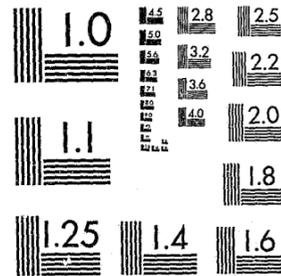


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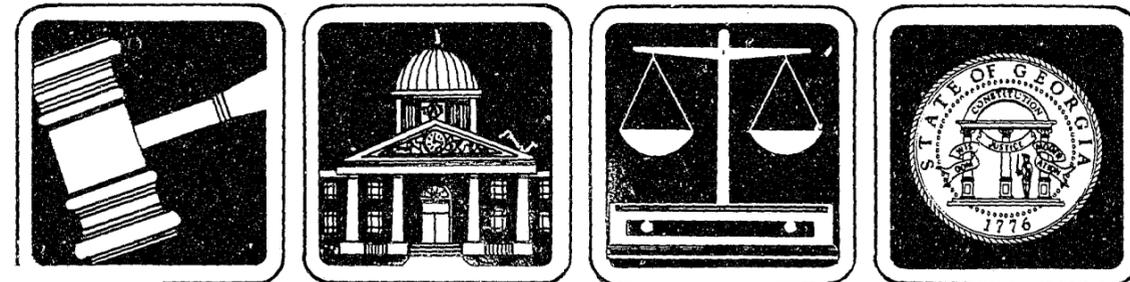
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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531



TENTH ANNUAL REPORT
ADMINISTRATIVE OFFICE OF THE COURTS

80713

SEVENTH ANNUAL REPORT

Administrative Office of the Courts
(July 1, 1979 to June 30, 1980)

U.S. Department of Justice
National Institute of Justice

80713

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Atlanta, Georgia 30303

The *Seventh Annual Report of the Administrative Office of the Courts of Georgia* is published by the Judicial Council of Georgia/Administrative Office of the Courts in compliance with *Georgia Laws 1973*, p. 288 and order of the Supreme Court of Georgia dated June 12, 1978.

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JUDICIAL COUNCIL OF GEORGIA

ADMINISTRATIVE OFFICE OF THE COURTS

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Robert L. Doss, Jr.

Foreward

During its seventh year of operation, the Judicial Council of Georgia/Administrative Office of the Courts continued to provide services to the Courts and to judicial branch agencies. Most significantly, during this year of operation, the Judicial Council was restructured to provide greater representation of the judiciary. The membership of the Judicial Council was expanded from eleven members to twenty-three members, with new members representing the Juvenile Courts, the Justices of the Peace, and the Superior Court Clerks for the first time. During this year, the Administrative Office of the Courts began to adjust its priorities in light of the termination of Law Enforcement Assistance Administration funds which had been used for a variety of important purposes. Near the end of this fiscal year, both the number of staff members and the number of technical assistance projects were trimmed to accommodate reduced funding.

In line with its legislatively mandated responsibilities, the Administrative Office of the Courts provided fiscal, technical, and communication services to the judicial branch. Basic research on the Courts and their work was maintained in the areas of jury management, records keeping, caseload, automated information systems, and facility standards. The Administrative Office of the Courts continued to be the major source of information and technical assistance regarding caseloads, salaries, court-related legislation, budgets, and other information regarding the operation of Georgia's judicial system.

Eleven educational programs were conducted for the continuing education of court personnel during the year. During this year arrangements were made to shift all educational responsibilities to the Institute of Continuing Judicial Education at the end of the fiscal year, while the AOC assumed an administrative role only in this area. This was the second year that the Administrative Office of the Courts had assisted the Georgia Justice Courts Training Council in providing the mandatory training required of justices of the peace for certification.

Continued work with the Judicial Planning Committee resulted in a refined set of goals and standards for the court system and its various agencies. Minimum facility standards were approved by the Traffic Court Committee of the Judicial Council and were distributed by the AOC.

Six new judgeships were created at the recommendation of the Judicial Council in the Brunswick, Cordele, Coweta, Dublin, Rome, and Tifton Judicial Circuits. A new judicial circuit was created this year, the Douglas Circuit, which will become effective on January 1, 1983. Douglas Circuit is the first new judicial circuit to be created since 1972.

This annual report presents a review of how the Administrative Office of the Courts has discharged its responsibilities to the public by aiding local courts, conducting studies, making recommendations for changes and other activities. 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 activities and accomplishments as it works to fulfill its responsibility to the citizens of Georgia by developing and implementing programs and projects to improve the administration of justice.

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



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JUDICIAL COUNCIL/ AOC





Judge James B. O'Connor
Chairman
Superior Courts
Oconee Judicial Circuit
Eastman



Judge Charles L. Weltner
Vice Chairman
Superior Court
Atlanta Judicial Circuit
Atlanta



Judge Norman L. Underwood
Secretary-Treasurer
Court of Appeals of Georgia
Atlanta



Judge Francis W. Allen¹
Secretary-Treasurer
State Court of Bulloch County
Statesboro

Judge Joseph H. Gaines
Superior Courts
Western Judicial Circuit
Athens

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

Charles H. Hyatt, Esq.
Immediate Past President
State Bar of Georgia
Decatur

Justice Robert H. Jordan
Supreme Court of Georgia
Atlanta

Kirk M. McAlpin, Esq.
President
State Bar of Georgia
Atlanta

Judge Paul W. Painter
Superior Courts
Lookout Mountain Judicial Circuit
Rossville

MEMBERS OF THE JUDICIAL COUNCIL OF GEORGIA

(July 1, 1978 to June 30, 1980)

Judge J. Kelley Quillian²
Court of Appeals of Georgia
Atlanta

Judge Andrew J. Whalen, Jr.
Superior Courts
Griffin Judicial Circuit
Griffin

***Judge Berry E. Brock**³
Justice of the Peace of Fulton County
Fairburn

***Judge Herbert M. Crane, Jr.**³
Juvenile Court of Bartow County
Cartersville

***Judge Robert L. Culpepper**³
Superior Courts
South Georgia Judicial Circuit
Camilla

***Judge Ben A. Hodges**³
Superior Courts
Waycross Judicial Circuit
Waycross

***Judge Reid Merritt**³
Superior Courts
Gwinnett Judicial Circuit
Lawrenceville

***Judge Grady C. Pittard, Jr.**³
State Court of Clarke County
Athens

***Judge Dorothy A. Robinson**³
State Court of Cobb County
Marietta

***Judge Robert K. Broome**⁴
Superior Court
Stone Mountain Judicial Circuit
Decatur

***Judge C. Cloud Morgan**⁴
Superior Court
Macon Judicial Circuit
Macon

***Woodson Daniel**⁴
Clerk of Superior Court
of Pulaski County
Hawkinsville

***Judge R. Don Lewis**⁴
Probate Court of McIntosh County
Darien

***Judge Harry Johnson, Jr.**⁵
Probate Court of Floyd County
Rome

*Members added to Judicial Council upon restructuring.

¹Judge Allen became Secretary-Treasurer at the Jan. 28, 1980 meeting following Judge Underwood's resignation (effective 12/31/79).

²Judge Quillian replaced Judge Underwood.

³These new members were sworn in at the March 16, 1980 meeting.

⁴These new members were sworn in at the May 3, 1980 meeting.

⁵Judge Johnson was not sworn in during fiscal year 1980.

JUDICIAL COUNCIL OF GEORGIA

The Judicial Council of Georgia was established in 1973 to serve the interests of the judicial branch of government and to deal with problems of court administration. In order to more effectively deal with problems that face the judiciary, the Judicial Council decided to increase both the number and diversity of its membership in its seventh year of existence.

Serving for the second year as an administrative arm of the Supreme Court of Georgia, the Judicial Council also continued to provide leadership in efforts to improve the State's court system on both the state and local level. Decisions of the Council were carried out by the Administrative Office of the Courts.

During fiscal year 1980, the Judicial Council set five specific goals. Obtaining full state funding for appropriate operations of the AOC in fiscal year 1981, the Council's first goal, was not realized, although the AOC received an appropriation that was slightly higher than that of fiscal year 1980. The second goal, assisting the Supreme Court in its reorganization of the Council, was completed.

The third goal, having the Supreme Court of Georgia establish a coordinated budgetary process for all the judicial agencies, was begun in the Spring of 1980 when the Chief Justice assigned a committee to look into the feasibility of making this effort. Arrangements were made for the AOC to compile the budgets of sixteen judicial agencies for the General Assembly. The Chief Justice was to make the budgetary presentation to the joint Appropriations Committees of the 1981 General Assembly.

Assisting the Supreme Court in bringing the judicial administrative districts under the administrative umbrella of the Supreme Court and Judicial Council in order to unify efforts at administrative improvement,

the fourth goal, was still at the committee stage at the end of the fiscal year. Goal five was defining what the role of the AOC was to be vis-a-vis other agencies of the Judicial Council—the Judicial Planning Committee, the Institute of Continuing Judicial Education, and the Board of Court Reporting. This goal has not yet been achieved.

Evaluating the need for additional judicial manpower resulted in six new superior court judgeships being created by the General Assembly at the recommendation of the Judicial Council. Judicial circuits receiving additional judges were: Brunswick, Cordele, Coweta, Dublin, Rome, and Tifton. The Council also recommended that a judgeship be created in Toombs Judicial Circuit, but the legislation did not pass. Additional judgeships are recommended on the basis of need as determined by statistical analysis of circuit workloads.

The Judicial Council appointed several committees to study specific problems, including the proposed legislation regarding mandatory sentencing, the problem of transcript and trial delay, and the possibility of unifying efforts within the judicial system to improve judicial administration. The committee on mandatory sentencing formulated three positions on the issue, which the Council subsequently adopted. These were: 1) that mandatory sentencing is basically unfair; 2) that if mandatory sentencing would reduce crime and if it were fair, then judges should not oppose it; and 3) that as an alternative to mandatory sentencing, an objective study be made of the present sentencing system, from the time the judge sets a determinate sentence to final release. Such a study would suggest whether the present system should be maintained in some modified form or whether an entirely new process of

sentencing is required.

As noted, a petition for expansion and restructuring of the membership of the Judicial Council was submitted to the Supreme Court. The petition requested an increased voting membership, that the voting membership be elected, that specific lengths of terms be provided for members, that operating procedures be specified, as well as the measures to be used to implement the restructuring of the Council. The Council had been composed of nine judges from courts of record and two members from the State Bar of Georgia.

The Supreme Court subsequently ordered (February 6, 1980) that the Judicial Council's membership be comprised of twenty voting members and three non-voting members who would be elected by the district or group represented. Voting members included one judge from the Court of Appeals, ten judges from the superior court, three judges from the state court, three judges from the probate court, one judge from the juvenile court, and two members of the State Bar. Non-voting members included one justice from the Supreme Court, one justice of the peace, and one clerk of the superior court. Guidelines for the selection of the Judicial Council members were also provided. (These can be found in Appendix One.)

