	642	321	231	200	387	284	226	164	1,486	969
Newton	3,138	441	1,639	1,634	810	697	902	484	6,489	3,256
Oconee	518	334	196	114	230	172	177	105	1,121	725
Oglethorpe	399	316	110	118	307	299	70	70	886	803
Paulding	1,024	285	230	211	446	335	423	377	2,123	1,208
Peach	872	674	460	203	539	307	352	204	2,223	1,388
Pickens ¹	514	5	120	55	219	180	102	70	955	310
Pierce	765	180	190	27	278	136	142	111	1,375	454
Pike	389	178	1	1	256	189	67	61	713	429
Pulaski	424	189	0	0	282	180	134	44	840	413
Putnam ²	383	363	0	0	353	248	181	98	917	709
Rabun	599	3	31	18	316	402	114	82	1,060	505
Richmond	12,789	2,153	2,536	1,758	5,472	2,969	5,952	3,543	26,749	10,423
Rockdale	2,415	1,727	1,364	820	808	709	1,016	765	5,603	4,021
Schley	132	39	0	8	101	90	36	28	269	165
Seminole	356	145	170	170	252	148	70	53	848	516
Spalding	4,254	3,495	1,654	1,552	1,890	1,769	3,365	2,630	11,163	9,446
Stephens ²	580	5	1	143	247	186	138	13	966	347
Stewart	374	41	0	0	96	35	49	41	519	117
Sumter	2,003	953	62	62	1,212	1,181	1,114	1,114	4,391	3,310
Tattall	521	323	357	330	608	586	252	156	1,738	1,395
Taylor	441	54	21	0	202	202	101	101	765	357
Telfair	510	62	62	48	414	374	327	320	1,313	804
Terrell	558	357	149	128	341	286	204	192	1,252	963
Thomas	2,496	871	990	799	2,694	2,195	1,230	1,086	7,410	4,951
Tift	3,413	692	438	10	1,112	1,112	899	899	5,862	2,713
Toombs ¹	2,454	61	815	799	528	333	598	422	4,395	1,615

Magistrate Court Caseload, Fiscal Year 1993 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases		Civil Claims		Other Civil Cases		Total Warrants & Filings	Total Hearings & Dispositions
			Filed	Disposed	Filed	Disposed	Filed	Disposed		
Towns	378	5	0	36	91	94	16	10	485	145
Troup ⁵	1,196	60	27	27	5,292	3,140	3,813	2,832	10,328	6,059
Twiggs	503	99	13	13	245	213	88	77	849	402
Union	360	18	45	35	257	273	47	37	709	363
Upson	1,375	326	350	99	1,019	664	914	562	3,658	1,651
Walker	1,374	508	367	369	930	528	577	437	3,248	1,842
Walton	2,006	578	517	854	916	711	1,387	1,286	4,826	3,429
Ware	2,077	1,176	1,351	1,348	752	543	769	656	4,949	3,723
Warren	157	1	2	0	381	292	144	84	684	377
Washington	1,324	4	246	232	1,443	1,469	504	433	3,517	2,138
Wayne	724	388	440	370	611	611	396	396	2,171	1,765
Webster ¹	51	26	8	0	38	36	17	10	114	72
Wheeler	127	34	0	0	141	38	50	37	318	109
White	614	213	247	62	342	305	124	124	1,327	704
Whitfield	2,665	11	1,622	404	2,699	2,699	2,142	1,625	9,128	4,739
Wilkes	417	230	65	32	632	632	286	286	1,400	1,180
Wilkinson	341	61	13	11	505	505	199	199	1,058	776
Worth ²	496	71	0	0	179	177	73	68	748	316
Total	263,536	151,864	80,320	64,171	124,832	102,612	144,681	102,687	613,369	421,334

Note: 140 of 159 magistrate courts submitted data.

¹ Reported three quarters.

² Reported two quarters.

³ Reported one quarter.

⁴ Reported three quarters of civil caseload.

⁵ Reported two quarters of criminal caseload.

Other Courts

Along with the two appellate and five classes of trial courts, approximately 400 local courts form the Georgia court system. Special courts and courts serving incorporated municipalities operate under a variety of names with varying jurisdictions.

Originally created by statute or constitutional provision, certain special courts have limited civil and criminal jurisdiction throughout the county. These include the civil courts located in Bibb and Richmond counties and the Municipal Court of Columbus. Special courts authorized to exercise criminal jurisdiction only are the county recorder's courts of Chatham, DeKalb and Gwinnett counties and those of the consolidated government of Columbus-Muscogee County.

At the local level, Georgia has courts of incorporated municipalities that try municipal ordinance violations, issue criminal warrants, conduct preliminary hearings, and may have concurrent jurisdiction over shoplifting cases and cases involving one ounce or less of marijuana. Although first established under various names (city courts, mayor's courts, municipal courts, police courts, recorder's courts), these courts were redesignated as municipal courts by the 1983 state constitution. (An exception is the City Court of Atlanta, which retains its original name.)

Qualifications of judges and terms of office in municipal courts are set by local legislation.

JUDICIAL AGENCIES

Judicial Council

Since its creation by statute in 1973, the Judicial Council has served the Georgia judiciary and citizens as the state-level judicial agency for coordinating administrative efforts for and recommending improvements in the state judicial system. An administrative arm of the Supreme Court since 1978, the council advises the legislature and the governor on the need for additional superior court judgeships by evaluating circuit caseloads, demographics and special circumstances. The council also responds to legislative directives and individual requests for studies and initiates projects to generate efficiencies in the state's courts.

Twenty-four representatives of the appellate and trial courts serve on the Judicial Council. The Supreme Court's chief justice and presiding justice act as the chairperson and vice chairperson, respectively. The chief judge and another member of the Court of Appeals; the presidents and presidents-elect of the superior, state, juvenile, probate and magistrate court councils; and the 10 superior court district administrative judges complete the council's membership.

The full council meets at least twice each year, as it did in December 1992 and June 1993, to consider its committees' recommendations regarding specific studies and ongoing projects. The council oversees the activities of the Administrative Office of the Courts (AOC) and the Board of Court Reporting.

The Judicial Council continued its contract with the 10 judicial administrative districts for district personnel to conduct the annual caseload. Raw data obtained by the districts was analyzed by the AOC and the results were submitted to the council for use in evaluating requests for additional superior court judgeships.

In considering additional judgeships, the Judicial Council seeks a balanced and equitable distribution of superior court caseload to promote speedy and fair trials. Recommendations are based on information that clearly and convincingly depicts the necessity of additional judicial personnel.

The council compares a requesting circuit's situation, in terms of weighted caseload, average filings, jury trials, open caseload, population and days of senior judge assistance, to that of the remaining circuits. In fiscal year 1993, the council recommended to Gov. Zell Miller and the General Assembly the creation of 16 new superior court judgeships. Circuits recommended are listed in the council's order of priority: Ogeechee (3rd judgeship), Cobb (8th), Conasauga (4th), Augusta (5th), Coweta (5th), Western (3rd), Alcovy (3rd), Northern (3rd), Macon (5th), Douglas (3rd), Atlanta (16th), Piedmont (3rd), Middle (3rd), Southern (5th) and Chattahoochee (6th). A request to divide the Brunswick Judicial Circuit did not meet the minimum statistical criteria established by the Judicial Council.

In the past five years, the General Assembly has created at least five judgeships from the council's recommended lists; however, the 1993 General Assembly created no new judgeships. Lack of sufficient funding is one of the primary reasons lawmakers cited for not creating the recommended judgeships.

The Administrative Office of the Courts (AOC) provides fiscal, communications, research and staff support services for the state court system and serves as liaison with other state and national judicial agencies. The AOC also serves as staff to the Judicial Council, working closely with its chairperson, the chief justice of the Georgia Supreme Court.

Communications and publications

AOC publications provide information to judges, court support personnel and public and private judicial organizations. The *Georgia Courts Journal* was issued seven times in fiscal year 1993 and was distributed to more than 3,000 local, state and national officials. The *Georgia Courts Journal* informs readers of changes in court procedure, judicial personnel appointments and elections, recent legislation, court management activities and other events.

