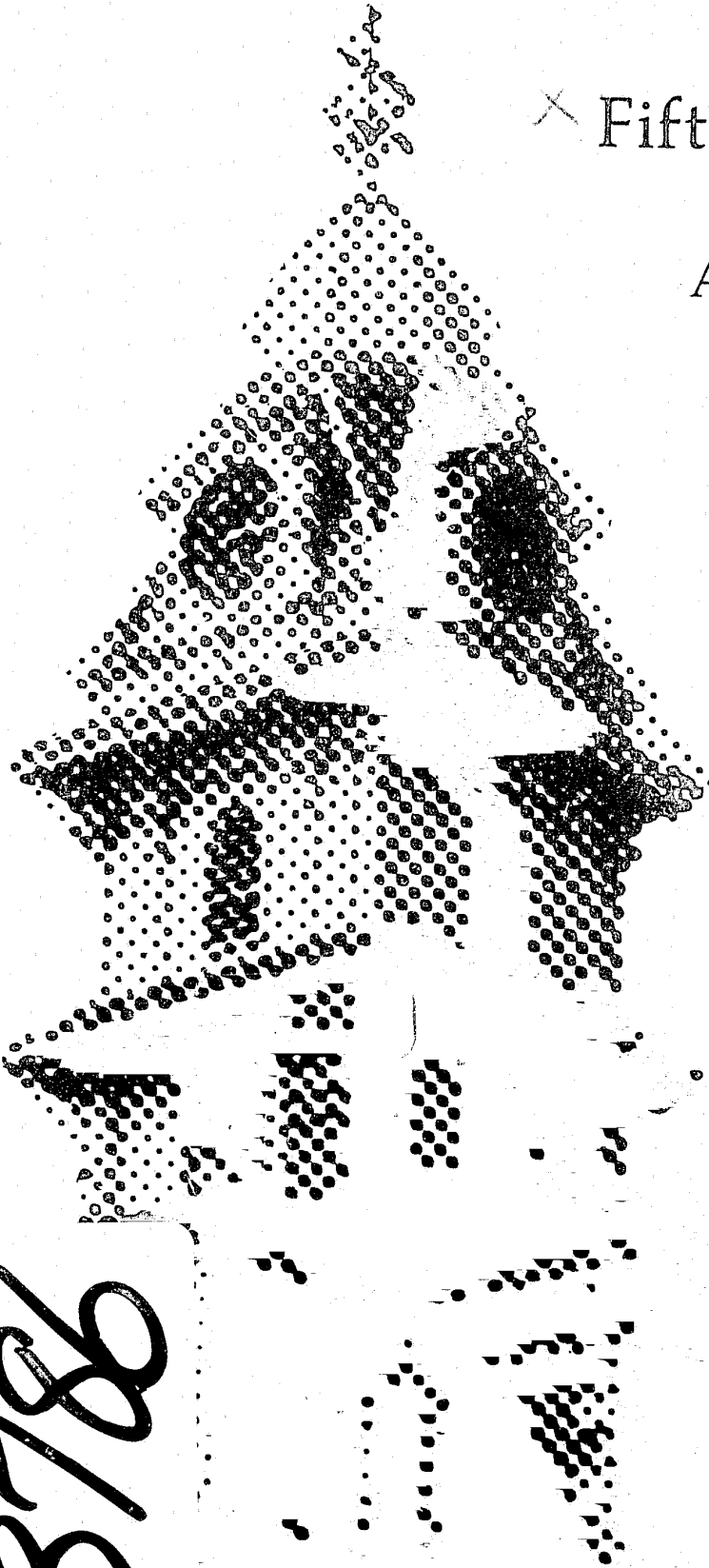


# Fifth Annual Report

Administrative Office  
of the Courts



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# Fifth Annual Report

## Administrative Office of the Courts

(July 1, 1977 to June 30, 1978)

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Published pursuant  
to Georgia Laws 1973, p. 288  
for  
The Judicial Council of Georgia  
by  
The Administrative Office of the Courts  
December 1978

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

Georgia Justice Center  
Suite 500  
84 Peachtree Street  
Atlanta, Georgia 30303

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J-1278-A-04

## COUNCIL

Judge Julian Webb, *Chairman*  
Judge James B. O'Connor, *Vice Chairman*  
Judge Charles L. Weltner, *Sec./Treasurer*  
Judge Francis W. Allen  
Judge Frank S. Cheatham, Jr.  
Judge W. Marion Guess, Jr.  
Wilton D. Harrington, Esq.  
Charles Hyatt, Esq.  
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Judge Paul W. Painter  
Judge Marion T. Pope, Jr.

## JUDICIAL COUNCIL OF GEORGIA

### Administrative Office of the Courts

GEORGIA JUSTICE CENTER  
SUITE 500  
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(404) 656-5171



Robert L. Doss, Jr.

## Foreword

The establishment of the Judicial Council of Georgia/Administrative Office of the Courts as an administrative arm of the Supreme Court of Georgia was a most significant event in a year of many important milestones. The fifth year of existence of the Council/AOC was one of reassessment and evaluation of programs and policies. Developments in the areas of education and planning were made as the Judicial Planning Committee of the Council assumed a larger role in the complete planning process for court improvements and as the Council's Institute of Continuing Judicial Education (formerly the Judicial College) employed a director and progressed with the development of a comprehensive educational program for judicial system personnel.

The Administrative Office of the Courts, under the direction of the Council, increased its emphasis on providing services to the courts of the state, as initial systemwide studies had been completed at the beginning of the fiscal year. Perhaps indicative of this new emphasis was the move of the headquarters of the Judicial Council/AOC to the Georgia Justice Center at the end of 1977. The State Bar of Georgia joined the Council/AOC in moving to a separate building which is expected to attract other court and bar-related groups and increase their visibility and access to the public.

During the fifth year, a bill was introduced in the Georgia Senate which would have abolished the Administrative Office of the Courts. However, after information had been provided to the Senate on the activities of the Judicial Council/AOC, and activities of the Council had been reviewed, the measure was defeated in the Senate where it arose.

The Administrative Office of the Courts has continued to discharge its duties, originally assigned by the 1973 General Assembly and re-confirmed by the Supreme Court in its June 12, 1978 order. The AOC assisted planning groups in identifying needs of the courts and developing programs for improvements. It continued to assist the personnel of the judicial administrative districts in their second year of operation. And, the backbone work of the agency, the collection of data on the workloads of the courts and the technical assistance provided in such areas as facilities improvements, caseload and jury management, records keeping and automated information systems, continued.

This annual report presents a review of how the Administrative Office of the Courts has discharged its responsibilities as defined by statute and by Supreme Court order. Summaries of the judicial work of the principal courts of record and the work of other judicial agencies are also included.

The Administrative Office of the Courts welcomes questions and comments on its activities and accomplishments as it works to fulfill its responsibility to the citizens of Georgia by developing and implementing programs and projects that will help the courts of this state improve the administration of justice.

Sincerely,

*Robert L. Doss, Jr.*

Robert L. Doss, Jr.  
Director  
Administrative Office of the Courts



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# Judicial Council of Georgia

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The establishment of the Judicial Council of Georgia and its service arm, the Administrative Office of the Courts (AOC), as an administrative arm of the Supreme Court of Georgia came near the end of a year of progress in providing services to local court systems and evaluating the long-range needs of the entire court system. The Council began its fifth year with initial comprehensive studies of the state's court system completed, and this broad base of information formed the factual framework for recommendations for improvements in the operations and structure of the court system.

The Judicial Council is charged with the supervision of the AOC whose responsibility includes studying the work of the courts, assisting judges and other judicial personnel and making recommendations for improvements. During the past fiscal year, the Council particularly emphasized activities in several areas to fulfill its responsibility.

In the area of planning for and recommending improvements in the court system, the Judicial Council published a list of long-range goals for the court system and developed and distributed a model set of local court rules. The Council also adopted a proposal for revision of the judicial article of the State Constitution which was forwarded to the legislature's Committee to Revise the Judicial Article. The Council recommended, in essence, that Georgia should have a single trial court within a unified judicial system which should include a unified budget. The specific recommendations of the Council regarding the need for additional superior court judgeships and for measures to improve the day-to-day operations of the courts were presented to the General Assembly in meetings with the judiciary committees of the House and Senate. These meetings in the State Capitol replaced the judicial-legislative conferences held by the Council in previous years at Callaway Gardens. The Judicial Council also continued to work with its Judicial Planning Committee to develop a comprehensive plan for using available federal funds for improvements to Georgia's courts.

The development of model local court rules was completed during the last fiscal year by a committee of the Judicial Council, chaired by Judge Osgood O. Williams of Atlanta. These model rules were

printed and distributed to judges in the state by the Council/AOC to encourage the adoption of written rules of court to improve court administration and encourage more uniform practices.

The further strengthening of the Institute of Continuing Judicial Education of Georgia (formerly the Judicial College of Georgia) during the past year indicates the Judicial Council's continuing concern for making education programs available to judges and other court personnel and the resulting benefits that continuing education have on the improvement of our system of justice. The Council successfully petitioned the Supreme Court to establish the Institute as an arm of that Court, with responsibility for planning and coordinating a comprehensive program of educational opportunities for judicial system personnel.

The Council continued to place heavy emphasis on programs and projects to assist local courts with their needs and to collect statistical information on the courts' workloads. The Judicial Council continued its cooperation with and support of the state's ten judicial administrative districts. The analysis of this data provides a sound basis for evaluating the need for additional judicial manpower. Six new superior court judgeships were created by the 1978 General Assembly upon Council recommendations which cited critically heavy workloads in these circuits.

During this year the Judicial Council decided to petition the Supreme Court and request that the Court issue an order re-creating the Council/AOC as an administrative arm of the Court and clearly establishing the agency as part of the judicial branch. This proposed petition of the Council was presented by a Council member and the Chief Justice at meetings of superior court judges in each of the judicial administrative districts, where it received their endorsement. The Court granted the petition and, for the present, continued the membership and duties as earlier defined by statute (*Ga. Laws 1973, p. 288*).

Nine judges of courts of record and two members of the State Bar of Georgia comprise the Judicial Council. The Council has continued its work during the past fiscal year to build a more effective and more efficient judicial branch of government.

# Members of the Judicial Council of Georgia

(July 1, 1977—June 30, 1978)



Judge Marion T. Pope, Jr., *Chairman*  
Superior Court  
Blue Ridge Judicial Circuit  
Canton



Judge Julian Webb, *Vice Chairman*  
Georgia Court of Appeals  
Atlanta



Judge James B. O'Connor  
*Secretary-Treasurer*  
Superior Court  
Oconee Judicial Circuit  
Eastman

See Appendix Three for members of the Judicial Council since its creation in 1973.



**Judge Francis W. Allen**  
State Court of Bulloch County  
Statesboro



**Judge Frank S. Cheatham, Jr.**  
Superior Court  
Eastern Judicial Circuit  
Savannah



**Harold G. Clarke, Esq.**  
Immediate Past President  
State Bar of Georgia  
Forsyth



**Judge W. Marion Guess, Jr.**  
Probate Court of DeKalb County  
Decatur



**Wilton D. Harrington, Esq.**  
President  
State Bar of Georgia  
Eastman



**Justice Robert H. Jordan**  
Supreme Court of Georgia  
Atlanta



**Judge Paul W. Painter**  
Superior Court  
Lookout Mountain Judicial Circuit  
Rossville



**Judge Charles L. Weltner**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

# Administrative Office of the Courts ---

Still a relatively young agency, the Administrative Office of the Courts—the service arm of the Judicial Council of Georgia—was directed, during the past fiscal year, from an initial emphasis on gathering and compiling basic information on the state's courts to a greater concentration of efforts to provide support services to the judicial branch as a whole and technical assistance to local courts in meeting their needs.

The responsibility of the Administrative Office of the Courts—to study the courts, assist court personnel and make recommendations for improvement to the courts—was originally stated in creating legislation and reconfirmed by the Supreme Court of Georgia on June 12, 1978. The AOC's responsibility is defined in eight particular areas.

A broadly defined duty of the Administrative Office of the Courts is to consult with and assist judges and other court personnel in matters of court administration. This responsibility has guided the development of the AOC along functional lines which permit the agency to address the needs of courts. Problem areas identified in early studies became opportunities for improvements through technical assistance, specialized manuals and other short-term projects. The AOC provided technical assistance to courts in areas such as facilities, jury management, records management and information systems. The publications developed by the AOC during the last fiscal year reflect this shift from earlier fact-gathering studies to handbooks and manuals addressing the needs of specific courts or judicial personnel in improving day-to-day court operations.

Examining the administrative and business methods and systems used in the judicial system and making recommendations for their improvement is a closely related duty. The AOC was involved in the past fiscal year in projects to improve records keeping in offices of the courts, to streamline the selection of jury panels through automation, to develop and distribute model rules of court and the completion of pilot automated and manual information systems for courts.

Efforts to fulfill the responsibility to examine the state of the dockets last year included the continuation of a federally-funded project to develop and implement model docket books for the superior, state, juvenile and probate courts. This introduc-

tion and installation of model dockets was coupled with other assistance to courts experiencing records-keeping problems.

The AOC's charge to compile statistical and financial data and other information on the judicial work of the courts and related offices was met during the last fiscal year primarily by the annual collection and compilation of detailed data on the workloads of the major courts of record. Other studies completed during the year include a survey of compensation of judges and superior court clerks and a caseload summary report analyzing caseload data over a five-year period which shows Georgia's courts keeping pace with dramatic increases in the number of cases filed.

The Administrative Office of the Courts is also responsible for acting as fiscal and budget officer for the judicial system and for preparing budget estimates of state appropriations necessary for the maintenance and operation of the judicial system. The AOC performed this function for several judicial agencies. In addition, the AOC administered federal funds from the Law Enforcement Assistance Administration and the Office of Highway Safety and assisted courts on the local and district levels in preparing individual grant applications.

Another broad duty assigned to the Administrative Office of the courts is the formulation and submission of recommendations for improvement of the judicial system. The recommendations include those made at the request of local court officials about particular problems and assistance in developing comprehensive recommendations—such as the development of long-range goals for the court system and the development of yearly plans for federally funded court improvements by the Judicial Planning Committee.

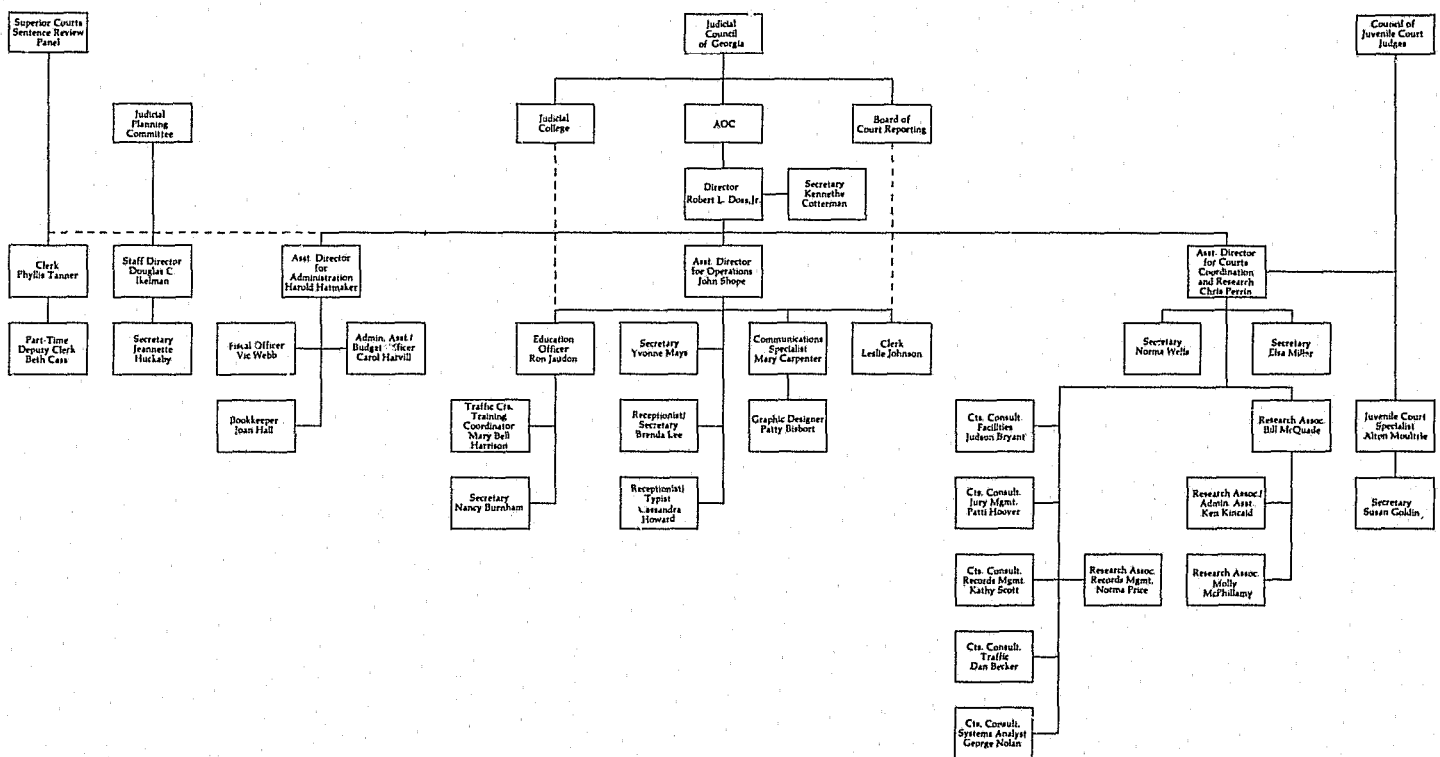
The act creating the Judicial Council authorized the Council to assign additional duties to the Administrative Office of the Courts. During the period of this report, the primary duties assigned to the AOC were in the areas of education and communications.

The AOC is specifically charged with producing an annual report on the work of the courts and on the activities of the Administrative Office of the Courts. Under the direction of the Council, the annual report was one of many efforts made to provide information about the court system to

judicial personnel and the general public. The AOC continued to provide support to the Institute of Continuing Judicial Education as it develops a comprehensive program of training sessions for judges and other court personnel. As this program was being prepared, the AOC continued its involvement in seminars, workshops and other training programs for judicial system personnel.

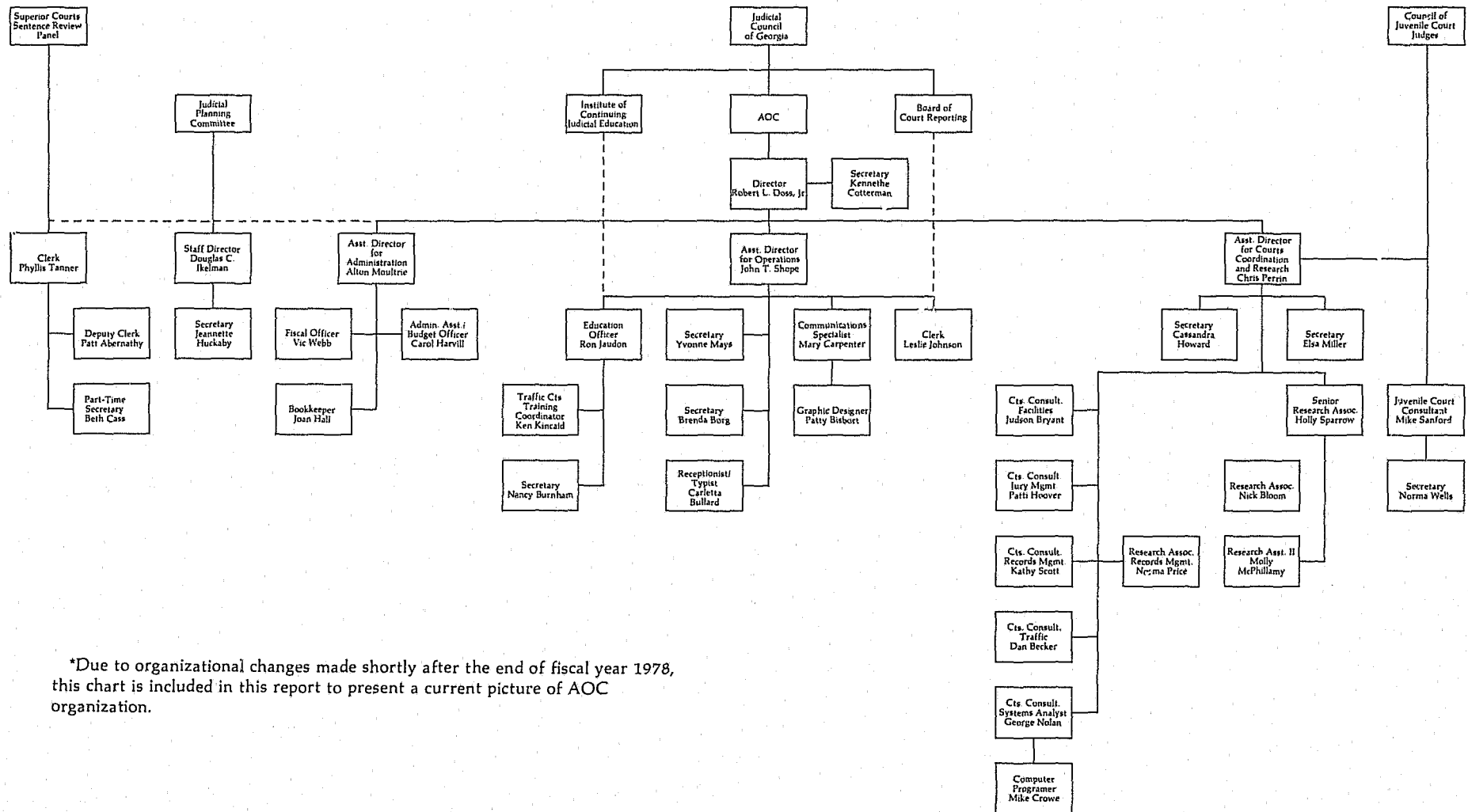
The duties of the Administrative Office of the Courts are closely integrated, and, to discharge them effectively, the AOC internally coordinates its programs and activities along functional lines to avoid duplication of efforts. The following is a review of the activities of the Administrative Office of the Courts during fiscal year 1978.

## AOC Organization in Fiscal Year 1978



# AOC Organization in Fiscal Year 1979\*

12



\*Due to organizational changes made shortly after the end of fiscal year 1978, this chart is included in this report to present a current picture of AOC organization.



# Administration

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The responsibilities of the Administrative Office of the Courts to assist and provide requested services to judges and other court personnel and to act as fiscal officer for the judicial system were fulfilled through the administration of grants for improvements to the court system, budget preparation and administration for several judicial agencies and reports to judges and other court personnel on the progress of court-related legislation.

During fiscal year 1978, the AOC administered eight grants of federal funds in such areas as judicial education, traffic court improvement and operations of the judicial administrative districts. These funds, more than \$900,000 (or about three times the amount of state funds appropriated to the agency), in grants from the Law Enforcement Assistance Administration and the National Highway Safety Administration of the U.S. Department of Transportation, were awarded through the State Crime Commission and the Georgia Office of Highway Safety, respectively.

Among the projects funded through these grants were the introduction and implementation of model docket books for the third year and assistance to courts in the adaption and application of computer systems to court needs. Federal funds provided for training programs for judges and other court personnel and for assistance to traffic courts in improving their operations and procedures, including two seminars for judges who hear traffic cases. A one-time grant provided funds for a conference for juvenile court personnel on the ramifications of a new statute which regulates the detention of children who commit offenses which are not criminal offenses for adults.

The Administrative Office of the Courts, during fiscal year 1978, prepared budgets and served as fiscal officer for the Superior Courts Sentence Review Panel, the Judicial Qualifications Commission, the Council of Juvenile Court Judges, the Board of Court Reporting and the Judicial Planning Committee. The AOC also prepared

---

**...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:**

**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 requested.**

---

budget estimates for the state's superior courts.

The efforts of the AOC to keep judges and other court personnel informed about court-related and Judicial Council-endorsed measures being considered and acted upon by the Georgia General Assembly included tracking the progress of such bills through the legislative process. A weekly publication, the *Judicial Legislative Log*, was produced and distributed as a joint effort of the legislative liaison and the communications sections. This publication provided summaries of court-related measures introduced during the session

and updates on their status. Also during the 1978 session of the General Assembly, the AOC provided requested information to the legislature on its activities, functions and operations. Following the close of the session the AOC presented reviews of newly enacted statutes at seminars for judges and clerks of court.

Prior to the convening of the legislature, the AOC researched existing laws governing court operations, especially those relating to juries, to identify problem areas which could be remedied by legislation. The Judicial Council presented recommendations for legislation in several areas in a joint meeting with the House and Senate judiciary committees at the State Capitol. The Council recommended legislation to improve the operations of the courts and to provide additional judicial manpower in circuits with critically heavy workloads.

In other areas, the Administrative Office of the courts continued to mail opinions of the attorney general on court-related issues to superior court judges. The AOC continued to provide civil and criminal pattern jury instructions to new judges. The AOC also maintained a listing of the availability of senior superior court judges and regular, active superior court judges to sit in another circuit when a judge became ill or was disqualified from hearing a case. During fiscal year 1978, senior superior court judges provided additional judicial manpower by working a total of 2,041 days, almost twice the number of days of assistance provided by senior judges in the previous fiscal year.

Early in the fiscal year, the AOC discontinued its staff legal counsel and instead entered a contract arrangement with the State Law Department to provide legal services to the Judicial Council/AOC.



# State Appropriations for the Judiciary

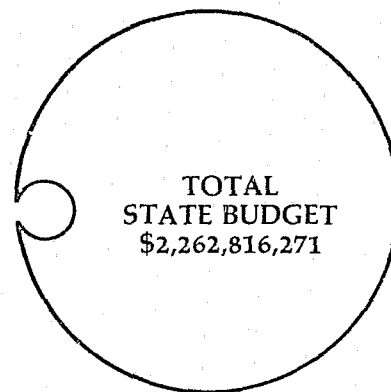
(Fiscal Year 1978: July 1, 1977 to June 30, 1978)

...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system.

Judicial Budget  
\$12,604,451

.56 per cent  
(1/2 of 1 per cent)

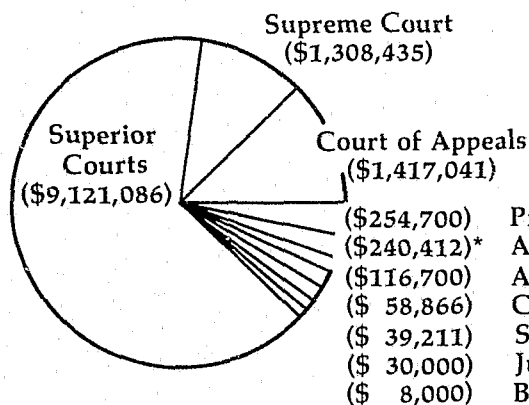


## Five-Year Comparison for Judicial Budget

(1975-1979)

Fiscal Year	Total State Appropriation	Amt. Increase	Judicial	Increase	Percent of State Budget
1975	\$1,702,971,922	\$ 27,836,462	\$ 9,022,277	\$1,067,794	.0053
1976	1,841,125,219	138,153,297	9,828,414	806,137	.0053
1977	1,890,095,530	48,970,311	10,098,391	269,977	.0053
1978	2,262,816,271	372,720,741	12,604,451	2,506,060	.0056
1979	2,379,691,195	116,874,924	15,042,692	2,438,241	.0063

FISCAL YEAR 1978  
JUDICIAL APPROPRIATION  
(\$12,604,451)



Prosecuting Attorneys' Council (\$291,110)

Administrative Office of the Courts (\$532,600)\*\*

Appellate Court Reports (\$120,000)

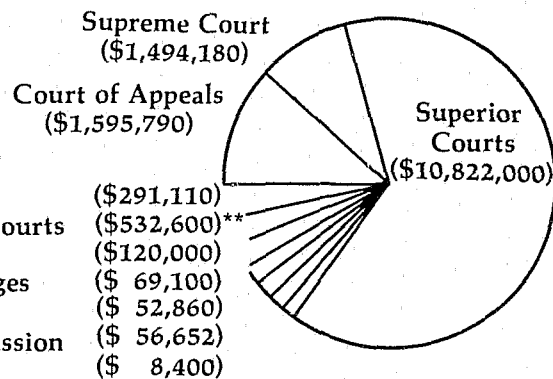
Council of Juvenile Court Judges (\$ 69,100)

Sentence Review Panel (\$ 52,860)

Judicial Qualifications Commission (\$ 56,652)

Board of Court Reporting (\$ 8,400)

FISCAL YEAR 1979  
JUDICIAL APPROPRIATION  
(\$15,042,692)



\*Includes \$15,000 for Institute of Continuing Judicial Education of Georgia.

\*\*Includes \$30,000 for Institute of Continuing Judicial Education of Georgia and \$256,000 for Judicial Administrative Districts.

# Communications

Informing judges and other court personnel about changes and innovations in court administration and operations and the general public, through the news media, of news of the Georgia court system is the purpose of the communications efforts of the Administrative Office of the Courts.

To perform this function, both general-interest publications and specialized studies and manuals were produced during fiscal year 1978. One stated responsibility of the AOC is to produce an annual report. The annual report and news releases were the primary tools for informing the

...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.

public of changes in the court system and of progress in improving the administration of justice. An executive summary of the *Fourth Annual Report* was produced in addition to the annual report itself. *A Report to the General*

*Assembly* provided a concise, non-statistical account of the work of the AOC and the courts during fiscal year 1977.

Five issues of the *Georgia Courts Journal* were prepared and distributed to the state's judges and

## AOC Publications

### Fiscal Year 1978

*Directory of Georgia Certified Court Reporters* (AOC provided printing only)  
*Fifth Annual Report Regarding the Need for Additional Superior Court Judgeships*  
*Form Book, Georgia Certified Court Reporters Association* (AOC provided printing only)  
*Fourth Annual Report, Administrative Office of the Courts*  
*Georgia Courts Journal* (five issues)  
*Handbook for Georgia Certified Court Reporters*  
*Judicial Legislative Log* (eight issues, \**Juvenile Court Judges Benchbook*  
 \**Juvenile Court Manual* (update)  
*Long Range Goals for the Court System of Georgia*  
*Model Court Rules*  
 \**A Profile of Juvenile Court Judges in Georgia*  
*A Report to the General Assembly*  
*Rules and Regulations of the Georgia Board of Court Reporting*  
 \**A Salary & Personnel Survey of Georgia Juvenile Courts*

\*Published by Georgia Council of Juvenile Court Judges

### Previous Publications Still Available

*Annual Report of the Administrative Office of the Courts: First, Second, Third*  
*Civil Pattern Jury Instructions*  
*Clerks' Handbook*  
*Comparative Analysis of American Bar Association Standards for Criminal Justice with Georgia Laws, Rules and Legal Practice*  
*Comparative Analysis of Standards and Goals of the National Advisory Commission on Criminal Justice Standards and Goals with Standards for Criminal Justice of the American Bar Association*  
*Criminal Pattern Jury Instructions*  
*Executive Summary—Statewide Caseload Statistics* (five-year period through fiscal year 1976)  
*Fourth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia*  
*Georgia Courts Journal* (most issues from December 1973)  
*Georgia Statewide Facilities Study* (four volumes: two out of print)

*Judicial Legislative Log* (volumes one and two)  
*Juvenile Court Docket Book and Instruction Manual*  
*Juvenile Court Manual*  
*Juvenile Justice Masterplan* (four volumes)  
*Probate Court Misdemeanor Docket Book and Instruction Manual*  
*Report of Governor's Commission on Court Organization and Structure*  
*Report of Governor's Commission on Judicial Processes*  
*Short Descriptive Study of the Office of Justice of the Peace in Georgia*  
*State Court Civil Docket Book and Instruction Manual*  
*State Court Misdemeanor Docket Book and Instruction Manual*  
*Superior Court Civil Docket Book and Instruction Manual*  
*Superior Court Criminal Docket Book and Instruction Manual*  
*Survey of Records Keeping in Georgia Courts*  
*Traffic Court Manual*

court personnel during fiscal year 1978. The *Courts Journal* presented news about the court system and articles on resources and assistance available to local courts. An updated directory of names and addresses of courts personnel was in production at the end of the fiscal year. Public Relations Digests—compendiums of clippings about the court systems from newspapers around the state—were prepared on a monthly basis and distributed to Council members and about fifty

others, including some members of the General Assembly, district administrative judges and district court administrators.

Other specialized publications—studies, manuals and handbooks—are discussed elsewhere in this report.

## Communications Committee

Judge Charles L. Weltner,  
*chairman*  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

Harold G. Clarke, Esq.  
Immediate Past President  
State Bar of Georgia  
Forsyth

## Education

The Administrative Office of the Courts during fiscal year 1978 continued to plan and coordinate educational programs for judges and other court personnel. However, a gradual transfer of the responsibility for these training programs from the AOC to the Council's Institute of Continuing Judicial Education of Georgia was begun late in the fiscal year. The Institute, originally created by the Judicial Council as the Judicial College of Georgia, completed its first full year of existence during the past fiscal year. A director was employed in March 1978, and soon after the AOC and the Institute began coordinating the details of this transfer of responsibility for training programs for judicial system personnel. However, because the AOC had already begun coordinating all seminars scheduled through the end of the fiscal year, it continued its involvement with these programs. Initially, the Judicial Council assigned to the Institute the responsibility for all educational programs for judicial and non-judicial personnel. However,

it was decided late in fiscal year 1978 that, for the present, the Administrative Office of the Courts should retain the coordination of training for four non-judicial groups: clerks of superior courts, court reporters, secretaries to judges and court administrators.