Specific lengths of terms were also ordered. Voting members have staggered three-year terms beginning on July 1 each year. Non-voting members also serve three-year terms beginning July 1 of each year. No member could succeed himself for a period of three years. While there was no age limit for membership, senior judges were not to serve. The length of a new member's term would initially be staggered and determined by lot. The reconstruction of the Judicial Council became effective March 1, 1980.

ADMINISTRATIVE OFFICE OF THE COURTS

Activities of the Administrative Office of the Courts are designed to serve the judicial system in compliance with eight responsibilities that are assigned in the legislation that created the agency. These responsibilities were confirmed in the Supreme Court order that placed the Judicial Council/AOC under the supervision of the Court.

The legislated responsibilities of the Administrative Office of the Courts are to:

1. Consult with and assist judges and other court personnel in matters of court administration.
2. Examine the administrative and business methods and systems used in the judicial system and to make recommendations for their improvement.
3. Compile statistical and financial data and other information on the judicial work of the courts and related offices.
4. Examine the state of the dockets and practices and procedures of the courts and to make recommendations in this area.
5. Serve as fiscal and budget officer for the judicial system and prepare budget estimates of state appropriations necessary for the maintenance and operation of the judicial system.
6. Study the courts, assist court personnel, and make recommendations for improvements to the courts.
7. Perform additional duties assigned by the Judicial Council.
8. Produce an annual report on the work of the courts and the activities of the Administrative Office of the Courts.

The Administrative Office of the Courts has developed on-going technical services and programs in the areas of facilities, jury management, records management, information systems, and case processing for the courts. Specialized manuals and

handbooks have been developed and distributed to groups of court personnel. General information about the judicial system is provided in the *Georgia Courts Journal*. The public is also informed about the Georgia courts through the news release service that the AOC maintains.

Each year the Administrative Office of the Courts conducts an inventory of the workload of Georgia's four principal trial courts. Besides tracking the numbers and types of cases filed and disposed of in the courts, the information is used by the Judicial Council and the legislature to create new judgeships and courts. During fiscal year 1980, other court statistics that were reported included an analysis of the open caseloads of fiscal years 1978 and 1979 and a survey of judicial compensation.

The Administrative Office of the Courts continued to assist the courts in implementing automated computer technology for court statistics and juror selection. One such program that the AOC has been involved in is the juvenile court statewide information system. Information about the certification of justices of the peace and court reporters is also kept on file at the AOC. In order to help courts simplify the records-keeping process, the AOC has developed model dockets for the trial courts. These courts are then assisted in implementing the standardized forms. Guidelines for the length of time that court records should be kept are also developed.

Nine judicial agencies relied upon the Administrative Office of the Courts as their fiscal and budget officer. Application for and distribution of federal grants for court administration supplied through the Law Enforcement Assistance Administration (LEAA) program was a major AOC function during the year. With the end of LEAA funding in sight, the AOC's

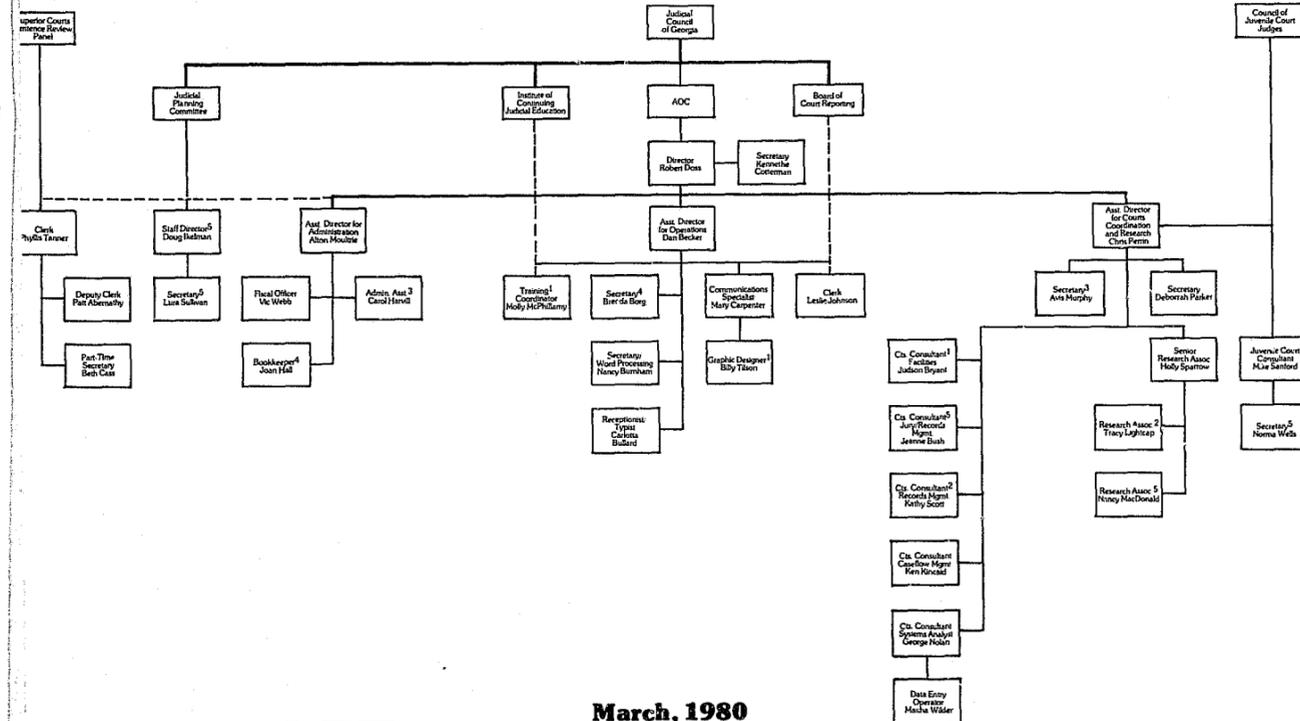
fiscal activities at the close of the fiscal year shifted to preparing for a coordinated judicial appeal for state appropriations that would be made for fiscal year 1982. Planning for this coordinated approach to the 1981 General Assembly was initiated by the Chief Justice of the Supreme Court of Georgia.

The Administrative Office of the Courts recommended that changes be made in individual courts to alleviate problems, and in the judicial system as a whole through participation in the development of the 1981 *Georgia Courts Plan* with the Judicial Planning Committee. The AOC also planned and conducted eleven educational programs for justices of the peace, and other non-judicial court personnel during the year.

With the loss of federal monies and the reduced financial support of the Administrative Office of the Courts anticipated at the end of fiscal year 1980, it was decided, out of necessity, to reduce the number of staff members by one-fourth. The number of full time positions was to be reduced from twenty-seven and one-half to twenty and one-half. (The one-half position results from the position of assistant director for research and court services for the AOC (one-half funding) which is also the position of executive director of the Council of Juvenile Court Judges (one-half funding). Of the twenty and one-half who remained, eight staff persons were to be placed on contract. Many of these provided technical services.

Because of the loss of staff persons with technical expertise, the Administrative Office of the Courts anticipated some curtailment of the technical services that would be available. However, the AOC anticipated a continuation of the administration, information, and communication services that are part of the agency's responsibilities to the judicial system.

AOC ORGANIZATIONAL CHART



March, 1980

- *At the close of FY 1980 AOC staff was reduced by one-fourth.
- ¹These positions were retained on a contractual basis with the AOC at the beginning of FY 1981.
- ²These positions were retained on a contractual basis through funding by the Supreme Court in FY 1981.
- ³These positions were eliminated due to a decision by the Attorney General's office that a contractual arrangement could not be made.
- ⁴The bookkeeper position has been changed to secretary/purchasing agent.
- ⁵These positions have since been eliminated.

ADMINISTRATION

Administration, by definition, is an essential function of the Administrative Office of the Courts. Along with administering various programs for the judicial system, an important task is serving as fiscal and budget officer for the judicial agencies and courts. Much of that responsibility involved administering federally funded grants for court improvement. Budgets were prepared and administered for nine judicial agencies. Another important activity was tracking and reporting the status of court-related legislation to the judges during the 1980 General Assembly.

Eight block grants from the Law Enforcement Assistance Administration (LEAA) were administered during the year. These funds were applied to programs for the implementation of model docket books, computer technology, an update of an inventory of court facilities, judicial education, traffic court improvements, operation of the judicial administrative districts, and collection of data about the day-to-day operation of the courts. The \$506,864.86 awarded from the LEAA was also supplemented by one grant of \$4,722.84 from the National Highway and Traffic Safety Admin-