The *Judicial Legislative Log*, published weekly during the legislative session, monitors and tracks court-related legislation. The *Legislative Log* is distributed to approximately 900 judges, county officers and court administrative personnel.

The *Georgia Courts Directory* contains name, address and telephone information for Georgia county, state and federal judicial branch officials. The AOC produced the directory and distributed 2,800 copies at no cost to judicial branch personnel and at cost to attorneys and others.

The *Nineteenth Annual Report on the Work of the Georgia Courts* was compiled by the AOC's communications and research divisions. The report presents caseload data for all classes of courts as well as narratives of judicial branch agency activities.

Twelve issues of the *Public Relations Digest*, abstracts of news and features items about the judiciary, were compiled and circulated to members of the Judicial Council to assist the council in gauging public opinion about court activities and identifying matters of concern.

Other communications efforts included coordinating media relations and information releases pertaining to the Judicial Council's activities.

Research and court services

The research and court services division generates statistical information and analysis on the work of the courts to identify needs and propose recommendations for improvement. The AOC performs studies as requested by the General Assembly and the judicial community and initiates projects to fulfill its legislatively prescribed duty to serve the courts. The research staff provides information to national organizations, other states and the public.

The research staff supervises the yearly collection of caseload and other data from the trial courts. Calendar year 1991 superior court caseload data submitted by district personnel was audited and analyzed in terms of circuit workloads. This information was presented to the Judicial Council to formulate recommendations on the need for additional superior court judgeships. Caseload-projection reports were made for several local jurisdictions.

The calendar year 1992 salary survey was compiled for personnel from all trial courts. Information on salary, staffing and funding is produced from the survey. Superior court clerks, probate judges and magistrates submitted information on county retirement and health plans. Magistrate court budgets were also included.

A study of weighted caseload data, demographics, costs and travel was prepared for the proposed division of the Brunswick Judicial Circuit.

Caseload information was provided to the Supreme Court Office of Dispute Resolution and others to determine if revenues generated by court fees would support new programs.

The staff represented the AOC concerning court records retention with the State Records Committee.

Secretariat and administrative services

As required by statute, the AOC provides secretariat services to judicial branch agencies and organizations.

AOC staff worked with the Institute of Continuing Judicial Education to assist the Superior Court Clerks Training Council in developing policy, long-range training curriculum plans and the on-site component of the new clerks' orientation program.

Staff assisted both the Municipal Courts Training Council and the Georgia Magistrate Courts Training Council in planning their continuing education programs and maintaining educational certification records.

The Board of Court Reporting received assistance in distributing the *Georgia Certified Court Reporters Handbook*, developing long-range plans for continuing education and administering certification tests.

The AOC also provided staff assistance to the chief justice of the Supreme Court and other judicial organizations.

The Council of Superior Court Judges received staff assistance in updating judges' trial manuals and uniform rules of court. Staff provided editorial and administrative support to the Committee on Pattern Jury Instructions and assisted in revisions to the Superior Court Benchbook.

AOC staff provided liaison services and assisted the Council of State Court Judges in tracking legislation, staffing committees and distributing manuals.

With the Institute of Continuing Judicial Education, AOC staff assisted the Executive Probate Judges Council in developing policy. Staff also maintained certification records as required by statute.

The Council of Probate Court Judges was assisted in distribution of the Uniform Forms; and coordination of the legislative, nominating, vital records, elections, scholarship and other committees.

The Council of Magistrate Court Judges received assistance in updating the Magistrates Benchbook and coordinating executive, budget and legislative committee activities.

The State-Federal Judicial Council (comprised of Georgia's federal court judges, Supreme Court justices, and judges of the Court of Appeals, superior courts and state courts) received assistance in coordinating its annual meeting. Staff members also participated in the executive committee.

AOC staff also provided computer and other technical support to the judiciary.

Staff support to commissions

The AOC provided substantial staff support and direction to the Georgia Courts Automation Commission. Planning, obtaining funding and coordinating meetings and minutes are among the tasks performed. In addition, the AOC provided staff, administrative and technical support to the newly formed Commission on Racial and Ethnic Bias in the Court System. Staff support to the Georgia Commission for Gender Equality was begun, as this group worked to implement the recommendations of the Georgia Commission on Gender Bias in the Judicial System. (For more information on these commissions, please see "The Judicial Branch in Review" on page 3.)

Liaison functions

AOC staff served as liaison for the judicial branch with groups involved in policy-making.

The director of the AOC holds a seat on the board of the Law-Related Education Consortium, which is composed of criminal justice and education field personnel who promote law-related matters in school curricula.

A staff member represented the chief justice of the Georgia Supreme Court on the Statistical Analysis Bureau, a joint effort of the Criminal Justice Coordinating Council, state-level criminal justice agencies and Georgia State University, to provide research on Georgia's criminal justice system using existing data from state agencies.

The chief justice was also represented on the Child Abuse Task Force, an advisory committee responsible for federal grants for the prevention and treatment of child abuse.

The chair of the Judicial Council was represented on the Criminal Justice Coordinating Council, including service on the Federal Grants Advisory Committee and the Crime Victims Compensation Board.

A staff member appointed by the governor served on the Family Violence Commission. The commission, created as a result of recommendation by the Commission on Gender Bias, began preparing a handbook for establishing a community task force on family violence in each judicial circuit.

Fiscal support services

The AOC coordinates fiscal services and annual judicial branch appropriations requests. The fiscal office performs payroll, accounts payable, cash management, purchasing, inventory control and financial reporting functions for 15 judicial branch agencies.

In fiscal year 1993, the AOC managed 65 separate funding sources, including 28 state fund allocations, 15 federal grants and 22 fee or other revenue sources.

Duties of the Administrative Office of the Courts (OCGA §15-5-24)

- 1) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested.
- 2) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.
- 3) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts.
- 4) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.
- 5) Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system.
- 6) Perform such additional duties as may be assigned by the Judicial Council.
- 7) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.
- 8) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant.
- 9) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges.
- 10) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties.
- 11) Enter into contracts as necessary to perform its other duties.

Board of Court Reporting

The Board of Court Reporting operates under authority of the 1974 Georgia Court Reporting Act to assist the state's judiciary by insuring minimum proficiency in the practice of court reporting and encouraging high standards of professionalism among reporting practitioners. The Judicial Council of Georgia appoints board members, governs official court reporting fees through regulation and adjustment of an established fee schedule and reviews the rules of the Board of Court Reporting. The Board of Court Reporting has the authority to resolve fee disputes.

Certification and permits

The state court reporters certification exam is a skills test in one of three methods: machine shorthand, manual shorthand or Stenomask. Certificates are renewed each year.

The board held tests twice during the fiscal year. Seventy individuals were certified, thirteen of these upgraded their certificates. At the end of the fiscal year 1,186 certified court reporters were officially registered.

Court reporters who are not certified must obtain a temporary permit from the board or from a local judge. Board temporary permits are issued for a single testing period and may not be renewed. These reporters may work until the permit expires or they become certified. Three temporary permits were issued during the year.

Eleven permits were issued upon sponsorship of a judge. Reporters working under judicial temporary permits are restricted to the sponsoring judge's court and may not freelance. These permits may be revoked by the board only with the approval of the issuing judge. Reporters on judicial temporary permits who report more than 100 hours per year must take the board exam until certified, or until the permit is rescinded.

The board also issued 16 certificates to reporters who met the National Court Reporters Association or the National Stenomask Verbatim Reporters Association's stringent accreditation requirements and other basic criteria.

Formal complaints

The board investigates complaints against court reporters and administers disciplinary action when warranted. The board remedies are restricted to revocation or suspension of a court reporter's license, unless the complaint involves a fee dispute involving an official court reporter. Complaints alleged various practices, including improper charges for takedown, exclusion of arguments of council from transcript, delay in producing transcript and failure to produce transcript. Of the eight complaints received during the year, five were dismissed. In two cases, fee adjustments were recommended, and in another case, the court reporter's license was suspended for 30 days.