In addition to the seminars planned and coordinated by the AOC in fiscal year 1978 (see listing below), the AOC administered grants that provided funds for attendance at out-of-state training programs. Through these grants, the expenses were provided for ten judges and thirty-three non-judicial personnel to attend educational programs conducted outside of Georgia. A training subcommittee of the Institute's Board of Trustees reviewed and approved applications of judges who requested funds to attend out-of-state educational programs.

During the year, the Administrative Office of the Courts began establishing a library of video tapes of seminars for future use by individual judges.

Two enactments of the 1978 General Assembly affected the area of judicial education. For the first time, by a 1978 statute, superior court judges received clear authorization for accepting reimbursement for expenses incurred while attending educational programs. However, the new law limits the number of days of training each year to five, and language in the appropriations act prohibits the use of state funds appropriated for the operation of the superior courts for paying the expenses of superior court judges attending the National Judicial College.

The General Assembly also created the Georgia Justice Courts Training Council and charged it with the responsibility of planning for training programs for justices of the peace. The legislature, in the same act, made mandatory a certain number of hours of continuing education for the state's more than 1,500 justices of the peace.

A separate report on the Institute of Continuing Judicial Education begins on page 54.

**Educational Programs  
for Judges and Other Court Personnel  
Sponsored by the Judicial Council/AOC**

July 1, 1977 — June 30, 1978

Seminar	Location	Dates	No. Trained
Annual Summer Seminar, Superior Court Judges	Sea Island	July 25-27, 1977	67
Orientation Seminar for Superior and State Court Judges	Atlanta	August 26-27, 1977	14
Annual Fall Seminar, Council of Superior Court Judges	Jekyll Island	October 3-5, 1977	34
Annual Fall Seminar, Council of Juvenile Court Judges	Jekyll Island	October 3-5, 1977	24
Northern Regional Seminar for Traffic Court Judges	Unicoi State Park	April 4-5, 1978	49
Seminar for Superior Court Clerks	Athens	April 9-12, 1978	92
Seminar for Probate Court Judges	Athens	April 19-21, 1978	69
Seminar for State Court Judges and Solicitors	Macon	April 27-29, 1978	53*
Seminar for Juvenile Probation Officers of Independent Systems	Macon	May 8-10, 1978	50
Seminar for Certified Court Reporters	Atlanta	May 19-20, 1978	90
Workshop on Implementation of Senate Bill 100 (Council of Juvenile Court Judges)	Macon	May 19-20, 1978	200 plus
Annual Bench and Bar Conference	Savannah	May 30- June 2, 1978	110

Funds were also made available to the AOC through a supplemental grant for training of adult probation officers of independent systems. This grant permitted twenty-nine probation personnel to attend a variety of programs within the state and provided for a program for fifty probation officers in Fulton County.

\*Figure includes twenty-six solicitors.

# Planning

During fiscal year 1978, the Administrative Office of the Courts decreased its emphasis on specific planning functions as the Judicial Planning Committee (see separate report on page 55) developed its role as planning agency for the state's judicial system, particularly in planning for the use of federal funds for improvements to the court system. However, early in the fiscal year, the AOC provided support to the Council's Long Range Planning Committee, printing and distributing its list of one dozen ranked goals for improvements to the courts of Georgia. The 14-member committee had prepared these goals based on their examination of major planning documents and studies as

under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

Formulate and submit recommendations for the improvement of the judicial system.

well as their own experiences. With the adoption of these goals by the Judicial Council, the Long Range Planning Committee completed its charge and was disbanded.

Other activities in the planning area included assistance to the Council's Judicial Article Revision Committee. This committee, chaired by former federal

Judge Sidney O. Smith, prepared a proposal for Constitutional revision which was modified and adopted by the Judicial Council and forwarded to the General Assembly's Committee to Revise the Judicial Article. The recommendations of a separate committee of probate court judges was also forwarded to the legislative committee.

## Long Range Goals for the Court System of Georgia

The following goal statements recommended by the Long Range Planning Committee are listed in the order of their relative priority as perceived by the committee members.

The State of Georgia, through the appropriate implementation procedure, should:

1. Attract and retain highly qualified judicial officers in judicial system careers by insuring that judicial selection and tenure will be accomplished through a merit procedure and that fair and equitable removal procedures will be instituted. Maintain adequate salary and retirement benefits which are necessary to attract qualified judicial officers.

2. Support the Judicial Administration Act of 1976, by improving the unified administrative system of the Georgia Courts; by providing the Administrative Judge with the authority to carry out his duties; by broadening the district court administrator concept so as to provide its services for all trial

courts in each circuit; and by providing a means to coordinate the functions of the ten administrative districts with those of the Judicial Council of Georgia/Administrative Office of the Courts.

3. Institute a unified court structure having no more than two levels of trial courts, providing for magistrate services to handle summary, non-jury proceedings at the local level, and for the elimination of de novo appeals.

4. Establish a method by which the judiciary will determine the appropriate funding level and the state will assume financing of the total judicial system. Provisions for a law clerk and a court investigator for each trial court judge should be included.

5. Insure that all judges and judicial system personnel are able to maintain and upgrade their professional and technical skills through a mandatory program of continuing education and training, centrally developed and implemented through the Georgia Judicial System.

6. Provide adequate courtroom and courthouse facilities for the Georgia Court System.

7. Establish uniform records keeping procedures for all courts to insure complete case information. Develop a records retention policy for records maintained by or for the courts and procedures for implementing this policy.

8. Develop and implement a comprehensive system to provide compe-

tent legal counsel and other related services to indigent persons entitled to representation in the trial courts. The system should be financed and administered by the state, and it should be sufficiently flexible that a staff defender or assigned counsel system, or a combination of these, could be used to effectively meet the needs of the community served and the ends of justice.

9. Adopt uniform sentencing policies to eliminate any sentencing inequities.

10. Establish uniform statewide pre-trial release procedures, to be administered by the judiciary, which will assure the appearance of the defendant while eliminating the need for and cost of incarceration. Establish uniform statewide diversion procedures, to be administered by the judiciary, which will relieve the court of cases which could be more appropriately handled by means other than judicial intervention.

11. Establish probation as a judicial function.

12. Give support to the Board of Court Reporting in its certification process to increase the number of court reporters available to all courts and to increase the quality of court reporting services to eliminate the backlog and delay in transcript preparation.

## Long Range Planning Committee

**Judge Kenneth B. Followill,**  
*chairman*  
State Court of Muscogee County  
Columbus

**Judge Hal Bell**  
Superior Court  
Macon Judicial Circuit  
Macon

**Robert L. Doss, Jr.**  
Director, Administrative Office  
of the Courts

**Judge Joel J. Fryer**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

**Judge Marion Guess, Jr.**  
Probate Court of DeKalb County  
Decatur

**Justice Robert H. Hall**  
Supreme Court of Georgia  
Atlanta

**W. Stell Huie, Esq.**  
Next Immediate Past President  
State Bar of Georgia

**Judge Dennis Jones**  
Juvenile Court of DeKalb County  
Decatur

**Judge Harold L. Murphy**  
Superior Court  
Tallapoosa Judicial Circuit  
Buchanan

**Judge James B. O'Connor**  
Superior Court  
Oconee Judicial Circuit  
Eastman

**Judge Rex R. Ruff**  
Juvenile Court of Cobb County  
Marietta

**Cubbedge Snow, Jr., Esq.**  
Macon Attorney

**Judge William K. Stanley, Jr.**  
Probate Court of Bibb County  
Macon

**Judge Irwin W. Stolz, Jr.**  
Georgia Court of Appeals  
Atlanta

**Judge G. Ernest Tidwell**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

## Research and Published Studies

Compiling statistical and financial data and other information on the judicial work of the courts and their related offices is a major area of responsibility of the Administrative Office of the Courts. The results of such information-gathering efforts help to identify the needs of courts and provide a factual,

objective basis for recommendations for improvements to the judicial system. The results of AOC research, particularly as made available in published studies, help the Judicial Council/AOC and the courts themselves determine present and projected needs. These studies also serve as tools for planning groups and

other governmental bodies. Other publications based on research efforts are handbooks and manuals which address particular areas of the court system for particular groups of judicial system personnel.

The collection and compilation of data on the judicial workloads of the major courts of record in

Georgia has annually been the primary research effort of the Administrative Office of the Courts since its creation. Evaluation of this data on the caseloads of the courts and the consideration of other factors form the basis for recommendations by the Judicial Council to the General Assembly regarding the need for additional superior court judgeships. This caseload information is published in an annual judgeship study which includes statistics on the judicial workloads for each circuit and the support provided to the superior courts by the state, juvenile and probate courts.

During fiscal year 1978, the actual counting of court caseloads was performed by district court administrators and temporary assistants provided by the AOC. In the two districts which had not employed administrators, the AOC counted the cases. The data on the workloads of the courts during fiscal year 1978 (which was not counted until fiscal year 1979) is included in this report in summary form. This data was also collected by district court administrators and part-time and student assistants provided by the AOC. To collect fiscal year 1978 workloads, the

AOC physically counted cases in the fourth judicial administrative district which still does not have a district court administrator. However, in this two-county district, the AOC was assisted by the superior court clerk of DeKalb County who counted the caseloads of several courts.

In addition to tabulating the number of cases filed and disposed, the district court administrators also conducted interviews with court personnel in their districts about whether they feel there is a need for additional judicial manpower in their circuit.

Before the start of this year's case-counting effort, the AOC conducted a seminar for the district court administrators and their assistants to review procedures, techniques and case definitions. The seminar was designed to improve the accuracy of the case counting and to ensure that identical definitions of cases are used statewide.

Although this caseload data is published in an annual judgeship study, the AOC also uses this data to prepare more limited studies. Early in fiscal year 1978, the AOC prepared and published a five-year caseload summary report which included data

through fiscal year 1976. This report analyzed the progress of Georgia's courts in keeping pace with steadily rising caseloads. A similar summary report which includes fiscal year 1977 caseload data was begun during the last fiscal year. Also during the past year, a study was developed on the ages of cases and case backlogs. This study uses data collected during case-counting efforts and is expected to be published in late 1978. It examines caseload data on a statewide level to analyze the amount of time between the filing and disposition of a case and the number of cases awaiting trial.

The Administrative Office of the Courts was involved with preparing and updating several handbooks and manuals during the last fiscal year. Work continued on developing additional chapters—on the duties of clerks, jury management and records keeping—for the *Clerks' Handbook*. The loose-leaf format of this handbook permits the easy addition of chapters and revision of dated portions. The AOC also updated the *Traffic Court Manual*—another loose-leaf publication—to reflect changes in this area. Work was begun by the AOC to prepare a handbook for jury commissioners explaining in detail their duties and responsibilities.

Revision by the AOC of the 1965 *Handbook for Ordinaries of Georgia*, originally published by the Institute of Government of the University of Georgia, continued during the past fiscal year. V. Jack Yarbrough, retired clerk of the Probate Court of Fulton County, was assisted by the AOC in the massive revision of this handbook for probate judges. The revised version, to be published soon by the Institute of Government, includes changes in the Code of Georgia made by the 1978 General Assembly, particularly the new

## Probate Handbook Revision Committee

**Judge Francis W. Allen, chairman**  
State Court of Bulloch County  
Statesboro

**Judge W. Marion Guess, Jr.**  
Probate Court of DeKalb County  
Decatur

**Ronald W. Hartley, Esq.**  
Atlanta Attorney

**John A. Nix, Esq.**  
Atlanta Attorney

**Judge Floyd E. Propst**  
Probate Court of Fulton  
County  
Atlanta

**Judge Calvin M. Simpson**  
Probate Court of Baldwin  
County  
Milledgeville

**Judge William K. Stanley, Jr.**  
Probate Court of Bibb County  
Macon

Code Chapter 88.5 dealing with mental health—confidentiality of records and commitment procedures. Work on this revision has been guided by a committee appointed by the Judicial Council and headed by Judge Francis W. Allen.

The AOC's involvement with the testing of automated and manual information systems for courts (Statewide Judicial Information System—SJIS) came to an end during fiscal year 1978 with the completion of pilot programs in the Dougherty and Blue Ridge judicial circuits. The automated system in the single-county Dougherty circuit involved the retention of all superior court criminal case data through the use of a computer terminal in the record room of the clerk's office. The manual system in the five-county Blue Ridge circuit involved the collection of case data at key points in the case process through the use of comprehensive data collection forms.

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...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

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.

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The test projects provided the Administrative Office of the Courts with valuable information on the feasibility of applying computer technology and data systems to courts.

With the completion of these SJIS pilot projects in fall 1977, the AOC shut down its computer and made arrangements for computer time-sharing with a local government agency. Caseload files and programs and other data were transferred to this system. In addition to work with the caseload data, mailing lists and other statistics kept on computer, the AOC provided technical assistance to courts considering automation of certain processes. Other assistance in this area was provided to the Council of Juvenile Court Judges in developing an automated statistical reporting system for the juvenile courts.

Other research activities of the AOC during fiscal year 1978 included a salary survey of judges and superior court clerks as well as answering inquiries from court personnel and the public about statistical information available on the courts and their operations.

## Technical Assistance

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Present and future needs of courts are met in part by the services the Administrative Office of the Courts makes available to the judicial system. The courts of Georgia can draw on the knowledge of AOC's specialists in records management, caseload management, jury management, information systems, facilities, traffic courts and other areas. Local courts are spared the expense of funding full-time positions to provide services in these areas since they are usually needed infrequently by an individual court. Because the AOC has specialists in several areas, technical assistance to courts in projects involving more than one particular area is easily coordinated.

In the area of records management, the AOC was involved last fiscal year with the continued introduction and implementation of model docket books. During fiscal year 1979, the AOC will complete the model dockets project. Also in this regard, work was coordinated on the implementation of model juvenile court dockets which are an integral part of the statistical information system being developed by the Council of Juvenile Court Judges (see their annual report, page 68). The AOC has visited 151 counties to introduce model docket books. Since the beginning of the model dockets project three years ago, 446 books have been ordered, with 221 ordered during fiscal year 1978. The

model docket program has been funded by a series of grants from the Law Enforcement Assistance Administration. Model docket books are provided to the courts at a cost of about \$70, a savings of more than half the cost of the bound docket books traditionally used in many counties. These other docket books usually cost from \$150 to \$300. When the model dockets are installed, the AOC prepares a report outlining that court's records-keeping procedures and recommending improvements.

The AOC provided other assistance to courts with records problems. During fiscal year 1978, the AOC assisted with records inventories, the implementation of a circuit-wide juvenile



court docketing system and projecting what records-keeping equipment would be needed in future years. The AOC worked on devising procedures for improved caseflow and changes in docketing procedures at the

request of local court officials. Suggestions were made for improved indexing procedures, and the AOC assisted a clerk in training new personnel in docketing procedures. Records and facilities assistance were coordi-

nated in response to a request for help in suggesting improved utilization of space and filing equipment.

The AOC conducted surveys of superior court clerks regarding the development of retention schedules and microfilming of court records. Work was begun by the AOC on documenting the records' indexing procedures used in probate courts.

A major development in the area of courts' records keeping was the passage of an act by the 1978 General Assembly which removes the courts and their records from the retention requirements of the State Records Act and provides the Supreme Court of Georgia with a means to establish retention schedules for court records. This change, which became effective April 3, 1978, had been recommended by the Judicial Council's Records Steering Committee. The committee, which was reconstituted during the year from two separate records committees, had cited the need for amending the Records Act to provide for review of court records schedules by the judicial branch rather than the executive branch. This change was requested to relieve clerks of the overcrowding of records which sometimes occurs in their offices and to comply with the provisions of the Georgia Constitution which states that the administration of the judicial branch shall be provided by the judicial branch itself. Under the original provisions of the Records Act, records would be reviewed by the State Records Committee which does not include a representative of the judiciary. The Judicial Council filed a petition with the Supreme Court requesting that retention and destruction schedules for court records be reviewed by a judicial committee and that this committee advise

## Records Management Steering Committee

**A. K. Johnson**, *chairman*  
Executive Director  
Georgia Commission for the  
National Bicentennial  
Celebration  
Atlanta

**Sara E. Taylor**, *vice chairman*  
Clerk of the Superior Court  
Henry County  
McDonough

**Thomas S. Batchelor**  
Clerk of the Superior Court  
Walton County  
Monroe

**Judge H. M. Crane, Jr.**  
Juvenile Court of Bartow County  
Cartersville

**Wanda T. Craven**  
Clerk of the Juvenile Court of  
Cobb County  
Marietta

**Dr. Gerald Davis**  
Department of History  
Georgia State University  
Atlanta

**John Dunn**  
Records Management Division,  
Georgia Department of Archives  
and History  
Atlanta

**Chris Herndon**  
Crime Statistics Data Center  
Atlanta

**Judge P. Harris Hines**  
State Court of Cobb County  
Marietta

**Judge Asa D. Kelley, Jr.**  
Superior Court  
Dougherty Judicial Circuit  
Albany

**Edgar W. Manseau**  
Deputy Director  
Georgia Crime Information  
Center  
Atlanta

**Judge Marvin A. Miller**  
Superior Court  
Clayton Judicial Circuit  
Jonesboro

**Joe B. Mundy**  
Clerk of the Superior and State  
Courts  
Clayton County  
Jonesboro

**Francis Taillefer**  
National Center for State Courts  
Southern Regional Office  
Atlanta

**Jack E. Thompson**  
Superior Court Administrator  
Atlanta Judicial Circuit  
Atlanta

**Martha Ann Watson**  
Clerk of the State Court of Cobb  
County  
Marietta

**Judge James F. White**  
Probate Court of Fayette County  
Fayetteville

the Court on its establishment of schedules for court records.\*

Demand for technical assistance in the facilities area continued high during fiscal year 1978. The AOC provided a range of services in this area, from comprehensive studies of particular courthouses and the development of masterplans for construction to technical advice to architects and county and court officials on construction. The AOC prepared studies of space needs of courts and designed and reviewed plans for courthouse additions. Assistance to court officials in applying for public works funds for courthouse construction and renovation projects was also provided by the AOC. The Administrative Office of the Courts provided assistance in facilities projects in 39 counties last year. The AOC assisted with court construction projects during fiscal year 1978 totaling about \$10 million. Nearly half of this money was provided by federal funds for local public works projects.

Technical assistance with applying computer technology to court operations was provided particularly in conjunction with assistance in the area of jury management. A law enacted by the 1978 General Assembly expanded the geographical area within which a court can contract for computer services to automate its jury selection procedure. Reports on the pilot information systems tested in the Dougherty and Blue Ridge judicial circuits were prepared, and the AOC provided assistance to local courts considering adapting and applying these systems to their operations. Systems documentation, including a user's manual, was prepared by the

AOC on the Georgia Statewide Judicial Information System. Initial preparations were made for the automated statistical reporting system for the juvenile courts by the AOC for the Council of Juvenile Court Judges.

To help courts increase the efficient use of jurors and to help counties decrease the overall cost of jury trials, the AOC assisted courts in examining their current

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...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.

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juror-usage practices and suggested improvements. Towards this end, a jury management chapter for the *Clerks' Handbook* was completed and distributed. This chapter focuses on current problems of the system and on rules of good juror usage. Improvements to the current system suggested in this chapter would help local courts reduce the number of jurors and juror hours, the amount of time and money spent operating the system and the amount of time judges and jurors spend waiting for trials to begin.

Jury questionnaires developed by the AOC and administered by the district court administrators

were used to collect the views of judges on jury utilization and management and information from clerks on the current policies, procedures and mechanics of the system. Other assistance in this area included the development of a sample court order for designating a person other than the judge to excuse jurors, a practice provided for in a 1978 statute. Assistance in developing court rules for computerizing the jury selection process was provided by the AOC during the last fiscal year. The AOC served in an advisory capacity in the development of a film on the grand jury process in Georgia. The film, *Grand Jury: Conscience of the Community*, was produced by the Institute of Community and Area Development of the University of Georgia and is intended as an orientation tool for newly selected jurors who have not served in that capacity.

Technical assistance to traffic courts during the last fiscal year included developing procedures for accounting for traffic citations and expanding the traffic court lending library. The AOC determined that the most serious problems in the reporting of traffic convictions are not with the superior, state, and probate courts. Therefore, the AOC began to concentrate its work in this area on other courts hearing traffic cases. A study was begun to identify and collect information on the jurisdiction and personnel of all courts in Georgia hearing traffic cases. More than twenty courts were contacted regarding reporting of traffic conviction to the records division of the Department of Public Safety, and these courts were informed of the law in this area and of the method of reporting.

\*The original petition of the Judicial Council was denied by the Supreme Court on June 20, 1978, and the Supreme Court ordered the Judicial Council, the Prosecuting Attorneys' Council, the State Bar of Georgia, and the State Records Committee to file with the court by October 2, 1978, a list of parties that would have an interest in court records retention schedules as well as suggested procedures for setting the schedules.

In two counties, technical assistance was provided by the AOC in developing a case-processing system using the Uniform Traffic Citation for prosecution instead of preparing a formal warrant, accusation and summons. A training program for traffic court judges was coordinated by the AOC, and a directory of educational programs for persons convicted of driving under the influence of alcohol was prepared and distributed.

The Administrative Office of the Courts also provided assistance to a district court administrator in implementing a circuit-wide warrant tracking system and assistance in developing sentencing guidelines, as well as in other short-term projects.

## **Superior Court Clerk's Manual Review Committee**

**Chandler Bridges**, *chairman*  
Clerk of the Superior Court  
DeKalb County  
Decatur

**Woodson Daniel**  
Clerk of the Superior Court  
Pulaski County  
Hawkinsville

**Sandra Galloway**  
Clerk of the Superior Court  
Polk County  
Cedartown

**Jack Graham**  
Clerk of the Superior Court  
Cobb County  
Marietta

**Sara E. Taylor**  
Clerk of the Superior Court  
Henry County  
McDonough

**William C. Watson**  
Clerk of the Superior Court  
McDuffie County  
Thomson

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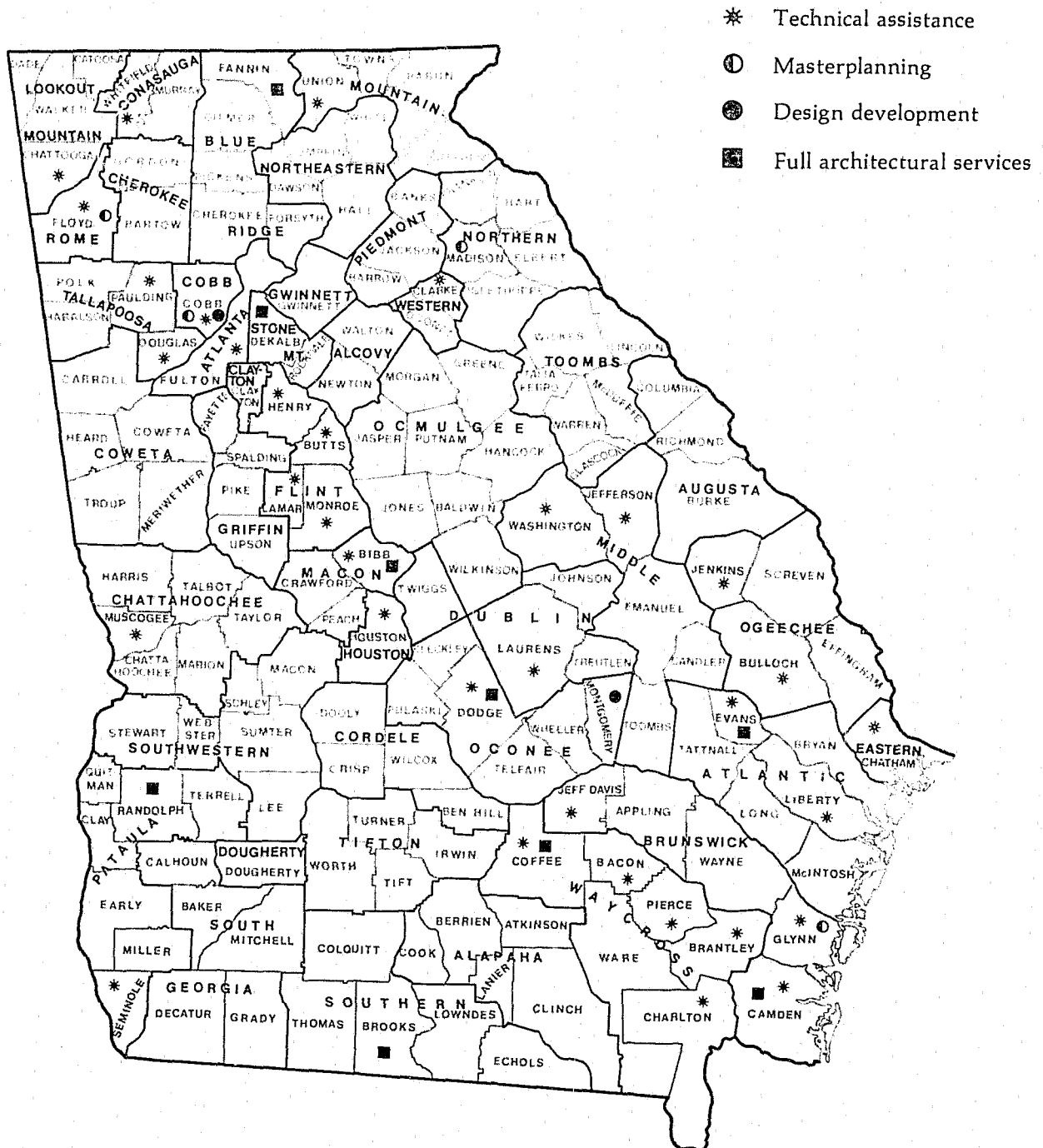
...under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.

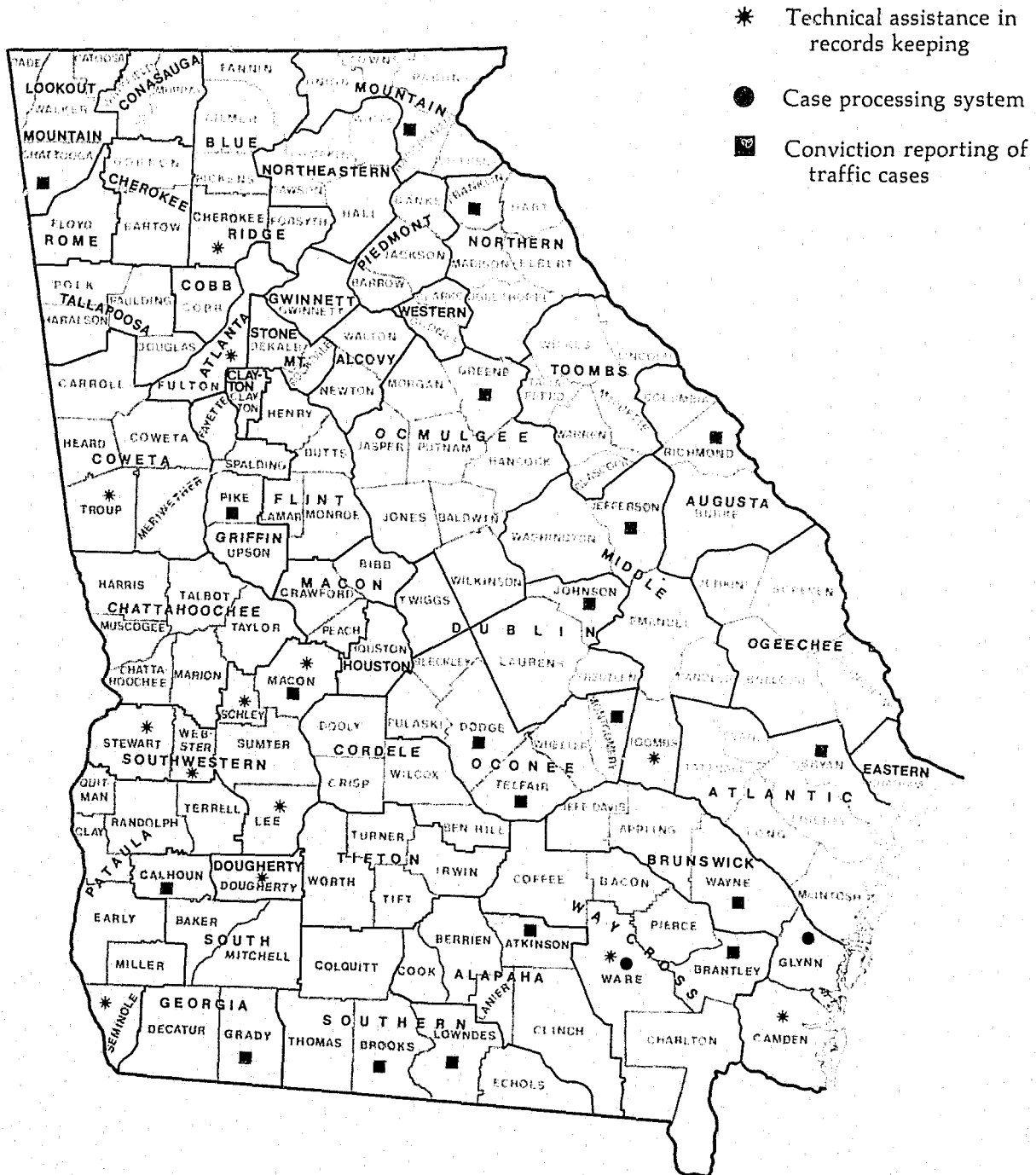
Perform such additional duties as may be assigned by the Judicial Council.

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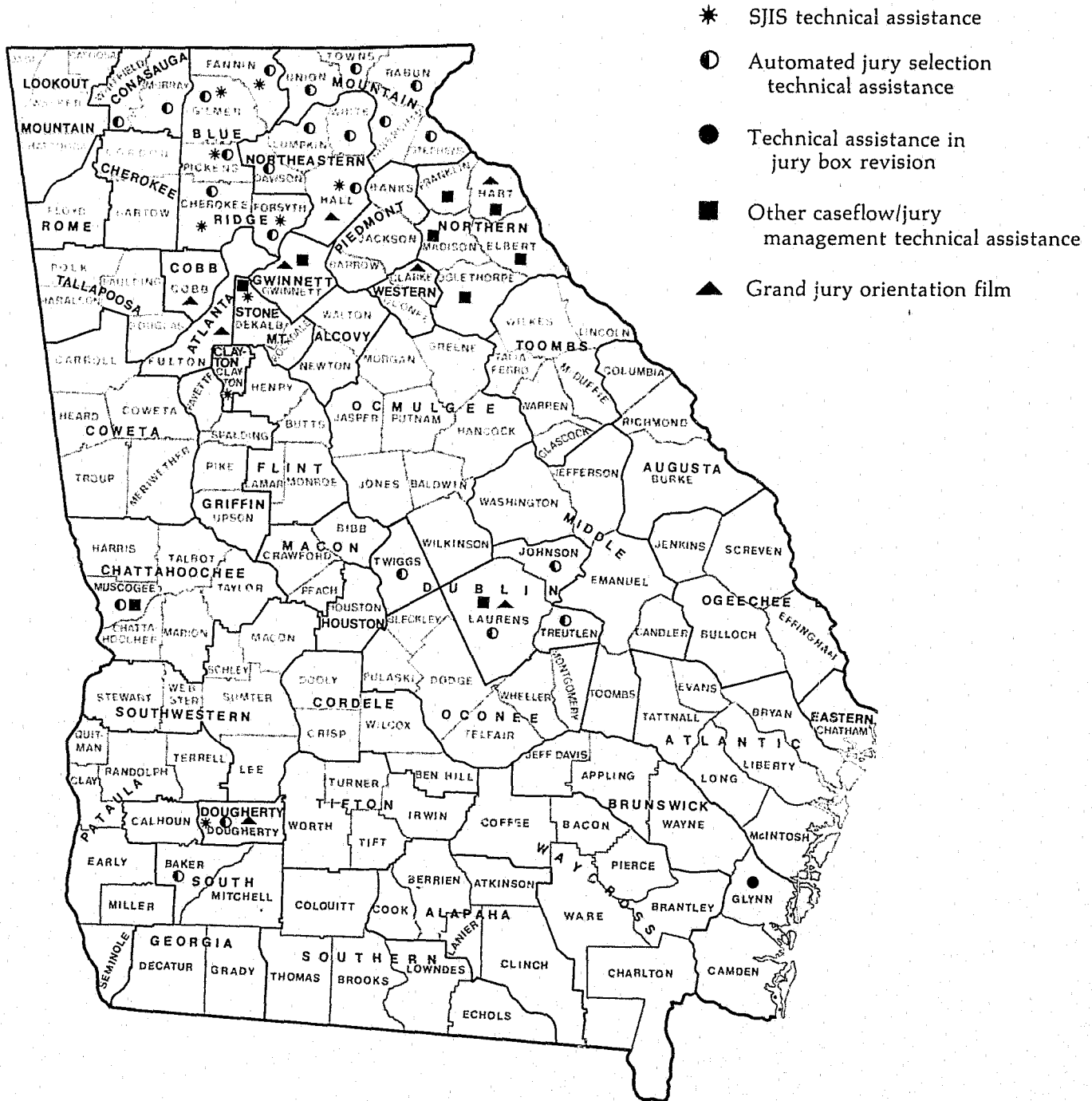
## Technical Assistance—Facilities Improvements



### Technical Assistance—Records and Traffic



## Other Technical Assistance



# AOC at a Glance

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## Administrative Districts

### Accomplished During FY 1978:

- Assisted the administrative judges in obtaining state funding for the district system.
- Continued to assist the administrative judges in screening and employment of district court administrators.
- Continued assistance to administrators in determining and conducting projects.