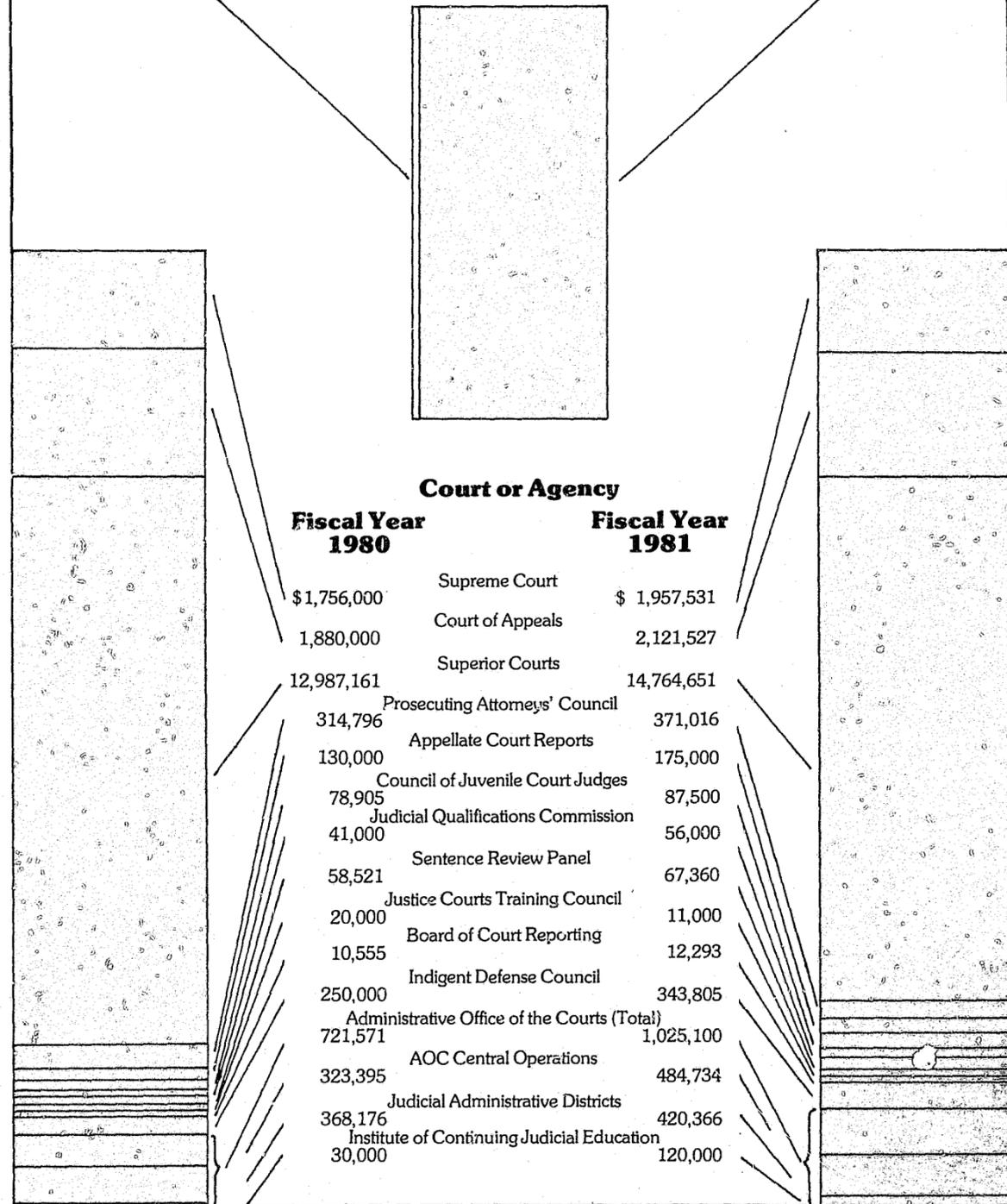
istration of the U.S. Department of Transportation that was awarded through the Georgia Office of Highway Safety. The nine judicial agencies which directly relied on the Administrative Office of the Courts as their fiscal officer were the Board of Court Reporting, the Council of Juvenile Court Judges, the Georgia Justice Courts Training Council, the Institute of Continuing Judicial Education, the Judicial Administrative Districts, the Judicial Qualifications Commission, and the Superior Courts' Sentence

STATE APPROPRIATIONS FOR COURTS AND JUDICIAL AGENCIES

(July 1, 1979 to June 30, 1980)

JUDICIAL BUDGET
\$17,875,192
0.62 percent (less than 1 percent)

TOTAL STATE BUDGET
\$2,850,152,707



Review Panel. The AOC prepared budgets and administered funds for each of these agencies, as well as handling the fees collected by the Board of Court Reporting and the Georgia Justice Courts Training Council. Funds for the judicial administrative districts and the Institute of Continuing Judicial Education were included in the umbrella appropriation granted to the AOC by the 1980 General Assembly. Total expenditures of funds handled by the AOC were \$1,639,852.23.

At the request of the Chief Justice of the Supreme Court of Georgia, the Administrative Office of the Courts

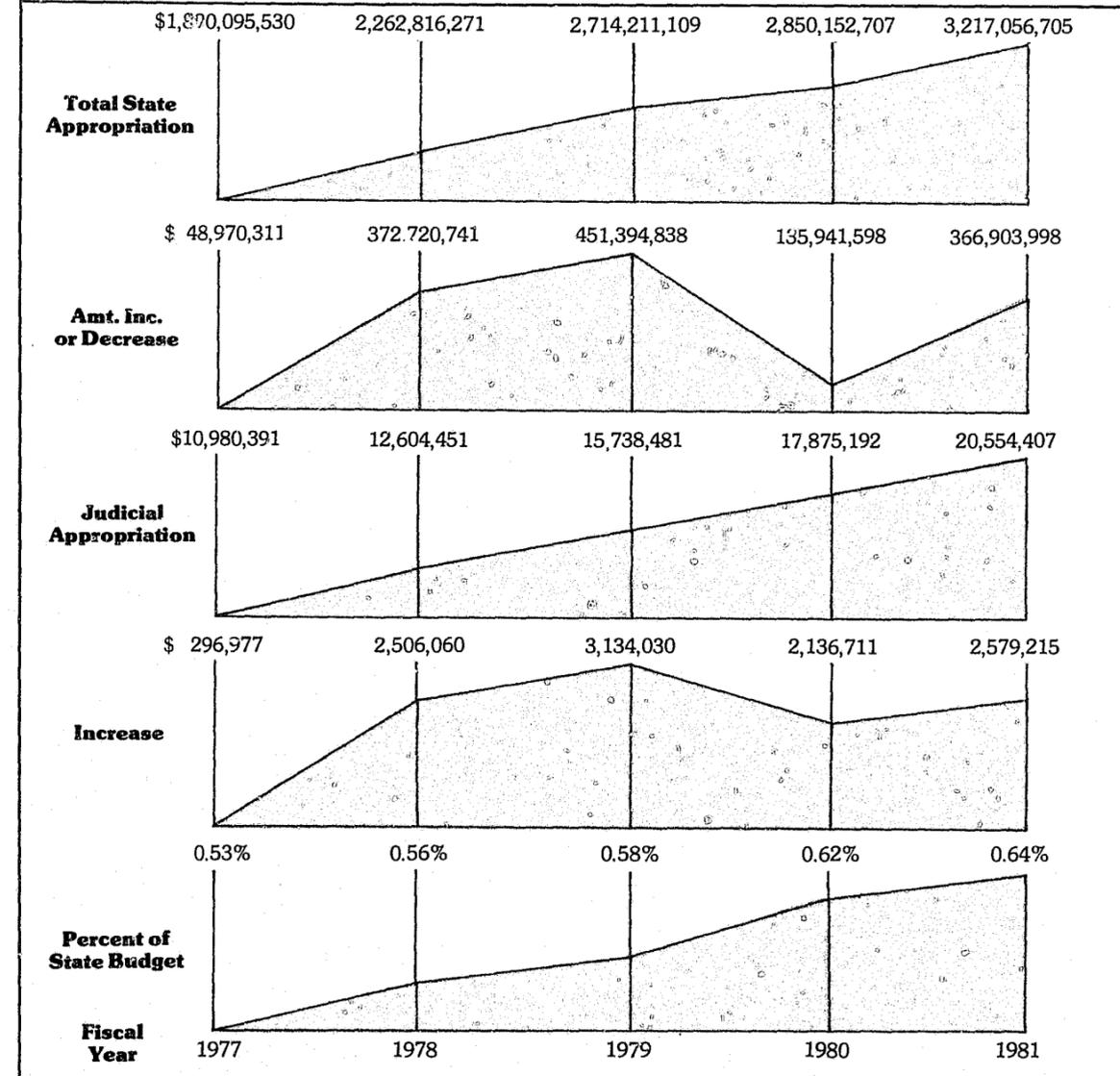
began preparations for a coordinated request for state funds for sixteen judicial agencies. While the Chief Justice would make the budgetary presentation to the 1981 General Assembly, the AOC was to compile and organize the fiscal year 1981 budget requests of each agency.

During the 1980 General Assembly, the Administrative Office of the Courts kept the judges and other court-related personnel up-to-date about the status of court-related legislation through a weekly publication, the *Judicial Legislative Log*. Ten issues were published. The purpose of the *Log* was to summarize bills that would

affect the judicial system and to report their status throughout the legislative session. During the session, the AOC also gave legislators information about the court system.

Other information provided by the AOC included copies of the state attorney general's opinions about court-related issues, and the newly-revised civil pattern jury instructions and criminal pattern jury instructions manuals for new superior court judges. A computerized mailing system for judicial personnel enabled the AOC to provide information to specialized groups within the judicial system.

FIVE-YEAR COMPARISON FOR JUDICIAL BUDGET



SUMMARY OF FUNDS ADMINISTERED BY THE JUDICIAL COUNCIL/AOC IN FISCAL YEAR 1980

Project	Funding Source	Funds (Expended or Committed)
Administrative Office of the Courts General Court Administration	State Funds LEAA Grants 79-A32-7905-001 78A-08-001	\$353,395.00 \$218,990.92 37,341.14
Computer Services	LEAA Grant 78A-08-001	39,047.51
Record Retention Schedules Traffic Court Improvement	Supreme Court Contract Office of Highway Safety Grant 79-07-01-A-307-01	48,980.85 4,722.84
Judicial Education	LEAA Grants 78-A-12-002 79-A32-7907-002 78A-20-022	90,899.35 51,021.31 23,466.50
Institute of Continuing Judicial Education Judicial Administrative Districts Board of Court Reporting	State Funds State Funds State Funds	30,000.00 368,176.00 10,555.00
Judicial Qualifications Commission Sentence Review Panel Council of Juvenile Court Judges Georgia Justice Courts Training Council	Fees State Funds State Funds State Funds State Funds	10,812.81 41,000.00 58,521.00 78,905.00 20,000.00
Judicial Planning Commission	Fees 1979 LEAA/State Crime Commission Contract 1980 LEAA Contract	9,893.71 20,654.75 25,443.38

COMMUNICATIONS

One of the fundamental functions of the Administrative Office of the Courts is facilitating communication between segments of the judicial system and presenting information about the system to the general public in a newsworthy manner. The communications department of the AOC produces and/or distributes both general-interest publications and specialized studies and manuals.

During fiscal year 1980, three issues of the *Georgia Courts Journal* were prepared and issued to judges and court-related personnel to keep them informed of activities of the Judicial Council/AOC and changes affecting the courts. The *Journal* featured articles about legislation, procedural changes, problem-solving activities, and judges' opinions.

An annual directory of Georgia's

court personnel was also issued. The directory listed the names, addresses, and telephone numbers for the United States court judges, and

Georgia court judges, district attorneys, solicitors, clerks, and court reporters. The members of various judicial agencies were also listed.

COMMUNICATIONS COMMITTEE

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

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

Charles H. Hyatt, Esq.
Immediate Past President
State Bar of Georgia
Decatur

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

Judge Grady C. Pittard, Jr.
State Court of Clarke County
Athens

Eight *Public Relations Digests*—compendiums of clippings about the court system taken from Georgia newspapers—were prepared for Judicial Council members and other persons, including selected members of the General Assembly, district administrative judges, and district administrative assistants. The *Digests* provided a means of measuring public response to the activities of the Georgia courts.

Releasing an annual report is one of the legislated responsibilities of the Judicial Council/AOC. The annual report is designed to present an overview of the work of the courts each year and the work of the agency. The *Sixth Annual Report of the Administrative Office of the Courts*, and an executive summary which was prepared for the 1980 General Assembly, *The Judicial System of Georgia in Fiscal Year 1979*, provided information about the major courts of record in Georgia and activities of the AOC and other judicial agencies.