Board opinions

Three formal opinions were issued during the year. The first opinion stated that it is not the court reporter's responsibility to inform both sides in a dispute when

a transcript has been ordered. The second: if a reporter is properly certified at the time the transcript is taken down, the reporter need not maintain an active certificate to transcribe notes in the future. The third: a resident reporter performing verbatim transcription of depositions in this state must be certified, even when the deposition is for use in a court outside of Georgia.

Related activities

At the request of a joint committee of the Board of Court Reporting and representatives of the Georgia Certified Court Reporters Association, the Judicial Council approved changes to the board rules to mandate 10 hours of continuing education each year for all reporters licensed by the state and create the Court Reporter's Training Council to implement and oversee continuing education activities. The new rule became effective on July 1, 1993. Mandatory training will be effective for 1994.

Court Reporters: 1992 and 1993		
	1992	1993
Officially registered	1,141	1,186
Certificates and permits issued		
Certificates	84	70
Upgraded certificates	5	13
Board temporary permits	21	3
Judicial temporary permits	11	11
National accreditation certificates	17	16

Council of Juvenile Court Judges

(Annual report for fiscal year 1993, as required by OCGA §15-11-4.)

The Council of Juvenile Court Judges is composed of all judges of the courts exercising jurisdiction over juveniles. Council membership for fiscal year 1993 included 51 part and full-time juvenile court judges, 57 superior court judges exercising juvenile court jurisdiction and 42 associate juvenile court judges.

Council staff provide support to juvenile courts through legal research services, legislative tracking and specialized programs to assist courts in protecting the best interests of children and the state.

The council's executive committee, comprised of the president, president-elect, secretary, treasurer and immediate past president, sets policy. There are nine standing committees: education/certification, uniform rules, legislative, guardian ad litem, court organization, delinquent/unruly services, information systems,

permanency planning and past presidents. Individual judges act as liaisons to the following agencies: Council of Superior Court Judges, Division of Mental Health, Mental Retardation and Substance Abuse, Division of Family and Children Services, Department of Children and Youth Services, Department of Education, Criminal Justice Coordinating Council and the Georgia Courts Automation Commission.

In October 1992, the council and the Department of Family and Children Services co-hosted the National Association of Foster Care Reviewers' annual training conference. Over 350 citizen review panel members from 26 states attended.

During fiscal year 1993, the Uniform Rules for the Juvenile Courts of Georgia were revised and reprinted. The council published a pictorial directory and the first issue of its newsletter, *The Chronicle*. *The Chronicle* will be published 6 times annually.

Juvenile Information System

The council contracted with Canyon Software, Inc. (Phoenix, AZ) for a statewide license for the Juvenile Case Activity Tracking System (JCATS) software package. This PC-based, automated case-processing system will be available to all of Georgia's juvenile courts. The council will implement standardized juvenile court data collection procedures.

Purchase of Services Program

The Purchase of Services program provides funding for community-based treatment alternatives for juveniles on probation. Its primary goal is to reduce formal court involvement, recidivism and the disproportionate incarceration and commitment rates of minority offenders. Juvenile court judges may select from a menu of services to provide assistance to children under their jurisdiction. Available services include: counseling and diagnostic testing, education/upgrading basic skills, community service work, symbolic restitution, short-term (out-of-home) placements, nonsecure housing and transportation services. More than 3,000 children from 107 counties benefited during the past year. Now in its 14th year of operation, the program is funded through a \$216,000 federal grant from the Children and Youth Coordinating Council and from state appropriations.

Adolescent Substance Abuse Program

The Adolescent Substance Abuse Program (ASAP) assists juvenile offenders in changing behavior to eliminate patterns of substance abuse and delinquency. Approximately 750 children were active in the program in the last year.

The Criminal Justice Coordinating Council provided \$225,000 to continue program operation in seven counties.

The project funds intervention officers to interview, screen and assess new juvenile probationers to determine their degree of involvement with illegal substances. Where use or abuse is indicated, appropriate intervention is recommended for each individual and progress is monitored by the intervention officer. Prevention services such as group counseling and parent support groups are provided to juveniles and their families.

Project goals and objectives include: identification of substance-involved youth; deterrence of future involvement with illegal substances; provision of appropriate intervention/prevention services; case-management; and alliances with local drug treatment providers.

Permanent Homes for Children in Georgia

Permanent Homes for Children (PHC) staff provide support and technical assistance to juvenile court judges and judicial citizen review panels. Four PHC field representatives assist individual counties. In addition, the Division of Family and Children Services (DFCS) provides two staff positions to assist with panel reviews, and the University of Georgia School of Social Work provides master's level interns.

During fiscal year 1993, PHC staff assisted with 134 panels in 52 counties. In these 52 counties, an estimated 9,000 children were in paid foster care or in institutional placements. Case reviews are carried out by citizen review panels once every six months. The goal of panel reviews is to ensure reunification of the child and parents if at all possible. If reunification is not an option, the panels work with DFCS and other agencies to locate feasible permanency options such as adoption. Approximately 800 citizen volunteers served on panels statewide during the past year. Panel members are appointed by their local juvenile court judge and trained by PHC staff.

The council received \$98,000 from the legislature for program expansion. New panels have already been established in Fulton County, and eight new counties will be added. Three new field staff will be hired to assist new counties.

Council of Magistrate Court Judges

The Council of Magistrate Court Judges was statutorily created to further the improvement of the magistrate courts and the administration of justice, to assist magistrates throughout the state in the execution of their duties and to promote and assists in their training.

All chief magistrates and magistrates in Georgia are members of the council. The executive committee, comprised of six officers, two representatives from each of the 10 judicial administrative districts and two members-at-large, carries out the administrative duties of the council.

The council held four meetings during the year. Topics covered included: good behavior bonds, domestication of foreign judgments, an overview of magistrate jurisdiction, garnishments, and legislation and its effect on the magistrate courts. At each meeting judges held an open forum to discuss common problems and experiences.

Legislative efforts focussed on a retirement bill, creation of the position of senior magistrate and responding to proposed legislation affecting magistrate courts. A retirement bill has been approved for actuarial study; the senior magistrate bill became effective July 1, 1993.

The council's Uniform Rules Committee revised the rules of magistrate courts to conform with changes in the uniform rules for superior courts as well as with changes in practice. The revisions have been sent to the Supreme Court for approval. The Benchbook Committee updated the *Magistrates Benchbook* published and distributed by the Magistrate Courts Training Council. Judge Wayne M. Purdom of DeKalb County authored the second edition of the *Magistrate Court Handbook*. Four issues of the *Georgia Magistrate Court Newsletter* were published during the year.

Council of Probate Court Judges

The Council of Probate Court Judges was created by statute in 1988 to further improvement of the probate courts and administration of justice. Composed of judges and retired judges of the probate courts, the council has developed uniform rules and forms, a benchbook and a handbook.

The council met four times during fiscal year 1993. The meetings were held in Savannah, Atlanta, Athens and Jekyll Island. Training at the meetings was conducted by the Institute of Continuing Judicial Education (ICJE). Three of the meetings were held jointly with meetings of the County Officers' Association of Georgia.

The annual update of the *Handbook for Probate Judges* was completed. The council and ICJE produced a video tape on adult guardianships for use in instructing potential guardians as to their responsibilities.

During the 1993 General Assembly, the council and the County Officers' Association of Georgia worked to pass a salary bill which was vetoed by Gov. Zell Miller. Other legislation dealt with fiduciary and probate law and retirement issues.

Council of State Court Judges

The Council of State Court Judges began meeting in 1985 to develop uniform court rules. A 1988 statute officially created the council to further the improvement of the state courts, the quality and expertise of the judges and the administration of justice.

The council coordinates its activities with other trial court councils. In developing uniform rules in particular, state court judges have worked closely with superior court judges to establish similar practices.

During fiscal year 1993 the council began a Mentor Program to assist new state court judges taking the bench. Council committees also began work on reference materials designed specifically for state courts.