### In Progress:

- Provide administrative support to administrative districts.
- Coordinate efforts in collecting and compiling caseload data.
- Work with districts in all areas of court administration and management.

### To Be Accomplished:

- Continue to provide administrative support to districts.
- Coordinate complimentary projects and activities.

## Communications

### Accomplished During FY 1978:

- Issued five *Georgia Courts Journals*.
- Issued one *Annual Report*.
- Issued *Georgia Courts Directory*.
- Developed public information display on Judicial Council/AOC.
- Coordinated 138 printing projects for AOC.

### In Progress:

- Publication of *Georgia Courts Journal*.
- Issuance of press releases on activities of Judicial Council/AOC.
- Provide information about Judicial Council/AOC.

### To Be Accomplished:

- *Georgia Courts Directory* for 1979.
- Continue publication of *Georgia Courts Journal*.
- Continue public dissemination of judicial information through press releases.

## Court Reporting

### Accomplished During FY 1978:

- Administered two certification tests to court reporters.

- Discontinued the quarterly report form required of official reporters.
- Suspended 23 permits for failure to renew.
- Revised the rules and regulations, including grievance procedures, and distributed them to all state and superior court judges and county commission chairmen.
- Set up a referral service to put certified court reporters in touch with agencies or judges needing help.
- Restricted judicial temporary permits to use in the courtroom only.
- Provided information to the Judicial Planning Committee on short and long-range goals for reporting in the court system.
- Instituted a delinquent fee schedule for late payment of renewal fees.
- Made recommendations to the Judicial Council that transcript and copy rates be increased 10 per cent (approved and instituted July 1, 1978).
- Developed and published a *Handbook for Georgia Certified Court Reporters* and distributed it to all reporters and judges of the superior and state courts.
- Provided assistance to the Georgia Certified Court Reporters Association in the form of printing and mailing of their quarterly newsletter.
- Assisted in editing and printed the handbook and form book.
- Notified all court reporters and county commission chairmen of the new fee schedule adopted by the Judicial Council.
- Prepared and distributed to all official court reporters a comprehensive survey on court reporting compensation.
- Reviewed current court reporting rules to identify problem areas.
- Certified a total of 96 court reporters.

### In Progress:

- Proposals for revision of the Court Reporting Act.
- Implementation of identification cards and renewal request applications.
- Maintain the referral service for certified court reporters.
- Completion of a transcript production delay survey.

### To Be Accomplished:

- Continue testing and certification of court reporters.

- Continue aiding judiciary with court reporting-related problems.

## Education

### Accomplished During FY 1978:

- Planned and implemented twelve educational seminars:
  - Two superior court judges seminars;
  - One bench and bar conference;
  - One juvenile court judges seminar;
  - One traffic court judges seminar;
  - One superior court clerks seminar;
  - One state trial court judges and solicitors seminar;
  - One judges of the probate court seminar;
  - One new superior and state court judges orientation;
  - One juvenile probation officers of independent systems seminar;
  - One court reporters seminar;
  - One court administrators seminar.
- Provided funding for independent training for about thirty adult probation officers.
- Worked with the Institute of Continuing Judicial Education (ICJE) in reviewing plans for training seminars.
- Worked with the ICJE in preparing an application to the State Crime Commission for Law Enforcement Assistance Administration funds for training in 1979.
- Worked with the Judicial Planning Committee on preparation of the 1979 Courts Plan.

### In Progress:

- Developing a video-tape library for training of judges and court support personnel.
- Planning, scheduling educational seminars for calendar year 1979.
- Working with Institute of Continuing Judicial Education in developing a comprehensive training program.

### To Be Accomplished:

- Work with the Institute of Continuing Judicial Education in developing a comprehensive training program.
- Continue to plan and implement training activities for clerks of the superior court, court reporters, court administrators, judges' secretaries, and judges hearing traffic cases.

## Facilities

### Accomplished During FY 1978:

- Technical assistance to twenty-three counties which involved renovations and

construction totaling approximately \$10 million categorized as follows:

Major planning studies;  
Ten architectural assistance projects

- Responded to more than fifty requests for copies of the State Facilities Study.
- Distributed information on availability of funds for courthouse improvement from Economic Development Administration and other federal sources.
- Developed standards for courthouse public address systems.
- Gave technical assistance to the State Bar of Georgia for relocation of its offices.
- Developed floor plans for new Judicial Council/AOC offices and supervised this project.
- Completed and forwarded to EDA twelve applications for local public works funds to be used in courthouse renovation project.

### In Progress:

- Continued technical assistance to local courts.
- Continue to monitor availability of funds for courts for facilities improvements.

### To Be Accomplished:

- Technical assistance.
- Update inventory.
- Implement masterplan.

## Fiscal Operations/Grants Management

### Accomplished During FY 1978:

- Administered twelve block and discretionary grants from the Law Enforcement Assistance Administration.
- Administered two grants from the Office of Highway Safety.
- Applied for six new grants for fiscal year 1978 (all were approved for funding).

### In Progress:

- Prepare and submit budgets for certain judicial agencies.
- Administer LEAA grant for district court administrators.
- Continue as fiscal officer for Judicial Qualifications Commission, Council of Juvenile Court Judges, Sentence Review Panel, Board of Court Reporting, Judicial Planning Committee, the judicial administrative districts and the Institute of Continuing Judicial Education.
- Work with Judicial Planning Committee in developing funding sources.



#### To Be Accomplished:

- Further grant administration.
- Continue to serve as fiscal officer for judicial agencies.
- Work with the Council of Superior Court Judges towards the possibility of assuming responsibility for the payroll of superior court judges.

## Information Systems

#### Accomplished During FY 1978:

- Completed pilot operation of information test projects in Dougherty Judicial Circuit and manual version in the Blue Ridge Judicial Circuit.
- Printed and distributed statewide operations requirements analysis for each agency to implement the criminal subsystem.
- Revised caseload reporting system for major courts of record and produced caseload master file printout.
- Conducted on-site assessment of Dougherty circuit test project.
- Worked with Council of Juvenile Court Judges in design of Statewide Juvenile Statistics Information System.
- Provided technical assistance to Georgia Crime Information Center with development of court-related system planning.
- Developed automated consultant reporting system to monitor various projects conducted by the AOC.
- Maintained names and addresses of almost 4,000 persons and generated over 90,000 address labels for mailing.
- Assisted in establishing a warrant tracking system in the Northern Judicial Circuit.
- Produced the statistical reports for the Dougherty test project (this includes filings and the number of counts by offense types, comparisons of ages of defendants).
- Provided technical assistance to seven counties which are developing some kind of automation within their courts (jury systems, probate records, records of arrests, booking, etc.)
- Changed from an in-house computer to leased time arrangement.

#### In Progress:

- Maintain master files of name-and-address index for all judicial personnel.
- Provide assistance to local courts in development of computer applications.
- Computerizing caseload data reports.

#### To Be Accomplished:

- Continue technical assistance.
- Assist Council of Juvenile Court Judges in development and implementation of juvenile caseload statistical system.
- Maintain name-and-address files for all judicial system personnel.
- Create programs to compile probate courts statistics.
- Revise programs for caseload reporting system.

## Juries

#### Accomplished During FY 1978:

- Completed investigation of feasibility of computerization of jury selection in Walker and Baker counties and the Dublin Judicial Circuit and in ninth administrative district.
- Provided assistance in establishing computerized jury selection in Muscogee and Dougherty counties.
- Assisted in development and distribution of orientation film for grand jurors.
- Completed jury management project in Dougherty Judicial Circuit.
- Provided technical assistance to courts in ten counties and three judicial circuits.
- Drafted handbook for jury commissioners.
- Drafted model court rules for judges to designate their responsibility for excusing jurors.
- Drafted steps to be used for computerized jury selection.

#### In Progress:

- Implement long-term jury utilization project in Clayton County.
- Analysis of results of jury management questionnaires.

#### To Be Accomplished:

- Continue technical assistance.

## Juvenile Justice

#### Accomplished During FY 1978:

- Prepared and distributed *Juvenile Court Judges Benchbook*.
- Updated and distributed *Juvenile Court Manual*.
- Published *A Profile of Juvenile Court Judges in Georgia* and *A Salary and Personnel Survey of Georgia Juvenile Courts*.
- Provided technical assistance in coordination and implementation of model records program in Chattahoochee Judicial Circuit.

- Assisted the Judicial Liaison Committee of the Division of Youth Services of the Department of Human Resources.
- Work commenced on juvenile justice information system.

#### In Progress:

- Implement model docket system.
- Continue work on juvenile court information system.

#### To Be Accomplished:

- Continue to implement masterplan.
- Continue to implement model docket system.
- Continue development of juvenile court information system.

## Legislation

#### Accomplished During FY 1978:

- Held judicial-legislative meeting prior to the start of the 1978 General Assembly.
- Tracked legislation during 1978 Session of the General Assembly.
- Produced eight issues of the *Judicial Legislative Log* during the 1978 General Assembly session.
- Recommended the addition of six new superior court judgeships, all of which were created.
- Prepared a budget for some of the judicial agencies in the state.
- Under the direction of the Judicial Council, worked with members of the General Assembly to have enacted the following measures:
  - removal of court records from the provisions of the Records Act and placed under the authority of the Supreme Court
  - authorized the use of a computer within the judicial administrative district for jury selection
  - authorized judges to designate an administrative person to excuse jurors
  - obtained state appropriation for operation of Institute of Continuing Judicial Education
  - obtained state appropriation for operation of judicial administrative districts.

#### In Progress:

- Drafting of legislation in these areas:
  - to provide for one law clerk for each judicial circuit.
  - to provide for inclusion of superior court judges in GIST telephone system at state expense

- Make recommendations for improvements in the courts to the General Assembly.
- Continue to provide information to committees of the General Assembly.
- Developing procedures for tracking court-related measures introduced during 1979 General Assembly and for disseminating this information to judges and other court personnel.

#### To Be Accomplished:

- Continue legislative tracking.
- Continue production of Judicial Legislative Log during legislative sessions.
- Implement new call-in legislative tracking information service.

## Planning

#### Accomplished During FY 1978:

- Worked with Long Range Planning Committee and other planning groups in preparing a summary of the twelve major planning goals to be accomplished in the future in Georgia's judicial system.
- Publication and distribution of goals developed by the Long Range Planning Committee.

#### In Progress:

- Work with the Judicial Planning Committee.

#### To Be Accomplished:

- Continue to work with JPC.

## Records

#### Accomplished During FY 1978:

- Since the beginning of the model dockets project, a total of 446 docket books have been ordered or implemented.
- Technical assistance in such areas as microfilming, filing and numbering systems, records storage, and other areas was provided in 13 counties.
- Conducted telephone surveys of clerks regarding development of retention schedules and microfilming of court records.
- Research on courts record retention system.

#### In Progress:

- Preparing *Clerks' Manual*.
- Implement model dockets program.
- Developing procedures to be used in setting records retention schedules.

**To Be Accomplished:**

- Continue implementing model dockets program.
- Continue to provide assistance to courts in solving records problems.
- Publication and distribution of superior courts clerks manual.
- Implement a program of uniform records retention schedules for Georgia courts.

## Research

**Accomplished During FY 1978:**

- Conducted statewide study regarding the need for additional superior court manpower.
- Revised case counting procedures and manual for 1979 caseload judgeship study.
- Answered numerous technical assistance requests for caseload and salary data, judicial legislation information, budget information, and other information currently on file in the AOC.
- Completed and distributed annual judgeship study.
- Coordinated caseload counting with the districts.
- Conducted salary survey of superior, state and probate judges, clerks and court reporters.

**In Progress:**

- Study showing ages of caseload by circuit.
- Preparing updated Caseload Summary Report which compares caseload data and other information from January 1, 1971 through fiscal year 1977.
- Preparing Probate Court Judges Handbook.
- Provide staff support to Superior Court Judges' Benchbook Committee.

**To Be Accomplished:**

- Implement new methodology of Probate Court civil actions.

- Develop, print and distribute Probate Court Judges' Benchbook.
- Conduct court personnel salary survey.
- Conduct judgeship study.
- Conduct judicial circuit boundary study.
- Conduct study of time required to process cases.

## Traffic

**Accomplished During FY 1978:**

- Expanded and revised the lending library for traffic court judges.
- Worked with approximately forty courts on improving reporting on the Uniform Traffic Citation Form.
- Aided state courts in Glynn and Ware counties in establishing procedure for processing the uniform traffic citation to improve traffic caseload.
- Held one traffic court seminar with fifty judges attending.
- Produced a comprehensive directory of all courts and judges with traffic jurisdiction.
- Developed a citation tracking system including accountability for bonds and fines, to be implemented on a pilot basis.

**In Progress:**

- Implementation of model citation tracking system.
- Preparation of traffic court seminars.
- Distribution of traffic manual update and supplement.
- Identifying all courts in state which are hearing traffic cases.
- Provide technical assistance to courts hearing traffic cases.

**To Be Accomplished:**

- Continued technical assistance in traffic court administration.
- Implementation of model court procedures.
- Continue development and implementation of traffic court training program.

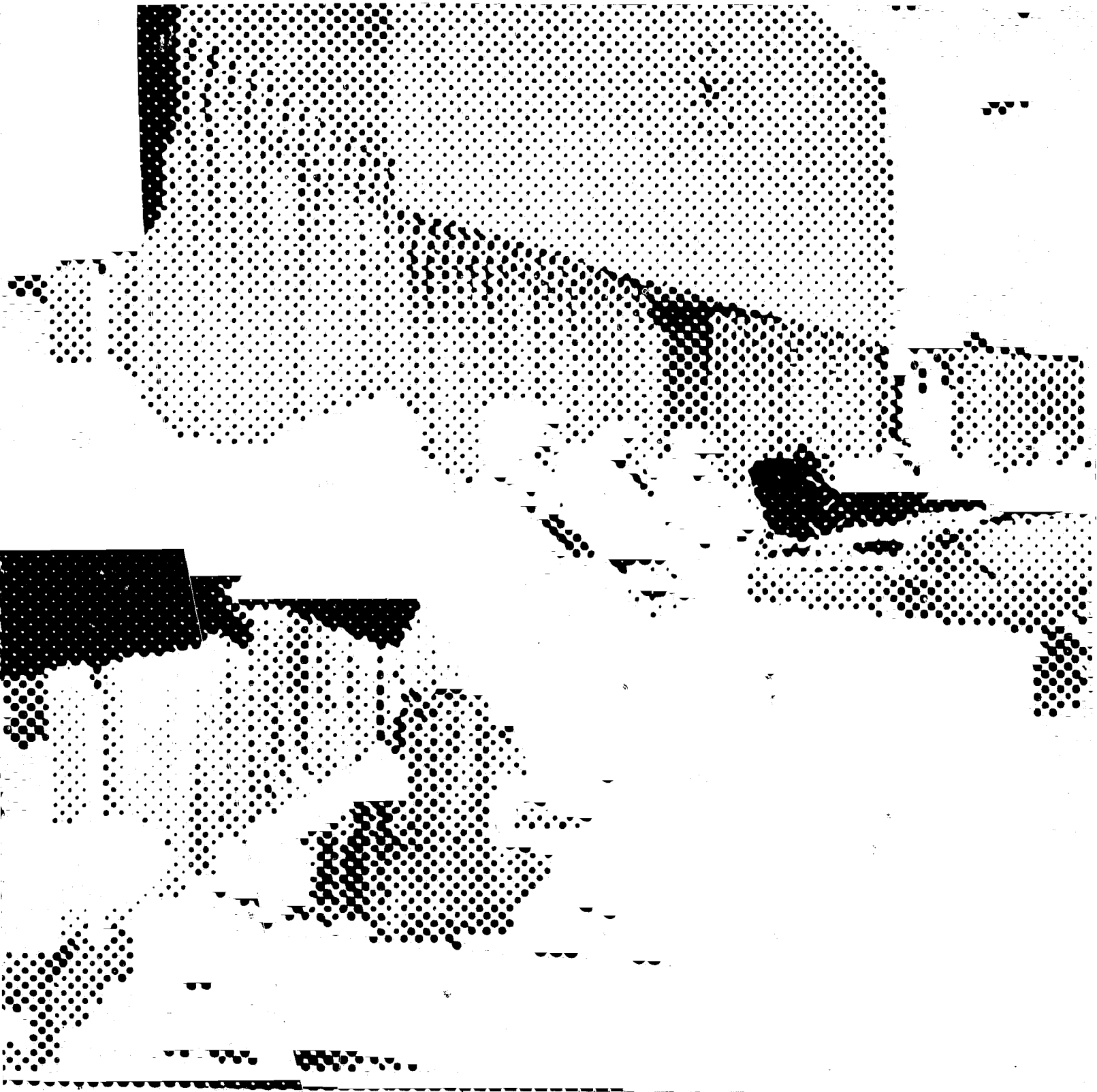


Photo courtesy of United Press International

*Photographs, recordings and broadcasts of actual judicial proceedings were permitted in Georgia for the first time during fiscal year 1978.*

# The Courts

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Although the opening of courtrooms in Georgia to electronic media was a highly visible change in the operations of the state's courts, there were other important advancements in the judicial system during fiscal year 1978.

The first television and still cameras to film judicial proceedings in Georgia entered the courtroom of the Supreme Court of Georgia in September 1977, and the first on-the-spot broadcast coverage of an actual trial was made two months later in the Superior Court of Muscogee County, Columbus.

The first raises for judges and district attorneys in five years were provided by an enactment of the 1978 General Assembly. The measure, which became effective last February, provided increases in the salaries of the justices of the Supreme Court, the judges of the Court of Appeals and the superior courts and district attorneys, although the increases were not as much as recommended by the State Compensation Commission.

The General Assembly, during the 1978 session, also created six superior court judgeships and one state court judgeship to provide additional judicial manpower in circuits and courts with particularly heavy workloads. Eight small claims courts, a magistrate's court and a recorder's court were also created by the General Assembly.

Although many other court-related measures enacted by the 1978 General Assembly were bills of a local nature, there were several measures of broader impact. For the first time, effective July 1, 1978, superior court judges were given clear authority to accept reimbursement for expenses incurred while attending educational programs. This act limits the number of days of training to five days annually, and language in the budget document prohibits the use of state funds appropriated for the operation of the superior courts for attendance at the National Judicial College.

The General Assembly did appropriate state funds for the operation of the Institute of Continuing Judicial Education of Georgia, which is responsible for training programs for judges and other court personnel. Mandatory annual training requirements were established for justices of the peace by the legislature. The Georgia Justice Courts Training Council was established and given the responsibility for planning and coordinating the first mandatory educational program for justices of the peace.

The state's two-year-old judicial administrative districts were given state funds for their operations for the first time beginning October 1, 1978. The districts, created by the Judicial Administration Act of 1976, were initially funded by a grant from the Law Enforcement Assistance Administration.

In the area of juvenile justice, authorization and funds were provided for the development and implementation of an automated statistical reporting system for juvenile courts (see annual report of the Council of Juvenile Court Judges, page 68).

Several other measures enacted during the last session of the General Assembly have or will affect day-to-day court operations. New laws relating to juries include an expansion of the geographical area from which a county can contract for computer services for jury selection from within the judicial circuit to within the judicial administrative district. Another statute, somewhat typical of the minor changes that can help improve the operations of the courts, permits a judge, if he desires, to designate an administrative person to excuse jurors according to guidelines provided by the court, thus freeing the judge from a part of his administrative duties.

Courts and their records were removed from the authority of the State Records Act by the 1978 General Assembly, and the authority for establishing court records retention schedules was vested in the Supreme Court of Georgia, which may provide for retention and destruction schedules for court records by court rule.

The future of the judicial system of Georgia was considered during the last fiscal year. Specific plans for improvements to the courts were developed by the Judicial Planning Committee, and long-range goals for the court system were adopted by the Judicial Council. Proposals for revision of the judicial article of the State Constitution were under consideration by a special legislative committee, which is expected to make a recommendation to the 1979 General Assembly for a new Article VI. The Chief Justice of the Supreme Court of Georgia took the position that a wholesale revision is needed and called for sweeping simplification and unification of the courts of Georgia in his annual address to the Bench and Bar Conference in May. He also recommended a simplification and unification of the appeals process in capital cases. The Judicial Council adopted a proposal for revision of the Judicial Article which would provide for a

single trial court within a unified judicial system. As the fiscal year ended, a first convocation of Georgia's judges was planned with the matter of revision of the judicial article to be the focus for discussion during the two-day program.

The statistics on the judicial workloads of the state's principal courts of record presented in this

report cover the period from July 1, 1977 through June 30, 1978. These statistics were compiled by the AOC from reports submitted by the district court administrators and temporary assistants provided by the AOC. The Administrative Office of the Courts also furnished forms, methodology and other assistance.

## Appellate Courts

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The Supreme Court and the Court of Appeals form Georgia's primary appellate structure.

The Supreme Court of Georgia—the state's highest appellate court—has seven justices. During three terms of court each year, they hear cases on appeals from the superior courts, the state courts, the juvenile courts and the city courts of Atlanta and Savannah and other similar courts. The Supreme Court also considers cases brought from the Court of Appeals by certiorari, as well as questions on which the Court of Appeals is equally divided.

The State Constitution provides that the Supreme Court shall have no original jurisdiction but shall be a court alone for the trial and correction of errors of law from specified trial courts in all cases (1) that involve the construction of the Constitution of the State of Georgia or of the United States, or of treaties between the United States and foreign governments; (2) in all cases in which the constitutionality of any law of the State of Georgia or of the United States is drawn in question; (3) in all cases respecting title to land (4) in all equity cases; (5) in all cases which involve the validity of or the construction of wills; (6) in all cases of conviction of a capital felony; (7) in all habeas corpus cases; (8) in all cases involving extraordinary remedies; (9) in all divorce and alimony cases; and (10) in all cases certified to it by the Court of Appeals for its determination.

The Supreme Court has inherent power to make such orders as are necessary to preserve its jurisdiction, such as granting supersedeas and giving direction to trial courts.

The nine judges of the Georgia Court of Appeals elect a chief judge who presides over the first of three divisions of the court. Presiding judges for the other two divisions are designated by the chief judge. The Court of Appeals is vested with jurisdiction to correct errors on appeal from the same lower courts from which appeals lie to the Supreme Court, but only in those cases wherein jurisdiction is not conferred on the Supreme Court.

A change in the jurisdiction of the Supreme Court and the Court of Appeals became effective August 1, 1977, by Supreme Court rule. Legislation passed by the 1977 General Assembly which provided essentially the same changes was voided as unconstitutional by the state's high court. The court order provided that appeals in cases of rape, armed robbery and kidnapping would be to the Court of Appeals, instead of to the Supreme Court, which formerly exercised jurisdiction in these matters. The court order also provided that all appeals involving the revenues of the state, election contests and cases in which the constitutionality of any municipality or county ordinance or other legislative enactment is in question be transferred to the jurisdiction of the Supreme Court.

Television and still cameras entered the courtroom of the Supreme Court to film judicial proceedings for the first time on September 13, 1977. In an order issued earlier in 1977, the Supreme Court had authorized the broadcasting, televising, recording, filming and taking of photographs in its courtroom or the courtroom of any other Georgia court during any judicial hearing. Rules for such media coverage for court proceedings were spelled out by the Supreme Court in a later order. The order sets certain limits on broadcasting and photography so that the dignity of the proceedings is not disturbed and requires Supreme Court approval of plans for media coverage as well as the consent of the presiding judges and parties involved. To date, eight plans for media coverage of courtroom proceedings have been forwarded to the Supreme Court for approval.

The number of cases docketed in the Supreme Court during fiscal year 1978 was 1,506. This figure includes applications for certiorari, interlocutory appeals and applications for certificates of probable cause to appeal denial of writ of habeas corpus. The Supreme Court justices issued 691 written opinions for this period.

During fiscal year 1978, exactly 2,000 cases were docketed in the Court of Appeals. The judges wrote an average of 188 opinions each during this period.

# Superior Courts

Georgia's general jurisdiction court is the superior court, which operates out of each county in the state in judicial circuits of various sizes and populations. As of June 30, 1978, there were ninety-nine superior court judges in Georgia's forty-two judicial circuits.

The number of superior court judges per circuit varies from a single judge in ten judicial circuits to eleven judges in the most populous circuit (Atlanta).

Geographical size of the circuits also varies greatly, with the circuits in several metropolitan areas comprised of only one county. The Ocmulgee Judicial Circuit in middle Georgia is the largest with eight counties. Georgia law requires court to be held in each county in the state at least twice each year. Superior court judges are elected for four-year terms (except in the Atlanta Judicial Circuit where the terms are for eight years). Vacancies

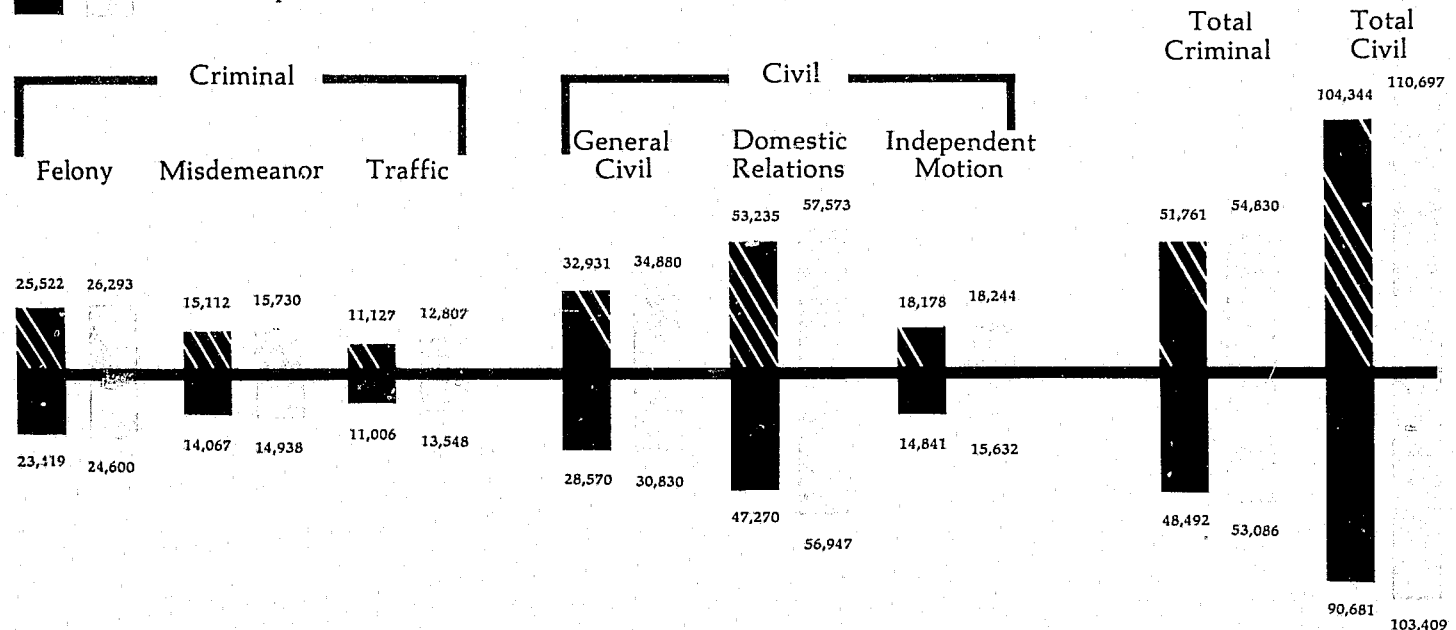
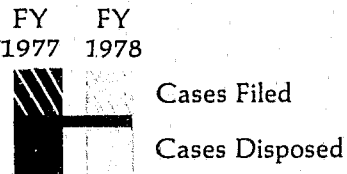
created by death or resignation are filled by gubernatorial appointment.

The superior court exercises exclusive constitutional jurisdiction in cases of divorce, criminal cases in which the sentence may be death or imprisonment in the penitentiary and in cases concerning title to land and equity.

The superior court is also empowered to correct errors of lower courts by writ of certiorari. It also holds exclusive

## Superior Court Caseload—Statewide Totals (Docket Entries)

### Key:



statutory jurisdiction in such matters as declaratory judgments, habeas corpus, mandamus, quo warranto and prohibition, and any other jurisdiction authorized by statute.

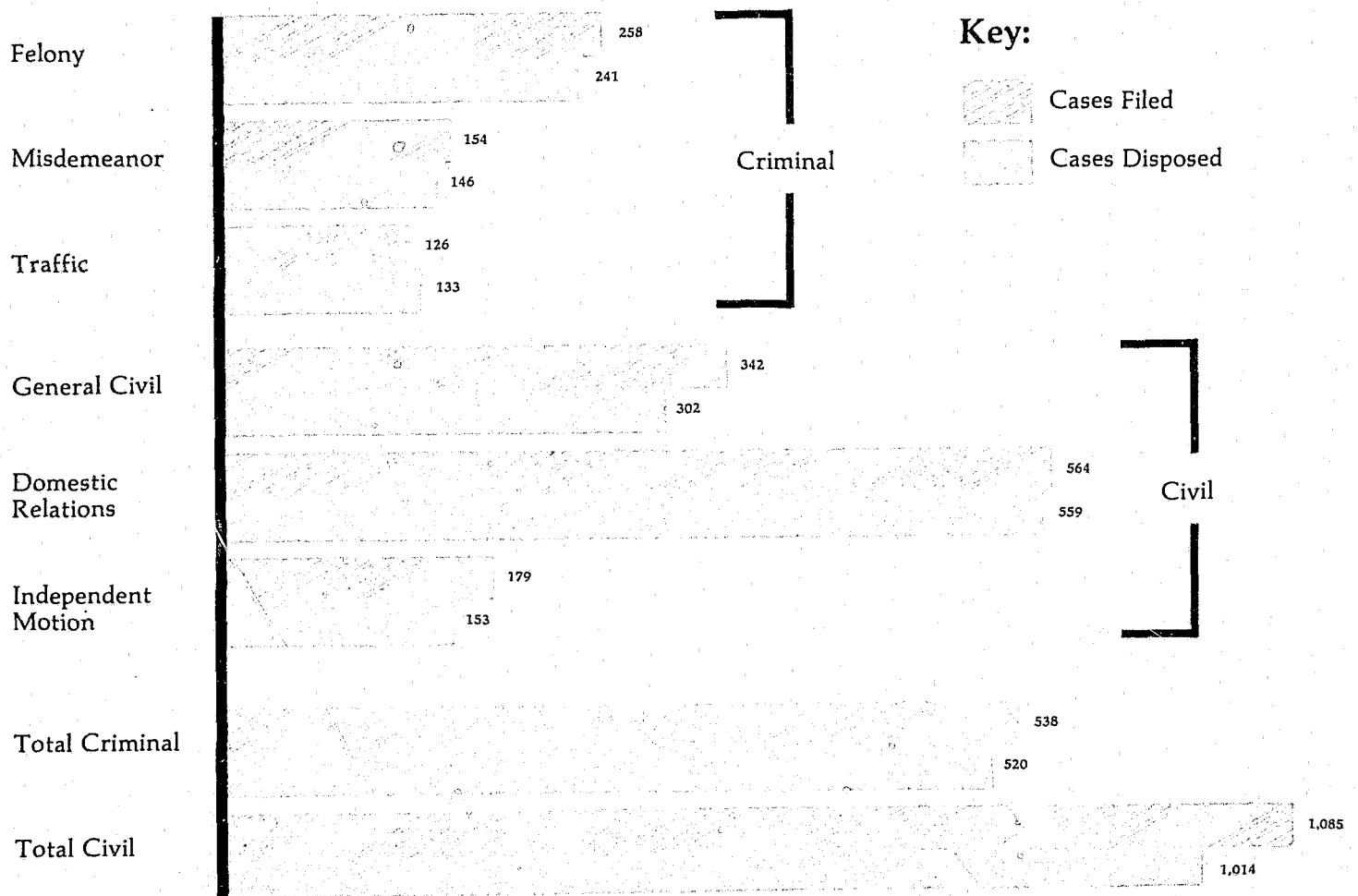
Six new superior court judgeships were created by the 1978 General Assembly upon the recommendation of the Judicial Council. New judgeships in the Alcovy, Cherokee and South

Georgia circuits were filled by appointment of the governor before the end of fiscal year 1978. The judgeships in the Cobb, Lookout Mountain and Ogeechee circuits were not filled at the end of the fiscal year. The creating legislation provided a November 1, 1978 effective date for the Lookout Mountain judgeship, and the Cobb judgeship was to be filled by election in Novem-

ber, with the term to begin January 1, 1979. The Ogeechee judgeship becomes effective upon the appointment of the judge. With the creation of these six superior court judgeships, additional judicial manpower has been provided for all twenty-three circuits recommended for judgeships by the Council since its first such recommendations in 1974.