News releases were the other

means of informing the news media, in particular, and the public, in general, of timely information about the courts. Approximately 120 such releases were issued during the year to announce changes and improvements.

The department also coordinated printing projects for the AOC and other judicial agencies. Published studies, manuals, and handbooks were distributed through the AOC. A list of publications that were completed last year is provided.

FY 1980 PUBLICATIONS

Caseload Summary Report (statistics for the years 1971 to 1979)
Directory of Georgia Certified Court Reporters
1979 Georgia Courts Directory
Georgia Courts Journal (three issues)
1981 Georgia Courts Plan
Georgia Traffic Court Manual
Judicial Legislative Log (ten issues)
Judicial System of Georgia in Fiscal Year 1979, The (An Extract of the Sixth Annual Report of the Administrative Office of the Courts)
Public Relations Digest (eight issues)
Seventh Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia
Sixth Annual Report, Administrative Office of the Courts
Superior Court Clerks Manual

EDUCATION

The Administration Office of the Courts provided eleven educational programs to assist the Georgia Justice Courts Training Council in training justices of the peace and to enable non-judicial personnel to perform their jobs with greater efficiency. Fiscal year 1980 was the last year that the AOC was directly involved in planning and implementing these educational programs. Plans were made at the close of the fiscal year to shift all educational programs to the

Institute of Continuing Judicial Education with the AOC providing administrative and promotional support.

Of the eleven educational programs conducted by the Administrative Office of the Courts during the year, five were seminars directed to four groups of court personnel: superior court clerks, court reporters, secretaries to judges, and court administrators. The AOC also continued to assist the Institute of Continuing

Judicial Education in planning and conducting other educational seminars for members of the judiciary.

Six of the seminars conducted by the Administrative Office of the Courts were planned with the Georgia Justice Courts Training Council for the certification of the justices of the peace in Georgia. The justices of the peace are required by law (Ga. Laws 1978, p. 894) to complete mandatory training and continuing education for certification. Certification

EDUCATIONAL PROGRAMS FOR COURT PERSONNEL

Seminar Participants	Location	Dates	Attendance
Superior Court Clerks	Macon	October 24-29, 1979	69
Certified Court Reporters	Macon	November 30- December 1, 1979	83
Court Administrators	Chatsworth	May 9-10, 1980	29
Certified Court Reporters	Atlanta	May 30-31, 1980	90
Superior Court and Full-Time State Court Judges' Secretaries	Atlanta	June 27-28, 1980	75

allows a justice of the peace to collect fees for performance of his or her duties. In order to become certified, a justice must complete forty hours of training initially and pass a certification examination. The law also requires the justice to take twenty hours of continuing education each year. (Reports on the certification of Georgia justices of the peace can be found in the annual report of the Georgia Justice Courts Training Council on page 53.)

Reimbursement of judicial personnel for the expense of continuing judicial education was also a major responsibility of the AOC. Reimbursements were provided for training sponsored by other organizations

in and out of the state, as well as the AOC/Institute of Continuing Judicial Education. The AOC also devoted efforts to acquiring federal and state funding for educational programs.

In an amendment to Code Section 24-2606, the 1980 General Assembly authorized superior court judges to accept reimbursement for actual expenses incurred for continuing education both in and out of the state in the same manner as members of the General Assembly for attendance at meetings and conferences. The act provided for tuition and registration fees, and other similar expenses. The only limitations were that the requests should be approved by the Institute of Continuing Judicial Education and

should not exceed \$3,500 every four years. The act was to become effective on July 1, 1980.

The Administrative Office of the Courts maintains a court administration library which is available to those who wish to obtain information about Georgia courts. A library of video tapes of educational seminars is also maintained by the AOC. Tapes and video equipment for viewing them are available to judges on request. Loans of the tapes have been coordinated through the judicial administrative districts.

A separate report on the Institute of Continuing Judicial Education is on page 38.

PLANNING

The Administrative Office of the Courts contributed to judicial planning by assisting the Judicial Planning Committee in preparing the 1981 Georgia Courts Plan. The AOC was one of many judicial agencies that helped to develop short- and long-term goals for court administration. Court administration was one of six topics that were assigned to task forces for judicial improvement.

These task forces helped to set priorities for specific programs and projects so that those with greatest impact might be implemented first as funds or personnel might become

available. Cooperation between the Judicial Planning Committee and the Administrative Office of the Courts facilitated the process of allocating federal funds for court administration projects, such as funding law clerks for superior court judges.

The Judicial Planning Committee also enabled the Administrative Office of the Courts to identify problems in court administration and to develop general, statewide programs to relieve those problems. Goals for the AOC have also been established through consideration of the Judicial Planning Committee's courts plan since overall

priorities of the court system are reflected in the plan.

More direct involvement with judicial planning was anticipated by the Administrative Office of the Courts at the end of fiscal year 1980 as the Judicial Council assumed the responsibility of the Judicial Planning Committee. The Judicial Council's decision resulted from the loss of federal funding.

A separate report on the activities of the Judicial Planning Committee is on page 39.

RESEARCH AND PUBLISHED STUDIES

A major activity of the Administrative Office of the Courts has been the yearly compilation and statistical analyses of workload and financial data. Availability of this factual data has aided the Judicial Council, the courts, and the legislature in making decisions for improvements in the court system. Most of the studies conducted by the AOC are made available in the form of published studies.

Each year since 1973 the Administrative Office of the Courts has studied the need for additional superior court judgeships on a statewide basis. Workload studies are made of judicial circuits requesting

additional judges. These are submitted to the Judicial Council for review and for the Council's recommendation that the General Assembly and the governor create additional judgeships in those circuits. The published judgeship report also indicates the number and type of cases handled by the superior, state, juvenile, and probate courts during the year.

Last year the AOC revised the case counting methods that were used in the study to accommodate shrinking research funds. The district administrative assistants assisted in administering the case counting pro-

ject in the courts in their regions. They were assisted by temporary assistants for whom contact funds were provided by the AOC. Since there is no district administrative assistant for the fourth district, the AOC conducted the study in that district.

Once the statistics are compiled, the Administrative Office of the Courts uses two methods of analyzing the data to determine whether a circuit's workload is heavy enough to merit an additional judge. The Delphi weighted caseload system of analysis evaluates such factors as dispositional methods, jury trial work, senior judge time, the number of judges, travel,

and the administrative time required. The other method of statistical analysis, the ratio weighted caseload system, is based on the number of caseload filings. While there are certain limitations to the collection of data and to an accurate portrayal of a circuit's workload in both of these systems, all studied circuits are measured by the same standards. Thus, each circuit's needs are compared on a relatively equal basis.

The Judicial Council takes these two methods of analysis into consideration when deciding whether to recommend a judicial circuit for an additional judgeship. Persons from the circuit are allowed to address the Council as to why another judgeship is needed. The district administrative assistants also conduct interviews of local officials as to whether a new

judgeship is necessary. The governor has a standing policy that a circuit must be recommended by the Judicial Council for a new judgeship to be approved.

Summaries of the caseloads of the four principal trial courts which were studied in fiscal year 1980 can be found in the section on the courts which begins on page 22.

In preparation for the annual case counting study, the Case Definition Committee of the Judicial Council further refined the methodology for counting cases. A seminar was conducted by the Administrative Office of the Courts to prepare the district administrative assistants and temporary assistants for the task. Also, an instructional manual and counting forms were published.

Information that was previously

collected in caseload studies was compiled into the *Open Caseload by Age Report* for fiscal years 1978 and 1979. This report analyzed filing and disposition trends in Georgia's major trial courts during those years. Another report which the AOC published analyzed trends of caseloads in Georgia courts from 1971 to 1979.

Another yearly report that was conducted in fiscal year 1980 was a survey of the salaries of Georgia's trial court personnel, including judges, trial court administrators, and clerks of the superior courts.

The Administrative Office of the Courts answered numerous technical assistance requests for caseload and salary data, and information about court operations from court personnel and the public.

TECHNICAL ASSISTANCE

During the past fiscal year, the Administrative Office of the Courts provided assistance in specialized technical areas of court administration. These areas included caseload management, facilities, information systems, jury management, records management, and traffic courts.

In the area of records management, the Administrative Office of the Courts conducted a preliminary survey of court records in order to develop statewide records retention schedules. The survey provided data on the volume of records retained, the types of records, the information contained in each type, and the current procedures used to create and maintain records. Records retention schedules assist in relieving the overcrowding of court office space which sometimes occurs, while insuring that important information is retained for court use.

When these retention schedules are completed, they will establish the time period each type of court record must be maintained by court personnel, taking into account the record's administrative, historical, fiscal, and legal value. Work in this area has been coordinated with the State Bar of Georgia, the Prosecuting Attorneys' Council, and the Department of Archives and History.

The Administrative Office of the Courts also continued to coordinate

implementation of uniform model docket books for the superior, state, juvenile, and probate courts. When a model docket book was implemented, the AOC prepared a report of the records-keeping procedures of the court and recommended improvements. The AOC designed court rules that prescribed form and manner of

docket entries to be made when the uniform model docket books were implemented in the superior courts.

The Administrative Office of the Courts also assisted local courts by developing forms for use by the clerks in handling records-keeping functions. Civil forms were designed to be used by superior court clerks in imple-

RECORDS MANAGEMENT STEERING COMMITTEE

Judge Andrew J. Whalen, Jr.
Chairman
Superior Court
Griffin Judicial Circuit
Griffin

A.K. Johnson
Vice Chairman
U.S. Department of Archives
(Retired)
Atlanta

Judge Ezra Aaron
Small Claims Court
Toombs County
Lyons

Judge Francis W. Allen
State Court of Bulloch County
Statesboro

Judge William L. Brogdon
Justice of the Peace
Cobb County
Marietta

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

Judge Handsel Morgan
Juvenile Court of Gwinnett County
Buford

Frances Roquemore
Court Reporter
Forsyth

Charles Rucker
Clerk of Superior Court
Northern Judicial Circuit
Elberton

TRAFFIC COURT COMMITTEE

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

Judge Edward L. Baety
City Court of Atlanta
Atlanta

Judge Lionel Drew
Recorder's Court of Chatham County
Savannah

Judge Walter H. New
City Court of Quitman
Quitman

Judge J. Ben Spears, Jr.
Probate Court of Monroe County
Forsyth

Judge Andrew J. Whalen, Jr.
Superior Court
Griffin Judicial Circuit
Griffin

Judge R. Don Lewis
Probate Court of McIntosh County
Darien

menting the changed requirements for records resulting from the Uniform Child Custody Acts. Along with providing new forms to enable the superior court clerks to comply with the legislation, the AOC also suggested a uniform procedure for processing child custody matters.

The AOC also continued its assistance to the Georgia Council of Juvenile Court judges in implementing a statewide information system for the juvenile courts. The model docket book for the juvenile court has a tear-out second sheet for each docket page which is forwarded to the Council of Juvenile Court Judges for computer entry of the docket information.