In addition to two annual business meetings held in conjunction with the spring and fall continuing education programs, the council has an active committee system. This includes standing committees on race and gender bias, mandatory continuing judicial education, legislative liaison, uniform rules and criminal sanctions and facilities.

Council of Superior Court Clerks

The Council of Superior Court Clerks of Georgia was created by an act of the Georgia General Assembly in 1990. Its purpose is to further the improvement of superior courts and the administration of justice, to assist superior court clerks in the execution of their duties and to promote and assist in their training. The council is composed of Georgia's 159 superior court clerks.

In fiscal year 1993, the council successfully supported legislation establishing the Georgia Superior Court Clerks' Cooperative Authority as a public corporation. The cooperative will work for development and distribution of record management systems, information, services, supplies and materials for superior court clerks.

The council president reports that the group is involved in numerous projects devoted to improving the courts.

Council of Superior Court Judges

The Council of Superior Court Judges was created to further the improvement of the superior courts of Georgia and administration of justice. All superior court judges and retired superior court judges are eligible for council membership.

The executive committee is composed of four officers elected by the entire council and ten administrative judges elected from the 10 judicial administrative districts. Council staff assists in coordinating services, developing uniform court rules, preparing pattern jury instructions and tracking legislation. Staff also coordinates information and activities involving the ten district court administrators on issues of statewide concern.

The council holds two meetings each year in conjunction with its summer and fall continuing education programs. Standing and special committees make recommendations on activities to promote the purposes and objectives of the council. The committees include: mandatory continuing education, benchbook, courts automation, compensation and retirement and indigent defense. Other committees are liaisons with court-related officials, agencies and organizations such as the superior court clerks and the State Bar of Georgia. Council representatives fill assigned seats on panels such as the Governor's Task Force on Correctional Institutions and Populations and the Supreme Court's Commission on Racial and Ethnic Bias in the Court System.

During fiscal year 1993, the council ratified a constitution and by-laws to formalize its administrative structure and operations. Amendments to the Uniform Rules for the Superior Courts relating to discovery in civil actions, commitment hearings and financial affidavits in domestic relations actions were approved. New rules on mandatory continuing education and evidence of violence against victims were also approved. Updates to the Criminal Benchbook and Suggested Pattern Jury Instructions were produced and distributed to all superior court judges and senior judges.

During the 1993 legislative session, the council supported a retirement bill to lower the age at which judges can receive full benefits and endorsed a bill to increase from 5 to 12 years the minimum length of a sentence or consecutive sentences which may be reviewed by the Superior Courts Sentence Review Panel.

Georgia Courts Automation Commission

The Georgia Courts Automation Commission (GCAC) was created by the legislature in 1991. Its duties are to define, implement and administer a statewide automation system for the collection, entry, storage, processing, retrieval and distribution of court-related information; coordinate statewide strategies and plans for incorporating county and local governments into the courts automation system; establish policies and procedures, rules and regulations and technical and performance standards for county and local government access to the courts automation system network; and offer advisory services to county and local governments to assist in guiding their efforts toward automating their court procedures and operations.

The Administrative Office of the Courts (AOC) provides project direction, staff support and fiscal coordination for the commission. Additional staff support is provided by the Computer Services Division of the Department of Administrative Services (DOAS). In fiscal year 1993, GCAC held monthly meetings to provide policy guidance on individual projects.

Automated case-management and inquiry

A statewide license for an automated case-management software system, SUSTAIN, was purchased using a grant awarded to the AOC/GCAC by the U.S. Department of Justice, Bureau of Justice Statistics. SUSTAIN will be tested in a local county court and then offered at no charge to other courts. The software system operates on IBM and compatible personal computers or networks and can be adapted to meet the needs of individual courts, including: docketing, case assignments, indexing, scheduling, calendar preparation, notice preparation, accounting and statistical reporting. Data collected and managed by the new system will be forwarded to state computers electronically, reducing excessive paperwork. Electronic transfer of information will also improve the timeliness of these records.

The introduction of Automated Database Inquiry (ADI), a menu-driven, single point of inquiry system, made state databases containing information such as criminal histories, parole and corrections records, child support recovery information, birth records and driver histories quickly accessible to local courts. Developed through a grant awarded to the AOC/GCAC by the Governor's Criminal Justice Coordinating Council (CJCC), ADI is available to courts and justice system practitioners throughout the state.

Automated tools

Georgia Jury, a jury-management software system that includes jury-selection, check-writing and summons-producing capabilities, now operates in 63 counties

and is available for installation and use in any other court upon request. This software package was written and made available to the courts by DOAS.

As a result of the contract between the Code Revision Commission and the Michie Company, judicial and executive branch subscribers are eligible to receive the Georgia Law On Disc at little or no cost. The Georgia Law compact disc contains the Official Code of Georgia Annotated (OCGA), the rules of court and Supreme Court and Court of Appeals decisions. The number of judicial branch subscribers reached 368 during the year. Requests are reviewed and processed at the AOC and forwarded to the vendor.

The Governor's Office of Highway Safety provided grant funding to GCAC to expand the automated traffic citation tracking and reporting system into 16 additional courts. This software system, developed by DOAS, was initially implemented in 14 test sites. Electronic reporting of convictions reduces paperwork and provides more timely, accurate statewide data on traffic offender information, including DUI and habitual offender records.

Georgia Indigent Defense Council

The Georgia Indigent Defense Council was statutorily created as a judicial branch agency in 1979 to provide a program of legal representation for indigent defendants. The council is composed of 15 members appointed by the Supreme Court, including one lawyer from each of the 10 judicial administrative districts, three lay members from the state at large and two county commission representatives.

The council's four statutory purposes and duties are:

- 1) to administer funds provided by the state and federal government to support local indigent defense programs;
- 2) to recommend uniform guidelines for local programs;
- 3) to provide local programs and attorneys who represent indigent defendants with technical and research assistance, clinical and training programs and other administrative services; and
- 4) to prepare budget reports and management information required for implementation of the Georgia Indigent Defense Act.

Four meetings took place during fiscal year 1993. Monetary assistance was provided to 106 counties for operation of their indigent defense programs. These grants, totaling \$1.5 million, were funded from state appropriations and the Georgia Bar Foundation.

Several divisions assist local programs. The *Mental Health Advocacy Division* provides services to attorneys representing clients in three specific areas: assistance with direct representation of insanity acquittees who are incarcerated indefinitely in state mental hospitals; training seminars for defense attorneys who represent mentally ill clients; and on-going support and consultation for attorneys who represent clients confined to mental hospitals.

The *Multicounty Public Defenders Office (MPD)* is a statewide trial resource center for attorneys handling death penalty cases. MPD assists lawyers by providing

consultation on pretrial motions, trial strategy, expert witnesses, motions for funds and attorney fees. MPD also provides direct representation in some instances, particularly when a circuit or county does not have qualified lawyers available to defend capital cases.

A grant from the Criminal Justice Coordinating Council provides a *Drug Defense Resource Center* to assist with defense of indigents charged with drug or drug-related offenses.

Felony Trial Division attorneys provide representation at the request of local indigent defense committees. The *Professional Education Division* provides CLE- (continuing legal education) accredited training to lawyers. This division administers a mentor program, provides scholarships and produces a newsletter.

The council also responds to inmate requests for assistance and coordinates 1000 Lawyers for Justice, the largest pro bono criminal effort in the country. A speakers bureau and job bank for attorneys are maintained by the council. The council offers a variety of volunteer opportunities for undergraduate and law students.

The council monitors the implementation of Supreme Court-adopted guidelines for the operation of local indigent defense programs. Guidelines cover appointment of counsel on a timely basis; eligibility determinations and criteria to qualify indigents; standards for the operation of public defender offices, panel attorney programs and hiring of contract defenders; appointed attorney fees; procedures to insure the independence of court-appointed counsel; roles and responsibilities of local indigent defense governing committees and the mechanism for distribution of state-appropriated funds.

Georgia Magistrate Courts Training Council

(Annual Report for calendar year 1993, as required by OCGA §15-10-134.)