## Average Caseload Per Superior Court Judge\*

(Docket Entries)  
Fiscal Year 1978\*\*



\*Based on 102 superior court judges.

\*\*Does not include the superior courts' juvenile caseload.



# Total Superior Court Caseload by Filing Type: 1978

(Docket Entries)

Circuit	Criminal							
	Felony		Misdemeanor		Traffic		Total Criminal	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Alapaha	462	358	1,443	1,312	1,267	1,288	3,172	2,958
Alcovy	526	406	530	507	123	122	1,179	1,035
Atlanta	4,501	4,712	31	42	0	0	4,532	4,754
Atlantic	449	482	52	66	13	11	514	559
Augusta	742	705	500	414	6	4	1,248	1,123
Blue Ridge	457	392	646	565	1,137	1,042	2,240	1,999
Brunswick	339	268	268	244	2	1	609	513
Chattahoochee	1,100	901	395	339	355	294	1,850	1,534
Cherokee	767	588	958	841	4,638	5,884	6,363	7,313
Clayton	631	702	68	105	9	6	708	813
Cobb	1,701	1,503	9	9	0	0	1,710	1,512
Conasauga	469	469	489	560	182	303	1,140	1,332
Cordele	245	208	689	558	33	31	967	797
Coweta	405	411	172	153	200	194	777	758
Dougherty	413	373	0	0	0	0	413	373
Dublin	227	178	1	1	0	0	228	179
Eastern	1,338	1,338	258	270	66	33	1,662	1,641
Flint	228	186	189	193	27	20	444	399
Griffin	379	351	456	414	282	234	1,117	999
Gwinnett	328	367	1	2	1	0	330	369
Houston	228	237	1	0	0	0	229	237
Lookout Mountain	683	582	1,138	1,233	298	182	2,119	1,997
Macon	891	1,037	287	319	17	14	1,195	1,370
Middle	310	339	3	5	1	0	314	344
Mountain	158	115	174	162	66	55	398	332
Northeastern	465	463	315	355	419	515	1,199	1,333
Northern	265	213	302	215	73	91	640	519
Ocmulgee	610	510	756	685	177	150	1,543	1,345
Oconee	361	307	456	449	299	366	1,116	1,122
Ogeechee	246	219	38	32	5	2	289	253
Pataula	283	235	381	293	24	21	688	549
Piedmont	179	202	202	187	378	340	759	729
Rome	379	250	1,618	1,593	93	114	2,090	1,957
South Georgia	597	460	268	200	9	5	874	665
Southern	801	748	338	291	4	0	1,143	1,039
Southwestern	172	166	55	59	11	10	238	235
Stone Mountain	1,979	1,906	102	109	13	11	2,094	2,026
Tallapoosa	560	489	889	1,055	548	582	1,997	2,126
Tifton	299	228	152	118	21	17	472	363
Toombs	276	237	749	622	1,596	1,181	2,621	2,040
Waycross	447	441	340	356	412	424	1,199	1,221
Western	397	318	11	5	2	1	410	324

Civil									
General Civil		Domestic Relations		Independent Motions		Total Civil		Total Caseload	
Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
460	361	447	380	161	129	1,068	870	4,240	3,828
565	424	586	525	268	237	1,419	1,186	2,598	2,221
4,088	3,862	5,487	6,454	1,129	1,851	10,704	12,167	15,236	16,921
780	789	879	947	207	194	1,866	1,930	2,380	2,489
1,076	760	3,181	2,621	575	545	4,832	3,926	6,080	5,049
434	390	1,045	917	173	166	1,652	1,473	3,892	3,472
735	553	1,473	1,398	338	250	2,546	2,201	3,155	2,714
1,079	695	2,996	2,318	655	389	4,730	3,402	6,580	4,936
864	689	833	688	596	433	2,293	1,810	8,656	9,123
678	649	2,397	2,014	236	273	3,311	2,936	4,019	3,749
1,187	805	3,931	3,752	446	307	5,564	4,864	7,274	6,376
1,047	1,077	1,462	1,685	565	621	3,074	3,383	4,214	4,715
407	426	451	481	189	158	1,047	1,065	2,014	1,862
982	781	1,485	1,315	666	406	3,133	2,502	3,910	3,260
402	322	1,184	1,215	337	241	1,923	1,778	2,336	2,151
484	373	422	340	236	149	1,142	862	1,370	1,041
820	637	2,400	2,313	689	458	3,909	3,408	5,571	5,049
847	582	601	504	288	239	1,736	1,325	2,180	1,724
600	459	918	740	362	239	1,880	1,438	2,997	2,437
453	462	1,595	1,658	513	592	2,561	2,712	2,891	3,081
301	331	865	745	280	256	1,446	1,332	1,675	1,569
861	837	1,397	1,364	457	387	2,715	2,588	4,834	4,585
845	817	1,977	2,319	602	510	3,424	3,646	4,619	5,016
540	401	943	771	323	202	1,806	1,374	2,120	1,718
526	640	694	774	280	351	1,500	1,765	1,898	2,097
735	809	994	1,118	459	537	2,188	2,464	3,387	3,797
682	883	593	656	365	411	1,640	1,950	2,280	2,469
889	750	726	650	542	340	2,157	1,740	3,700	3,085
660	595	456	371	341	150	1,457	1,116	2,573	2,238
716	587	650	591	209	130	1,575	1,308	1,864	1,561
408	317	247	199	181	95	836	611	1,524	1,160
435	351	364	291	294	151	1,093	793	1,852	1,522
901	748	838	701	837	479	2,576	1,928	4,666	3,885
500	464	557	658	261	194	1,318	1,316	2,192	1,981
835	752	2,402	2,265	545	377	3,782	3,394	4,925	4,433
515	483	458	472	236	193	1,209	1,148	1,447	1,383
2,623	2,718	5,474	7,239	1,552	1,518	9,649	11,475	11,743	13,501
1,777	1,229	1,199	807	676	375	3,652	2,411	5,649	4,537
511	468	602	483	352	187	1,465	1,138	1,937	1,501
333	282	447	357	180	142	960	781	3,581	2,821
787	619	1,196	1,122	379	386	2,362	2,127	3,561	3,348
512	653	721	729	264	384	1,497	1,766	1,907	2,090

# State Courts

During fiscal year 1978, the business of Georgia's state courts was handled by seventy-six state court judges operating in courts in sixty-one counties. Forty-nine of these positions are part-time judgeships. In addition there are three county courts with partial state court jurisdiction. An additional judgeship was created by the 1978 General Assembly for the State Court of Cobb County, bringing to four the number of judges of this court. This judgeship became effective July 1, 1978.

The state courts exercise jurisdiction within the counties in which they are located concurrent with the superior courts of such counties, except for jurisdiction in those matters vested exclusively in the superior courts and other limitations. State court judges are empowered to hear and dispose of all civil cases or proceedings of whatever nature, whether these arise ex contractu or ex delicto except in ex delicto action where the original act creating the court or any amend-

ment limits certain jurisdiction under the common law or by statute. The state courts have criminal jurisdiction over all misdemeanor cases but not felony cases. The defendant in criminal proceedings in state court does not have the right to indictment by the grand jury of the county. State court judges in Appling, Carroll, Coweta, Houston, Jackson and Polk counties also exercise juvenile court jurisdiction.

## State Court Caseload by Filing Type: FY 1978

(Docket Entries)

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total Cases	
	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed
Appling	172	156	925	1,005	22	22	4	2	1,123	1,185
Baldwin*	1,550	1,550	1,545	1,545	2	0	0	0	3,097	3,095
Bibb	3,048	3,031	2,469	2,445	483	461	91	56	6,091	5,993
Bryan	168	168	2,881	2,881	36	48	14	12	3,099	3,109
Bulloch	463	382	3,134	2,906	200	123	42	9	3,839	3,420
Burke	324	324	2,533	2,533	9	6	9	4	2,875	2,867
Candler	87	72	1,236	1,094	14	11	3	1	1,340	1,178
Carroll	919	846	2,586	2,586	576	460	216	37	4,297	3,929
Chatham	1,822	2,136	1,190	1,672	1,754	1,215	1,684	730	6,450	5,753
Cherokee	1,148	1,069	2,679	2,482	477	291	94	31	4,398	3,873
Clarke	392	410	112	92	155	180	137	105	796	787
Clayton	2,700	3,376	8,322	8,174	3,711	2,747	959	523	15,692	14,820
Clinch	256	256	644	644	6	6	2	1	908	907
Cobb	3,129	3,202	15,323	13,621	8,628	7,902	1,102	1,256	28,182	25,981
Coffee	790	398	1,936	1,570	46	46	21	10	2,793	2,024
Colquitt	727	698	1,804	1,865	41	42	26	6	2,598	2,611
Coweta	1,504	1,400	2,888	2,811	426	318	124	22	4,942	4,551
Decatur	961	1,002	1,827	1,887	18	16	17	10	2,823	2,915
DeKalb**	7,749	6,835	6,387	5,533	14,594	14,051	11,809	10,948	40,539	37,367
Dougherty	3,687	3,633	2,502	2,445	1,333	1,316	2,144	1,593	9,666	8,987
Early	575	450	471	311	22	22	4	3	1,072	786
Echols*	59	57	267	267	0	0	0	0	326	324

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total Cases	
	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed
Effingham	29	18	2,092	1,928	71	26	14	6	2,206	1,978
Elbert	305	270	632	753	17	20	12	10	966	1,053
Emanuel	904	782	1,902	1,771	38	32	26	9	2,870	2,594
Evans	16	21	582	638	57	29	16	6	671	694
Forsyth	728	665	1,751	1,570	247	221	70	42	2,796	2,498
Fulton	7,685	7,198	15,385	13,428	47,937	49,389	37,462	37,388	108,469	107,403
Glynn	2,020	1,654	5,549	5,361	1,434	1,184	1,442	1,335	10,445	9,534
Grady	322	327	1,115	1,083	16	10	8	7	1,461	1,427
Gwinnett	2,277	2,219	979	695	2,355	1,898	799	226	6,410	5,038
Habersham	651	630	914	964	76	64	37	33	1,678	1,691
Hall	1,602	1,890	4,101	4,663	530	537	201	174	6,434	7,264
Houston	2,431	2,308	4,938	5,144	642	464	305	233	8,316	8,149
Jackson	326	249	2,937	2,575	106	93	66	29	3,435	2,946
Jefferson	337	331	1,857	1,831	40	51	9	8	2,243	2,221
Jenkins	96	40	527	483	14	19	2	1	639	543
Johnson	36	7	419	384	13	11	2	3	470	405
Laurens	574	476	4,978	4,939	175	131	94	46	5,821	5,592
Liberty	583	570	4,521	4,505	47	15	7	2	5,158	5,092
Long	6	18	1,471	1,502	14	6	0	0	1,491	1,526
Lowndes	1,814	1,870	8,551	7,936	105	86	25	11	10,495	9,903
Macon	136	142	493	506	41	52	20	13	690	713
Miller	95	79	588	557	4	4	2	1	689	641
Mitchell	388	361	1,295	1,289	9	7	5	3	1,697	1,660
Muscogee	2,219	1,749	2,740	2,592	259	181	8	0	5,226	4,522
Pierce	310	273	686	650	40	34	3	5	1,039	962
Polk	188	175	433	421	184	175	52	12	857	783
Putnam*	250	250	644	643	0	0	0	0	894	893
Richmond	6,232	4,210	8,314	6,528	134	92	28	60	14,708	10,890
Screven	190	128	2,543	2,494	33	19	0	0	2,766	2,641
Spalding	858	862	2,429	2,434	37	27	9	4	3,333	3,327
Stephens	353	186	933	767	96	55	26	9	1,408	1,017
Sumter	828	772	1,553	1,502	122	105	28	13	2,531	2,392
Tattnall	260	235	1,968	1,930	24	25	2	2	2,254	2,192
Thomas	728	694	2,381	2,362	32	10	14	5	3,155	3,071
Tift	1,420	1,255	4,570	4,476	179	156	6	4	6,175	5,891
Toombs	464	360	1,305	1,134	21	10	10	3	1,800	1,507
Treutlen	68	79	1,561	1,339	7	4	3	0	1,639	1,422
Troup	936	931	1,628	1,595	110	61	38	14	2,712	2,601
Walker	462	478	2,354	2,404	54	100	31	25	2,901	3,007
Ware	776	783	2,041	2,198	238	185	51	41	3,106	3,207
Washington	572	541	618	609	7	3	1	0	1,198	1,153
Wayne	249	236	1,549	1,531	59	28	11	7	1,868	1,802
Worth	448	227	1,733	1,615	25	19	44	5	2,250	1,866





\*County courts.

\*\*Estimated dispositions for general civil cases and independent motions were based on the average statewide ratio of dispositions to filings for these categories.

# State Court Caseload—Statewide Totals (Docket Entries)

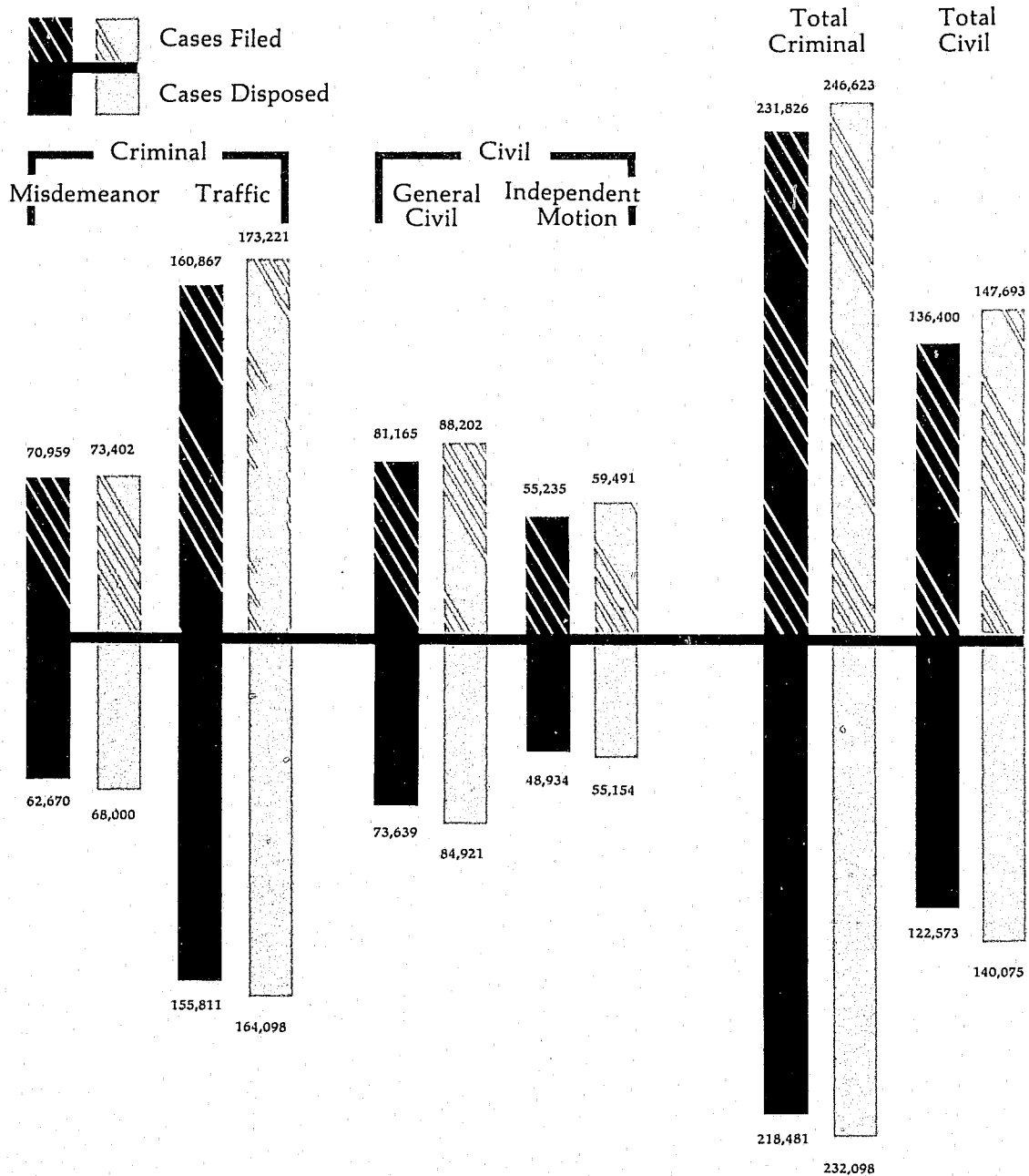
## Key:

FY 1977    FY 1978

  Cases Filed  
  Cases Disposed

**Criminal**  
Misdemeanor    Traffic

**Civil**  
General Civil    Independent Motion



# Juvenile Courts

There were eight full-time and thirty-four part-time juvenile court judges exercising jurisdiction in juvenile matters in fifty separate juvenile courts during fiscal year 1978. In addition, thirty-six superior court judges, six state court judges and nineteen referees also heard juvenile cases.

In counties with populations of 50,000 or more, separate juvenile courts may be created to hear all juvenile matters. In counties with less than 50,000 population, superior court judges have juris-

diction over juvenile matters unless two successive grand juries recommend that a juvenile court be established. Juvenile court judges are appointed for six-year terms by the superior court judges of their respective circuits.

The juvenile court exercises exclusive original jurisdiction over juvenile matters, according to Georgia law. The court may initiate proceedings concerning any child alleged to be delinquent, deprived or mentally ill or retarded. Jurisdiction in custody

cases and to appoint guardians is also vested in the juvenile court. In the case of a criminal offense committed by a child under the age of seventeen, the juvenile court has concurrent jurisdiction with the superior court. Appeals from the juvenile courts in all cases of final judgment are to the Court of Appeals or the Supreme Court.

A separate report on the activities of the Council of Juvenile Court Judges during fiscal year 1978 begins on page 68.

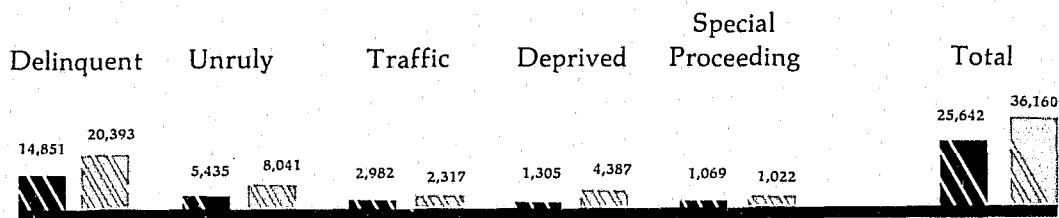
## Juvenile Court Caseload—Statewide Totals

### Key:

FY FY  
1977 1978



Cases Filed



# Juvenile Court Caseload by Filing Type: FY 1978

Circuit	Delinquent		Unruly		Traffic		Deprived		Special Proceeding		Total	
	Number Children	Children Disposed	Number Children	Children Disposed	Number Children	Children Disposed	Number Children	Children Disposed	Number Children	Children Disposed	Number Children	Children Disposed
Alapaha	150	143	6	6	0	0	0	0	0	0	156	149
Alcovy	268	261	121	123	57	53	115	106	8	8	569	551
Atlanta	3,968	3,407	1,019	855	292	254	540	494	34	28	5,853	5,038
Atlantic	153	139	39	41	3	2	9	9	7	7	211	198
Augusta	535	526	218	220	5	5	182	179	13	13	953	943
Blue Ridge	251	241	183	141	50	51	141	138	1	0	626	571
Brunswick	640	599	483	473	188	153	131	121	67	65	1,509	1,411
Chattahoochee	1,131	1,203	605	620	162	171	191	193	144	153	2,233	2,340
Cherokee	470	452	249	247	141	134	198	182	6	5	1,064	1,020
Clayton	958	896	565	552	133	120	434	474	10	10	2,100	2,052
Cobb	1,170	1,296	551	572	118	135	189	201	71	64	2,099	2,268
Conasauga	362	351	161	146	5	5	120	106	1	1	649	609
Cordele	172	155	39	34	2	2	23	26	5	5	241	222
Coweta	410	369	76	70	37	35	230	214	3	2	756	690
Dougherty	480	480	36	36	35	35	3	3	80	80	634	634
Dublin	149	129	38	32	9	9	71	55	2	3	269	228
Eastern	1,206	1,174	235	217	156	152	99	82	59	56	1,755	1,681
Flint	124	107	15	11	4	3	54	28	1	1	198	150
Griffin	180	169	59	54	2	1	134	125	2	2	377	351
Gwinnett	595	534	265	245	86	78	75	82	0	0	1,021	939
Houston	125	119	6	5	0	0	26	19	0	0	157	143
Lookout Mountain	284	244	77	73	43	45	46	48	24	23	474	433
Macon	483	421	102	99	10	10	124	107	127	128	846	765
Middle	178	158	22	17	0	0	72	63	1	1	273	239
Mountain	145	148	43	42	27	29	20	22	0	0	235	241
Northeastern	397	403	189	155	26	25	47	49	1	1	660	633
Northern	96	79	18	18	5	3	21	21	4	11	144	132
Ocmulgee	95	86	40	27	5	5	46	38	11	11	197	167
Oconee	154	141	62	53	6	5	29	19	20	14	271	232
Ogeechee	158	145	22	24	3	3	21	18	1	1	205	191
Pataula	107	100	3	3	0	0	10	10	0	0	120	113
Piedmont	118	116	44	51	5	4	31	26	7	10	205	207
Rome	347	340	256	254	33	30	188	189	1	1	825	814
South Georgia	118	83	9	6	1	1	11	11	6	1	145	104
Southern	254	235	68	64	16	14	37	33	93	99	468	445
Southwestern	199	161	76	70	3	3	21	10	20	20	319	264
Stone Mountain	2,852	2,801	1,427	1,465	414	387	454	430	146	148	5,293	5,231
Tallapoosa	117	82	53	35	3	3	50	27	7	4	230	151
Tifton	156	140	11	9	4	4	5	2	10	5	186	160
Toombs	66	64	394	395	0	0	16	13	2	3	478	475
Waycross*	300	280	122	116	12	11	145	137	18	18	597	562
Western	272	268	34	31	216	201	28	30	9	8	559	538

\*Number of children disposed for one county (Ware) in this circuit was based on the statewide average ratio of children disposed to children filed.

# Probate Courts

There is a probate court for each of Georgia's 159 counties. Until 1974 the probate court, one of the state's oldest courts, was known as the court of ordinary.

Matters that fall within the jurisdiction of the probate courts

are probating wills; granting letters of administration in interstate estates; supervising the administrators and executors of estates; granting letters of guardianship relating to insane persons; and lunacy proceedings.

Probate judges are also given jurisdiction to try some traffic cases and game and fish violations. Probate judges also hear habeas corpus cases except capital felonies when the prisoner is being held for extradition.

## Probate Court Caseload—Statewide Totals\* (Docket Entries)

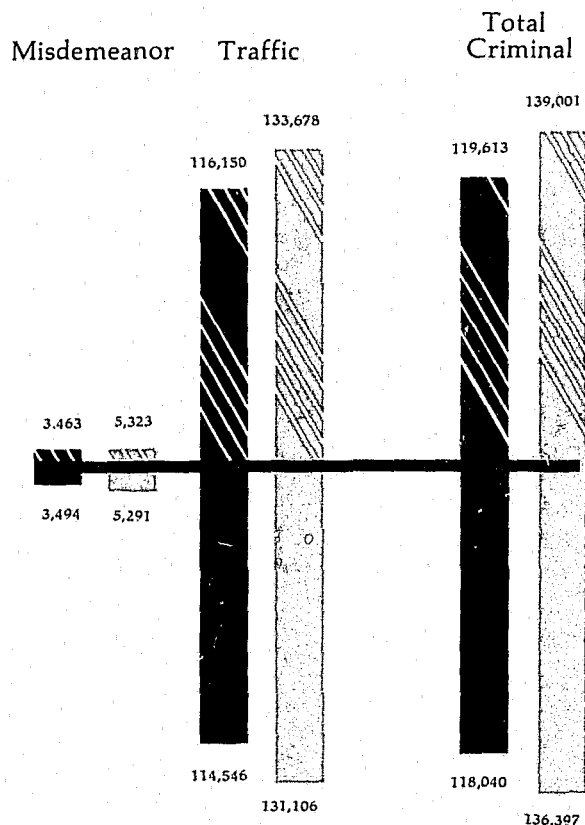
### Key:

FY FY  
1977 1978



Cases Filed

Cases Disposed



\*This data on traffic and misdemeanor cases represents the criminal caseload of the probate courts, which is only a portion of the total judicial workload of the probate courts.



# Probate Court Criminal Caseload by Filing Type: FY 1978\*

(Docket Entries)

County	Misdemeanor		Traffic		Total Cases	
	Filings	Disposed	Filings	Disposed	Filings	Disposed
Bacon	7	7	386	409	393	416
Baker	20	20	131	131	151	151
Banks	7	9	646	689	653	698
Barrow	0	0	585	583	585	583
Ben Hill	32	32	625	624	657	656
Berrien	39	39	962	962	1,001	1,001
Bleckley	60	60	1,221	1,221	1,281	1,281
Brantley	24	24	671	671	695	695
Brooks	91	93	1,524	1,532	1,615	1,625
Butts	173	171	3,153	3,093	3,326	3,264
Calhoun	100	100	421	421	521	521
Camden	35	35	4,201	4,325	4,236	4,360
Catoosa	0	0	3,836	3,836	3,836	3,836
Charlton	0	0	1,028	1,035	1,028	1,035
Chattahoochee	28	28	603	603	631	631
Chattooga	30	39	3,110	3,070	3,140	3,109
Clay	185	183	269	267	454	450
Columbia	99	99	3,184	3,184	3,283	3,283
Cook	156	162	1,972	2,030	2,128	2,192
Crawford	81	81	1,107	1,107	1,188	1,188
Crisp	12	0	4,111	2,897	4,123	2,897
Dade	34	34	1,734	1,633	1,768	1,667
Dawson	43	44	354	362	397	406
Dodge	125	125	649	649	774	774
Dooly	0	0	3,241	3,203	3,241	3,203
Douglas	2	2	3,472	3,148	3,474	3,150
Fannin	94	71	527	522	621	593
Fayette	17	20	908	1,035	925	1,055
Floyd	147	119	4,130	3,934	4,277	4,053
Franklin	71	75	3,011	3,041	3,082	3,116
Gilmer	21	21	337	337	358	358
Glascock	14	14	161	151	175	165
Gordon	63	61	3,768	3,875	3,831	3,936
Greene	0	0	1,529	1,508	1,529	1,508
Hancock	24	24	190	190	214	214
Haralson	39	33	1,203	1,085	1,242	1,118
Harris	119	119	2,637	2,637	2,756	2,756
Hart	71	78	1,010	1,122	1,081	1,200
Heard	29	30	278	350	307	380
Henry	49	50	5,882	6,143	5,931	6,193
Irwin	4	4	839	839	843	843
Jasper	21	21	761	761	782	782
Jeff Davis	126	126	537	537	663	663
Jones	21	21	1,219	1,219	1,240	1,240
Lamar	15	10	1,260	1,231	1,275	1,241

\*This chart presents the criminal caseload of those probate courts exercising concurrent jurisdiction with the superior courts.

County	Misdemeanor		Traffic		Total Cases	
	Filings	Disposed	Filings	Disposed	Filings	Disposed
Lanier	114	114	322	322	436	436
Lee	41	41	855	855	896	896
Lincoln	155	153	267	281	422	434
Lumpkin	33	32	320	299	353	331
Madison	49	49	666	671	715	720
Marion	6	6	647	647	653	653
McDuffie	135	135	3,039	3,039	3,174	3,174
McIntosh	0	0	2,011	2,011	2,011	2,011
Meriwether	86	92	2,797	2,493	2,883	2,585
Monroe	148	170	4,727	4,687	4,875	4,857
Montgomery	62	62	461	461	523	523
Morgan	36	36	2,384	2,384	2,420	2,420
Murray	145	132	1,733	1,717	1,878	1,849
Newton	207	207	2,187	2,187	2,394	2,394
Oconee	51	46	776	699	827	745
Oglethorpe	30	29	549	510	579	539
Paulding	27	21	1,258	1,220	1,285	1,241
Peach	40	40	1,930	1,930	1,970	1,970
Pickens	0	0	415	399	415	399
Pike	15	15	1,403	1,403	1,418	1,418
Pulaski	4	4	698	698	702	702
Quitman	52	52	435	435	487	487
Rabun	73	76	403	403	476	479
Randolph	50	50	997	997	1,047	1,047
Rockdale	150	168	3,307	3,263	3,457	3,431
Schley	8	8	142	142	150	150
Seminole	241	241	1,535	1,535	1,776	1,776
Stewart	54	50	662	553	716	603
Talbot	63	63	1,451	1,451	1,514	1,514
Taliaferro	22	22	1,002	1,049	1,024	1,071
Taylor	0	0	711	617	711	617
Telfair	73	73	891	891	964	964
Terrell	64	64	693	693	757	757
Towns	32	32	393	374	425	406
Turner	400	400	3,281	3,281	3,681	3,681
Twiggs	36	36	1,340	1,339	1,376	1,375
Union	63	63	319	319	382	382
Upson	71	71	2,994	2,748	3,065	2,819
Walton	50	49	1,616	1,593	1,666	1,642
Warren	1	1	408	405	409	406
Webster	5	5	188	188	193	193
Wheeler	0	0	685	684	685	684
White	4	4	579	580	583	584
Whitfield	37	35	4,347	4,147	4,384	4,182
Wilcox	21	20	1,303	1,129	1,324	1,149
Wilkes	30	29	760	767	790	796
Wilkinson	11	11	408	408	419	419

## Other Courts

In addition to Georgia's principal courts of record, there are also various courts of limited jurisdiction. According to the records and estimates available to the Administrative Office of the Courts at the end of the fiscal year, there are about 2,100 courts of limited jurisdiction operating in Georgia.

This estimate includes the 1,628 justice of the peace positions and more than four hundred other courts—such as small claims, mayors, police, recorders and traffic courts. This figure also includes special civil courts with partial state court jurisdiction.

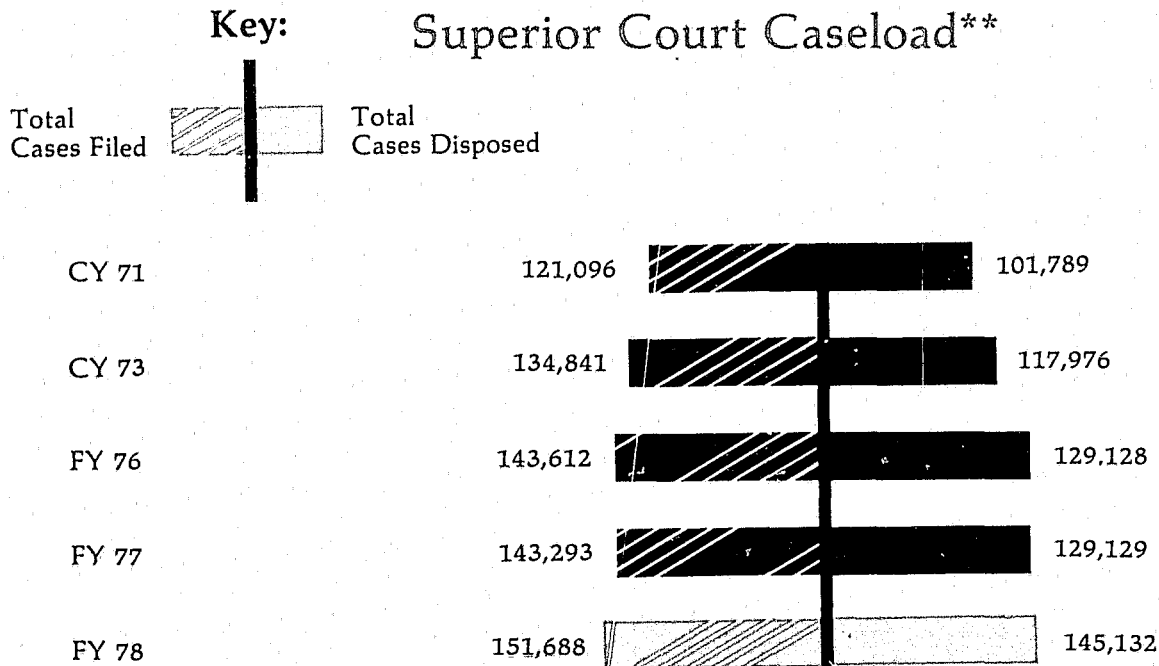
These special courts are in localities in which the work of a city court has increased to the extent that the court was converted to a civil court. Courts with partial state court jurisdiction include the Civil Court of Richmond County, the Civil Court of Bibb County and the Baldwin, Echols\* and Putnam county courts.