The Administrative Office of the Courts provided a number of other services which applied computer technology to court administration. The caseload reporting system for the major courts of record was revised and caseload data was collected. An

identification card system was maintained for the Board of Court Reporting, along with an automated record of the renewal applications for certified court reporters. The AOC also provided assistance to the Georgia Crime Information Center.

Assistance with computer technology was provided by the Administrative Office of the Courts to the local courts in planning and implementing automated jury selection systems. During the year, the AOC also completed a statewide survey of the way that courts use jurors. Copies of the report were distributed to superior court judges and clerks. The report contained information on the views of judges about jury utilization and management, as well as the current practices employed by the clerks. Estimates were made by the AOC on the cost for juror use and the length of time most jurors served.

In response to two direct appeals for assistance with jury management,

the AOC conducted a feasibility study for the use of telephone answering devices to notify jurors in Clarke County. Clayton County also received technical assistance from the AOC in making more efficient use of the jurors there.

Demand for assistance in improving court facilities continued in fiscal year 1980. A statewide inventory on the condition of court facilities, was updated. Architectural assistance was provided to twenty-one counties to modernize court facilities. The total dollar volume of these county projects amounted to \$4 million in construction costs. The AOC also proposed improvements in courtrooms, court offices, and building renovations. Assistance was also offered to local officials who were applying for funds for construction and renovation projects.

Traffic courts received assistance in developing calendaring and caseflow procedures, as well as in other areas, last year. The Administrative Office of the Courts continued to maintain its lending library for traffic court judges. Work continued with the Department of Public Safety to revise the uniform traffic citation and to improve the reporting of convictions by the traffic courts. A form was developed for use by the clerks in implementing the uniform traffic docket.

Minimum facility standards, which had been approved by the Traffic Court Committee of the Judicial Council, were distributed to all traffic court judges in the state. The *Georgia Traffic Court Manual*, which had been completed earlier, was further distributed by the AOC during fiscal year 1980.

On-site studies were made for ten traffic courts at their request. Assistance by the Administrative Office of the Courts involved preparing reports of the existing practices of the courts and drawing up proposals for improving the courts' operations.

AOC ACTIVITIES IN REVIEW

Administrative Districts

- Continued as fiscal officer for the districts
- Coordinated efforts in collecting and compiling caseload data, including conducting a seminar on case-counting methodology

Communications

- Three *Georgia Courts Journals*
- One *Annual Report*
- One *Georgia Courts Directory*
- Eight *Public Relations Digests* (compendiums of clippings about the court system taken from Georgia newspapers)
- 120 news releases of timely information
- Printing projects for the AOC and other judicial agencies

Court Reporting

- 86 court reporters certified by testing, including five upgraded certificates
- 28 suspended certificates due to failure to renew
- Three formal complaints filed were investigated and dismissed before hearing
- Maintained referral service for court reporters and employers and supplied more than 55 names in response to 10 requests for both official and free lance positions
- Updated and distributed *Directory of Georgia Certified Court Reporters*
- Changed rules to delete requirement that court reporter must be certified through the "B" test in order to take the "A" test
- Changed rules to provide that any certified reporter may upgrade proficiency level by passing subsequent examinations
- Issued opinion that the per diem paid includes criminal takedown in misdemeanor cases when required by law or specially ordered
- Changed fee schedule to \$75 per day for certified court reporters
- Proposed amendment in temporary employment permit section of Court Reporting Act to allow the Board of Court Reporting to limit such permits only with the concurrence of the issuing judge

Education

- Planned and implemented 11 educational programs: Six certification seminars for justices of the peace

- One seminar for court administrators
- One seminar for superior court clerks
- Two seminars for certified court reporters
- One seminar for secretaries of superior and state court judges
- Reviewed plans for training seminars with the Institute of Continuing Judicial Education
- Maintained video-tape library for training judges and court-support personnel
- Maintained centralized information center for justices of the peace
- Maintained records of justice of the peace certification
- Administered funds for reimbursements to seminar participants
- Consulted the Georgia Justice Courts Training Council in planning and conducting certification seminars for justices of the peace
- Consulted the Georgia Certified Court Reporters Association in planning training seminars for certified court reporters

Facilities

- Provided technical assistance to 21 counties, representing \$4 million in construction costs
- Updated inventory of court facilities

Fiscal

- Administered 11 block grants from the Law Enforcement Assistance Administration
- Administered one grant of the Office of Highway and Safety
- Served as fiscal agent for nine judicial agencies
- Began planning for a coordinated budgetary request of the judicial agencies for FY 1982

Information Systems

- Revised the caseload reporting system for major courts of record
- Produced caseload reports
- Assisted in implementation of the Statewide Juvenile Information System of the Council of Juvenile Court Judges
- Maintained an identification card system and renewal

AOC ACTIVITIES IN REVIEW

- application forms for certified court reporters for the Board of Court Reporting
- Provided technical assistance to the Georgia Crime Information Center
- Maintained automated system for the projects and activities of AOC consultants
- Assisted local courts with planning and implementing automated jury selected systems
- Updated and maintained a judicial addressing system

Juries

- Provided technical assistance to Clayton County
- Studied feasibility of using telephone answering devices for contacting jurors in Clarke County
- Studied jury utilization and distributed report to all superior court judges and clerks

Juvenile Justice

- Assisted in implementation of the Statewide Juvenile Information System
- Assisted in administering the Council of Juvenile Court Judges' grant for purchase of services for status offenders

Legislation

- Tracked court-related measures during the 1980 Session of the General Assembly
- Published 10 *Judicial Legislative Logs* (summaries and status reports of court-related legislation during the 1980 Session of the General Assembly)
- Distributed copies of individual bills to court officials upon request
- Provided information about the AOC and data on the judicial system on file at the AOC to legislators upon request

Records

- Conducted preliminary survey of court records to develop statewide retention schedules
- Researched traffic records, mortgage books, financing statements, administrative papers, misdemeanor records, and transcripts
- Provided technical assistance and public information on records retention schedules
- Proposed court rules prescribing forms and manner of docket entries to be made when implementing uniform

- model docket in superior courts
- Continued to coordinate implementation of uniform model docket
- Designed civil forms for use by superior court clerks in implementation of Uniform Child Custody Acts

Research

- Studied the need for additional superior court manpower on a statewide basis
- Revised case-counting procedures and manual for the 1980 case-counting effort
- Conducted seminar to review procedures, techniques and case definitions for case counters
- Coordinated caseload counting with the judicial administrative districts and compiled caseload data
- Counted cases in the fourth judicial administrative district which does not have a district administrative assistant
- *Seventh Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia*
- Answered numerous technical assistance requests for caseload and salary data, judicial legislation information, budget information and other information on file at the AOC
- Conducted salary survey of superior, state, and probate court judges; superior court clerks; court administrators, and other non-judicial personnel
- Completed and distributed to the superior court judges the *Open Caseload by Age Report* for 1978 and 1979
- Prepared the Caseload Summary Report of caseload data from 1971-1979

Traffic/Calendaring/Caseflow

- Maintained lending library for traffic court judges
- Distributed minimum facility standards to all traffic court judges
- Distributed the *Georgia Traffic Court Manual*
- Provided technical assistance to 10 courts, including on-site studies, preparation of reports, and proposals for improving operations
- Revised uniform traffic citation with the Department of Public Safety
- Discussed conviction reporting with the Department of Public Safety
- Developed form and began implementation of the Uniform Traffic Docket
- Updated survey of traffic courts
- Concluded operations under Office of Highway Safety grant in October, 1979

COURTS



THE COURTS

Georgia's court system consists of two appellate courts, the Supreme Court of Georgia and the Court of Appeals; four principal trial courts: the superior, state, juvenile, and probate courts; and a large number of diverse limited-jurisdiction courts. Some of the activities of each of these courts, and statistical data reporting the workloads of the four principal trial courts, are included in this section.

Among judicial activities in fiscal year 1980 was the Second Convocation of the Georgia Judiciary held in January, 1980. Judges gathered in Athens to discuss questions of change in the judicial system. The questions arose from suggested revisions to the judicial article of the Georgia Constitution.

Judges from all levels of courts met by judicial administrative districts divisions to evaluate the needs of their courts and to make recommendations for improvements. Members of the news media attended each district session and later related district conclusions to the entire assembly of judges. The convocation was sponsored by the Institute of Continuing Judicial Education.

The courts were also directly affected by legislation passed by the 1980 General Assembly. Six new superior court judgeships were created, as well as twelve new courts, and one new judicial circuit. Two courts were abolished.

The governor introduced a number of bills that were collectively called "the governor's crime package" of which a number passed. One created a new agency, an Advisory Council on Probation, which would be composed of one superior court judge elected from each judicial administrative district. The Council would consult, meet, and advise with the Board and Department of Offender Rehabilitation on policy, personnel, and budget which pertain to probationary activities, powers, duties, and responsibilities. Another act allowed the

Board of Pardons and Paroles to adopt rules and regulations for granting earned time to persons on parole to the same extent and in the same manner as if the person were serving the sentence in prison. This act was to become effective on July 1, 1980.

Earned time was also the subject of an act that directed the Department of Offender Rehabilitation to implement rules providing for earned time within these guidelines: earned time should not be awarded to prisoners serving life sentences; earned time should not be awarded based upon performance as a prisoner; earned time should not exceed one-half of the period of confinement ordered by the court; and the rules should differentiate between those with three convictions since January 1, 1970, as habitual offenders as opposed to other convicts.

Mandatory minimum sentences for trafficking in certain quantities of illegal drugs were specified in another bill that was passed to amend Code Section 79A-811. Code Title 27 was also amended to authorize judges, juvenile courts, and the State Board of Pardons and Paroles or Department of Offender Rehabilitation to order restitution to be made by criminals to their victims.

The Supreme Court was authorized by legislation to establish a unified death penalty appeals process to be used in the sentencing court and state Supreme Court for all possible challenges to the conviction, sentence, and detention of the defendant. This act is further explained in the Supreme Court section of this report.

An act allowing a subpoena requiring the attendance of a witness to be served anywhere within the state was also passed. This removed a former restriction that a subpoena could only be served within 150 miles of the place of trial.

Two acts passed during the session had an effect on the discovery process. One act limited to fifty the number of interrogatories that may be served

upon a party to a civil proceeding without obtaining leave of the court, upon a showing of complex litigation or undue hardship. The other act required that copies of statements made by a criminal defendant in custody and written scientific reports must be provided to the defendant upon his written request. Failure of the prosecution to provide such evidence at least ten days before the trial would result in its exclusion.