The Georgia Magistrate Courts Training Council supervises continuing judicial education requirements for magistrate court judges and prescribes minimum standards for curricula and criteria for magistrate training. The council approves instructor qualifications and issues training certification to chief magistrates and magistrates who satisfactorily comply with established programs.

Nonlawyer magistrates who are newly elected or appointed must attend the first scheduled certification course after assuming office and successfully complete 40 hours of training. To maintain certified status, all magistrates (including those who are members of the State Bar of Georgia) must fulfill an annual 20-hour training requirement.

In calendar year 1992, the training council again sponsored two 40-hour seminars covering civil and criminal matters. Magistrates needing recertification training may attend part of a 40-hour program to fulfill the 20-hour requirement. Three 20-hour recertification programs were held.

The training council now allows recertification credit to be earned by attending

other programs. The council sponsored eight judges who attended out-of-state programs.

The council contracted with the National Judicial College, the American Judicature Society and Alternative Dispute Resolution Associates for in-state programs on decision-making, bench skills, judicial ethics, mediation fundamentals and advanced mediation.

The following publications were distributed: the *Magistrates Benchbook* (to new magistrates) or its update (to sitting magistrates), the *Georgia Magistrate Court Handbook* by Judge Wayne M. Purdom, the *Magistrate Court Guide* by Judge Johnny W. Warren and the *Criminal Enforcement Handbook*.

Fee and fine accounting system software, developed via funding from the council during fiscal year 1992, was tested in the Crisp County Magistrate Courts. The Institute for Continuing Judicial Education provided introduction and training at the Georgia Center in Athens. The system was approved by the council and reviewed and approved by the State Department of Audits. It is available to all magistrate courts.

The Judicial Qualifications Commission required that four judges attend additional training in 1993 due to hours missed in 1992. Three of the four judges complied; the other has been referred to the Judicial Qualifications Commission for further action.

**Georgia Magistrate Courts Training Council:
1993 Seminars**

Seminar	Location	Number of Attendees
Decision Making	Savannah	25
40-Hour Certification	Athens	70
Basic Mediation	Athens	21
Bench Skills	Americus	26
20-Hour Recertification	Savannah	118
Judicial Ethics	Americus	19
20-Hour Recertification	Columbus	70
20-Hour Recertification	Decatur	80
40-Hour Certification	Athens	65
Advanced Mediation	Athens	30*
Total		524

Number of magistrates attending out-of-state seminars: 8

Number of magistrates attending seminars other than magistrate seminar to obtain credit: 1

Number of magistrates certified in 1993: 476**

* 1 administrator

** 49 judges attended more than one program

More than 3,100 judges, court officials and judicial personnel attended programs delivered by the Institute of Continuing Judicial Education (ICJE) in fiscal year 1993. This record number placed ICJE among the top continuing judicial education agencies in the country. Georgia now ranks eighth among states in fiscal support for professional education programs for state court personnel.

As an administrative arm of the Supreme Court, the institute has had responsibility for the training of all judicial personnel since 1981. The various courts and judges' councils have since adopted training standards for their members. Supreme Court justices and Court of Appeals judges must complete a minimum of 12 hours of instruction each year, with at least two hours devoted to legal or judicial ethics.

Superior court judges are required to attend judicial education programs totaling at least 12 hours per year, including two hours of judicial ethics every two years. Rule 43 of the Uniform Rules for the State Courts mandates that state court judges attend continuing legal and/or judicial education courses totaling 24 hours every two years. The total must include two ethics hours.

As prescribed by the Executive Probate Judges Council, probate court judges must complete initial training and 12 hours of continuing education annually thereafter. Magistrate court judges fulfill an initial 40-hour training requirement (attorney magistrates are exempt) and attend an annual 20-hour recertification course. Superior court clerks complete 40 hours in basic certification and 15 hours in yearly recertification training courses.

Municipal court judges complete an annual 12-hour certification course. New judges must fulfill a 20-hour training requirement.

Seminars

In fiscal year 1993, the institute offered programs for judges of the superior, state, juvenile, probate and magistrate courts. In addition, training was provided for clerks of court, judges' secretaries, juvenile court probation officers, court administrators, and administrative law judges. For more information, please refer to the chart on page 47.

Justice in the Next Millennium: Report of the Court Futures Vanguard was published by the Institute. Copies were distributed to Vanguard members, judges and legislators.

The Magistrate Courts Training Council provided training in various computer programs. A basic personal computer course was conducted for superior court judges. Both state court and juvenile court judges were introduced to "Georgia Law on Disc," a computerized version of state statutes, appellate cases and court rules. The council initiated training on a customized fee and fine accounting system.

Other initiatives include funding for development of interactive compact disc training programs targeting evidence law and use of artificial intelligence software platforms to manage rational decision-making procedures. A videotape to aid probate court judges in teaching guardians of elderly adults how to perform their duties was completed.

Administration

The ICJE's fiscal year 1993 expenditures of \$864,105 included \$634,322 in state funds and \$229,842 in federal and other funds. In addition, ICJE had oversight responsibility for funds from other sources, including \$75,000 for on-site services, MCLE fees and special projects and \$20,000 for nationally based training of superior court judges. Administrative funds included a fiscal year 1993 increase to cover that portion of the executive director's salary and fringe benefits formerly paid by the University of Georgia Law School.

Of 37 applications for financial aid to attend national courses, 34 were approved at usually 80 percent, and a total of 31 judges actually attended out-of-state seminars.

The ICJE board of trustees is made up of representatives of client groups of state courts and judicial organizations. The board includes one Court of Appeals judge; two members of the Council of Superior Court Judges; a representative from the councils of state, juvenile, probate and magistrate court judges; one representative from the Superior Court Clerk's Association; one member of the State Bar of Georgia, one from the Judicial Council; and ex officio members, including the immediate past chairperson of the institute's board of trustees and the board of trustees of the Institute of Continuing Legal Education and the deans of the state's four accredited law schools. A liaison member representing the Supreme Court and an advisory member also serve on the board.

Institute of Continuing Judicial Education: Fiscal Year 1993 Instructional Activities

Date	Program	Location	Attendees	Date	Program	Location	Attendees
July 9-10	Probate court clerks seminar	Athens	15	Jan. 28-29	State court new judge orientation	Athens	34
July 19-21	Managing trials effectively	St. Simons	13	Feb. 5	Basic WordPerfect 5.1	Macon	13
July 19-22	Superior court judges summer seminar	St. Simons	143	Feb. 12	Basic WordPerfect 5.1	Macon	16
July 22-24	Magistrates 20-hour recertification	Columbus	60	Feb. 14-19	Magistrates 40-hour certification	Athens	70
August 5-7	Magistrates 20-hour recertification	Marietta	91	Feb. 16-18	Municipal court judges 20-hour certification	Athens	22
August 13-14	Probate court clerks seminar	Hiwassee	20	March 19	Basic WordPerfect 5.1	Macon	11
August 26-28	Municipal court judges 12-hour recertification	Jekyll Island	125	March 24-26	Judicial secretaries annual seminar	Augusta	176
Aug. 30-Sept. 4	Magistrates 40-hour recertification	Athens	46	March 29-31	Mediation fundamentals (magistrates)	Athens	21
Aug. 31-Sept. 3	Municipal 20-hour certification	Athens	27	March 29-31	Workers' compensation administrative law judges annual seminar	Athens	24
Sept. 23-25	Georgia Association of Independent Juvenile Courts Personnel fall seminar	Athens	127	April 7-9	Magistrate judges: bench skills	Americus	26
Sept. 28-30	Magistrates mediation fundamentals	Athens	48	April 12-13	Juvenile court clerks annual seminar	Augusta	57
Oct. 5-7	Municipal court judges 12-hour recertification	Athens	85	April 15-17	Superior court clerks spring seminar	Augusta	159
Oct. 14-16	State court judges fall seminar	Amicalola Falls	61	April 22-23	Dept. of Corrections Tour	Savannah area	25
Oct. 19-21	Juvenile court judges fall seminar	Helen	87	April 14-16	Probate court judges spring seminar	Athens	147
Oct. 25-27	Georgia Court Futures Study follow-up conference	Athens	108	May 19-21	Georgia Coalition of Juvenile Services seminar	Jekyll Island	314
Oct. 26-30	Computers; Judging and Humanities Superior Court Judges	Athens	12/session	May 19-21	State court judges spring seminar	Jekyll Island	76
Oct 28-30	Superior court judges fall seminar	Athens	121	May 21	Basic WordPerfect 5.1	Macon	15
Nov. 4-5	Administrative law judges, Georgia executive branch agencies sixth annual seminar	Athens	93	May 27-28	Juvenile judges long-range curriculum development	Athens	13
Nov. 18-20	Probate court judges fall seminar	Savannah	96	May 28-29	Municipal court judges 12-hour recertification	Decatur	49
Nov. 18-20	Superior court clerks fall seminar	Athens	142	June 2-4	Magistrates 20-hour recertification	Savannah	118
Dec. 9-10	Municipal court judges 12-hour recertification	Athens	13	June 9-11	Probate court clerks seminar	Jekyll Island	75
Dec. 9-11	Probate court new judge orientation	Athens	43	June 25	County Officers Association of Georgia summer seminar	Jekyll Island	82
Jan. 15	Basic WordPerfect 5.1	Macon	14	June 23-25	Municipal court judges 12-hour recertification	Macon	40
Jan. 20-22	The decision-making process (magistrates)	Savannah	25				