Eight additional small claims courts, a magistrate's court and a recorder's court were created by the 1978 General Assembly (see Appendix Eight for summaries of House Bills 1705, 1722, 1753, 1825, 1862, 2004, 2041 and

Senate Bill 385). The legislature also eliminated the Small Claims Court of Schley County by repealing the creating act (see House Bill 1438, Appendix Eight). The General Assembly replaced a mayor's court with a recorder's court in the city of Byron (see House Bill 2048, Appendix Eight). Provision was also made for abolishment of the Municipal Court of Savannah, with the matter to be put to the vote of the citizens of Chatham County in a referendum (see House Bill 2071, Appendix Eight).

\*Act 187 of the 1976 General Assembly provided for a constitutional amendment, which has been ratified, by which the probate judge of Echols County will also be designated the judge of the County Court of Echols County, effective January 1, 1979.

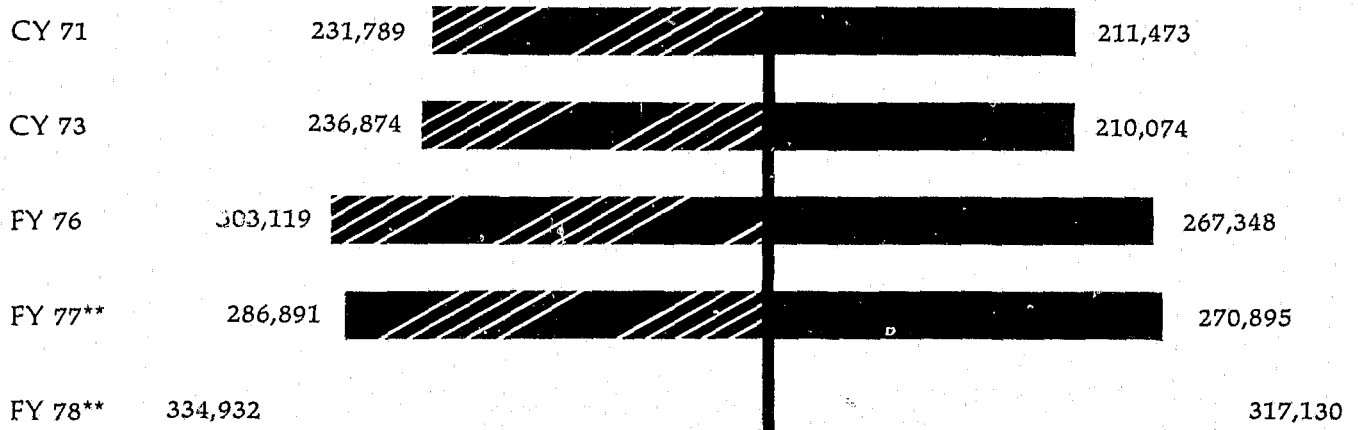
## Statewide Caseload Comparisons\*



\*These years were selected for comparison because these are the only years for which the AOC has complete statewide caseload data.

\*\*Statewide total filings and dispositions do not include data for independent motions, which were first counted in fiscal year 1977. For purposes of comparison, criminal filings and dispositions are in terms of defendants. Due to unavailability of some data, estimates for some dispositions were made.

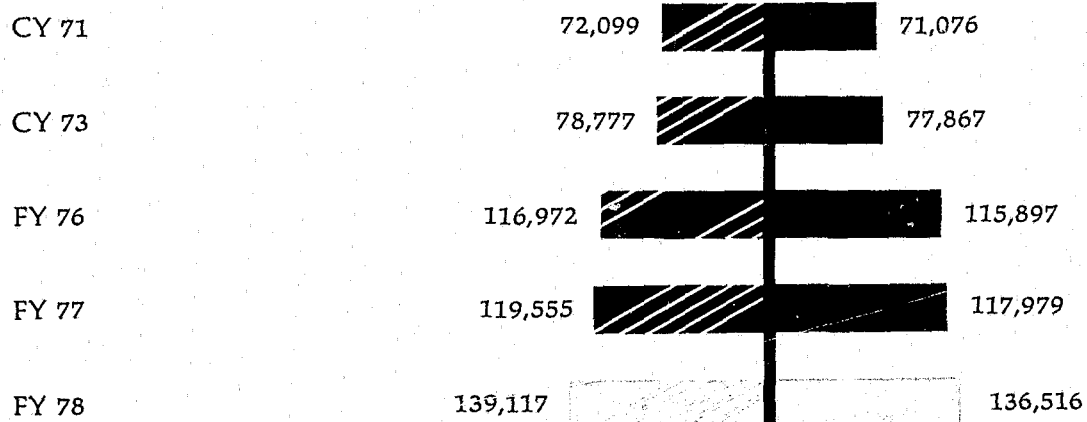
## State Court Caseload\*



\*Criminal defendants.

\*\*Excludes independent motion category.

## Probate Court Caseload\*



\*Criminal defendants.





*The authority for determining retention and destruction schedules for court records became a responsibility of the judicial branch by an act of the 1978 Georgia General Assembly.*

## Agencies of the Judicial Council

The Judicial Council of Georgia/Administrative Office of the Courts works with and provides various support services to several agencies of the Council which have specialized responsibilities and functions. These agencies have functions which fall within the general responsibility of the Judicial Council/AOC and provide a concentration of programs and services in special areas.

The Board of Court Reporting of the Judicial Council is responsible for regulating the practice of court reporting and for related duties.

The Institute of Continuing Judicial Education of Georgia, now an administrative arm of the Supreme Court of Georgia, was created initially by the Judicial Council as the Judicial College of Georgia. The Council charged this agency with the responsibility for training programs for judges and

other court personnel, a responsibility which has been reaffirmed by Supreme Court order. However, at the present, the Administrative Office of the Courts also has responsibility for training programs for certain groups of court system personnel.

The Judicial Planning Committee, which is appointed by the Judicial Council, is responsible for planning for the entire court system and in particular for the use of available federal funds to improve the courts.

The fiscal year 1978 activities of these agencies of the Judicial Council are reviewed below. The activities of other judicial agencies, to which the Judicial Council/AOC provides various support, are reviewed in the following section.

## Board of Court Reporting

During fiscal year 1978, the Board of Court Reporting of the Judicial Council continued to discharge its statutory responsibilities of certifying court reporters by examination, setting license fees and making rules and regulations to improve the profession of court reporting in Georgia.

The Board certified ninety-six court reporters during the year, bringing the total number of certified court reporters in the state to 427. Certification examinations were conducted by the Board in the fall and spring. At the end of the fiscal year, there were 150 court reporters listed with the Board as official court reporters—those employed by courts of record. The Board suspended the certificates of twenty-three court reporters for

### Board of Court Reporting

**William M. DeLoach**, *chairman*  
Savannah Court Reporter

**Frank W. Seiler, Esq.**, *vice chairman*  
Savannah Attorney

**Judge Hal Bell**  
Senior Superior Court Judge  
Macon

**Paul C. Blanchard**  
Augusta Court Reporter

**Harry Dicus, Esq.**  
Columbus Attorney

**Stuart S. Huseby**  
Atlanta Court Reporter

**Joe D. Randles**  
Rossville Court Reporter

**Robert L. Doss, Jr.**, *Secretary*  
Director  
Administrative Office of the  
Courts

**Leslie Johnson**, *Clerk*  
Atlanta

failure to renew them at the proper time.

The General Assembly created the Board of Court Reporting under the Judicial Council by the Court Reporting Act of 1974. Activities during fiscal year 1978 centered around the Board's goal of improving the practice of court reporting in Georgia. An employer-employee referral service was implemented in October 1977 to ease the difficulties judges have had finding qualified court reporters and to assist reporters looking for jobs. Forty-five reporters were listed with the service as of June 30, 1978. Inquiries from twenty judges or agencies needing reporters have been received by the service, and five court reporters have found positions through it. Also, in fiscal year 1978 a special edition of a Directory of Certified Court Reporters was printed by the AOC for the first time. This was provided as a service to the judges, supplying them with the names, addresses and telephone numbers of certified reporters in their areas.

Identification cards for certified court reporters were developed during the fiscal year. These cards will identify court reporters as certified and the type of reporting method used by the reporter.

New rules and regulations of the Board of Court Reporting were adopted by the Judicial Council on May 30, to become effective on July 1, 1978. The rule changes include a requirement that all applicants for certification first pass a minimum proficiency examination, thus eliminating the higher word-per-minute dictated exam from the initial certification process. The rules also reflect a renewal fee for judicial temporary permits at a yearly rate identical to that of certified reporters. The new rules also provide for a delinquent fee for late payments of renewal fees.

## Georgia Certified Court Reporters Association

**Paul C. Blanchard**, *chairman*  
Augusta

**Roberta Newberry**, *vice chairman*  
Atlanta

**Don Brady**, *treasurer (11/77-3/78)*  
Canton

**Frances B. Roquemore**, *treasurer*  
(3/78-11/78)  
Forsyth

**Elaine S. Farr**, *member-at-large*  
Griffin

**Jewaldine Johnston**, *member-at-large*  
Macon

**Linda F. Barton**, *member-at-large*  
Adel

A new schedule of those fees which may be charged by official court reporters for their work was also adopted and approved to become effective July 1, 1978. This schedule raised transcript and copy rates 10 per cent to cover the rising cost of supplies.

The AOC developed a comprehensive *Handbook for Georgia Certified Court Reporters* which contains all the rules and regulations of the Board as well as case law and Georgia Code citations that affect court reporting in Georgia. The handbook was prepared in loose-leaf format to permit easy updating and revision.

The Board conducted two surveys during the year. One provided an overview of the method of base compensation for official reporters and duties required as part of the base and measured other factors that would indicate existing disparities in court reporting compensation in the courts of record throughout the state. This study was done as part of an effort by the Board to standardize compensation statewide.

The second study measured the effectiveness of the court reporting certification process.

The results showed that of the 191 individuals certified through testing since the creation of the Court Reporting Board in 1974, 36, or about 20 per cent, were official court reporters, while the remainder were working as freelance reporters. The primary reason for the low percentage of official reporters meeting minimum testing criteria was twofold: (1) The temporary permit authority allowed judges under the Act does not require official reporters to meet minimum proficiency within a specific time-frame; and (2) about two-thirds of the official court reporters were grandfathered into their current positions. The grandfather clause allowed a court reporter to be certified by submitting an affidavit under oath stating that he or she had been actively and continuously engaged as a court reporter for one year preceding the passage of the Act.

A form book was compiled for the first time last March as a guide to the various forms that are commonly used by court reporters, such as a jury charge form or a resumption of witness form.



# Institute of Continuing Judicial Education

The Institute of Continuing Judicial Education of Georgia, originally created by the Judicial Council as the Judicial College of Georgia, changed its name and employed a director during fiscal year 1978, as it continued work on developing a comprehensive program of educational opportunities for judicial system personnel.

The Institute, which was created in the spring of 1977, was established as an administrative arm of the Supreme Court of Georgia in June 1978 by order of the Court. This order was granted in response to a petition to this effect filed by the Judicial Council.

About a year after the initial creation of the Institute, it had established an office at the University of Georgia School of Law

in Athens. At this time, the Board of Trustees employed an executive director for the organization and voted to change the name from Judicial College to the Institute of Continuing Judicial Education of Georgia. The new name was expected to present a clearer image of the role of the organization than the designation "college."

The Judicial Council had initially charged the Institute with the responsibility for coordinating all training functions for judges and other court-related personnel. However, late in fiscal year 1978, the trustees voted to return to the Administrative Office of the Courts the responsibility for coordinating training programs for certain non-judicial groups and to provide the necessary funds for these programs.

Because the AOC had already begun planning for and coordinating educational programs through the end of fiscal year 1978, the actual administration of these seminars was handled by the AOC.

Funds were made available to the Institute from the budget of the Judicial Council/AOC during fiscal year 1978.

The bylaws of the Institute were amended during the year to add to the Board of Trustees the following: the chairman of the Judicial Council, the immediate past chairman of the Judicial Council, the director of the Administrative Office of the Courts and the deans of the law schools of Emory University, Mercer University and the University of Georgia.

## Board of Trustees, Institute of Continuing Judicial Education

**Judge G. Ernest Tidwell, chairman**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

**Dean J. Ralph Beaird, vice-chairman**  
University of Georgia Law School  
Athens

**A. G. Cleveland, Jr., Esq.**  
Atlanta Attorney

**Robert L. Doss, Jr.**  
Director  
Administrative Office of the  
Courts  
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**W. Stell Huie, Esq.**  
Atlanta Attorney

**Judge Willis B. Hunt, Jr.**  
Superior Court  
Houston Judicial Circuit  
Perry

**Dean Bruce R. Jacob**  
Mercer University School of Law  
Macon

**Judge John S. Langford, Jr.**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

**Justice Thomas O. Marshall**  
Supreme Court of Georgia  
Atlanta

**Chief Justice H. E. Nichols**  
Supreme Court of Georgia  
Atlanta

**Dean L. Ray Patterson**  
Emory University School of Law  
Atlanta

**Judge Marion T. Pope, Jr.**  
Superior Court  
Blue Ridge Judicial Circuit  
Canton

**Judge Floyd E. Propst**  
Probate Court of Fulton County  
Atlanta

**Judge Rex R. Ruff**  
Juvenile Court of Cobb County  
Marietta

**Judge H. Jack Short**  
State Court of Colquitt County  
Moultrie

# Judicial Planning Committee

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During fiscal year 1978, the Judicial Planning Committee (JPC), in its first full year of operation, took major strides in developing a comprehensive and orderly program for court improvement. One of the JPC's most significant accomplishments during the past fiscal year was the completion of the 1979 *Georgia Courts Plan*, the first such plan to be prepared entirely by the Judicial Planning Committee.

The Judicial Planning Committee was created in January 1977 by the Judicial Council under the authority of the Crime Control Act of 1976 which amended the Omnibus Crime Control and Safe Streets Act of 1968. The purpose of the JPC is to develop long-range goals for the judicial system and to plan for the use of available funds to improve the courts. The duties of the JPC include establishing priorities for court improvement and defining, developing and coordinating programs administered on the local and district levels. The JPC also reviews grant applications for funds provided by the Law Enforcement Assistance Administration and awarded through the State Crime Commission. The committee is also responsible for developing yearly plans for the use of court improvement funds, including planning for prosecution and defense programs.

The development of the 1979 Courts Plan was of particular significance because it represents the first time that the judicial branch of government in Georgia was involved in the complete process of developing a plan for the use of state and local funds, as well as federal dollars, for court improvement. In previous years, the State Crime Commission, an agency of the executive

branch, assumed responsibility for courts planning.

To achieve a broader base of involvement in the planning process than in previous years, the Judicial Planning Committee established task forces to make recommendations to the Plan Development Subcommittee of the JPC for the 1979 Plan. Task forces were appointed to consider problems relating to the areas of trial management, court administration, indigent defense, education, prosecution and juvenile justice. These task forces, which were comprised of existing judicial groups, ensured greater participation of court personnel than previously.

Task force groups which assisted in formulation of the plan included the Council of Administrative Judges, the Administrative Office of the Courts, district court administrators, the Board of Trustees of the Institute of Continuing Judicial Education, the Council of Juvenile Court Judges and the Prosecuting Attorneys' Council.

The 1979 Courts Plan includes LEAA funds for programs of court administration, judicial services, education and defense and prosecution services. Recommended funds for projects in these areas totaled \$1,300,080. The plan for using this money for improvements throughout the state's court system was approved by the State Crime Commission.

The creation of the Special Subcommittee on Indigent Defense during the past fiscal year represents a strong effort by the JPC to establish a unified indigent defense program throughout the state. The subcommittee is expected to recommend a statewide indigent defense bill for introduction

during the 1979 Session of the General Assembly.

Another major activity of the Judicial Planning Committee during fiscal year 1978 was the review of grant applications under the 1977 and 1978 Courts Plans for awards to be implemented during the 1979 fiscal year. The JPC reviewed applications totaling \$1,345,279 under the 1977 plan and recommended funding totaling \$1,339,244. Under the 1978 Plan, the Judicial Planning Committee reviewed grant applications totaling \$1,147,246 and recommended awards totaling \$931,796. The amounts recommended do not match the amounts applied for because some requests for funds were for projects or items not allowed under action program criteria.

During the past fiscal year, the JPC also recommended adjustments to the 1976, 1977 and 1978 plans which were approved by the State Crime Commission.

A conflict about which group was responsible for planning for the juvenile courts—the JPC or the Governor's Advisory Committee on Juvenile Justice and Delinquency Prevention—was temporarily resolved by the naming of a seven-member Juvenile Courts Advisory Group. Three juvenile court judges were appointed by the chairman of the JPC to this committee which is responsible for planning for all federally-funded juvenile courts programs in the state.

The twenty-four members of the Judicial Planning Committee are appointed by the Judicial Council. Represented are judges of the various major courts of record, a prosecutor, a lawyer, members of the State Bar of Georgia and a court administrator.

## Judicial Planning Committee

**Judge Marion T. Pope, Jr.,** *chairman*  
Superior Court  
Blue Ridge Judicial Circuit  
Canton

**Judge W. Marion Guess, Jr.,**  
*vice-chairman*  
Probate Court of DeKalb County  
Decatur

**Jack E. Thompson,** *secretary-treasurer*  
Superior Court Administrator  
Atlanta Judicial Circuit  
Atlanta

**Judge Billy Shaw Abney**  
Juvenile Court of Walker County  
LaFayette

**Judge Francis W. Allen**  
State Court of Bulloch County  
Statesboro

**Judge Frank S. Cheatham, Jr.**  
Superior Court  
Eastern Judicial Circuit  
Savannah

**Harold G. Clarke, Esq.**  
Immediate Past President  
State Bar of Georgia  
Forsyth

**Wilton D. Harrington, Esq.**  
President  
State Bar of Georgia  
Eastman

**Judge P. Harris Hines**  
State Court of Cobb County  
Marietta

**Judge Willis B. Hunt, Jr.**  
Superior Court  
Houston Judicial Circuit  
Perry

**Judge Harry Johnson, Jr.**  
Probate Court of Floyd County  
Rome

**Justice Robert H. Jordan**  
Supreme Court of Georgia  
Atlanta

**Judge Asa D. Kelley, Jr.**  
Superior Court  
Dougherty Judicial Circuit  
Albany

**Judge Reid Merritt**  
Superior Court  
Gwinnett Judicial Circuit  
Lawrenceville

**Judge C. Cloud Morgan**  
Superior Court  
Macon Judicial Circuit  
Macon

**Chief Justice H. E. Nichols**  
Supreme Court of Georgia  
Atlanta

**Judge James B. O'Connor**  
Superior Court  
Oconee Judicial Circuit  
Eastman

**Judge Paul W. Painter**  
Superior Court  
Lookout Mountain Judicial Circuit  
Rossville

**A. Sidney Parker, Esq.**  
Marietta Attorney

**Judge Romae T. Powell**  
Juvenile Court of Fulton County  
Atlanta

**F. Larry Salmon**  
District Attorney  
Rome Judicial Circuit  
Rome

**Judge Robert L. Vining, Jr.**  
Superior Court  
Conasauga Judicial Circuit  
Dalton

**Judge Julian Webb**  
Georgia Court of Appeals  
Atlanta

**Judge Charles L. Weltner**  
Superior Court  
Atlanta Judicial Circuit  
Atlanta

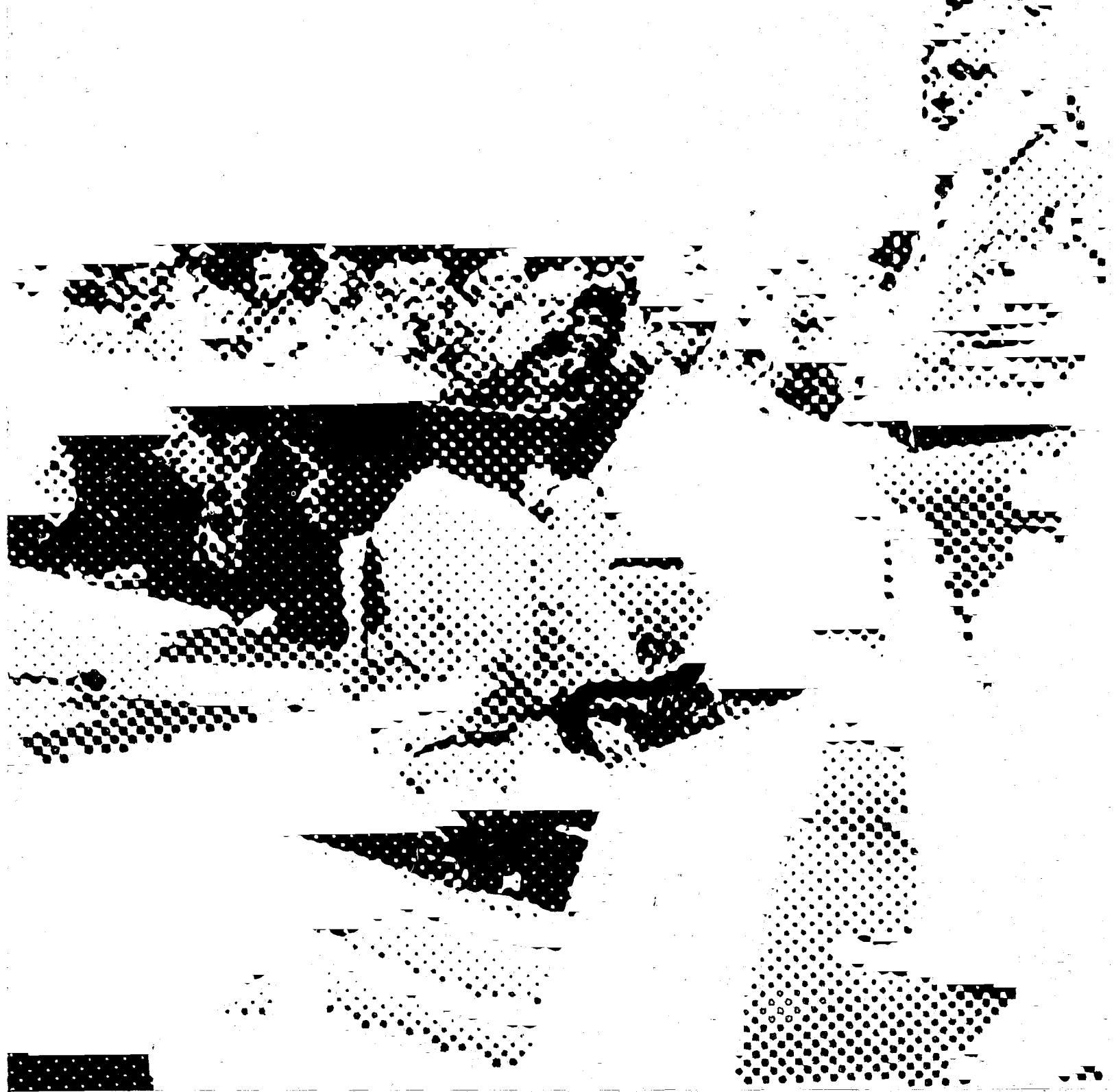


Photo courtesy of Columbus (Ga.) Ledger-Enquirer

*Statistics on the judicial workloads of Georgia's principal courts of record identify areas of critically heavy caseloads and provide a tool for planning for additional facilities, personnel and other resources.*

## Other Judicial Agencies

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The Judicial Council of Georgia/Administrative Office of the Courts has broadly defined responsibilities to assist judicial personnel, to study the operations of the court system and to make recommendations for improvements. There are certain other judicial agencies of the State of Georgia which have been charged with more specific and limited responsibilities. The Judicial Council/AOC provides some support services to these agencies. In particular, it serves as fiscal and budget officer for several of these other judicial agencies.

The judicial administrative districts, created by the 1976 General Assembly, form an intermediate, regional level of administration for the court system. The AOC and the district court administrators work together to assist the courts. The AOC makes available broad programs and state-wide studies as well as the expertise of consultants in several areas. The district court administrators, under the direction of their administrative judges, focus on the particular needs of the courts in their districts and serve as liaison between the local

courts and programs, services and resources available at the state or national levels.

The Judicial Nominating Commission is charged by executive order with the responsibility for evaluating nominees for vacancies on the appellate, superior and state courts.

The Judicial Qualifications Commission is vested by the Constitution with the authority to investigate complaints about the conduct of judges. The Commission can make recommendations to the Supreme Court of Georgia for disciplinary action. The Qualifications Commission also issues advisory opinions, on request, about the propriety of certain situations and actions.

The Superior Courts Sentence Review Panel is empowered to reduce or affirm sentences totaling five years or more which were imposed by superior court judges.

Following are reviews of the activities of these other judicial agencies during fiscal year 1978. The annual report on the fiscal year 1978 activities of the Council of Juvenile Court Judges, another judicial agency, begins on page 68.

## Judicial Administrative Districts

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The second year of operation of the state's judicial administrative districts was marked by the development and implementation of various programs and projects designed to meet the needs of courts on the individual, circuit and district levels.

The creation of ten judicial administrative districts by the 1976 General Assembly provided a framework for a more localized approach for responding to the present and developing needs of Georgia's courts. The districts are approximately equivalent to the state's congressional districts but with judicial circuit boundaries intact. They range in size from one to twenty-seven counties and have approximately equal populations.

The Judicial Administration Act of 1976 provided for district

councils composed of all the superior court judges of the district, the election and duties of an administrative judge for each district and for full-time assistants for the administrative judges. Because state funds were not appropriated for the districts initially, the Judicial Council/Administrative Office of the Courts, at the request of the governor, applied for and received a grant from the Law Enforcement Assistance Administration, awarded through the State Crime Commission, for the first two years of operation of the district system. However, the 1978 General Assembly set aside state funds for the operation of the districts beginning October 1, 1978.

The assistants to the administrative judges, the district court

administrators, work under the direction of their district administrative judges. Because the needs and problems of the courts vary from district to district, there is a different emphasis on programs and projects in each district, although there is necessarily some similarity of activities.

The district system provides an important link between the local courts and the resources and services available on the state level, especially through the Administrative Office of the Courts. The AOC makes available technical assistance to courts, conducts systemwide studies and focuses its activities chiefly on the needs of the entire judicial system, with special aid provided to local courts on request.

The district system was designed to equalize workloads

from circuit to circuit and bring more uniformity to the court system. The AOC provides support to the districts and meets periodically with the district court administrators. The district court administrators, in turn, assist the AOC in several important ways. The gathering of caseload statistics, formerly handled exclusively by the AOC, is now largely done by the district court administrators and temporary assistants, with funds for the temporary case-counters made available by the AOC. The district court administrators also assist with various other activities such as assessing local needs for facilities improvements, assessing local needs for assistance with records and docketing systems, and administering questionnaires on jury usage and practices. The district court administrators in the last fiscal year assisted the Judicial Planning Committee by serving as part of a task force in one of six areas to identify needs and to plan programs and projects to meet these needs of the courts. They also collected information on the costs of indigent defense programs for the JPC as it began developing programs in this area.

The activities of the districts in the past year have been primarily in the areas of writing grant proposals, coordinating facilities improvements, improving jury systems, counting cases and assisting with the temporary assignment of judges within the district.

District court administrators have been successful in obtaining grants for law clerks, courthouse renovation, indigent defense programs, a computer-aided transcript project, investigators for prosecutors' offices and other projects and support personnel. These funds were obtained primarily from the Law Enforcement Assistance Administration and through the Comprehensive

Employment and Training Act (CETA).

Grants provided for five law clerk positions in the second district and for two law clerks in the third district. Also in the third district, funds were received for a legal research position. The district court administrator in the third district was able to obtain CETA funds for renovation of an old office building to provide space for court personnel. The court administrator there also assisted in preparing grant applications for continuation of indigent defense programs in several circuits.

In the eighth district, grant funding provided for several types of support personnel—five law clerks, four public defender programs, three deputy superior court clerks, one clerk of the probate court and two file clerks. A law clerk, an investigator and an indigent defense program were funded in the sixth district by grants.

Three law clerk positions were funded by grants in the ninth district, as well as a part-time defense coordinator, an investigator and a habitual offender unit for a district attorney's office. The district court administrator in this district also obtained a grant for developing an automated jury selection system for two circuits in the district. The ninth district's court administrator also assisted local governing and planning groups in preparing a grant proposal for developing a model land title system for certain superior court clerks' offices.

In the fifth district, a grant was obtained for implementing a computer-aided transcript project (CAT). In conjunction with this project, the collection of statistics on manual transcript production was begun for comparison purposes.

The district court administrator in the tenth judicial adminis-

trative district assisted in preparing an application for federal funds for an indigent defense program for one circuit in the district. He assisted in hiring a public defender in another circuit. Application was also made for grant funds for a full-time warrant tracking coordinator for a circuit in this district.

Facilities improvements were made in a number of counties during the last fiscal year, and the district court administrators were involved in these projects in varying degrees. In the second district the district court administrator worked with the AOC in developing plans for renovation of two courthouses. In the fifth district, the offices of the superior court administrator, with the exception of the jury clerk, were consolidated into one central location. The most extensive involvement in facilities improvements was in the third district where a court facilities study, begun the previous year, was continued. This project included the remodeling of the chambers of the superior court judges in the Macon circuit, remodeling the courtroom of the Probate Court of Bibb County and the creation of new office space for a senior judge. This circuit adopted a long-range space allocation and management program, coordinated by the district court administrator. During the last fiscal year, additional space was made available to the judiciary in a new courthouse annex by the renovation of an old office building and through the tentative assignment of existing space in the main courthouse for developing a new facility for the State Court of Bibb County. Plans were also made for the relocation and improvement of the law library facilities in Bibb County. Through this program, courts and court-related agencies will gain approximately 45,500 square feet of usable space. Similar

space allocation reviews were instituted by the district court administrator in three other counties in the third district.

In the jury management area, the district court administrators were involved last fiscal year in assisting with jury box revisions (second and fifth districts) and developing a multi-county, multi-circuit automated jury selection project (ninth district). In the eighth district, pilot jury management projects were begun in two counties. Telephone answering systems were purchased for superior court clerks so that jurors could call to find out if they were needed to serve on a particular day. A comprehensive study of the jury system was completed by the eighth district at the request of the jury commissioners in the Dublin Judicial Circuit. A juror questionnaire,

which is adaptable to computerization, was prepared and submitted to the jury commissioners.

Also in the eighth district, the court administrator completed circuitwide budgets for four of the five circuits in the district, and these were approved as submitted. A budget was prepared for a warrant tracking system by the court administrator in the tenth district for a circuit in that district. Implementation of a circuitwide warrant tracking system was begun in another circuit in the tenth district after the court administrator revised the operations manual for this system. In the ninth district, the court administrator was also involved in assisting in developing and implementing a warrant tracking system.

Among the other projects the

district court administrators were involved with during fiscal year 1978 was the establishment of a court reporters' pooling system in the eighth district and the successful implementation of an automated calendaring system in the Atlanta superior court in the fifth district. Centralization of juvenile records in three circuits in the third district and the development of plans for media coverage of court proceedings in the second district were among the other activities in the judicial administrative districts during the past fiscal year.

The above review of district activities is not meant to be exhaustive, but is representative of the types of projects and programs undertaken to meet the particular needs of the courts in each judicial administrative district.

## District Personnel

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**District One:** Atlantic, Brunswick, Eastern, Ogeechee and Waycross judicial circuits (twenty-two counties)

**Headquarters:** Savannah

**Administrative Judge:** Judge Dunbar Harrison

**District Court Administrator:** Michael S. deVegter

**District Two:** Alapaha, Dougherty, Pataula, South Georgia, Southern and Tifton judicial circuits (twenty-seven counties)

**Headquarters:** Valdosta

**Administrative Judge:** Judge Marcus B. Calhoun\*

**District Court Administrator:** Roger E. Douglas

**District Three:** Chattahoochee, Houston, Macon and Southwestern judicial circuits (sixteen counties)

**Headquarters:** Macon

**Administrative Judge:** Judge Hal Bell

**District Court Administrator:** David L. Ratley

**District Four:** Stone Mountain Judicial Circuit (two counties)

**Headquarters:** Decatur

**Administrative Judge:** Judge Clarence L. Peeler, Jr.

**District Court Administrator:** (position vacant)

**District Five:** Atlanta Judicial Circuit (one county)

**Headquarters:** Atlanta

**Administrative Judge:** Judge Sam P. McKenzie

**District Court Administrator:** Ronald E. Owens\*\*

**District Six:** Clayton, Coweta, Flint and Griffin judicial circuits (fourteen counties)

**Headquarters:** Griffin

**Administrative Judge:** Judge Andrew J. Whalen, Jr.

**District Court Administrator:** Fred Roney \*\*\*

\*Judge Asa D. Kelley, Jr., currently serves as administrative judge in the second district.

\*\*Owens is an assistant to Jack E. Thompson, court administrator of Fulton County Superior Court, whose position existed prior to the Judicial Administration Act.

\*\*\*Roney was employed in September 1977.

**District Seven:** Cherokee, Cobb, Lookout Mountain, Rome and Tallapoosa judicial circuits (twelve counties)

**Headquarters:** Cartersville

**Administrative Judge:** Judge Jefferson L. Davis

**District Court Administrator:** Gerard P. Verzaal

**District Eight:** Cordele, Dublin, Middle, Ocmulgee and Oconee judicial circuits (twenty-seven counties)

**Headquarters:** Dublin

**Administrative Judge:** Judge Walter C. McMillan, Jr.

**District Court Administrator:** Jack L. Bean

**District Nine:** Blue Ridge, Conasauga, Gwinnett, Mountain and Northeastern judicial circuits (seventeen counties)

**Headquarters:** Dalton

**Administrative Judge:** Judge Robert L. Vining, Jr.

**District Court Administrator:** Burton W. Butler

**District Ten:** Alcovy, Augusta, Northern, Piedmont, Toombs and Western judicial circuits (twenty-one counties)

**Headquarters:** Augusta

**Administrative Judge:** Judge John F. Hardin

**District Court Administrator:** W. Leon Barfield\*

\*Barfield replaced Thomas L. Hodges, III, who resigned effective December 31, 1977.