An important provision for superior court judges was reimbursement for the expense of continued judicial education. The General Assembly authorized these judges to receive reimbursement in the same manner as members of the General Assembly in attendance at conferences and meetings (\$44 per day to cover lodging and meals, plus mileage at the rate of eighteen cents per mile) plus tuition and registration fees. The limitations were that all requests for reimbursement were to be approved by the Institute of Continuing Judicial Education, and that the expenses were not to exceed \$3,500 per judge every four years.

Superior court judges were also authorized by the General Assembly to employ one law clerk per judicial circuit. Law clerks were to be paid by the state with supplemental salaries provided by the counties. However, funds were not appropriated for law clerks in the 1980 session. In the past, the Judicial Planning Committee had helped circuits employ law clerks through federal funding.

Judicial workloads of the principal courts of record from July 1, 1979 to June 30, 1980 are presented in statistical form on the following pages. The statistics are based on reports submitted to the Administrative Office of the Courts by the district administrative assistants and others who participated in the case counting project. Forms, methodology, and other assistance were provided by the AOC.

APPELLATE COURTS

Georgia has two appellate courts, the Supreme Court of Georgia and the Court of Appeals. The number of cases heard by each of these courts is among the highest in the nation. From September 1, 1979, to August 31, 1980, the Supreme Court handled a total of 2,091 judicial matters. Of this count, 1,750 were written and unwritten opinions, applications for certiorari, interlocutory appeals, discretionary appeals and applications for certificates of probable cause to appeal denial of writ of habeas corpus, and orders issued by the court. Also in 1980, there were 226 motions for rehearing and 115 motions for reconsideration in granting or denying certiorari.

Cases docketed by the Court of Appeals amounted to 2,031 during the calendar year of 1980. Of these cases 277 were interlocutory appeals and 139 were discretionary appeals. Nearly one-fifth of the cases, 405, were withdrawn or transferred from the Court of Appeals to the Supreme Court. A total of 1,626 opinions were written by Court of Appeals judges during the year.

The Supreme Court is the state's highest court. The Court has no original jurisdiction, but is a court solely for the trial and correction of errors of law from specified trial courts in all cases that (1) involve the construction of the Constitution of the State of Georgia

or of the United States and foreign governments; (2) question the constitutionality of any law of the State of Georgia or of the United States; (3) involve title to land; (4) concern equity; (5) involve the validity or construction of wills; (6) involve the conviction of a capital felony; (7) involve habeas corpus; (8) involve extraordinary remedies; (9) involve divorce and alimony; and (10) are presented by the Court of Appeals for further determination.

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

The Supreme Court is composed of seven justices, one of whom is elected by its members as the chief justice. Cases are heard on appeal from the superior courts, the state courts, the juvenile courts, and courts similar to the city courts of Atlanta and Savannah, as well as cases on certiorari from the Court of Appeals, or cases on which the Court of Appeals is evenly divided in opinion. Three terms of court are held each year, beginning in September, January, and April.

The Court of Appeals is vested with jurisdiction to correct errors on appeal from the same courts which may appeal to the Supreme Court. There are nine judges on the Court of Appeals

who sit in three divisions of three judges each. A chief judge, who is elected by all members of the court, presides over the first of the three divisions. Presiding judges for each of the remaining divisions are appointed by the chief judge.

During the 1980 session of the General Assembly, a new code section was added to the death penalty that directed the Supreme Court to establish a unified death penalty appeals process. The unified appeal process was to be used in the sentencing court and state Supreme Court for all possible challenges to the conviction, sentence, and detention of the defendant. The Supreme Court was instructed to establish a series of checklists to be used by the trial court, the prosecutors, and the defense counsel prior to, during, and after the trial of cases in which the death penalty is sought. The checklists would assure that all matters that could be raised in defense had been considered, so that if the death sentence were imposed, the record would be complete for a unified review by the sentencing court and the Supreme Court. The General Assembly limited the act to be effective only from March 20, 1980 through March 31, 1981, unless the 1981 General Assembly extended its application.

SUPERIOR COURTS

Georgia's court of general jurisdiction is the superior court. Each county has a superior court, but superior court judges may serve more than one county. The counties are organized into forty-two judicial circuits of varying sizes. State law requires that court be held in each county at least twice each year.

The number of judges per circuit varies from one judge in seven circuits to eleven judges in the Atlanta Judicial Circuit. By June 30, 1980, there were 109 superior court judges. This number includes five of the six new judgeships that were passed by the 1980 General Assembly.

Superior court judges are elected for four-year terms, except in the At-

lanta circuit where terms are eight years. The governor appoints new judges when vacancies occur due to death or resignation.

The superior court has exclusive constitutional trial jurisdiction for cases of divorce, criminal cases with possible death sentences or penitentiary imprisonment, and cases regarding land titles and equity. The superior court is also empowered to correct errors made by lower courts through writs of certiorari. Other exclusive jurisdiction of the superior court includes 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 1980 General Assembly in the Brunswick, Cordele, Coweta, Dublin, Rome, and Tifton Judicial Circuits. A bill which would have established a judgeship in the Toombs Judicial Circuit failed.

New judgeships in the Brunswick, Coweta, and Rome Judicial Circuits increased the number of judges in those circuits to three. A second judge was added to the Cordele, Dublin, and Tifton Judicial Circuits by the new judgeship acts. Dublin Judicial Circuit also received a second judgeship, but the act was accompanied with legislation to abolish the State Court of Laurens County in that circuit.

The judgeship legislation specified that the governor should appoint a judge to each circuit to serve from the date that the bill became effective until December 31, 1980 for Brunswick, Coweta, Rome and Tifton Judicial Circuits; and until December 31, 1982 in the Cordele and Dublin Judicial Circuits. The Rome and Tifton judgeships became effective March 20, 1980; the Cordele judgeship became effective March 26, 1980; the Brunswick and Coweta judgeships became effective April 1, 1980; and

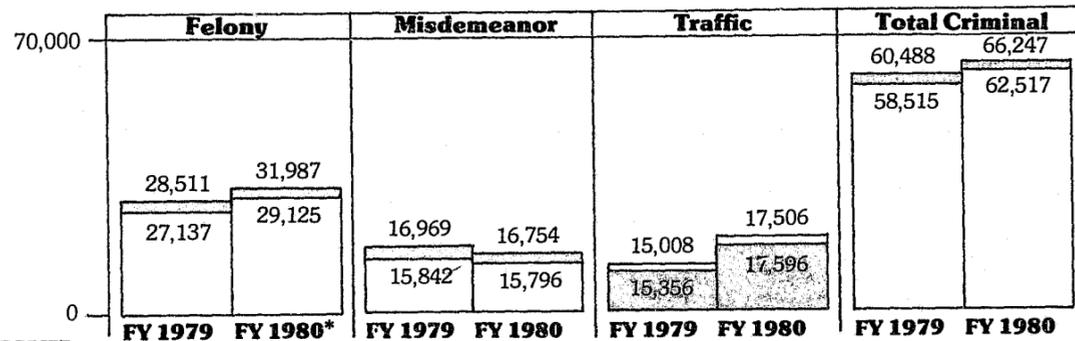
the Dublin judgeship was scheduled to become effective January 1, 1981. A new judicial circuit was legislated by the 1980 General Assembly to be created on January 1, 1983 as the Douglas Judicial Circuit. This was to be accomplished by splitting off Douglas County from the Tallapoosa Judicial Circuit to form a new circuit. The number of judges in the Tallapoosa Judicial Circuit would then decrease from three to two. A judge and district attorney for the Douglas Judicial Circuit were to be elected in the

general election of November, 1982. This was the first new judicial circuit to be created since 1972. Filings, dispositions, and open cases were counted in six types of case categories for forty-one of the state's forty-two judicial circuits. (Cobb Judicial Circuit data was unavailable.) Caseload per judge statistics were based on 109 superior court judgeships, although five judgeships were passed by the 1980 General Assembly and were not in effect during the entire year.

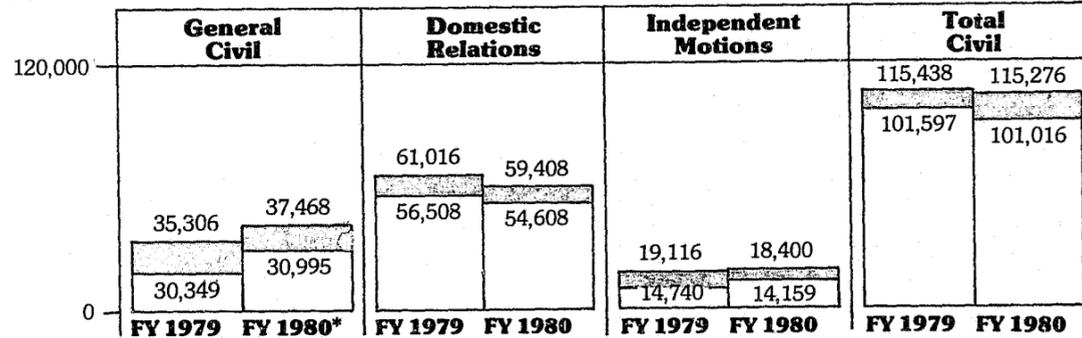
SUPERIOR COURT CASELOADS

(DOCKET ENTRIES)

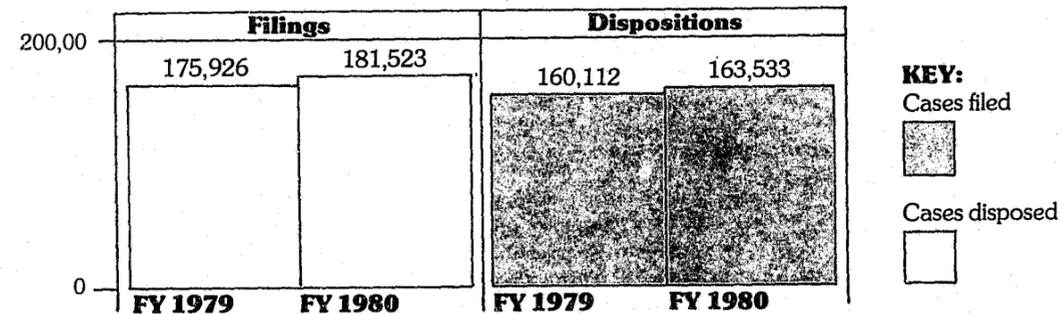
CRIMINAL



CIVIL



TOTAL SUPERIOR COURT CASELOAD



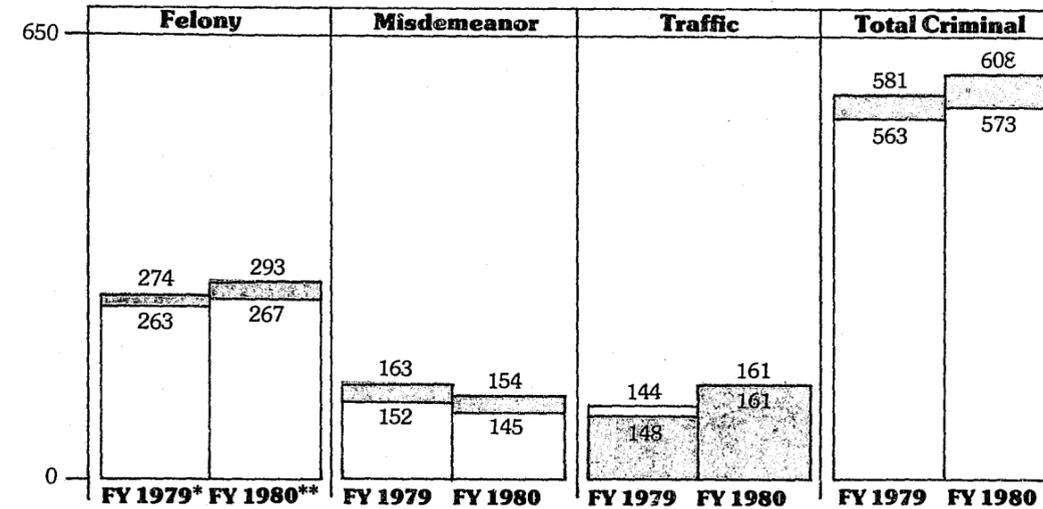
KEY:
 Cases filed
 Cases disposed

*Data was collected from 41 judicial circuits in FY 1980. Statistical data was not available to the AOC from the Cobb Judicial Circuit.