Judicial Administrative Districts

Regional court administration for the superior courts is organized through the Judicial Administration Act of 1976. Ten judicial administrative districts are served by a district court administrator and administrative judge selected from the superior court judges and senior judges of that district.

Under the guidance of district administrative judges and district court administrators Seminars for Divorcing Parents were established. Computerized lists of open cases were prepared for superior court judges in each of Georgia's 159 counties. Assignment of senior judges and other judges to serve either in the district or elsewhere was handled by the districts.

District court administrators function as liaisons between superior courts and local government officials, court personnel and components of the criminal justice system. Assistance is given to chief judges in the preparation, presentation and management of local court budgets. District court administrators screen and interview applicants for trial court administrator, law clerk, court reporter and other court support positions. Orientation sessions for jury commissioners are conducted locally.

District staff assist chief judges and clerks in jury management projects. Jury selection was automated in many circuits and county jury boxes were revised.

Assistance to the superior courts was provided in the following areas: grant applications and grant management; space and facilities management; courthouse renovation; arbitration; mediation; video arraignment; court delay reduction; alternative sentencing/jail overcrowding problems; records retention and management; and indigent defense programs

District personnel work with committees of the Council of Superior Court Judges, the Judicial Council of Georgia, the Criminal Justice Coordinating Council and other local, state and national organizations.

Judicial Nominating Commission

The Judicial Nominating Commission (JNC) solicits nominations for judgeships to be filled by gubernatorial selection. Nominations may be to fill judicial vacancies or to find candidates for newly created judgeships.

Qualifications for all judges are specified either in the state constitution or in pertinent statutes. Nominations are usually sought from leaders of the local civic and legal communities. JNC members evaluate candidates based on a standard questionnaire and a legal article or brief submitted by the candidate. The commission interviews attorneys familiar with the candidate and the candidates themselves.

The commission held 12 meetings in fiscal year 1993 to consider candidates for two vacancies on the Supreme Court, one vacancy on the Court of Appeals, five superior court vacancies (in the Tallapoosa, Gwinnett, Stone Mountain, Northeastern and Eastern judicial circuits) and one state court vacancy (in DeKalb County).

Since 1973, the commission has acted on a total of 222 judgeships, including 15 Supreme Court vacancies, 15 Court of Appeals vacancies, 128 superior court offices, 55 state court posts, two municipal court judgeships and two civil court vacancies.

The nine-member commission includes the president of the State Bar of Georgia and the state attorney general as ex-officio members. Three other members, who must be members of the State Bar, are appointed by the governor. The four remaining positions must be filled by nonlawyers—two appointed by the governor, one by the lieutenant governor and one by the speaker of the House of Representatives. The appointed members serve at the pleasure of the appointing authority.

Judicial Qualifications Commission

The Georgia Constitution empowers the Judicial Qualifications Commission (JQC) to respond to inquiries from judges regarding appropriate judicial conduct, to direct investigations into complaints involving members of the state judiciary and to hold hearings on allegations of judicial misconduct.

Grievances against judges are usually initiated by a written, verified complaint to the commission. Alleged misconduct or protests must be based on one of the seven canons of the Code of Judicial Conduct. Grounds for action include: 1) willful misconduct in office, 2) willful and persistent failure to perform duties, 3) habitual intemperance, 4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute, and 5) disability which seriously interferes with the performance of judicial duties and which is or is likely to become permanent.

During fiscal year 1993, the commission held 11 meetings and disposed of four formal complaints by submitting findings and recommendations to the Supreme Court. The commission suspended two judges who were indicted and subsequently convicted for felonies. At the beginning of the year 14 complaints and three requests for opinion were pending from fiscal year 1992. During fiscal year 1993, the commission received and acted upon 203 new matters, including 179 complaints and 24 requests for opinion.

Including carryovers from fiscal years 1991 and 1992, the commission handled 216 matters as follows: 99 dismissed as appropriate for appeal as a matter of law, unsupported or without merit; 62 dismissed after minimal investigation; one dismissed after substantial investigation; one judge resigned; three judges were removed; one judge was publicly reprimanded; 18 judges were privately reprimanded; one judge was suspended and publicly reprimanded (on three separate complaints); and one judge under investigation was subsequently defeated for re-election.

In one formal proceeding, the commission recommended a public reprimand. This recommendation was approved and the judge was reprimanded in open court by the chief judge of the circuit.

In a second formal proceeding, the commission and judge agreed to the following sanctions: a 30-day suspension without pay; a public reprimand in open court by the chief judge of the circuit; and a letter from the judge to the commission committing to the required ethical standards in all future matters.

In a third formal proceeding, the judge was privately reprimanded. In a letter the judge agreed to abide by the Code of Judicial Conduct, should he again hold judicial office. Evidence had failed to substantiate the majority of the charges filed; the judge did not seek re-election.

In a fourth formal proceeding, the judge was prohibited from ever again holding judicial office in the state of Georgia.

Known sources of complaints for the fiscal year included: 158 litigants or their relatives, 23 judges, six auxiliary judicial personnel, ten attorneys, one anonymous, seven nonlitigants, two public officials and nine others.

Twenty-four requests for Advisory Opinions were received. Fourteen formal opinions were rendered (five requests were handled with Opinion 175, and two were handled with Opinion 183), seven informal opinions were rendered and a clarification of Opinion 76 was issued.

The seven-member commission operates under established procedural rules. All proceedings of the commission—including complaints, conferences, communications and decisions—are confidential, with the exception of notice of formal hearings, formal hearings, reports recommending discipline and decisions after a hearing in which a judge was found not guilty of misconduct.

Members of the commission include two judges of courts of record appointed by the Supreme Court, three attorneys named by the Board of Governors of the State Bar of Georgia and two citizens selected by the governor. A director, investigator and secretary serve as staff.

Synopses of fiscal year 1993 JQC opinions follow.

Synopses of Judicial Qualifications Commission Opinions: Fiscal Year 1993

Opinion 171: Opinion No. 152 does not prohibit a judge from requiring a defendant to attend a "private, for profit" counseling program sponsored by the court's probation contractor. Note: This opinion is expressly conditioned upon and subject to review and modification, if necessary, upon promulgation of the rules and regulations authorized by OCGA. §42-8-101, as amended.

Opinion 172: No judge should have any interest, financial or otherwise, in a "private, for profit" probation service company, and the execution of contracts with various courts for such services by a part-time magistrate would inevitably give rise

to an impermissible appearance of impropriety in violation of Canon 2 which cannot be sanctioned. Note: This opinion is expressly conditioned upon and subject to review and modification, if necessary, upon promulgation of the rules and regulations authorized by OCGA §42-8-101, as amended.