# Judicial Nominating Commission

During fiscal year 1978, the Judicial Nominating Commission screened nominees for eleven judicial positions in Georgia's major courts of record. Evaluations of nominees for eight vacancies in the superior courts—including four new judgeships—and three vacancies in the state courts were furnished to the governor by the Commission.

Created initially in 1973 by executive order of then-Gov. Jimmy Carter and continued by order of Gov. George Busbee in 1975, the Commission assists the governor in appointing qualified persons to judicial offices. For each judicial vacancy, the Commission solicits nominations and then evaluates the nominees. Each nominee, as part of the evaluation process, completes a questionnaire relating to his qualifications and furnishes the Commission with a legal article or brief which he authored. The Commission subsequently conducts its own investigation of each nominee, aided by information from lawyers who are familiar with the nominee or relevant information from members of the bar in the jurisdiction where the vacancy exists. After considering all pertinent information, the Commission submits a list of not more than five names to the governor for each judicial vacancy.

The Commission is composed of ten members, five citizens appointed by the governor and five ex-officio members of the State Bar of Georgia. The ex-officio members are the president of the State Bar, the president-elect, the immediate past president, the second immediate past president and the immediate past president of the Younger Lawyers Section of the State Bar. Until June 15, 1978, when

Gov. Busbee's executive order was amended, the president of the Younger Lawyers Section, rather than the immediate past president, served as an ex-officio member.

Since its creation in 1973, the Commission has acted on six vacancies in the Supreme Court, five in the Court of Appeals, thirty-eight in the superior courts and five in the state courts.

## Judicial Nominating Commission

**H. H. Perry, Jr., Esq.,** *chairman*  
Albany Attorney

**A. G. Cleveland, Jr., Esq.,** *secretary*  
Atlanta Attorney

**Harold G. Clarke, Esq.**  
Immediate Past President  
State Bar of Georgia  
Forsyth

**Wilton D. Harrington, Esq.**  
President  
State Bar of Georgia  
Eastman

**Mrs. Odone B. Hill**  
Hawkinsville

**W. Stell Huie, Esq.**  
Next Immediate Past President  
State Bar of Georgia  
Atlanta

**Charles H. Hyatt, Esq.**  
President-Elect  
State Bar of Georgia  
Atlanta

**Charles T. Lester, Jr., Esq.**  
President  
Younger Lawyers Section  
State Bar of Georgia  
Atlanta

**Edgar C. Morgan, Jr.**  
Conyers

**Felker W. Ward, Jr., Esq.**  
Atlanta Attorney

# Judicial Qualifications Commission

The Judicial Qualifications Commission, established in 1973, is responsible for conducting investigations and hearings concerning complaints of misconduct by judges of any court in

Georgia and issuing formal opinions in answer to inquiries about appropriate judicial conduct.

During fiscal year 1978, the Commission held seven meetings to dispose of seventy-three com-

plaints. Two cases were closed by calling the attention of the judges to specific canons of the Code of Judicial Conduct. In one case the Commission made a recommendation to the Supreme

Court of Georgia that an emeritus judge of the superior court be removed from office. Although the Supreme Court agreed with the findings of the Commission, rather than approving the recommendation for removal, the Court issued an order prohibiting the judge from sitting in the superior courts in a

judicial capacity. The remaining complaints were found to be without merit. An investigator was employed on May 1, 1978, to assist the Commission in probing for substantial facts if the Commission feels there is probable cause to believe that a judge has been guilty of misconduct.

In addition to its investigations of complaints, the Commission rendered eighteen formal opinions during fiscal year 1978. These opinions involved such matters as fund raising by judges, serving on a board of education, reasons for disqualification, political activities and other areas.

### Judicial Qualifications Commission

**H. H. Perry, Jr., Esq., chairman**  
Albany Attorney

**Howard Ector, vice chairman**  
Trust Company Bank  
Atlanta

**Amilee Graves**  
*The Tri-County Advertiser*  
Clarksville

**Judge George A. Horkan, Jr.**  
Superior Court  
Southern Judicial Circuit  
Moultrie

**Frank C. Jones, Esq.**  
Atlanta Attorney

**Judge Byron H. Mathews**  
State Court of Coweta County  
Newnan

**Will Ed Smith, Esq.**  
Eastman Attorney

## Superior Courts Sentence Review Panel

During fiscal year 1978, the four quarterly panels of the Superior Courts Sentence Review Panel considered a total of 1,190 cases, a fifteen per cent increase over the number of cases reviewed during the previous year. Sentences subject to review by the panel are those totaling five years or more which have been fixed and imposed by a judge, except in death penalty cases, as provided by the Judge Sentencing Act of 1974 (*Ga. Laws 1974, p. 352*).

A review of sentence is not automatic. An application for review must be filed with the clerk of the sentencing superior court within thirty days of the date the sentence is imposed or within thirty days of the date the appellate court remittitur is made

on the judgment of the sentencing court, whichever occurs last. The panel reviews all the available information on each case before determining whether the

imposed sentence is excessively harsh. If a majority of the panel agree that a sentence is unduly harsh, the Sentence Review Panel will reduce the length of

### Administrative Board, Sentence Review Panel

**Judge Luther Alverson, chairman**  
Atlanta Judicial Circuit  
Atlanta

**\*Judge Frank S. Cheatham, Jr.**  
Eastern Judicial Circuit  
Savannah

**\*Judge George A. Horkan, Jr.**  
Southern Judicial Circuit  
Moultrie

**Judge James B. O'Connor**  
Oconee Judicial Circuit  
Eastman

\*Judge Horkan was appointed to succeed Judge Cheatham, who resigned effective June 1, 1978.

the sentence. The panel cannot increase any sentence.

The panel is composed of three superior court judges plus one supernumerary member who serves when one of the other members cannot attend a meeting or is disqualified. The members are appointed by the president of the Council of Superior Court Judges to serve three-month terms.

Of the 1,190 cases reviewed by the panel last year, sixty-seven sentences were reduced for a reduction rate of 5.63 per cent for fiscal year 1978. The total number of cases reviewed by the panel since its creation is 3,142. The panel has affirmed 2,940 cases and reduced 202 for a cumulative reduction rate of 6.43 per cent from July 1, 1974 to June 30, 1978.

Just before the end of fiscal year 1978, there was a change in the membership of the panel's administrative board. Judge George A. Horkan, Jr., was appointed to succeed Judge Frank S. Cheatham, Jr., who resigned. The board sets panel policy, assists in the administration of the panel and maintains continuity between the three-month rotating panels.

## Superior Courts Sentence Review Panel of Georgia

### Panel XIII

(July 1 through September 30, 1977)

Judge Hal Bell, *chairman*  
Macon Judicial Circuit  
Macon

Judge Clarence L. Peeler, Jr.  
Stone Mountain Judicial Circuit  
Decatur

Judge Charles A. Wofford  
Atlanta Judicial Circuit  
Atlanta

Judge Marcus B. Calhoun  
*Supernumerary*  
Southern Judicial Circuit  
Thomasville

### Panel XIV

(October 1 through December 31, 1977)

Judge Robert E. Coker, *chairman*  
Lookout Mountain Judicial Circuit  
LaFayette

Judge James E. Findley  
Atlantic Judicial Circuit  
Reidsville

Judge Coy Temples  
Conasauga Judicial Circuit  
Dalton

Judge Dan Winn  
*Supernumerary*  
Tallapoosa Judicial Circuit  
Cedartown

### Panel XV

(January 1 through March 31, 1978)

Judge Charles C. Pittard, *chairman*  
Gwinnett Judicial Circuit  
Lawrenceville

Judge John A. Frazier, Jr.  
Rome Judicial Circuit  
Rome

Judge Hardy Gregory, Jr.  
Cordele Judicial Circuit  
Cordele

Judge Horace T. Ward  
*Supernumerary*  
Atlanta Judicial Circuit  
Atlanta

### Panel XVI

(April 1 through June 30, 1978)

Judge W. J. Forehand, *chairman*  
Tifton Judicial Circuit  
Tifton

Judge Marvin Hartley, Jr.  
Middle Judicial Circuit  
Lyons

Judge E. T. Hendon, Jr.  
Stone Mountain Judicial Circuit  
Decatur

Judge Elie T. Holton  
*Supernumerary*  
Waycross Judicial Circuit  
Douglas

# Superior Courts Sentence Review Panel

## Fiscal Year 1978

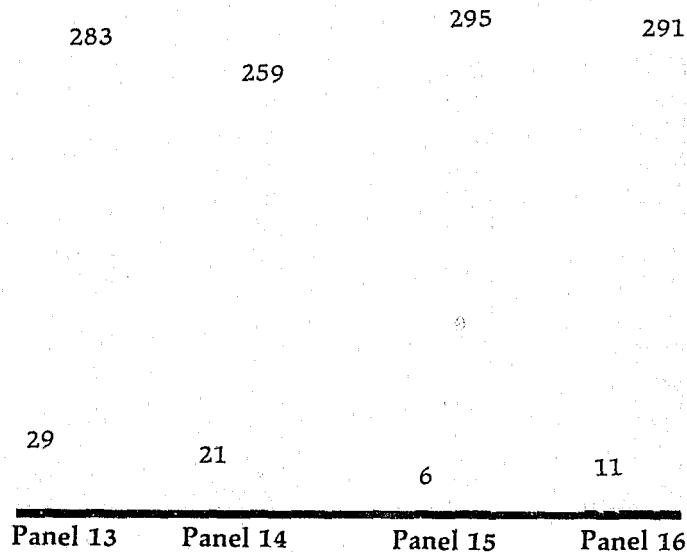
### Caseload Summary

#### Key:

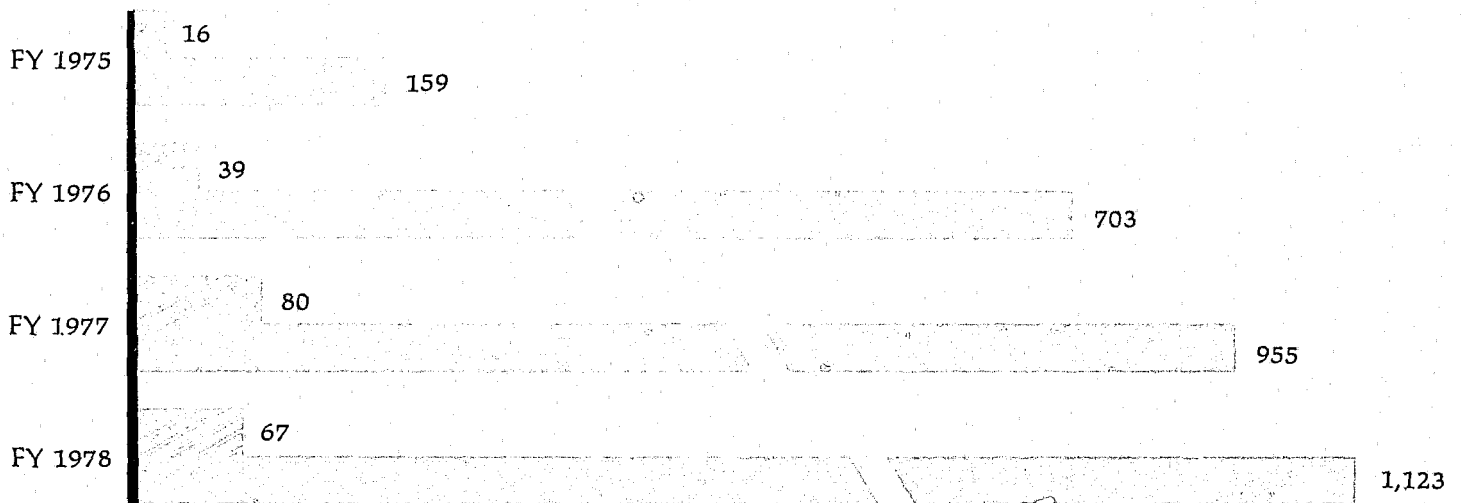
Cases  
Reduced

Cases  
Affirmed

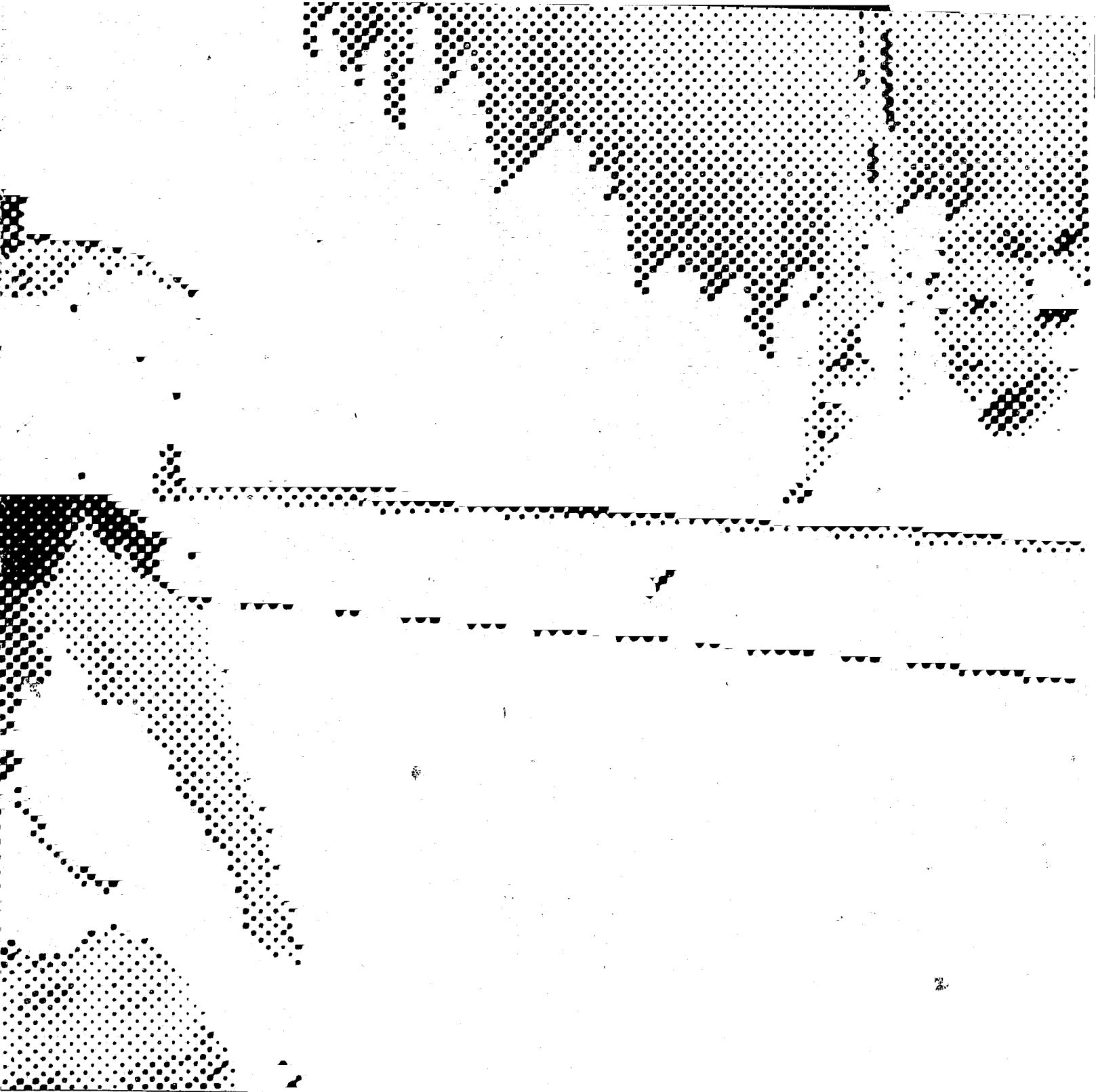
Cumulative reduction rate  
as of June 30, 1978  
6.43 per cent



#### Four-Year Comparison of Caseload of Sentence Review Panel







*Implementation of an automated, statewide juvenile court information system is underway. The compiled statistics will be useful in comparing workloads, forecasting needs and analyzing the effectiveness of new programs.*

# Annual Report

## Council of Juvenile Court Judges

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### Executive Committee, 1978

Judge Romae T. Powell, Juvenile Court of Fulton County, President

Judge H. M. Crane, Jr., Juvenile Court of Bartow County, President-Elect

Judge Grady Dickey, Juvenile Court of Chatham County, Vice President

Judge George W. Brown, Jr., Juvenile Court of Hall County, Treasurer

Judge Eugene S. Taylor, Juvenile Court of Whitfield County, Secretary

Judge Rex R. Ruff, Juvenile Court of Cobb County, Immediate Past President



Judge Romae T. Powell

The State's juvenile justice system is a complex network of state, local and private agencies. The courts which exercise jurisdiction in juvenile matters have a special responsibility to ensure that existing resources are efficiently used and to advocate for the establishment of resources necessary to carry out the purposes of the juvenile court.

During 1978, the Georgia Council of Juvenile Court Judges placed special emphasis on continuing education for judicial and non-judicial personnel in the court system and the development of management tools, such as the juvenile court information system and model uniform juvenile court rules, in an effort to improve the administration of justice in the juvenile courts.

The Council also published a

*Juvenile Court Judges Benchbook, A Profile of Juvenile Court Judges in Georgia and A Salary and Personnel Survey of Georgia Juvenile Courts.*

The latter publications provide, for the first time, a detailed examination of the operation of the juvenile courts as well as data on the judges of these courts, while the former provides a ready reference for the judges' use on the bench of statutes and cases indexed by subject matter.

The Council of Juvenile Court Judges continued its liaison with numerous juvenile justice-related agencies and worked particularly closely with the Judicial Council/Administrative Office of the Courts, the Division of Youth Services of the Department of Human Resources (DHR), the Judicial Planning Committee, the State Crime Commission, the

Institute of Continuing Judicial Education of Georgia, the Committee to Revise the Judicial Article and the Senate Committee on Juvenile Institutions.

The Council was created in 1971 by the General Assembly (Ga. Code Ann. Sec. 24A-501(a) (b)), and is empowered with the authority to establish general policies for the conduct of courts exercising jurisdiction over juveniles and may promulgate uniform rules and forms governing procedures and practice of the courts. Its membership consists of all judges exercising jurisdiction in juvenile matters. During the past year, membership consisted of eight full-time juvenile court judges, thirty-nine part-time juvenile court judges (six of whom also serve as state court judges), and thirty-seven superi-

or court judges who also serve as judge of the juvenile court in those counties that have not established a separate juvenile court. The membership of the Council continues to reflect an accelerating trend to create separate juvenile courts.

## Continuing Education

The Council and its staff were directly involved in developing and conducting a number of in-service training workshops for judicial and court support staff during the past year. A seminar for juvenile court probation officers of the independent juvenile court systems was presented during fiscal year 1978. This seminar, the third of its type, served over fifty persons, both line staff and supervisors. Additionally, a workshop for over forty juvenile court judges was held and another was planned through the education committee of the Council.

One far-reaching measure passed by the 1977 General Assembly was the "Status Offender Act." This changed previous juvenile court code provisions concerning intake and detention practices of juvenile courts and other agencies as they related to children who commit-

ted acts categorized as unruly by the Juvenile Court Code. Because of the far-reaching effects of this legislation, the Council of Juvenile Court Judges sponsored a conference on the implementation of Senate Bill 100—the "Status Offender Act"—which was attended by over 200 persons. The workshop was

designed to help assure that all parties understood the intent of all provisions of the legislation as well as to provide a forum to discuss problems encountered in implementation of the act.

Finally, the Council and the Division of Youth Services received approval of a joint grant application to establish a training

## Education Planning Committee

**Judge George W. Brown, Jr.,**  
*chairman*  
Juvenile Court of Hall County  
Gainesville

**Judge Aaron Cohn**  
Juvenile Court of Muscogee  
County  
Columbus

**Judge Grady L. Dickey**  
Juvenile Court of Chatham  
County  
Savannah

**Judge Martha K. Glaze**  
Juvenile Court of Clayton County  
Jonesboro

**Judge Dennis F. Jones**  
Juvenile Court of DeKalb County  
Decatur

**Judge Lawton Lesueur, Jr.**  
Juvenile Court of Sumter County  
Americus

**Judge Walter C. McMillan, Jr.**  
Superior Court  
Middle Judicial Circuit  
Sandersville

**Judge Eugene S. Taylor**  
Juvenile Court of Whitfield  
County  
Dalton

**Judge David J. Turner, Jr.**  
Juvenile Court of Meriwether  
County  
Manchester

**Judge Rex R. Ruff**  
Juvenile Court of Cobb County  
Marietta

## Board of Directors for Division of Youth Services/Georgia Council of Juvenile Court Judges Joint Education Program

**Judge H. M. Crane, Jr.,**  
*chairman*  
Juvenile Court of Bartow County  
Cartersville

**Jim Burton**  
Department of Human Resources

**Bill Cassels**  
Juvenile Court of DeKalb County  
Decatur

**George Collins**  
Juvenile Court of Fulton County  
Atlanta

**Wanda Holstein**  
Juvenile Court of Bartow County  
Cartersville

**Peggy Rooney**  
Department of Human Resources

**Pat Rudolph**  
Juvenile Court of Floyd County  
Rome

**Judge David J. Turner, Jr.**  
Juvenile Court of Meriwether  
County  
Manchester

**Judge Edward D. Wheeler**  
Juvenile Court of DeKalb County  
Decatur



program for direct service personnel. The grant is jointly administered by a board of directors composed of judges, personnel of the Division of Youth Services and probation staff from the independent juvenile court systems. This nine-person board has supervised the establishment of program curricula during the past year. The initiation of actual training programs began in August 1978, and already seven training sessions reaching 160 persons have been held.

The Council will be working with the Institute of Continuing Judicial Education of Georgia in planning future judicial education programs and is represented on the Board of Trustees of the Institute. The Institute will be responsible for developing a comprehensive program of continuing judicial education.

## Publications

The Council's *Juvenile Court Judges Benchbook* was completed during the last fiscal year and distributed to all judges and referees hearing juvenile courts cases. The benchbook is designed as a resource book for juvenile court judges during hearings and is topically indexed to all case law and Georgia statutes. It received the National Council of Juvenile and Family Courts Judges' award for the Best Education Program in 1978. Additionally, two publications were published and distributed which provided data on the operation of juvenile courts throughout the state. Part of the information listed in these two publications, *A Profile of Juvenile Court Judges in Georgia* and *A Salary and Personnel Survey of Georgia Juvenile Courts*, will be updated each year to aid planning for improvements in the juvenile court system.

Additionally, a revision of the Council's *Manual for Juvenile Court Judges* was initiated during the

past year. The manual describes almost all processes in the juvenile court and serves as a resource and training tool for juvenile court judges as well as containing model legal forms which may be used by local courts.

## Management Tools

An area in which particular emphasis was placed during the last year was the development of an automated statistical information system for juvenile courts. Progress on the system, which depends on the use of a model juvenile court docketing system, was temporarily halted during the previous year because several courts were concerned about the Council's legal authority to receive information on individual children. Both of these problems were addressed and remedied during the past year by the 1978 Georgia General Assembly. With their assistance, the Council's Juvenile Court Statistics Information System Committee developed and approved detailed file layouts and report formats for

the information system. Input of data from some juvenile courts was also begun.

The reporting sheet which brings information to the Council's information system is a model juvenile court docket developed through the model dockets project of the Administrative Office of the Courts. The Council's juvenile court consultant has worked closely with the AOC's records management consultant during the last year to increase the number of model dockets used by juvenile courts and to ensure that docketing instructions are clear so that data recorded on the docket sheets can be used in the information system. During the past year additional model dockets were ordered by juvenile courts of twenty-six counties, bringing the total number of model dockets used by juvenile courts to eighty-five.

Until the Juvenile Court Information System is totally operational, limited data on juvenile courts' caseload must be collected annually to provide planning data to forecast the needs of the

## Juvenile Court Statewide Judicial Data System Committee

**Judge Othniel W. McGehee,**  
*chairman*  
Juvenile Court of Bibb County  
Macon

**George Collins**  
Juvenile Court of Fulton County  
Atlanta

**Wanda T. Craven**  
Juvenile Court of Cobb County  
Marietta

**Judge James B. O'Connor**  
Superior Court  
Oconee Judicial Circuit  
Eastman

**Judge Romae T. Powell**  
Juvenile Court of Fulton County  
Atlanta

**Jane Taylor**  
Juvenile Court of Fulton County  
Atlanta

**Judge Rex R. Ruff**  
Juvenile Court of Cobb County  
Marietta

**Larry Webb**  
Department of Human Resources

## Unified Juvenile Court Rules Committee

**Judge Rex R. Ruff, chairman**  
Juvenile Court of Cobb County  
Marietta

**Judge Billy Shaw Abney**  
Juvenile Court of Walker County  
LaFayette

**Judge Eugene C. Black**  
Juvenile Court of Dougherty  
County  
Albany

**Judge G. Mallon Faircloth**  
Juvenile Court of Crisp County  
Cordele

**Judge Martha K. Glaze**  
Juvenile Court of Clayton County  
Jonesboro

**Judge John F. Hardin**  
Superior Court  
Augusta Judicial Circuit  
Augusta

**Judge Dennis F. Jones**  
Juvenile Court of DeKalb County  
Decatur

**Judge Othniel W. McGehee**  
Juvenile Court of Bibb County  
Macon

**Judge Walter C. McMillan, Jr.**  
Superior Court  
Middle Judicial Circuit  
Sandersville

**Judge James Raines**  
Juvenile Court of Terrell County  
Dawson

**Judge Harold H. Wollstein**  
Juvenile Court of Floyd County  
Rome

**Judge James H. Wood**  
Juvenile Court of Barrow County  
Jefferson

courts. Data on juvenile courts' caseloads for fiscal year 1978 was collected by the Administrative Office of the Courts and by district court administrators. They used original papers and docket entries in each juvenile court in the state to determine the number and type of cases filed and disposed in each juvenile court using standard definitions and terminology.

Development of Uniform Juvenile Court Rules was underway during the last fiscal year, with completion scheduled for the first of the year. The Committee is developing a model set of rules of court that could be adopted by any juvenile court in the state to govern their internal operations as well as certain rules which might be adopted by the Council on a statewide basis.

## Liaison with Other Agencies

A continuing and important function of the Council of Juvenile Court Judges is its liaison and advisory role with other agencies concerning major policy matters affecting all juvenile courts. In this regard, four spe-

cial committees of the Council were appointed during the past fiscal year to increase the Council's effectiveness.

One major area of concern was the Institute of Judicial Administration and American Bar Association's joint draft of Standards on Juvenile Justice. These national standards, soon to be considered by both national bodies, are expected to have far-reaching effects on the nation's juvenile justice system. Over twenty new volumes of the draft standards have been produced and were reviewed by the Council's committee. The Council's concern on a number of far-reaching proposals for change in the juvenile court system have been forwarded to local and national representatives of the agencies.

The Judicial Liaison Committee of the Council of Juvenile Court Judges meets regularly with the Division of Youth Services of the Department of Human Resources to improve the working relationship between the executive and judicial branches in providing services to the children of the state. In particular, guidelines for detention were jointly developed

## Institute of Judicial Administration —American Bar Association Standards Committee

**Judge Claude L. Goza, chairman**  
Juvenile Courts of Griffin Judicial  
Circuit  
Fayetteville

**Judge Aaron Cohn**  
Juvenile Court of Muscogee  
County  
Columbus

**Judge Grady L. Dickey**  
Juvenile Court of Chatham  
County  
Savannah

**Judge Olin T. Flournoy**  
State Court of Polk County  
Cedartown

**Judge Edward D. Wheeler**  
Juvenile Court of DeKalb County  
Decatur

and adopted by the Liaison Committee during the last year.

Additionally, several other Council committees met to assist in planning processes affecting the juvenile court system. The Judicial Planning Committee and Juvenile Justice Task Force assisted in the development of statewide plans for the use of federal funding for juvenile courts awarded through the State Crime Commission. The Council's Committee on Constitutional Revision of the Judicial Article served in an advisory capacity on matters related to juvenile court jurisdiction to the Committee to Revise the Judicial Article.

## Statutes

A number of statutes which affect the operation of juvenile courts and their handling of children's cases were passed during the past year. House Bill 1563 changed the law relating to transfer of children's cases from the juvenile to superior court by eliminating the requirement that the court must first find that the child is not amenable to treatment or rehabilitation through available facilities. House Bills 1774 and 1775 clarified the authority of the Council of Juvenile Court Judges and the Division of Youth Services to inspect and copy records of the courts and of law enforcement agencies relating to children. Additionally, a legislative measure, Senate Bill 501, which would have provided for a statewide system of separate juvenile courts, was narrowly defeated.

## Judicial Liaison Committee

**Judge H. M. Crane, Jr.,**  
*chairman*

Juvenile Court of Bartow County  
Cartersville

**Judge Eugene C. Black**  
Juvenile Court of Dougherty  
County  
Albany

**Judge George W. Brown, Jr.**  
Juvenile Court of Hall County  
Gainesville

**Judge Virgil Costley, Jr.**  
Juvenile Court of Newton County  
Covington

**Judge O. W. Ellerbee**  
Juvenile Court of Lowndes County  
Valdosta

**Judge G. Mallon Faircloth**  
Juvenile Court of Crisp County  
Cordele

**Norman Fisher, Referee**  
Juvenile Court of Fulton County  
Atlanta

**Judge Claude L. Goza**  
Juvenile Courts of Griffin Judicial  
Circuit  
Fayetteville

**Judge Romae T. Powell**  
Juvenile Court of Fulton County  
Atlanta

**Judge L. Olin Price**  
Juvenile Court of Clarke County  
Athens

**Judge Rex R. Ruff**  
Juvenile Court of Cobb County  
Marietta

## Judicial Planning Committee Juvenile Justice Task Force

**Judge Rex R. Ruff, chairman**  
Juvenile Court of Cobb County  
Marietta

**Judge Billy Shaw Abney**  
Juvenile Court of Walker County  
LaFayette

**Judge George W. Brown, Jr.**  
Juvenile Court of Hall County  
Gainesville

**Judge H. M. Crane, Jr.**  
Juvenile Court of Bartow County  
Cartersville

**Judge Grady L. Dickey**  
Juvenile Court of Chatham  
County  
Savannah

**Judge Walter C. McMillan, Jr.**  
Superior Court  
Middle Judicial Circuit  
Sandersville

## Committee to Revise the Judicial Article of the Constitution

**Judge H. M. Crane, Jr.,**  
*chairman*  
Juvenile Court of Bartow County  
Cartersville

**Judge Billy Shaw Abney**  
Juvenile Court of Walker County  
LaFayette

**Judge Martha K. Glaze**  
Juvenile Court of Clayton County  
Jonesboro

County	Date Established	County	Date Established	County	Date Established
Chatham	1915	Clayton	1955	Pike	1976
Fulton	1915	Lowndes	1955	Spalding	1976
Muscogee	1916	Gordon	1955	Upson	1976
Bibb	1917	Sumter	1957	Meriwether	1976
Floyd	1917	Carroll	1960	Terrell	1976
*Richmond	1917	Ware	1960	Banks	1977
Troup	1919	Appling	1963	Barrow	1977
Glynn	1923	Wayne	1964	Crisp	1977
Dougherty	1925	Newton	1967	Jackson	1977
DeKalb	1927	Houston	1968	Clay	1978
Colquitt	1937	Walker	1971	Cherokee	1978
Hall	1938	Bartow	1971	Early	1978
Gwinnett	1939	**Henry	1971	Fannin	1978
Whitfield	1940	Walton	1973	Forsyth	1978
Thomas	1947	Dade	1974	Gilmer	1978
Laurens	1951	Butts	1974	Pickens	1978
Cobb	1951	Catoosa	1974	Randolph	1978
Clarke	1953	***Lamar	1974	Coweta	Unknown
Camden	1953	Fayette	1976	Polk	Unknown

\*No longer exists as a separate juvenile court; a special domestic relations section of the superior court also hears juvenile cases.

\*\*Not certain.

\*\*\*Discontinued as separate juvenile court in 1978.