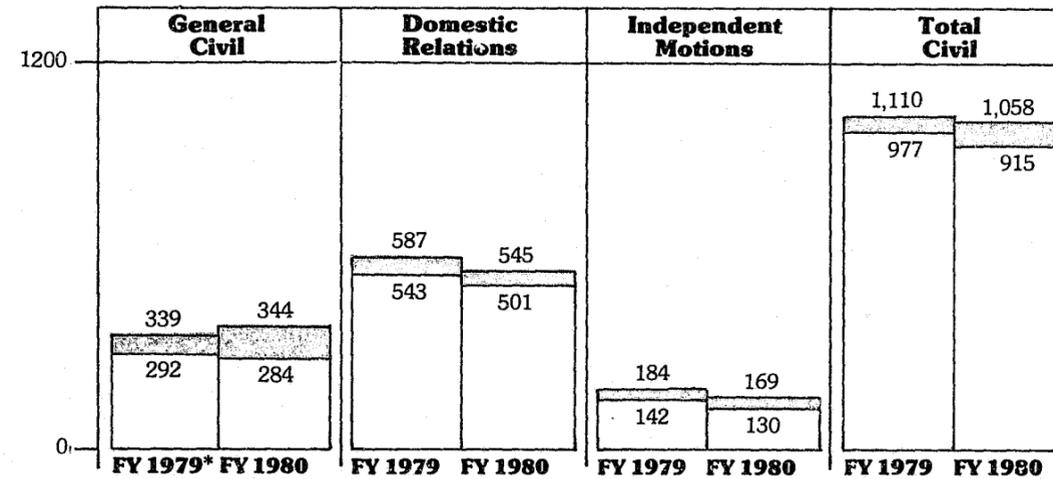
AVERAGE CASELOAD COMPARISONS PER SUPERIOR COURT JUDGE

(DOCKET ENTRIES)

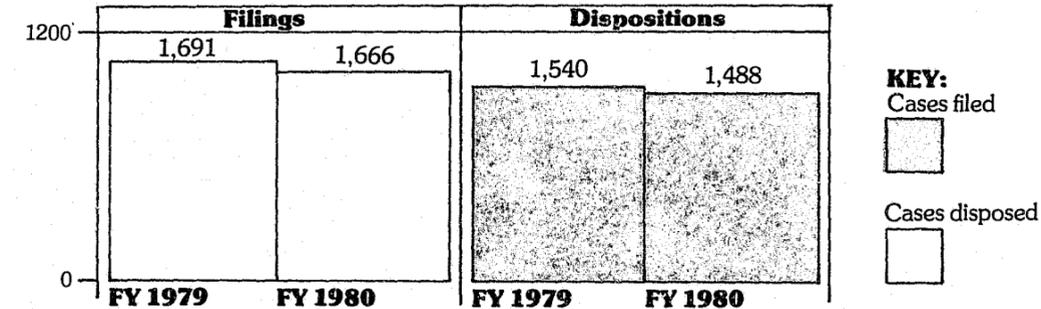
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CIVIL



AVERAGE CASELOAD PER JUDGE



KEY:
 Cases filed
 Cases disposed

* Based on 109 superior court judges. An additional judgeship was authorized by the 1980 General Assembly, but would not become effective until January 1, 1981.

** Based on 104 superior court judges.

TOTAL SUPERIOR COURT CASELOAD BY FILING TYPE: FY 1980

(Docket Entries)

Circuit	FELONY		MISDEMEANOR		TRAFFIC		GENERAL CIVIL		DOMESTIC RELATIONS		INDEPENDENT MOTIONS		TOTAL CASELOAD	
	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed
Alapaha	640	567	1,245	991	2,365	2,460	479	298	432	387	159	96	5,340	4,799
Alcovy	450	381	515	479	113	106	653	565	738	788	304	285	2,743	2,604
Atlanta	5,544	5,422	0	0	0	0	5,579	4,419	6,387	6,998	1,556	1,352	19,066	18,191
Atlantic	463	443	153	144	3,477	3,477	862	828	1,096	1,162	277	227	6,328	6,281
Augusta	678	698	316	322	10	11	1,007	729	3,099	2,492	836	673	5,946	4,925
Blue Ridge	646	436	864	621	547	494	514	362	1,276	1,218	263	161	4,110	3,292
Brunswick	646	407	170	165	241	239	998	876	1,807	1,652	306	325	4,168	3,664
Chattahoochee	2,129	1,942	691	616	315	197	827	564	3,216	2,022	370	136	7,548	5,477
Cherokee	897	810	1,417	1,385	5,617	5,778	1,010	897	875	896	677	589	10,493	10,355
Clayton	698	645	4	1	0	0	837	686	2,430	2,463	340	292	4,318	4,087
Cobb ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Conasauga	488	458	477	365	182	167	952	1,021	1,471	1,637	464	481	4,034	4,129
Cordele	313	381	796	1,007	67	64	594	532	513	514	206	128	2,489	2,626
Coweta	660	662	202	180	148	142	939	707	1,710	1,457	758	380	4,417	3,528
Dougherty	727	648	0	0	0	0	447	363	1,454	1,239	282	151	2,910	2,401
Dublin	258	135	16	2	9	4	708	497	418	378	395	269	1,804	1,285
Eastern	1,970	1,952	191	37	0	0	633	462	2,772	2,229	395	453	5,961	5,133
Flint	344	351	334	323	19	20	835	702	640	558	437	183	2,609	2,137
Griffin	568	473	439	442	421	377	646	451	1,331	1,103	567	380	3,972	3,126
Gwinnett	535	485	1	1	0	0	484	414	2,011	1,859	566	528	3,597	3,287
Houston	346	392	24	29	3	3	298	284	1,026	901	93	71	1,790	1,680
Lookout Mountain	759	661	1,062	774	176	171	1,121	1,062	1,580	1,732	581	482	5,279	4,882
Macon	952	1,167	267	247	23	34	849	689	2,766	2,801	403	303	5,260	5,241
Middle	386	315	13	1	0	0	605	429	555	498	643	389	2,202	1,632
Mountain	206	171	160	183	88	98	489	504	710	670	297	234	1,950	1,860
Northeastern	584	502	395	336	647	574	767	723	1,007	944	456	437	3,856	3,516
Northern	292	240	451	602	105	80	583	524	825	766	357	342	2,613	2,554
Ocmulgee	892	975	901	801	129	152	1,347	960	958	822	710	448	4,937	4,158
Oconee	404	426	606	610	282	286	909	671	440	415	381	267	3,022	2,675
Ogeechee	540	538	50	62	55	53	567	673	708	748	243	283	2,163	2,357
Pataula	476	390	371	293	44	44	460	431	512	432	171	105	3,034	1,695
Piedmont	228	191	257	241	353	323	578	476	507	446	310	213	2,233	1,890
Rome	374	306	1,794	1,739	116	108	1,128	797	903	681	823	603	5,138	4,234
South Georgia	948	769	123	117	29	30	527	427	719	673	203	141	2,549	2,197
Southern	996	839	208	207	4	3	955	696	1,579	1,373	394	274	4,136	3,392
Southwestern	261	259	65	51	14	12	618	495	523	464	211	143	1,692	1,424
Stone Mountain	2,276	1,811	34	13	10	3	2,594	1,963	5,566	4,686	840	584	11,320	9,060
Tallapoosa	658	570	777	1,060	438	602	1,925	1,901	1,367	1,358	936	724	6,101	6,215
Tifton	369	213	295	169	23	22	514	380	945	685	358	183	2,304	1,652
Toombs	279	238	739	829	1,118	1,172	351	281	440	438	208	161	3,135	3,119
Waycross	455	381	255	307	262	250	708	706	1,151	1,196	279	360	3,110	3,200
Western	652	575	76	44	56	40	571	510	925	827	336	323	2,616	2,319
FY 1980 Totals	31,987	29,125	16,754	15,796	17,506	17,596	37,468	30,995	59,408	54,608	18,400	14,159	181,523	162,279
FY 1979 Totals	28,511	27,137	16,969	15,842	15,008	15,356	35,306	30,349	61,016	56,508	19,116	14,740	175,926	160,112
FY 1980 Average Per Judge²	293	267	154	145	161	161	344	284	545	501	169	130	1,665	1,489
FY 1979 Average Per Judge³	274	263	163	152	144	148	339	292	567	543	184	142	1,692	1,540

¹ Neither the Cobb Circuit court administrator nor the district administrative assistant were able to complete case counting reports for that circuit. Cobb does have an automated system, but it is not compatible with the system of the AOC.

² Based on 109 superior court judges. The additional judgeship authorized by the 1980 General Assembly was not effective until 1/1/81.

³ Based on 104 superior court judges.

STATE COURTS

State courts were operating in sixty-two counties during fiscal year 1980. State courts exercise jurisdiction within the counties where they are located concurrent with the superior courts of those counties, except for jurisdiction in those matters vested exclusively in the superior courts and other limitations.

In fiscal year 1980, there were

seventy-two state court judges in Georgia. Many of these judges served part time. A second state court judgeship was established in Clayton County at the beginning of the fiscal year. The 1980 General Assembly decided to abolish the state court in Laurens County in January, 1981, when a second superior court judgeship in the Dublin Judicial Circuit

would become effective.