Opinion 173: The basic rule stated in Canon 5C(4) plainly prohibits a judge from accepting a substantial gift from anyone. Three exceptions are stated, but none is applicable in this instance. Accordingly, the acceptance of the proposed gift under the circumstances here presented would be inappropriate and in violation of Canon 5.

Opinion 174: A magistrate judge should not personally participate in child fatality investigations conducted pursuant to OCGA §19-15-3, but rather should designate a representative to serve on the Child Abuse Protocol Committee who is not a magistrate judge.

Opinion 175: The longstanding and fairly common practice of part-time judges also serving as attorneys for governmental bodies is inconsistent with the underlying principles upon which the Code of Judicial Conduct is premised and, consequently, cannot be sanctioned. Accordingly, the numerous requests for reconsideration and revision of Opinion No. 155 are denied and, absent specific statutory authority, it is suggested that persons occupying such dual positions elect, not later than 12 months from the date of this Opinion, which position he or she chooses to continue to occupy and resign the other. (Please see Opinion 183.)

Opinion 176: The Code of Judicial Conduct does not prohibit a sitting Georgia Court of Appeals judge from serving as a director of the federal State Justice Institute created by 42 USCA §10702.

Opinion 177: Opinion No. 175 has no application to a part-time city court judge whose court is not located in either of the two counties in which he simultaneously serves as county attorney.

Opinion 178: A part-time recorder's court judge may appropriately serve on a Public Safety Coordinating Council established by a city police department unless such service is such as to cast doubt on his capacity to impartially decide issues coming before him.

Opinion 179: A full-time county department head (Animal Control & Code Enforcement) is an employee of a law enforcement body and, as such, may not serve as a part-time magistrate. A full-time county tax appraiser would appear to have no involvement in law enforcement and may serve as a part-time magistrate within certain limitations.

Opinion 180: Subject to the limitations contained in Part B of the Compliance Section of the Code of Judicial Conduct, there appears to be no ethical restriction upon the right of an attorney who periodically serves as a juvenile court judge pro tempore to also practice in the juvenile court, and such service, standing alone, would not appear to warrant disqualification of the full-time juvenile court judge in other cases handled by such attorney.

Opinion 181: Dual service as a municipal court solicitor and a part-time state court judge in the same city and county is inappropriate and cannot be sanctioned.

Opinion 182: Provided both judges follow the mandate of Canon 3C(1)(d)(ii) by disqualifying in all cases in which there is a prohibited relationship, a superior court judge is not disqualified from hearing a criminal case presented by the district attorney in her circuit solely by reason of the fact that her spouse is a private attorney who has a contract with the district attorney's office to handle civil cases involving child support recovering actions. Nor is the judge of a state court disqualified from assisting the superior court in criminal cases by reason of the fact that the judge's sibling is an assistant district attorney in that circuit. The better practice, however, is complete disclosure on the record, thereby giving all parties an informed opportunity to object as provided by law.

Opinion 183: By reason of the 1993 amendment to OCGA §15-1-8 relating to when a judge or judicial officer is disqualified, the long-standing practice of part-time judges simultaneously serving as attorneys for governmental bodies, disapproved in Opinion No. 175, is now specifically authorized by the laws of this State, and Opinion No. 175 is therefore expressly withdrawn.

Opinion 184: While the appointment of a law clerk/magistrate as a temporary superior court judge would not appear to be inappropriate per se, because such appointments will inevitably lead to the appearance of impropriety, as well as numerous disqualifications, they cannot be sanctioned.

Sentence Review Panel

The Superior Courts Sentence Review Panel reviews defendants' sentences to assure that they are not excessive in relation to other sentences for similar crimes. In comparing sentences, the panel considers the nature of the crime and the defendant's prior criminal record.

Cases subject to the panel's jurisdiction are those sentences totaling five or more years set by a superior court judge without a jury (or those totalling 12 or more years beginning July 1, 1993). Exceptions to the panel's jurisdiction include sentences set in misdemeanor cases and murder cases where a life sentence has been applied. The panel may reduce sentences, but is prohibited from increasing punishments, reducing sentences to probation or suspending any sentence.

The panel reviews sentences upon application of a defendant. Defendants must act within 30 days of the date sentenced by the superior court judge, or after remittitur from the Court of Appeals or Supreme Court affirming the conviction of the sentencing court, whichever occurs last. The application must be transmitted by the trial court clerk to the panel within 10 days of its filing. The clerk also

sends copies of any pre-sentence or post-sentence report. Both the defendant and the district attorney must present written arguments as to the harshness or justification of the sentence.

A defendant may not file more than one application for review of a sentence. The panel's actions are not reviewable. Panel orders are binding on the defendant and the superior court that imposed the sentence.

The panel affirmed 2,362 cases and reduced 46 cases in fiscal year 1993, a total caseload of 2,408. The reduction rate for the year was 1.9 percent.

Each Sentence Review Panel is composed of three superior court judges. Panel members are appointed and chairpersons are designated by the president of the Council of Superior Court Judges to serve three-month terms. A supernumerary member, appointed for each term, is authorized to substitute for any member who cannot attend a meeting or who is disqualified.

An administrative board of three judges prepares an annual budget, considers revisions to the panel's procedural rules and supervises the staff.

Superior Courts Sentence Review Panel Caseload Summary

Fiscal Year 1993

	Cases Affirmed	Cases Reduced	Cases Reviewed	Percent Reduced
Panel 73	823	16	839	1.9%
Panel 74	539	13	552	2.4%
Panel 75	468	11	479	2.4%
Panel 76	532	6	538	1.1%
Total	2,362	46	2,408	1.9%

10-Year Comparison of Cases Reviewed

	Cases Affirmed	Cases Reduced	Percent Reduced
1984	2,335	119	4.9%
1985	2,137	100	4.5%
1986	1,769	67	3.7%
1987	2,485	63	2.5%
1988	2,273	87	3.7%
1989	1,889	74	3.8%
1990	2,804	72	2.5%
1991	2,790	113	3.9%
1992	2,557	57	2.2%
1993	2,362	46	1.9%

Judicial Personnel Changes: Fiscal Year 1993

SUPREME COURT

Justice Carol W. Huntstein, appointed Nov. 23, 1992 - Dec. 31, 1994.
Justice George H. Carley, appointed March 16, 1993 - Dec. 31, 1994.

COURT OF APPEALS

Judge Alan Blackburn, elected Jan. 1, 1993 - Dec. 31, 1996.
Judge J.D. Smith, appointed May 10, 1993 - Dec. 31, 1994.

SUPERIOR COURTS

Atlanta Judicial Circuit

Judge Josephine Holmes-Cook, elected Jan. 1, 1993 - Dec. 31, 1996.

Cherokee Judicial Circuit

Judge Jefferson L. Davis, Jr., elected Jan. 1, 1993 - Dec. 31, 1996.

Clayton Judicial Circuit

Judge Matthew O. Simmons, elected Jan. 1, 1993 - Dec. 31, 1996.
Judge Deborah C. Benefield, elected Jan. 1, 1993 - Dec. 31, 1996.

Cobb Judicial Circuit

Judge Mary E. Staley, elected Jan. 1, 1993 - Dec. 31, 1996.

Eastern Judicial Circuit

Judge Charles D. Mikell, elected Jan. 1, 1993 - Dec. 31, 1996.

Enotah Judicial Circuit

Judge Hugh W. Stone, appointed August 10, 1992 - Dec. 31, 1994.
Judge David E. Barrett, appointed August 10, 1992 - Dec. 31, 1994.

Gwinnett Judicial Circuit

Judge James W. Oxendine, appointed Dec. 21, 1992 - Dec. 31, 1994.
Judge Michael C. Clark, elected Jan. 1, 1993 - Dec. 31, 1996.

Mountain Judicial Circuit

Judge E.H. (Bucky) Woods, elected Jan. 1, 1993 - Dec. 31, 1996.

Piedmont Judicial Circuit

Judge Robert W. Adamson, elected Jan. 1, 1993 - Dec. 31, 1996.