*From the traditional to the modern, the county courthouse is the seat and symbol of the judicial system in Georgia. Pictured here is the Hancock County Courthouse in Sparta.*

## Appendix One

# Judicial Council of Georgia Created

Act No. 178, Ga. Laws 1973, p. 288

An Act to create a Judicial Council of the State of Georgia; to provide for the membership of the council, their qualifications, appointment, election, compensation, expenses, terms of office, succession, duties, powers, authority and responsibilities; to provide for a method of filling vacancies; to provide for meetings of the council; to provide for officers of the council and their terms; to provide for rules for the transaction of business; to create the Administrative Office of the Courts; to provide that such office shall serve as the staff for the Judicial Council; to provide for the appointment of a Director of the Administrative Office of the Courts and his compensation, duties, powers, authority and term of office; to provide for assistants, clerical and secretarial employees and their duties and compensation; to provide for the duties and authority of the Administrative Office of the Courts; to provide for annual reports; to provide that the provisions of this Act shall not be construed as limiting or affecting the authority of any court to appoint administrative or clerical personnel; to provide for other matters relative to the foregoing; to provide an effective date; to repeal an Act creating a Judicial Council of the State of Georgia, approved February 28, 1945 (Ga. L. 1945, p. 155); to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. (a) There is hereby created the Judicial Council of the State of Georgia. The council shall be composed of eleven members, nine of whom shall be judges of courts of record of the State. The two remaining members shall be the president of the State Bar of Georgia and the immediate past president of the State Bar of Georgia. The initial nine judicial members of the council shall be appointed by the Governor, with three such initial members being appointed for a term of four years, three such initial members being appointed for a term of three years, and three such initial members being appointed for a term of two years. Immediately prior to the expiration of a member's term of office as a member, the council shall elect a new member to succeed the member whose term is expiring. Following the terms of the initial members appointed by the Governor, the term of office of each judicial member of the council shall be for a period of four years. The initial members of the council shall take office on May 1, 1973, and succeeding members of the council shall take office on the first day of May following their election by the council. No judicial member of the council shall be eligible to succeed himself for a consecutive term as a member. The president and immediate past president of the State Bar of Georgia shall serve as members of the council only during their tenure as president or immediate past president of the State Bar of Georgia.

(b) In the event a vacancy occurs in the judicial membership of the council as a result of the death, resignation, retirement, removal or failure of re-election as a judge of a court of record, the remaining members of the council shall elect a qualified person to serve for the remainder of the unexpired term of the member whose seat is vacant. The person elected to fill such vacancy shall take office immediately upon his election.

Section 2. The council shall meet at such times and places as it shall determine necessary or convenient to perform its duties. The council shall annually elect a chairman and such other

officers as it shall deem necessary and shall adopt such rules for the transaction of its business as it shall desire. The members of the council shall receive no compensation for their services, but shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the council.

Section 3. There is hereby created the Administrative Office of the Courts, which shall serve as the staff for the Judicial Council.

Section 4. The Judicial Council shall appoint a Director of the Administrative Office of the Courts, who shall serve at the pleasure of the Judicial Council. The director shall be the executive head of the Administrative Office of the Courts and shall perform such duties as provided in this Act or as may be delegated to him by the Judicial Council. The director shall devote his full time to his official duties. The director shall receive such compensation and expenses as may be authorized by the Judicial Council. With the approval of the Judicial Council, the director shall appoint such assistants, clerical and secretarial employees as are necessary to enable him to perform his duties and fix their compensation.

Section 5. Under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

(a) 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.

(b) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.

(c) 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.

(d) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.

(e) Act as fiscal officer and prepare and submit budget estimates of State appropriations necessary for the maintenance and operation of the judicial system.

(f) Formulate and submit recommendations for the improvement of the judicial system.

(g) Perform such additional duties as may be assigned by the Judicial Council.

(h) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.

Section 6. The provisions of this Act shall not be construed as limiting or affecting the authority of any court.

Section 7. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 8. An Act creating a Judicial Council for the State of Georgia, approved February 18, 1945 (Ga. L. 1945, p. 155), is hereby repealed in its entirety.

Section 9. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 3, 1973.

## Appendix Two

# Funding Summary for Judicial Council of Georgia/Administrative Office of the Courts

Fiscal Year 1978

Project	Source	Total
AOC/General	State Funds	\$225,108
Institute of Continuing Judicial Education	State Funds	15,000
Board of Court Reporting	State Funds	8,000
Sentence Review Panel	State Funds	39,211
Judicial Qualifications Commission	State Funds	30,000
Court Administration	LEAA Grant 77A-08-001	237,778
District Court Administration	LEAA Grant 74A-08-002	375,875
Judicial Education	LEAA Grant 77A-20-006	70,555
Model Court Records	LEAA Grant 77A-18-002	55,556
Traffic Court Improvement	Office of Highway Safety Grant 307-78-001-001	65,871
Computer Services	LEAA Grant 78A-08-001	95,589
S.B. 100 Conference	LEAA Grant 76J-08-001	12,535

## Appendix Three

# Members of the Judicial Council of Georgia

May 1, 1973 to June 30, 1978

Judge F. Jack Adams, President, State Bar of Georgia (6/8/73 to 6/7/74), 6/8/73 to 6/7/75

Judge Francis W. Allen, State Court of Bulloch County. 7/1/76 to 6/30/80

Judge Hal Bell, Superior Court, Macon Judicial Circuit. 5/1/73 to 6/30/76; chairman, 7/1/74 to 6/30/75

Judge Marcus B. Calhoun, Superior Court, Southern Judicial Circuit. 6/7/73 to 6/30/75

Judge Frank S. Cheatham, Jr., Superior Court, Eastern Judicial Circuit. 7/1/75 to 6/30/79

Judge H. Sol Clark, Georgia Court of Appeals. 7/26/74 to 6/30/75

Harold G. Clarke, President, State Bar of Georgia (6/4/76) to 6/3/77). 7/1/76 to 6/30/78

A. G. Cleveland, Jr., President, State Bar of Georgia (6/4/71 to 6/2/72). 5/1/73 to 6/8/73

Judge Kenneth B. Followill, State Court of Muscogee County. 5/1/73 to 6/30/76; secretary-treasurer, 7/1/73 to 6/30/74; vice chairman, 7/1/74 to 6/30/75; chairman, 7/1/75 to 6/30/76

Judge J. Bowie Gray, Superior Court, Tifton Judicial Circuit, 5/1/73 to 6/3/75; vice chairman, 7/1/73 to 6/30/74

Judge W. Marion Guess, Jr., Probate Court of DeKalb County. 7/1/77 to 6/30/81



Justice William B. Gunter, Supreme Court of Georgia. 5/1/73 to 7/26/74  
 Justice Robert H. Hall, Supreme Court of Georgia. 5/1/73 to 6/30/77; *chairman*, 6/7/73 to 6/30/74  
 Wilton D. Harrington, President, State Bar of Georgia (6/3/77 to 6/2/78). 7/1/77 to 6/30/79  
 W. Stell Huie, President, State Bar of Georgia (6/6/75 to 6/4/76). 7/1/75 to 6/30/77  
 Justice Robert H. Jordan, Supreme Court of Georgia. 7/1/77 to 6/30/81  
 Judge Walter C. McMillan, Jr., Superior Court, Middle Judicial Circuit. 5/1/73 to 6/30/76; *temporary secretary*, 5/4/73 to 6/7/73

Judge James B. O'Connor, Superior Court, Oconee Judicial Circuit. 5/1/73 to 6/1/73; 7/1/76 to 6/30/80; *secretary-treasurer*, 7/1/77 to 6/30/78  
 Judge Paul W. Painter, Superior Court, Lookout Mountain Judicial Circuit. 7/1/76 to 6/30/80  
 Judge Marion T. Pope, Jr., Superior Court, Blue Ridge Judicial Circuit. 7/1/75 to 6/30/79; *secretary-treasurer*, 7/1/76 to 3/1/77; *vice chairman*, 3/1/77 to 6/30/77; *chairman*, 7/1/77 to 6/30/78  
 Frank W. Seiler, President, State Bar of Georgia (6/2/72 to 6/8/73). 5/1/73 to 6/30/74; *temporary chairman*, 5/4/73 to 6/7/73  
 Cubbedge Snow, Jr., President, State Bar of Georgia (6/7/74 to 6/6/75). 7/1/74 to 6/30/76

Judge William K. Stanley, Jr., Probate Court of Bibb County, 5/1/73 to 6/30/77  
 Judge Irwin W. Stolz, Jr., Georgia Court of Appeals. 7/1/75 to 3/1/77; *secretary-treasurer*, 7/1/75 to 6/30/76; *vice chairman*, 7/1/76 to 3/1/77  
 Judge G. Ernest Tidwell, Superior Court, Atlanta Judicial Circuit. 5/1/73 to 6/30/77; *secretary-treasurer*, 7/1/74 to 6/30/75; *vice chairman*, 7/1/75 to 6/30/76; *chairman*, 7/1/76 to 6/30/77  
 Judge Julian Webb, Georgia Court of Appeals. 3/1/77 to 6/30/79; *secretary-treasurer*, 3/1/77 to 6/30/77; *vice chairman*, 7/1/77 to 6/30/78  
 Judge Charles L. Weltner, Superior Court, Atlanta Judicial Circuit. 7/1/77 to 6/30/81

## Appendix Four

# Judicial Administration Act of 1976

Act No. 1130, Ga. Laws 1976, p. 782

An Act to create Judicial Administration Districts and the boundaries thereof; to provide for a short title; to provide for Judicial Administration District Councils, their composition, presiding officers, meetings and establishing of rules; to provide for the election of Administrative Judges, their term, removal, duties, authority, and compensation; to provide for Administrative Assistants, their qualifications, duties, compensation, and classification; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

**Section 1. Short Title.** This Act shall be known and may be cited as "The Judicial Administration Act of 1976."

**Section 2. Judicial Administration Districts; Creation.** Ten (10) Judicial Administration Districts of more or less equal population in each District are hereby created within the State. The boundaries of the ten Judicial Administration Districts, to the extent possible, shall follow the present boundaries of the ten (10) U.S. Congressional Districts, except that each existing judicial circuit shall remain intact and shall not be placed in more than one Judicial Administration District. The Governor, after conferring with the Superior Court Judges, shall establish by July 1, 1976, the original boundaries of each Judicial Administration District pursuant to the provisions of this section. The ten (10) Administrative Judges provided for in this Act may provide for any necessary changes in the boundaries in such Districts not inconsistent with the provisions of this Section.

**Section 3. Judicial Administration District Councils.** A District Council for each Judicial Administration District is hereby created, composed of all judges of the superior court within the District. The superior court judge in each District having seniority in number of years as a superior court judge shall serve as presiding officer of the District Council. Each District Council shall meet at least once a year and as often as

required to discuss administrative problems peculiar to the District and otherwise to perform its duties. Each District Council shall establish rules, by majority vote, which shall cover the right to call additional meetings and procedures for handling the administrative work of the Council.

**Section 4. District Administrative Judge.** The judges of each District Council shall elect a superior court judge or a judge emeritus of the superior court to serve for a two-year term as an "Administrative Judge" within the district. The District Administrative Judge shall serve until his successor is elected and qualified; provided, however, that the District Administrative Judge may be removed at any time by a two-thirds vote of all judges comprising the District Council. The duties of Administrative Judge shall be additional duties which shall not be construed to diminish his other responsibilities.

**Section 5. Administrative Assistant.** Each District Administrative Judge is hereby authorized to hire a full-time assistant adequately trained in the duties of court administration. The assistant shall assist in the duties of the District Administrative Judge, provide general court administrative services to the District Council, and otherwise perform such duties as may be assigned to him by the District Administrative Judge. Each assistant shall be an employee of the Judicial Branch of State Government and shall be in the unclassified service of the State Merit System of Personnel Administration. The assistant shall be compensated in an amount and manner to be determined by uniform rules adopted by the ten (10) Administrative Judges. Each assistant shall be compensated out of funds made available for such purposes within the Judicial Branch of Government.

Additional funds shall be made available for needed clerical and other office operating costs of the assistant.

**Section 6. Duties and Authority of District Administrative Judge.** The duties and authority of each District Administrative

Judge shall be as follows:

(a) To request, collect and receive information from the courts of record within his District pursuant to uniform rules promulgated by the ten (10) Administrative Judges;

(b) To authorize and assign any superior court judge within the District to sit on any type of case or handle other administrative or judicial matters within the District, provided, however, that the assignment shall be made with the consent of the assigned judge and with the consent of the majority of the judges of the circuit to which the assignment is made; that the assignment shall be made subject to rules promulgated by the District Council by a majority vote of the superior court judges within the District.

**Section 7. Severability.** In the event any section, subsection, sentence, clause or phrase of this Act shall be declared or

adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

**Section 8. Effective Date.** This Act shall become effective July 1, 1976.

**Section 9. Repealer.** All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 25, 1976.

## Appendix Five

# The Georgia Court Reporting Act

Act No. 851, Ga. Laws 1974, p. 345

An Act to be known as "The Georgia Court Reporting Act"; to provide a short title; to provide for a declaration of purpose; to provide that the Judicial Council of Georgia is an agency of the judicial branch of State government for certain purposes; to provide for authority, powers and duties of the Judicial Council and of the Board of Court Reporting of the Judicial Council relative to the regulation of court reporting; to require certification of court reporters; to provide for injunctions; to provide for penalties; to provide that it shall be unlawful for a person to engage in the practice of court reporting without being certified; to provide for rules and regulations; to provide for practice and procedure; to provide for other matters relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

**Section 1. Short Title.** This Act shall be known and may be cited as "The Georgia Court Reporting Act."

**Section 2. Declaration of Purpose.** It is hereby declared by the General Assembly of Georgia that the practice of court reporting carries important responsibilities in connection with the administration of justice, both in and out of the courts; that the court reporters are officers of the courts, and that the right to define and regulate the practice of court reporting belongs naturally and logically to the judicial branch of the State government. Therefore, in recognition of these principles, the purpose of this Act is to act in aid of the judiciary so as to insure minimum proficiency in the practice of court reporting, by recognizing and conferring jurisdiction upon the Judicial Council of the State of Georgia to define and regulate the practice of court reporting.

**Section 3. Judicial Council of Georgia; Agency of Judicial Branch.** The Judicial Council of Georgia, as created by an Act approved April 3, 1973 (Ga. L. 1973, p. 288), is hereby declared to be an agency of the judicial branch of State government for

the purpose of defining and regulating the practice of court reporting in this State.

**Section 4. Definitions.** The following words and phrases when used in this Act shall have the following meanings:

(1) "Court Reporting" shall mean the making of a verbatim record by means of manual shorthand, machine shorthand or Stenomask or other means of personal verbatim transcription of any testimony given under oath before or for submission to, any court, referee, court examiner or board, commission or other body created by statute of this State, or any other proceeding where a verbatim record is required.

(2) "Court Reporter" shall mean any person who is engaged in the practice of court reporting as a profession as defined in this Act. The term "court reporter" shall include not only those who actually report judicial proceedings in courts, but those who make verbatim records as defined in subsection (1) of this Section.

(3) "Certified Court Reporter" shall mean any person certified under provisions of this Act to practice verbatim reporting.

(4) "Board" shall mean the Board of Court Reporting of the Judicial Council as hereinafter provided.

**Section 5. Board of Court Reporting of the Judicial Council, creation, name, membership, appointment, qualifications, terms, vacancies, removal.** There is hereby established a board which shall be known and designated as the "Board of Court Reporting of the Judicial Council" and shall be composed of seven members, four members to be Certified Court Reporters and two members to be representatives from the State Bar of Georgia, and one member from the judiciary, each of whom shall have not less than five years' experience in his or her profession. The initial board shall be appointed by the Judicial Council. The term of office shall be two years, and the Judicial Council shall fill vacancies on the board.

Any member of this board may be removed by the Judicial

council after a hearing at which the Judicial Council shall have determined cause for removal.

**Section 6. Oath of office taken by board, certificate of appointment.** Immediately before entering upon the duties of said office, the members of the State Board of Court Reporting shall take the oath of office, and shall file the same in the office of the Judicial Council, which upon receiving said oath of office, shall issue to each member a certificate of appointment.

**Section 7. Organization of board, rules and regulations.** The board shall each year elect from its members a chairman whose term shall be for one year and who shall serve during the period for which elected and until his or her successor shall be elected. The board shall make all necessary rules and regulations to carry out the provisions of this Act, but said rules and regulations shall be subject to review by the Judicial Council.

**Section 8. Certified Court Reporter, corporation and firm name; regulations.** Any person who has received from the board a certificate as herein provided for shall be known and styled as a "Certified Court Reporter," and shall be authorized to practice as such in the State of Georgia and to use such title or the abbreviation "C.C.R." in so doing. No other person, firm or corporation, all of the members of which have not received such certificate, shall assume the title "Certified Court Reporter" or the abbreviation "C.C.R.," or any other words or abbreviations tending to indicate that the person, firm or corporation so using the same is a certified court reporter.

**Section 9. Issuance of certificate, qualifications for certification.** The board shall grant a certificate as a Certified Court Reporter to any citizen of the United States residing or having a place for the regular transaction of business in this State (a) who has attained the age of eighteen years, is of good moral character, and is a graduate of a high school or has had an equivalent education; and (b) who has, except as provided in Section 11 of this Act, successfully passed an examination in verbatim court reporting as prescribed in Section 10 of this Act.

**Section 10. Examination of applicants, fee, scope of examination.** Every person desiring to commence the practice of court reporting in this State shall file an application for a certificate with the State Board of Court Reporting upon such form as shall be adopted and prescribed by the board. At the time of making such application the applicant shall deposit with the board an examination fee, to be determined by the board. Examinations shall be conducted as often as may be necessary as determined by the board, provided, that examinations are conducted at least once annually. Applicants shall be notified by mail of the holding of such examinations no later than ten (10) days before the date upon which such examinations are to be given. Examinations shall be conducted and graded according to rules and regulations prescribed by the board.

**Section 11. Exemption from taking the examination.** Any person, a citizen of the United States, who has attained the age of eighteen years, of good moral character, who shall submit to said board an affidavit under oath that he or she has been actively and continuously for one year preceding the passage of this Act principally engaged as a court reporter shall be exempt from taking such examination and shall be granted a certificate as a "Certified Court Reporter."

**Section 12. Limitations after one year following effective date.** After expiration of one year after the date this Act becomes law, no person shall engage in the practice of verbatim court reporting in this State unless such person is the holder of a certificate as a "Certified Court Reporter" issued under the provisions of this Act.

**Section 13. Revocation, notice to certificate holder, hearing, witnesses.** On a verified complaint, the board may revoke or suspend any certificate issued under this Act for unprofessional conduct or other sufficient cause after notice of and opportunity for hearing. Said notice shall state the cause for such contemplated revocation, the time and place of such hearing, and shall be mailed to the registered address of the holder of such certificate at least thirty (30) days before such hearing. Each board member shall be empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any records, concerning any matter within the jurisdiction of the board. The board shall reduce to writing a summary of the evidence given before it, and shall make a written finding of facts thereon. Certificates may be revoked or suspended for one or more of the following reasons:

(1) Conviction of a felony subsequent to the passage of this Act;

(2) Conviction of a misdemeanor involving moral turpitude subsequent to the passage of this Act;

(3) Fraud, dishonesty, corruption, willful violation of duty, or has become incompetent to continue to perform his or her duties as a court reporter;

(4) Fraud or misrepresentation resorted to in obtaining a certificate under this Act.

Provided, however, that any disciplinary action of the board may be appealed by the aggrieved person to the Judicial Council, which shall have the power to review said determination by the board.

**Section 14. Penalties for violation.** If, after this Act becomes law, any person shall represent himself or herself as having received a certificate as provided for in this Act, or shall practice as a Certified Court Reporter without having received such certificate, or, having his or her certificate revoked, shall continue to practice as a Certified Court Reporter in the State of Georgia, or shall use any title or abbreviation indicating that the person using same is a Certified Court Reporter, or shall violate any of the provisions of this Act, said person shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as for a misdemeanor.

**Section 15. Injunction against violations.** On the verified complaint of any person that any person, firm or corporation has violated any of the provisions of this Act, the board may, with the consent of the Judicial Council, file an equitable petition in its own name in the superior court of any county in this State having jurisdiction of the parties, alleging the facts and praying for a temporary restraining order and temporary injunction or permanent injunction against such person, firm or corporation restraining them from violating the provisions of this Act and upon proof thereof the Court shall issue such restraining order, temporary injunction or permanent injunction without requiring allegation or proof that the petitioner has no adequate remedy at law. The right of injunction provided for in this Section shall be in addition to any other legal remedy which the board has, and shall be in addition to any right of criminal prosecution provided by law.

**Section 16. Temporary employment permit.** Nothing in this Act shall be construed to prohibit the temporary employment of any person not certified under this Act who has first obtained a temporary permit from the board or from a judge in the circuit in which the cause is pending. The board may limit the extent of such temporary permit based upon the need for such temporary employment.

**Section 17. Renewal of certificate.** Every Certified Court Reporter who continues in the active practice of verbatim court reporting shall annually, on or before April 1, following the date of issuance of the certificate under which he is then entitled to practice, renew such certificate upon the payment of a fee established by the board. Every certificate which has not been renewed on the first day of April shall expire on that date of that year and shall result in the suspension of that reporter's right to practice under this Act, which suspension shall not be terminated until all delinquent fees have been paid.

**Section 18.** The administrative and staff work of the Board of Court Reporters of the Judicial Council shall be among the

duties of the Administrative Office of the Courts, created by Ga. L. 1973, p. 288. The director of the Administrative Office of the Courts shall serve as secretary of the Board of Court Reporters of the Judicial Council, and shall perform all duties as may be assigned to him either by the board or the Judicial Council to implement the provisions of this Act.

**Section 19. Effective date.** This Act shall become effective upon its approval by the Governor or upon its becoming law with his approval.

**Section 20. Repealer.** All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 20, 1974.

## Appendix Six

# Judicial Council of Georgia To Set Court Reporter Fees

Code Sec. 24-3103, 24-1304 Repealed  
Act No. 558 Ga. Laws 1975, p. 852

An Act to amend an Act creating a Judicial Council of the State of Georgia, approved April 3, 1973 (Ga. L. 1973, p. 288), so as to provide that the Judicial Council of the State of Georgia shall promulgate rules and regulations which shall provide for and set the fees to be charged by all official court reporters in this State in all criminal and civil cases; to provide for per diem fees; to provide for the form and style of transcripts; to provide that this Act shall not apply to such court reporters under certain circumstances; to repeal Section 24-3103 of the Code of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388) setting the compensation to be paid court reporters in all civil cases; to repeal Section 24-3104 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646); and by an Act approved February 21, 1951 (Ga. L. 1951, p. 630), and by an Act approved February 18, 1959 (Ga. L. 1959, p. 61), and by an Act approved April 10, 1968 (Ga. L. 1968, p. 1230), setting the compensation to be paid court reporters in all criminal cases; to provide an effective date; to repeal conflicting laws; and for other purposes.

**Section 1.** An Act creating a Judicial Council of the State of Georgia, approved April 3, 1973 (Ga. L. 1973, p. 288) is hereby amended by adding a new section to be known as section 2A, which shall read as follows:

"Section 2A (a) the Judicial Council of the State of Georgia shall promulgate rules and regulations which shall:

(i) provide for and set the fees to be charged by all official court reporters in this State for attending court, taking stenographic notes and recording the evidence;

(ii) for furnishing transcripts of the evidence, and for other

proceedings furnished by the official court reporter in all civil and criminal cases in this State;

(iii) provide for a minimum per diem fee, which fees may be supplemented by the various counties within the circuits to which such court reporters are assigned;

(iv) provide for the form and style of the transcripts which shall be uniform throughout the State.

(b) The Judicial Council of the State of Georgia shall amend its rules and regulations providing for and setting the fees to be charged by all official court reporters whenever the Judicial Council of the State of Georgia shall deem it necessary and proper."

**Section 2.** This Act shall not apply to those court reporters taking and furnishing transcripts of depositions, nor for taking and furnishing transcripts of nonjudicial functions nor to any independent contracts of any reporters.

**Section 3.** Section 24-3103 of the Code of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388), is hereby repealed in its entirety.

**Section 4.** Section 24-1304 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646), and by an Act approved February 21, 1951 (Ga. L. 1951, p. 630), and by an Act approved February 18, 1959 (Ga. L. 1959, p. 61), and by an Act approved April 10, 1968 (Ga. L. 1968, p. 1230), is hereby repealed in its entirety.

**Section 5.** This Act shall become effective January 1, 1976.

**Section 6.** All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 18, 1975.

## Appendix Seven

# Judicial Personnel Changes

(July 1, 1977 — June 30, 1978)

## Appointments

### Appellate Courts

Georgia Supreme Court  
Judge Thomas O. Marshall, Jr., by Governor Busbee for term 7/15/77 to next general election.  
Georgia Court of Appeals  
Judge A. W. Birdsong by Governor Busbee for term 7/28/77 to next general election.

### Superior Courts

Alcove Judicial Circuit  
Judge Greeley Ellis by Governor Busbee for term 5/22/78 to 1/1/79.  
Brunswick Judicial Circuit  
Judge William R. Killian by Governor Busbee for term 8/1/77 to 1/1/79.  
Chattahoochee Judicial Circuit  
Judge Kenneth B. Followill by Governor Busbee for term 5/17/78 to 1/1/79.  
Judge E. Mullins Whisnant by Governor Busbee for term 1/1/78 to 1/1/79.  
Cherokee Judicial Circuit  
Judge Jessie C. Maddox by Governor Busbee for term 5/17/78 to 1/1/79.  
Flint Judicial Circuit  
Judge R. Alex Crumbley by Governor Busbee for term 3/14/78 to 1/1/79.  
Gwinnett Judicial Circuit  
Judge Homer M. Stark by Governor Busbee for term 7/1/77 to 12/31/78.  
Macon Judicial Circuit  
Judge Walker P. Johnson, Jr., by Governor Busbee for term 1/1/78 to 1/1/79.  
Northern Judicial Circuit  
Judge William F. Grant by Governor Busbee for term 7/1/77 to 12/31/78.  
South Georgia Judicial Circuit  
Judge A. Wallace Cato by Governor Busbee for term 5/17/78 to 1/1/79.  
Tallapoosa Judicial Circuit  
Judge Arthur W. Fudger by Governor Busbee for term 11/1/77 to 1/1/79.  
Judge Robert J. Noland by Governor Busbee for term 7/1/77 to 12/31/78.

### State Courts

Glynn County  
Judge Ronald F. Adams by Governor Busbee for term 1/1/78 to 1/1/81.  
Gwinnett County  
Judge H. Hughel Harrison by Governor Busbee for term 4/14/78 to 1/1/79.  
Laurens County  
Judge Dubignon Douglas by Governor Busbee for term 7/11/77 until the next general election.  
Toombs County  
Judge Will Thomas Whatley by Governor Busbee for term 8/18/77 to 1/1/81.  
Wayne County  
Judge J. Alvin Leaphart by Governor Busbee for term 1/1/78 to 1/1/79.

### Juvenile Courts

Camden County  
Judge Beverly H. Nash by Brunswick Judicial Circuit Superior Court Judge Gordon Knox, Jr., for six-year term beginning 2/7/78.  
Cherokee, Fannin, Forsyth, Gilmer and Pickens Counties  
Judge William D. Harris by the Superior Court for term 5/10/78 to 5/10/84.  
Clayton County  
Judge Martha K. Glaze by the Clayton Superior Court Judges for term 7/1/77 to 7/1/83.  
Early County  
Judge George A. Bell by Pataula Judicial Circuit Superior Court Judge Walter I. Geer for six-year term beginning 12/6/77.  
Glynn County  
Judge Clinton O. Pearson by Brunswick Judicial Circuit Superior Court Judge Gordon Knox, Jr., for term 10/18/77 to 6/1/82.  
Randolph, Clay and Whitman Counties  
Judge George A. Bell by Pataula Judicial Circuit Superior Court Judge Walter I. Geer for six-year term beginning 12/10/77.  
Rockdale County  
Judge William W. Lavigno, III, by the Superior Court for term 5/1/78 to 5/1/84.

### Thomas County

Judge Roy M. Lilly by the Superior Court Judges of the Southern Judicial Circuit for term 2/1/78 to 12/31/83.

### Troup County

Judge H. T. Qullian, Jr., by Coweta Judicial Circuit Superior Court Judge H. Lamar Knight for term 1/1/78 to 12/31/83.

### Wayne County

Judge O. T. Nichols by Brunswick Judicial Circuit Superior Court Judge Gordon Knox, Jr., for term 11/21/77 to 2/19/82.

### Special Courts

City Court of Clarkston  
Judge Stephen M. Pavuk by Mayor Ernest S. Whaley for indefinite term beginning 2/1/78.  
Magistrate's Division of Recorder's Court of DeKalb County  
Judge Mike Florence by DeKalb County Commission for term 5/1/78 to 5/1/80.  
Magistrate's Court of Rockdale County  
Judge Harrill L. Dawkins by Rockdale County Commission for term 6/1/78 to 12/31/79.  
Municipal Court of Atlanta  
Judge Thelma Wyatt Cummings (judge pro hac vice) by Atlanta Mayor Maynard Jackson for term 10/17/77 to 6/30/78.  
Municipal Court, City of Macon  
Judge Thomas M. Jackson by Mayor Buckner Melton for term beginning 11/18/77 to serve until confirmed by next mayor.  
Judge James I. Wood by Mayor Buckner Melton for term beginning 11/18/77 to serve until confirmed by next mayor.  
Recorder's Court of Conyers  
Judge Harrill L. Dawkins by the Conyers City Council for term 7/1/77 to 7/1/78.  
Recorder's Court of DeKalb County  
Judge Joseph E. Johnson by County Commissioners for term 5/1/78 to 5/1/80.  
Recorder's Court of Gwinnett County  
Judge John Lester by Judge Charles C. Pittard and Judge G. Hughel Harrison for term 1/1/78 to 1/1/79.

Recorder's Court of Lowndes County  
Judge Richard M. Cowart by Mayor and  
Council of Valdosta for term 3/8/78 to  
3/8/80.

Recorder's Court of Stephens County  
Judge James T. Irvin by City Commis-  
sioners of Toccoa for term 4/1/78 to  
1/1/79.

Small Claims Court of Candler County  
Judge Paul Williams by Governor Busbee  
for term 9/12/77 to 9/12/81.

Small Claims Court of Dodge County  
Judge Talmadge Sheffield by Oconee  
Judicial Circuit Judge James B. O'Connor  
for term 7/1/77 to 7/1/81.

Small Claims Court of Glascock County  
Judge Joseph Griswell by Governor  
Busbee for term 5/30/78 to 12/21/78.

Small Claims Court of Seminole County  
Judge James B. Preston by Governor  
Busbee for term 9/12/77 to 9/12/78.

## Elections

### State Courts

Muscogee County  
Judge Rufe McCombs elected to fill  
unexpired term from 6/21/78 to 1/1/79.

### Probate Courts

Jones County  
Judge Charles D. Newberry elected to fill  
unexpired term from 2/8/78 to 1/1/81.

Washington County  
Judge Ellen T. Young elected to fill  
unexpired term from 7/20/77 to 1/1/81.

### Special Courts

Small Claims Court of Ben Hill County  
Judge G. H. Wyatt elected to fill  
unexpired term from 7/12/77 to 7/12/78.

## Analysis of Statewide Judicial Manpower Changes During Fiscal Year 1978

(July 1, 1977 to June 30, 1978)

	Judges Beginning First Terms					Judges Leaving the Bench				
Court	*Total No. Judge-ships	Method of Selection			Total No. New Judges	Reason for Leaving				**Total No. Judges Leaving the Bench
		Elected	Appointed	New Judgeship		Retired	Resigned	Died	Failed to Be Reelected	
Supreme Court	7	—	1		1	—	—	—	—	0
Court of Appeals	9	—	1		1	—	1	—	—	1
Superior Courts	99***	—	4	9	13	4	—	—	—	4
State Courts	76	1	5	—	6	—	3	1	—	4
Juvenile Courts (full & part-time)	41		7	3	10	1	3	1		5
Probate Courts	159	1	—		1	—	1	1	—	2

\*As of June 30, 1978.

\*\*Total number of judges leaving the bench does not match total number of new judges in some cases because of vacancies which existed at the beginning or end of the fiscal year.

\*\*\*The 1978 General Assembly created 6 new superior court judgeships; however, three of these were due to be filled after the end fiscal year 1978.