Rockdale Judicial Circuit

Judge Sidney L. Nation, elected Jan. 1, 1993 - Dec. 31, 1996.

Southwestern Judicial Circuit

Judge R. Rucker Smith, elected Jan. 1, 1993 - Dec. 31, 1996.

Stone Mountain Judicial Circuit

Judge Gail C. Flake, appointed April 13, 1993 - Dec. 31, 1994.

Tallapoosa Judicial Circuit

Judge William A. Foster, III, appointed Oct. 26, 1992 - Dec. 31, 1994.

STATE COURTS

Bryan County

Judge Jack E. Carney, Jr., elected Jan. 1, 1993 - Dec. 31, 1996.

Chatham County

Judge John E. Morse, appointed July 30, 1992 - Dec. 31, 1994.

Cobb County

Judge Melodie Howard Clayton elected Jan. 1, 1993 - Dec. 31, 1996.

DeKalb County

Judge Denise L. Majette, appointed June 9, 1993 - Dec. 31, 1994.

Dougherty County

Judge John F. Salter, elected Jan. 1, 1993 - Dec. 31, 1996.

Elbert County

Judge Thomas L. Hodges, elected Jan. 1, 1993 - Dec. 31, 1996.

Evans County

Judge William E. Callaway, Jr., elected Jan. 1, 1993 - Dec. 31, 1996.

Fulton County

Judge Gail Tusan Joyner, appointed July 6, 1992 - Dec. 31, 1993.

Judge Wendy L. Shoob, appointed July 6, 1992 - Dec. 31, 1993.

Glynn County

Judge Orion L. Douglass, elected Jan. 1, 1993 - Dec. 31, 1996.

Gwinnett County

Judge David M. Fuller, elected Jan. 1, 1993 - Dec. 31, 1996.

Liberty County

Judge Leon M. Braun, Jr., elected Jan. 1, 1993 - Dec. 31, 1996.

Rockdale County

Judge William F. Todd, Jr., elected Jan. 1, 1993 - Dec. 31, 1996.

Sumter County

Judge Michael A. Fennessy, elected Jan. 1, 1993 - Dec. 31, 1996.

JUVENILE COURTS

Alapaha Circuit

Judge E. Chandler Barrett, appointed Jan. 1, 1993 - Dec. 31, 1996.

Colquitt County

Judge William McIntosh, appointed Jan. 1, 1993 - Dec. 31, 1996.

PROBATE COURTS*

Camden County

Judge Martin Gillette, elected Jan. 1, 1993.

Dougherty County

Judge Nancy Smith Stephenson, elected Jan. 1, 1993.

Echols County

Judge Charlie M. Culpepper, Sr., elected Jan. 1, 1993.

Elbert County

Judge Jane P. Johnson, elected Jan. 1, 1993.

Evans County

Judge Darin McCoy, elected Jan. 1, 1993.

Fannin County

Judge Linda K. Davis, elected Jan. 1, 1993.

Fayette County

Judge Martha King Stephenson, elected Jan. 1, 1993.

Gwinnett County

Judge Walter J. Clarke, III, elected Jan. 1, 1993.

Habersham County

Judge Ann Frye Jerrell, elected Jan. 1, 1993.

Hall County

Judge Patti P. Cornett, elected Jan. 1, 1993.

Hart County

Judge Bob Smith, elected Jan. 1, 1993.

Jackson County

Judge Margaret Deadwyler, elected Jan. 1, 1993.

Jasper County

Judge Kathy C. Tyler, elected Jan. 1, 1993.

Lamar County

Judge Kathryn B. Martin, elected Jan. 1, 1993.

Long County

Judge Frances G. Deloach, elected Jan. 1, 1993.

Miller County

Judge Bobby E. Richardson, Sr., elected Jan. 1, 1993.

Morgan County

Judge Mike Bracewell, elected Jan. 1, 1993.

Murray County

Judge Dale Adams, elected Jan. 1, 1993.

Pierce County

Judge Brenda C. Howard, elected Jan. 1, 1993.

Pulaski County

Judge Jeffrey Jones, elected Jan. 1, 1993.

Randolph County

Judge Perry Turner, elected Jan. 1, 1993.

Rockdale County

Judge Lillis Hanson Brown, elected Jan. 1, 1993.

Screven County

Judge Debbie Brown-Wells, elected Jan. 1, 1993.

Sumter County

Judge Judy Reeves, elected Jan. 1, 1993.

Telfair County

Judge Joe Seay, elected Jan. 1, 1993.

Toombs County

Judge Jackie O. Driskell, elected Jan. 1, 1993.

Wheeler County

Judge Roy O. Braswell, Jr., elected Jan. 1, 1993.

Whitfield County

Judge Evelyn Davenport, elected Jan. 1, 1993.
Wilkinson County
Judge Cuyler A. Payne, elected Jan. 1, 1993.

CHIEF MAGISTRATES*

Atkinson County

Judge JoAnn May, elected Jan. 1, 1993.

Barrow County

Judge Johnny Fred Smith, elected Jan. 1, 1993.

Bartow County

Judge James P. Blalock, elected Jan. 1, 1993.

Carroll County

Judge Richard G. Smith, elected Jan. 1, 1993.

Catoosa County

Judge Gene Lowery, elected Jan. 1, 1993.

Charlton County

Judge Chris C. Conner, elected Jan. 1, 1993.

Clayton County

Judge Michael D. Anderson, appointed Jan. 1, 1993.

Colquitt County

Judge Annette W. Hunter, appointed Jan. 1, 1993.

Crawford County

Judge Juanita Childres, elected Jan. 1, 1993.

Dade County

Judge Thomas W. Reed, elected Jan. 1, 1993.

Dougherty County

Judge Willie E. Lockette, appointed Jan. 1, 1993.

Douglas County

Judge Harold A. Lane, elected Jan. 1, 1993.

Echols County

Judge Charlie M. Culpepper, Sr., elected Jan. 1, 1993.

Glynn County

Judge Earnest B. Gilbert, elected Jan. 1, 1993.

Grady County

Judge Larry Bearden, elected Jan. 1, 1993.

Habersham County

Judge Douglas L. Henry, elected Jan. 1, 1993.

Harris County

Judge W. Ken Askew, elected Jan. 1, 1993.

Heard County

Judge Brenda Jennings, elected Jan. 1, 1993.

Jasper County

Judge Kay B. Lancaster, appointed Jan. 1, 1993.

Jeff Davis County

Judge Roger D. Ogilvie, elected Jan. 1, 1993.

McDuffie County

Judge Robert H. Cofer, II, appointed Jan. 1, 1993.

Miller County

Judge Bobby Richardson, Sr., elected Jan. 1, 1993.

Morgan County

Judge Connie Holt, elected Jan. 1, 1993.

Peach County

Judge Linda O'Neal, elected Jan. 1, 1993.

Pickens County

Judge Larry Ray, elected Jan. 1, 1993.

Randolph County

Judge Perry E. Turner, elected Jan. 1, 1993.

Rockdale County

Judge Clarence R. Horne, Jr., elected Jan. 1, 1993.

Schley County

Judge Robert Larry Wall, elected Jan. 1, 1993.

Screven County

Judge M. Grady Jenkins, elected Jan. 1, 1993.

Telfair County

Judge Mildred Hall Jones, elected Jan. 1, 1993.

Tift County

Judge Luann F. Deason, elected Jan. 1, 1993.

Twiggs County

Judge Robert L. Hughes, Jr., elected Jan. 1, 1993.

Upson County

Judge W.T. Ellerbee, Jr., elected Jan. 1, 1993.

Wheeler County

Judge Roy O. Braswell, Jr., elected Jan. 1, 1993.

White County

Judge Charles M. Hicks, elected Jan. 1, 1993.

Whitfield County

Judge Barrett W. Whittemore, Jr., elected Jan. 1, 1993.

Wilkinson County

Judge Cuyler A. Payne, elected Jan. 1, 1993.

*All terms expire Dec. 31, 1996.