## Appendix Eight

# 1978 Statutes Affecting the Judiciary

- HB 113 Georgia Justice Courts Training Council (Act #977)**  
Establishes the Georgia Justice Courts Training Council; to provide for its membership; to provide for the manner in which it shall conduct its business; to prescribe the powers and functions of the Council; to establish mandatory training requirements and other provisions to implement the act. (*Ga. Laws 1978*, p. 894, effective 7/1/78)
- HB 123 Jury Duty: Persons 65 years or more (Act #773)**  
Amends Code Section 59-112, relating to persons exempt from jury duty, to provide that persons 65 years of age or older desiring to serve on a jury make written request to the jury commissioner that their names be placed in the jury box. (*Ga. Laws 1978*, p. 221, effective 7/1/78)
- HB 124 Uniform Commercial Code: New Article 9 (Act #1120)**  
The new Article 9 clarifies, amends and adds to the law governing secured transactions in personal property and fixtures and the sale of accounts and chattel paper including clarifications, revisions or additions relating to the scope of the application of the article. (*Ga. Laws 1978*, p. 1081, effective 7/1/78)
- HB 132 Probate Court Judge: Disqualified (Act #976)**  
Amends Code Title 24 to authorize the clerk of the judge of the probate court to exercise the jurisdiction of the judge of the probate court in certain causes when the judge of the probate court is disqualified or unable to act and to delete the authority for the clerk of the superior court to exercise the jurisdiction of the probate court judge in such cases. (*Ga. Laws 1978*, p. 891, effective 7/1/78)
- HB 138 Clerk Reading Minutes (Act #978)**  
Repeals Code Section 24-107 so that it is not a requirement that minutes of courts of record be read and signed. (*Ga. Laws 1978*, p. 899, effective 7/1/78)
- HB 262 Compensation and Allowance of State Officials Act (Act #755)**  
Amends an Act providing for the compensation and allowance of certain State officials, including a change in the compensation and expenses of Justices of the Supreme Court, Judges of the Court of Appeals, Superior Court Judges and District Attorneys (*Ga. Laws 1978*, p. 225, effective 2/1/78)
- HB 352 Grand Jurors: Two Alternates (Act #984)**  
Amends Code Section 59-202 providing that two alternate grand jurors may be sworn and may serve when any grand juror dies, is discharged for any cause, becomes ill or is for other cause absent during any sitting. (*Ga. Laws 1978*, p. 906, effective 3/14/78)
- HB 480 Criminal Cases: Oath of Jurors (Act #987)**  
Code Section 59-709 is amended to allow that the judge or the clerk of the court shall administer the oath to jurors in criminal cases. (*Ga. Laws 1978*, p. 910, effective 7/1/78)
- HB 574 Wills: Probate in Solemn Form: Non-Resident (Act #1286)**  
Amends Code Section 113-607 so as to provide that within three days after the first publication of notice in a newspaper a copy or duplicate of the notice or a statement reproducing the entire contents shall be mailed to the party to be notified. (*Ga. Laws 1978*, p. 1605, effective 7/1/78)
- HB 627 Grand and Traverse Jurors: Electronic Selection (Act #1289)**  
Amends Code Section 59-106 to provide a maximum number of jurors, not exceeding 2/5 of the whole number, to serve as grand jurors in any county utilizing a plan for the selection of persons to serve as jurors by mechanical or electronic means. To provide for a minimum of 1/3 of the whole number, but not to exceed 5,000 jurors, to serve as grand jurors. (*Ga. Laws 1978*, p. 1611, effective 7/1/78)
- HB 1234 Duties of Superior Court Clerks (Act #1302)**  
Amends Code Section 24-2715 relating to Clerks of the Superior Courts. Clerks shall not record any deed unless the name and address of grantee is contained in the deed. (*Ga. Laws 1978*, p. 1654, effective 4/3/78)
- HB 1237 Witness Fees Payable To Law Enforcement Officers (Act #995)**  
Witness fees payable to law enforcement officers appearing in court shall be changed to a rate fixed by the court; not less than the per diem paid grand jurors in the preceding term of the superior court of such county but not in excess of \$16 per diem. (*Ga. Laws 1978*, p. 925, effective 3/14/78)
- HB 1281 Uniform Child Custody Jurisdiction Act (Act #793)**  
Amends Code Title 74 so as to enact the Uniform Child Custody Jurisdiction Act; to provide jurisdiction to make child custody determinations; to provide notice and opportunity to be heard and other provisions necessary to implement the Act. (*Ga. Laws 1978*, p. 258, effective 1/1/79)
- HB 1300 Minimum Salaries For Clerks of the Superior Courts (Act #1004)**  
Amends Act to add new Section 3 to provide for longevity increases. Amounts set in Sections 1 and 2 of Act shall be increased by 5 per cent for each term of office. Shall not affect provisions of local legislation (except where salary is lower than salary provided in this Act); and shall not have retroactive effect, except for the current term of the clerks now in office. (*Ga. Laws 1978*, p. 937, effective 7/1/78)
- HB 1307 Cruelty to Children (Act #776)**  
Amends Code Section 26-2801 by adding a new sub-

section (c) to provide punishment of imprisonment for not less than one nor more than 10 years for a person convicted of cruelty to children. (*Ga. Laws* 1978, p. 228, effective 2/24/78)

**HB 1313 Liens (Act #787)**

A bill to amend Code Section 67-2001 so as to provide that liens shall include tools, appliances, machinery or equipment used in making improvements to the real estate, to the extent of the reasonable rental value of such tools, appliances, machinery or equipment. (*Ga. Laws* 1978, p. 243, effective 3/2/78)

**HB 1327 Torts: Definition of Term "Homicide" (Act #1471)**

Amends Code Title 105 relating to torts to change the definition of the term homicide; to change the provisions relating to the privity necessary to support an action; to provide that manufacturers of certain personal property shall be liable in tort, irrespective of privity, in certain cases in which death or injury occurs. Code Section 105-1301 is amended to add to the definition of homicide. (*Ga. Laws* 1978, p. 2218, effective 4/10/78)

**HB 1340 Preservation of Election Records (Act #1034)**

Amends Georgia Code Section 34A-109 to change preservation of records from 1 year to at least 24 months. Amends Georgia Code Section 34A-511, retention of records of rejected applicants, by changing from 1 year to at least 24 months the retention schedule. To provide for absentee registration. Amends Georgia Code Section 34A-901, notice of candidacy, to change filing of notice of candidacy to at least 22 days (presently 15 days) and not more than 52 days (presently 45 days). Amends Georgia Code Section 34A-904, qualification fees, so that in no event shall fee exceed 3 percent of the income from such office for the preceding year. Georgia Code Section 32A-1215 amended so as to make voter's certificates and electors list a record, open for public inspection and provides that voter's certificates be retained 24 months and electors lists for 10 years. Amends Georgia Code Section 34A-1313 requiring records and unused ballots and envelopes be retained for at least 24 months. Amends Georgia Code Section 34A-1407 to provide runoffs shall be held not earlier than the 14th day and not later than the 21st day after the day of holding the first primary or election. Amends Georgia Code Section 34A-1410 to require the city clerk to preserve ballots and other documents for 24 months (presently 2 weeks). (*Ga. Laws* 1978, p. 1025, effective 3/14/78)

**HB 1343 Retirement Benefits: Clerks of the Superior Court (Act #1445)**

A bill changing the provisions relative to retirement benefits for superior court clerks and their spouses and to provide for severability. (*Ga. Laws* 1978, p. 4576, effective 4/6/78)

**HB 1361 Theft (Act #1235)**

A person convicted of violation of Sections 26-1802, 26-1803, 26-1905, 26-1806, 26-1807, 26-1808, 26-

1815 and 26-1816 shall be convicted as for a misdemeanor except if the property which was the subject of the theft exceeded \$200 in value. (*Ga. Laws* 1978, p. 1457, effective 4/3/78)

**HB 1388 Superior Court Judge (Act #1017)**

To provide for addition of one additional judge of the superior courts of the South Georgia Judicial Circuit. (*Ga. Laws* 1978, p. 975, effective 3/14/78)

**HB 1427 Georgia Arbitration Code (Act #1489)**

Amends the Code of Georgia of 1933 so as to provide for an arbitration title; to provide for the effect of agreements to submit to arbitration controversies, to provide for applicants to the court, venue and services of papers and other provisions necessary to implement the Act. (*Ga. Laws* 1978, p. 2270, effective 4/11/78)

**HB 1429 Griffin Judicial Circuit (Act #1245)**

Amends an Act creating the Griffin Judicial Circuit so as to change the times for holding court; to provide a time and procedure for the calling of cases for trial or announcements; to provide for the setting aside of arraignment days in criminal cases; to provide for terms at which grand juries shall meet. (*Ga. Laws* 1978, p. 1481, effective 4/3/78)

**HB 1436 Jurisdiction, Small Claims Court of Harris County (Act #961)**

Amends an act creating the Small Claims Court of Harris County so as to change the provisions relating to civil jurisdiction of said court from \$1,000 to \$5,000. (*Ga. Laws* 1978, p. 3683, effective 7/1/78)

**HB 1438 Schley County, Small Claims Court (Act #962)**

Repeals an Act creating and establishing a Small Claims Court in and for Schley County and provides for the disposition of all suits, cases, papers, and all other matters and materials of said court. (*Ga. Laws* 1978, p. 3685, effective 7/1/78)

**HB 1441 Probate Court Judges—Qualification and Approval of Bonds (Act #1038)**

Amends Code Section 24-1705, relating to the qualifications and approval of bonds of probate court judges, so as to change the office to which bonds are returned. Bonds to be returned to Secretary of State rather than the Governor. (*Ga. Laws* 1978, p. 1038, effective 3/4/78)

**HB 1453 Cobb Judicial Circuit (Act #1016)**

To provide for one additional judge of the superior courts of the Cobb Judicial Circuit; to provide for manner of empaneling jurors; to provide for an additional court reporter; and provides other provisions necessary to implement the Act. (*Ga. Laws* 1978, p. 970, effective 3/14/78)

**HB 1468 Jurisdiction, Small Claims Court, Bleckley County (Act #964)**

Amends an Act creating the Small Claims Court in and for Bleckley County so as to change the provisions relating to civil jurisdiction in cases ex contractu of said court from \$750 to \$1,000. (*Ga. Laws*, 1978, p. 3690, effective 7/1/78)



- HB 1477 Fees of Constables (Act #1321)**  
Amends Code Section 24-280 relating to fees of constables so as to change the fees for service of summons from \$2 to \$4. (*Ga. Laws 1978*, p. 1693, effective 4/3/78)
- HB 1504 Superior Court Clerks (Act #1327)**  
Amends an Act authorizing superior court clerks in certain counties to invest certain funds deposited in the registry of the courts so as to authorize superior court clerks in all counties to deposit certain funds deposited in the registry of the court. New Section 2A is added allowing for such deposit of funds when it is not contemplated that funds will be held longer than 30 days, in an interest-bearing account. (*Ga. Laws 1978*, p. 1704, effective 4/3/78)
- HB 1549 Uniform Criminal Extradition Act (Act #1342)**  
Provides that the District of Columbia shall be included in the jurisdiction of the Uniform Criminal Extradition Act. (*Ga. Laws 1978*, p. 1754, effective 4/3/78)
- HB 1563 Juvenile Court Code—Concurrent Jurisdiction of Superior Court (Act #1345)**  
Amends Code Title 24A, the Juvenile Court Code, to delete from the existing statutes relating to transfer of delinquents from juvenile to superior court the section that requires the juvenile court judge to find that the child is not amenable to rehabilitation or treatment through available facilities. Section 24A-2501 is amended to provide for discretionary transfers. (*Ga. Laws 1978*, p. 1758, effective 4/3/78)
- HB 1568 Lookout Mountain Judicial Circuit (Act #1007)**  
Provides the addition of one judge of the superior courts. (*Ga. Laws 1978*, p. 949, effective 11/1/78)
- HB 1570 Superior Court Judge (Act #1076)**  
Provides for one additional judge of the superior courts of the Ogeechee Judicial Circuit. (*Ga. Laws 1978*, p. 1050, effective 7/1/78)
- HB 1584 Minor Child: Change of Name (Act #1202)**  
Amends Code Section 79-501, relating to change of name, so as to change the requirement of consent as to the change of name of a minor child. Wording is added so that written consent of a parent shall not be required if the parent has not contributed to the support of the child for a continuous period of 5 years or more immediately preceding the filing of the petition. Also, if the location or address of the parent is unknown, service of the petition on the parent shall be made by publication. (*Ga. Laws 1978*, p. 1365, effective 7/1/78)
- HB 1591 Non-Insured Motor Vehicle: Courts Jurisdiction (Act #1204)**  
Provides that certain courts (recorder's, mayor's or police courts) shall have jurisdiction to try persons charged with operating a motor vehicle without insurance. (*Ga. Laws 1978*, p. 1369, effective 7/1/78)
- HB 1593 Ad Valorem Taxes (Act #1354)**  
Amends Code Section 92-5708 that liens for ad valorem taxes shall cover only the property against which the ad valorem tax that is the basis of the lien was assessed. (*Ga. Laws 1978*, p. 1778, effective 4/4/78)
- HB 1623 Superior Court Judges: Attendance at Educational Seminars (Act #1205)**  
Amends Code Section 24-26 authorizing the judges of the superior courts to accept reimbursement of expenses incurred not to exceed more than five days annually while attending any educational seminars, schools and programs, regardless of the source from which such reimbursement is made provided that the source is from a governmental agency. (*Ga. Laws 1978*, p. 1370, effective 7/1/78)
- HB 1632 Hall County, Clerk of the Superior Court (Act #917)**  
The Clerk of the Superior Court and the chief deputy of the clerk shall execute bond in the amount of \$100,000. The premium or cost of the bonds to be paid out of county funds. (*Ga. Laws 1978*, p. 3570, effective 7/1/78)
- HB 1638 Georgia Records Act (Act #1207)**  
Amends the Georgia Records Act to place the authority for establishing court records retention schedules with the Supreme Court of Georgia by Court rule and defines court records affected by this Act. (*Ga. Laws 1978*, p. 1372, effective 4/3/78)
- HB 1640 Jury Boxes (Act #1209)**  
Amends Code Section 59-108 so as to provide for the contracting of electronic or mechanical means of selecting jurors on a judicial administrative district-wide basis. (*Ga. Laws 1978*, p. 1377, effective 4/3/78)
- HB 1641 Jury Duty (Act #1210)**  
Amends Code Section 59-112, relating to persons exempt from jury duty, to provide that a person other than the judge may be appointed by the judge to excuse jurors. Such a person may exercise such authority only after the establishment by court order of guidelines governing such excuses. All excuses, except for permanently mentally or physically disabled persons, shall be deferred to a date and time certain within that term or the next succeeding term. (*Ga. Laws 1978*, p. 1379, effective 4/3/78)
- HB 1683 Custody (Act #1216)**  
Amends Code Section 26-1312, relating to the crime of interference with custody, so as to include within the crime the act of knowingly bringing into this State a person committed to the custody of another person. (*Ga. Laws 1978*, p. 1420, effective 4/3/78)
- HB 1705 Screven County, Small Claims Court (Act #1125)**  
Creates a Small Claims Court in and for Screven County. (*Ga. Laws 1978*, p. 4116, effective 7/1/78)
- HB 1712 Small Claims Court, Troup County (Act #826)**  
Amends an Act creating a Small Claims Court in Troup County so that the term of office for the judge shall be four years; the judge shall give bond in the sum of \$20,000; jurors shall receive \$7.50 per day of attendance in court; to change the costs and fees charged from including all cases to warrants only; each party filing a civil suit or proceeding shall

- deposit with the clerk the sum of \$15. (*Ga. Laws* 1978, p. 3207, effective 4/1/78)
- HB 1722 Morgan County, Small Claims Court (Act #833)**  
Creates a Small Claims Court in and for Morgan County. (*Ga. Laws* 1978, p. 3229, effective 7/1/78)
- HB 1725 Bonds: Traffic Cases (Act #1252)**  
Amends an Act relating to cash appearance bonds in traffic cases, so as to provide that the arresting officer or person receiving said cash bond shall deliver receipts for cash appearance bonds in traffic cases. (*Ga. Laws* 1978, p. 1493, effective 4/3/78)
- HB 1728 Uniform Act Regulating Traffic on Highways (Act #1253)**  
Amends the Uniform Act Regulating Traffic on Highways, so as to change the provisions relative to immediate reports of motor vehicle accidents; to amend Code Title 68c, known as the Motor Vehicle Safety Responsibility Act, so as to change the definition of the term "accident"; to change the provisions relative to reports following motor vehicle accidents. (*Ga. Laws* 1978, p. 1494, effective 4/3/78)
- HB 1734 State Court, Cobb County (Act #840)**  
Adds one judge to the State Court of Cobb County so as to provide for four judges. Provides for the election, powers, duties, jurisdiction, privileges, immunities, compensation of said additional judge, and other provisions dealing with the new office. (*Ga. Laws* 1978, p. 3253, effective 7/1/78)
- HB 1753 Whitfield County, Small Claims Court (Act #1051)**  
Creates a Small Claims Court in Whitfield County. (*Ga. Laws* 1978, p. 3792, effective 7/1/78)
- HB 1764 Georgia Election Code (Act #1356)**  
Amends Code Title 34-10 so as to provide for substituted nominations by special primaries in the event of vacancies occurring in any party nomination (filled by primary) for a federal, state or county office filled by the vote of electors within a single county, by reason of the death, disqualification or withdrawal of any candidate therefor, occurring after nomination. (*Ga. Laws* 1978, p. 1781, effective 4/4/78)
- HB 1774 Children and Youth Act (Act #1258)**  
Amends the Children and Youth Act to authorize the Department of Human Resources to inspect and copy records of law enforcement agencies and courts pertaining to juvenile offenders. The Council of Juvenile Court Judges may inspect and copy such records for the purpose of obtaining statistics on juveniles. (*Ga. Laws* 1978, p. 1510, effective 4/3/78)
- HB 1775 Juvenile Court Code of Georgia (Act #1259)**  
Amends Code Title 24A so as to authorize the Council of Juvenile Court Judges to inspect and copy records of the courts, law enforcement agencies and the Department of Human Resources upon request for the purpose of compiling statistical data on juveniles; to provide that the judge shall permit the Department of Human Resources and Council of Juvenile Court Judges to inspect and copy records of the court and law enforcement agencies for the purpose of obtaining statistics on juveniles and make copies pursuant to the order of the court. (*Ga. Laws* 1978, p. 1512, effective 4/3/79)
- HB 1791 Bingo (Act #805)**  
Amends Code Section 26-2703, relating to the crime of commercial gambling, so as to provide that committing certain acts relating to bingo without a license constitutes commercial gambling. (*Ga. Laws* 1978, p. 851, effective 3/9/78)
- HB 1792 Small Claims Court (Act #898)**  
Provides that the clerk of the small claims court shall be appointed by and selected at the discretion of the board of commissioners; changes the filing costs and for other purposes. (*Ga. Laws* 1978, p. 3514, effective 7/1/78)
- HB 1803 Dawson County, Clerk for the Probate Court Judge (Act #801)**  
Provides for a clerk for the judge of probate court. (*Ga. Laws* 1978, p. 3078, effective 7/1/78)
- HB 1818 Motor Vehicle Safety Responsibility Act (Act #1265)**  
Amends Code Title 68C so as to change the provisions relating to security; to provide for security through surety bonds and real property bonds; to provide requirements as to such additional types of security and other provisions necessary to implement the Act. (*Ga. Laws* 1978, p. 1527, effective 4/3/78)
- HB 1825 Habersham County, Small Claims Court (Act #907)**  
Creates Small Claims Court in and for Habersham County. (*Ga. Laws* 1978, p. 3541, effective 1/1/79)
- HB 1826 Registration and Licensing of Motor Vehicles Act (Act #1266)**  
Amends an Act pertaining to the registration and licensing of motor vehicles in counties throughout the State so as to provide for special and distinctive automobile license plates for the elected sheriffs of the counties of this State and to provide a fee of \$10.00 (*Ga. Laws* 1978, p. 1530, effective 4/3/78)
- HB 1834 Monroe County (Act #909)**  
Abolishes the present method of compensating the Sheriff of Monroe County so as to authorize the grand jury, upon appeal by the sheriff, to arbitrate and decide disputes arising from a refusal of the governing authority to approve the budget or disagreements over the salaries. (*Ga. Laws* 1978, p. 3555, effective 1/1/79)
- HB 1838 Appointment of Guardians for Insane Persons (Act #1267)**  
Amends Code Chapter 49-6, relating to the appointment of guardians for insane and certain other persons, to provide for full and fair hearings and notice; to provide for certain hearings and findings by a commission and the proceedings related thereto; to provide for appointment of counsel and other provisions necessary to implement the Act. (*Ga. Laws* 1978, p. 1531, effective 4/3/78)
- HB 1847 Jurisdiction, Small Claims Court of Pike County (Act #1065)**  
Amends an act creating the Small Claims Court of

- Pike County so as to change the provisions relating to civil jurisdiction of said court from \$1,500 to \$2,500. (*Ga. Laws 1978*, p. 3846, effective 7/1/78)
- HB 1848 Clerks of Superior Court (Act #1358)**  
Amends Code Section 24-27 so as to authorize the clerks of superior courts to record criminal cases on microfilm. (*Ga. Laws 1978*, p. 1787, effective 4/4/78)
- HB 1862 Bulloch County, Small Claims Court (Act #815)**  
Creates a Small Claims Court in and for Bulloch County. (*Ga. Laws 1978*, p. 3161, effective 7/1/78)
- HB 1893 Small Claims Court for Elbert County (Act #851)**  
Changes the provisions relating to cost of service from \$5 to \$10; the plaintiff, when he files his claim, shall deposit \$15; and other provisions to implement the act. (*Ga. Laws 1978*, p. 3337, effective 7/1/78)
- HB 1913 Small Claims Court (Act #1054)**  
Amends an Act creating a Small Claims Court in each county of the State to establish a Small Claims Court in each county having a population of not less than 18,358 and not more than 19,148; provides that its civil jurisdiction in cases in which the demand or value of property involved does not exceed \$1,000; and provides that cost of service shall be \$5. (*Ga. Laws 1978*, p. 3821, effective 3/16/78)
- HB 1931 Jurisdiction, Small Claims Court of Lincoln County (Act #861)**  
Amends an act creating the Small Claims Court of Lincoln County so as to change the provisions relating to civil jurisdiction of said court from \$500 to \$1,500. (*Ga. Laws 1978*, p. 3357, effective 7/1/78)
- HB 1950 Fayette County, Qualifications of Judge, Small Claims Court (Act #872)**  
Amends an act creating the Small Claims Court of Fayette County so as to delete the requirement that any person elected judge of the Small Claims Court shall have been licensed to practice law in the courts of Fayette County for at least three years prior to taking office and deletes the exemption from jury duty. (*Ga. Laws 1978*, p. 3397, effective 7/1/78)
- HB 1970 Jurisdiction and Cost of Filing Claims, Small Claims Court of Bacon County (Act #1146)**  
Amends an act creating the Small Claims Court of Bacon County so as to change the provisions relating to civil jurisdiction in cases ex contractu from \$1,000 to \$2,000. Plaintiff shall deposit \$12.50 with the court upon filing his claim. (*Ga. Laws 1978*, p. 4222, effective 7/1/78)
- HB 1980 Rockdale County, Magistrate's Court (Act #1081)**  
Creates a Magistrate's Court in Rockdale County. (*Ga. Laws 1978*, p. 3907, effective 7/1/78)
- HB 2000 Jurisdiction, Court Costs, Bailiffs and Fees, Small Claims Court for Crawford County (Act #1154)**  
Amends an Act creating the Small Claims Court for Crawford County so as to change the provisions relating to civil jurisdiction in cases ex contractu of said court from \$750 to \$1,500 and changes provisions relating to fees, costs and bailiffs. (*Ga. Laws 1978*, p. 4243, effective 7/1/78)
- HB 2004 Grady County, Small Claims Court (Act #1155)**  
Creates a Small Claims Court of Grady County. (*Ga. Laws 1978*, p. 4247, effective 3/24/78)
- HB 2041 Franklin County, Small Claims Court (Act #1179)**  
Creates a Small Claims Court in and for Franklin County. (*Ga. Laws 1978*, p. 4412, effective 7/1/78)
- HB 2048 City of Byron, Recorder's Court (Act #1183)**  
Repeals the provisions relating to the mayor's court and creates the Recorder's Court for the City of Byron; provides for appointment of a judge, for a bailiff and provisions to implement the act. (*Ga. Laws 1978*, p. 4431, effective 7/1/78)
- HB 2071 Municipal Court of Savannah (Act #1191)**  
Abolishes the office of Associate Judge of the Municipal Court of Savannah; provides for referendum to decide whether the Municipal Court of Savannah, including the office of Senior Judge, will be abolished. Provides for transfer of cases, records, materials and all other matters and materials of said court to the State Court of Chatham County, if the voters approve the abolition of said court. (*Ga. Laws 1978*, p. 4466, effective 12/31/78)
- SB 139 State Courts: Peace Warrants—Jurisdiction (Act #1371)**  
Amends Code Title 76 to provide that, in counties in which a state court is established, bonds for good behavior and bonds to keep the peace shall be returnable in the state court. (*Ga. Laws 1978*, p. 1924, effective 7/1/78)
- SB 264 Probate Court Judges: Revise Fees (Act #1377)**  
Amends Code Chapter 24-17 so as to substantially revise, supersede and change the provisions relating to fees of the judges of the probate courts. (*Ga. Laws 1978*, p. 1939, effective 7/1/78)
- SB 285 Additional Superior Court Judge, Cherokee Judicial Circuit (Act #1013)**  
Adds one judge to the Superior Court, Cherokee Judicial Circuit, so as to provide for two judges in said court. Provides for the appointment, election, term of office, duties, jurisdiction, salary and other provisions dealing with the new office. (*Ga. Laws 1978*, p. 959, effective 3/14/78)
- SB 354 County Probate Court Judges: Salaries (Act #1380)**  
Provides and fixes minimum salaries for judges of the probate courts, to be paid from county funds and to provide for increases. The provisions of this Act shall not be construed to place any judge of the probate court on an annual salary in lieu of the fee system of compensation. (*Ga. Laws 1978*, p. 1953, effective 7/1/78)
- SB 374 Postjudgment Discovery from Not Testifying (Act #1401)**  
Amends Code Section 38-1205, so that except in proceedings in which a judgment creditor or his successor in interest seeks postjudgment discovery involving a judgment debtor pursuant to Section 69 of the Georgia Civil Practice Act, no party shall be required to testify as to any matter which shall tend

to work a forfeiture of his estate. (Ga. Laws 1978, p. 2000, effective 4/5/78)

- SB 385 Early County, Small Claims Court (Act #760)**  
Creates a Small Claims Court in and for Early County. (Ga. Laws 1978, p. 3010, effective 7/1/78)
- SB 397 Intrastate Child Custody Jurisdiction (Act #1382)**  
Creates the "Georgia Child Custody Intrastate Jurisdiction Act of 1978" to specify how an action to obtain a change of legal custody of certain children shall be brought and to prohibit legal and physical custodians of certain children from maintaining certain actions under certain circumstances. (Ga. Laws 1978, p. 1957, effective 1/1/79)
- SB 399 Criminal Justice Planning and Coordination Act of 1978 (Act #1403)**  
Enacts the Criminal Justice Planning and Coordination Act of 1978 to create the State Crime Commission, which shall serve as the State planning agency for certain federal monies. (Ga. Laws 1978, p. 2004, effective 7/1/78)
- SB 403 Offense of Fraud in Obtaining Public Assistance (Act #1023)**  
Amends the Georgia Public Assistance Act of 1965 to include that any person who intentionally, with knowledge of the fraud, aids or abets any recipient of public assistance in obtaining or attempting to obtain any payment of public assistance to which the recipient is not entitled, shall also be liable to the State for the amount of such payment. (Ga. Laws 1978, p. 994, effective 3/14/78)
- SB 408 Sexual Exploitation of Children (Act #1028)**  
Prohibits sexual exploitation of children and any person violating a provision of this Act shall be guilty of a felony. (Ga. Laws 1978, p. 3770, effective 7/1/78)
- SB 418 District Attorney, Rome Judicial Circuit (Act #930)**  
Changes the qualifications and compensation relating to the Assistant District Attorney to conform to State standards. (Ga. Laws 1978, p. 3599, effective 7/1/78)
- SB 420 Georgia Election Code (Act #1031)**  
Amends Title 34 to provide for preservation of records, county registrars, registration cards, keeping of papers, examination records, equipment and arrangement of polling places and other provisions to implement the act. (Ga. Laws 1978, p. 1004, effective 3/14/78)
- SB 433 Theft By Taking (Act #1481)**  
Amends Code Chapter 26-18 so as to change the definition of theft by taking, to define the crime of theft by shoplifting, to provide penalties, to provide that certain evidence shall be prima facie evidence of value and ownership of property and to provide for clarification of sentences. (Ga. Laws 1978, p. 2257, effective 4/11/78)
- SB 439 Georgia Crime Information Center (Act #1394)**  
Authorizes the dissemination of certain information

to certain persons and agencies; to authorize the dissemination of certain records by local criminal justice agencies without fingerprint comparison or prior contact with the Georgia Crime Information Center and deletes the prohibitions against the dissemination of certain information by criminal justice agencies other than the Georgia Crime Information Center (Ga. Laws 1978, p. 1981, effective 4/5/78)

- SB 440 Drug-Related Printed Material (Act #1462)**  
Amends Code Chapter 26-99 to prohibit the sale, delivery, distribution, display for sale or the provision of such restricted drug-related printed material to a minor. (Ga. Laws 1978, p. 2195, effective 4/10/78)
- SB 441 Drug Related Objects (Act #1463)**  
Amends Code Chapter 26-99 to prohibit the sale, delivery, distribution, display for sale or the provision of certain drug-related objects to a minor and to prohibit the possession of such drug-related objects. (Ga. Laws 1978, p. 2199, effective 4/10/78)
- SB 443 Search and Seizures (Act #1482)**  
Providing for the return of certain stolen, embezzled or unlawfully obtained property to rightful owners; provides for hearings; provides that certain statements made in hearings shall not be admissible at trial; to provide that photographs or other identification of said property shall be deemed competent evidence and admissible at trial. (Ga. Laws 1978, p. 2260, effective 4/11/78)
- SB 444 Dismissal of Appeals (Act #1396)**  
Revises appellate and other posttrial procedures so as to change the provisions relating to dismissal of appeals. (Ga. Laws 1978, p. 1986, effective 4/5/78)
- SB 449 Mentally Ill: Hospitalization and Treatment (Act #1359)**  
Amends Code Title 88, Georgia Health Code, to provide a new Chapter 88-5 relating to hospitalization and treatment procedures for the mentally ill and other provisions to implement the Act. (Ga. Laws 1978, p. 1789, effective 9/1/78)
- SB 466 Georgia Special Adult Offender Act (#1400)**  
Repeals an Act known as the "Georgia Special Adult Offender Act." (Ga. Laws 1978, p. 1999, effective 4/5/78)
- SB 517 Alcovy Judicial Circuit (Act #1082)**  
Provides for the addition of one judge of the superior courts. (Ga. Laws 1978, p. 1064, effective 3/16/78)
- SB 542 Jurisdiction, Small Claims Court of Baldwin County (Act #930)**  
Amends an act creating the Small Claims Court of Baldwin County to provide that its civil jurisdiction in cases in which the demand or value of the property involved does not exceed \$2,500; changes the provisions relating to cost of service and fines and punishment. (Ga. Laws 1978, p. 3599, effective 7/1/78)

**SB 544 Voter Registration (Act #1032)**

Amends Code Section 34-610 to provide for the designation of additional registration places and the requirements connected therewith. A new subsection (c) is added providing that additional registration places must be advertised in a newspaper of general circulation in the county one or more times at least 7 days prior to the first day of registration. (Ga. Laws 1978, p. 1023, effective 3/14/78)

**SB 581 Permanent Alimony (Act #1465)**

Amends an Act providing for modification of permanent alimony, so as to provide for legislative intent. A new Section (4A) is added providing that it is the intention of the General Assembly that the provisions of the Act shall be effective and apply to any judgment of a court providing permanent alimony for the support of a wife, including such judgments rendered prior to the effective date of this Act. (Ga. Laws 1978, p. 2204, effective 4/10/78)

**SB 591 Habeas Corpus (Act #1431)**

Amends Code Title 50 so as to provide for a habeas corpus clerk in certain judicial circuits of this State; to provide for reimbursement to counties for certain expenses incurred for writs of habeas corpus sued out in the superior courts of said counties and other provisions necessary to implement the Act. Judicial circuit means any judicial circuit of this State where in a minimum of 235 writs of habeas corpus have been instituted in the superior courts of said circuit for each of the last four calendar years, ending with calendar year 1977. (Ga. Laws 1978, p. 2051, effective 4/5/78)

**SB 595 Jurisdiction, Small Claims Court of Hancock County (Act #884)**

Amends an act creating the Small Claims Court of Hancock County so as to change the provisions relating to civil jurisdiction of said court from \$1,500 to \$2,500. (Ga. Laws 1978, p. 3435, effective 7/1/78)

**SB 610 State Court of Cobb County—Office of Magistrate (Act #1115)**

Provides that two magistrates shall be elected rather than appointed; provides for their compensation and practice of law; to establish terms of holding of court and to provide for qualifications of magistrate. (Ga. Laws 1978, p. 4096, effective 7/1/78)

**SB 616 Child Abuse (Act #1435)**

Amends Code Section 74-111, relating to reports by physicians of child abuse, so as to provide that reports shall be made to an appropriate police authority in the absences of a child welfare agency providing protective services and to provide immunity from liability for those making such reports. (Ga. Laws 1978, p. 2059, effective 4/5/78)

**SB 623 State Court of Spalding County; Terms of Court (Act #886)**

The regular terms of the State Court of Spalding County shall be held quarterly, beginning on the first Monday in March and December of each year, on the third Monday of May of each year, and on the first Tuesday of September of each year. (Ga. Laws 1978, p. 3441, effective 3/13/74)

**SB 625 Employment of Children (Act #1468)**

Provides that minors may work as actors or performers in motion pictures or theatrical productions, in radio or television production, in any other performance, concert or entertainment, in the making of phonographic records, or as advertising or photographic models, to provide for the written consent of the Commissioner of Labor and the conditions thereof. Prohibit the employment of minors for the production of sexually explicit material. (Ga. Laws 1978, p. 2208, effective 4/10/78)

**SR 290 Troubled Children (Act #193)**

Requires the creation of a plan for the development of services to troubled children and their families and creation of an interagency task force to coordinate and maximize services to such children. (Ga. Laws 1978, p. 2110, effective 4/6/78)