Civil jurisdiction of the state courts extends to all civil cases or proceedings that arise ex contractu or ex delicto, except in ex delicto action where the original act creating the state court or any amendment to that act would limit certain jurisdiction under the common law or by statute.

Criminal jurisdiction extends to all

misdemeanor cases. State courts do not hear felony cases. The defendant in criminal proceedings in state courts does not have the right to indictment by the grand jury of the county.

Several civil courts also have partial concurrent state court jurisdiction. These courts are located in geographical areas where the workloads warrant supportive judicial manpower. These

special courts are the Civil Court of Richmond County; the Civil Court of Bibb County; and the Baldwin, Echols, and Putnam County courts.

Filings, dispositions, and open cases were counted in four types of case categories for sixty-two courts and three county courts which have jurisdictions similar to that of state courts.

This year's caseload data did not detail the method of disposing a case, such as by jury trial or dismissal, as had been done in previous years. Statistics were based solely on docket book entries. Because of the changes in data collection, statistics for FY 1980 are not directly comparable to those of last year.

STATE COURT CASELOAD BY FILING TYPE*: FY 1980

(Docket Entries)

County	MISDEMEANOR		TRAFFIC		GENERAL CIVIL		INDEPENDENT MOTIONS		TOTAL CASES	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Appling	191	182	567	559	34	26	6	6	798	773
Baldwin**	1,886	1,886	1,590	1,590	0	0	0	0	3,476	3,476
Bibb	3,438	3,270	2,481	2,499	589	455	135	65	6,643	6,289
Bryan	124	123	3,140	3,140	48	40	21	14	3,333	3,317
Bulloch	714	580	3,185	3,011	222	219	129	26	4,250	3,836
Burke	368	368	1,690	1,690	98	72	78	70	2,234	2,200
Candler	61	47	1,409	1,462	23	19	6	3	1,499	1,531
Carroll	1,038	563	4,285	3,265	738	528	124	44	6,185	4,400
Chatham	3,251	2,749	2,076	1,857	4,261	3,203	2,542	1,017	12,130	8,826
Cherokee	1,175	985	4,433	4,211	452	279	112	52	6,172	5,527
Clarke	477	266	517	414	181	175	68	85	1,243	940
Clayton	3,226	3,304	11,841	11,323	3,633	3,035	1,071	667	19,771	18,329
Clinch	163	163	839	839	8	1	0	0	1,010	1,003
Cobb	7,471	6,242	15,125	14,128	7,641	5,385	3,588	2,898	33,825	28,653
Coffee	787	533	1,382	1,087	81	59	43	19	2,293	1,698
Colquitt	774	713	1,694	1,668	82	59	0	0	2,550	2,440
Coweta	1,552	1,386	4,086	4,489	602	352	113	49	6,323	6,276
Decatur	977	1,080	1,717	1,744	21	14	16	6	2,731	2,844
DeKalb	8,786	7,677	6,228	5,226	15,208	11,821	10,489	2,512	40,711	27,236
Dougherty	3,940	3,719	4,845	5,267	1,344	1,059	2,522	1,429	12,651	11,474
Early	346	343	1,081	1,073	0	0	0	0	1,427	1,416
Echols**	0	0	241	241	0	0	0	0	241	241
Effingham	57	56	1,606	1,566	54	24	12	13	1,729	1,659
Elbert	318	297	582	771	22	19	2	5	924	1,092
Emanuel	475	494	2,810	2,553	11	1	2	1	3,298	3,049
Evans	62	70	697	793	38	64	39	41	836	968
Forsyth	1,006	930	1,613	1,542	319	281	153	56	3,091	2,809
Fulton	9,595	7,175	18,730	17,085	44,847	48,496	38,859	39,369	112,031	112,125
Glynn	1,509	2,020	6,765	7,245	886	947	885	820	10,045	11,032
Grady	278	299	1,686	1,578	15	9	7	4	1,986	1,890
Gwinnett	3,286	2,277	899	817	2,787	3,164	959	366	7,931	6,624
Habersham	711	806	833	987	82	77	27	33	1,653	1,903
Hall	2,410	2,384	4,494	4,633	902	875	255	229	8,061	8,121
Houston	2,206	1,851	5,316	5,237	1,063	845	419	173	9,004	8,106
Jackson	499	425	2,728	2,600	190	153	89	27	3,506	3,205

(Docket Entries)

County	MISDEMEANOR		TRAFFIC		GENERAL CIVIL		INDEPENDENT MOTIONS		TOTAL CASES	
	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions	Filings	Dispositions
Jefferson	396	395	2,048	2,044	15	6	4	3	2,463	2,448
Jenkins	114	118	621	614	180	152	7	5	922	889
Johnson	24	19	180	190	48	25	4	1	256	235
Laurens ¹	728	471	3,904	3,965	243	200	71	31	4,946	4,667
Liberty	621	678	5,429	5,372	30	47	32	30	6,112	6,127
Long	56	56	851	851	17	5	0	0	924	912
Lowndes	1,963	2,121	8,369	8,838	174	127	35	27	10,541	11,113
Macon	174	166	315	430	38	32	47	26	574	654
Miller	97	88	536	499	9	6	5	3	647	596
Mitchell	626	586	1,280	1,220	13	8	5	4	1,924	1,818
Muscogee	2,975	2,665	3,765	3,421	644	411	36	28	7,420	6,525
Pierce	151	158	1,203	1,207	33	41	3	1	1,390	1,407
Polk	279	222	1,191	1,167	347	291	97	52	1,914	1,732
Putnam**	352	352	976	975	0	0	0	0	1,328	1,327
Richmond	7,171	6,093	10,798	10,041	321	186	28	31	18,318	16,351
Screven	239	234	1,221	1,221	60	41	2	0	1,522	1,496
Spalding	987	910	2,286	2,514	62	47	20	10	3,355	3,481
Stephens	550	578	824	989	75	39	21	13	1,470	1,619
Sumter	1,393	1,147	1,228	1,221	170	171	36	43	2,827	2,582
Tattall	74	103	1,209	913	54	58	15	17	1,352	1,091
Thomas	905	810	2,645	2,423	36	27	7	7	3,593	3,267
Tift	1,177	785	733	633	212	137	138	18	2,260	1,573
Toombs	524	402	1,006	851	42	23	21	6	1,593	1,282
Treutlen	156	165	1,273	1,832	44	22	2	6	1,475	2,025
Troup	1,702	1,573	1,285	1,352	253	188	65	10	3,305	3,123
Twiggs	908	654	5,457	5,987	375	247	77	38	6,817	6,926
Walker	780	842	1,961	2,060	39	26	12	10	2,792	2,938
Ware	998	1,042	1,901	1,861	133	168	37	26	3,069	3,097
Washington	608	736	400	432	9	5	4	0	1,021	1,173
Wayne	242	239	992	926	164	65	9	6	1,407	1,236
Worth	512	90	1,406	1,302	36	11	22	5	1,976	1,408
Totals	90,609	79,761	190,504	185,541	90,358	84,568	63,633	50,556	435,104	400,426

*In terms of the number of defendants.

**County Courts.

¹This court was abolished as of January 1, 1981.

JUVENILE COURTS

Crimes committed by children less than seventeen years of age are handled by juvenile courts. Juvenile courts have exclusive, original jurisdiction over juvenile matters such as unruliness, deprivation, retardation, mental illness, child custody, and the appointment of guardians.

When a capital offense is committed by a child, the juvenile court has concurrent jurisdiction with the superior court. Appeals from the ju-

venile court in all cases of final judgment are to the Court of Appeals or the Supreme Court.

In fiscal year 1980, there were eight full time and thirty-five part time juvenile court judges. Juvenile cases were also heard by the superior court judges of 101 counties and by five state court judges.

Separate juvenile courts may be created in counties with populations of 50,000 or more. In counties with

less than 50,000 population, superior court judges have jurisdiction 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.

A chapter on Designated Felony Acts was added to the Juvenile Court Code of Georgia by the 1980 General Assembly. The act specifies which

crimes committed by juveniles may require placement of the juvenile in restrictive custody with the Division of Youth Services of the Department of Human Resources for a period of five years and confinement in a youth development center for twelve to eighteen months. After the period of confinement, the juvenile offender would be placed under intensive supervision for renewable twelve-month intervals. The act, which was to become effective

on July 1, 1980, would not allow release of the offender without the written approval of the director of the Division of Youth Services.

The General Assembly also resolved to create a Juvenile Justice Study Committee composed of five members of the Georgia Senate to study and make recommendations regarding the entire juvenile justice system of the state.

Filings, dispositions, and open cases were counted in six types of case

categories by manual methods in the juvenile courts of 143 counties and by the Council of Juvenile Court Judges' automated information system in sixteen counties. At press time, the data of eight counties reporting by the automated system remained incomplete. This was the first year that the system was used to collect data. Due to the changes in counting methods, the FY 1980 statistics are not directly comparable to those of FY 1979.

JUVENILE COURT CASELOAD* BY FILING TYPE: FY 1980

(Docket Entries)

Circuit	DELINQUENT		UNRULY		TRAFFIC		DEPRIVED		SP. PROCEEDINGS		TOTAL CASES	
	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed
Alapha	0	0	0	0	0	0	0	0	0	0	0	0
Alcovy	522	512	209	209	86	109	245	216	18	9	1,080	1,055
Atlanta	3,774	3,630	836	815	331	327	1,029	956	67	42	6,037	5,770
Atlantic	162	162	57	55	2	2	21	14	15	14	257	247
Augusta	875	894	380	378	30	30	32	37	11	11	1,328	1,352
Blue Ridge	402	269	159	54	55	37	71	44	129	76	816	480
Brunswick	626	542	322	327	14	16	108	111	37	36	1,107	1,032
Chattahoochee ¹	129	102	26	16	5	4	8	3	0	0	168	125
Cherokee	472	518	179	171	10	10	157	147	41	40	859	886
Clayton	786	823	439	458	49	63	181	176	131	126	1,586	1,646
Cobb	1,306	1,243	631	620	93	101	311	306	60	88	2,401	2,328
Conasauga	241	231	192	177	5	5	157	154	2	2	597	569
Cofdele	137	159	42	44	4	4	24	24	0	0	208	231
Coweta ²	307	296	8	10	15	16	135	124	0	0	465	446
Dougherty	570	570	0	0	13	13	73	73	0	0	656	656
Dublin	206	213	22	23	0	0	69	69	0	0	297	305
Eastern ³	-	-	-	-	-	-	-	-	-	-	-	-
Flint	172	150	19	20	5	6	69	57	0	0	265	233
Griffin ⁴	87	88	7	7	13	13	41	41	0	0	148	149
Gwinnett	929	827	271	271	69	57	147	133	23	38	1,439	1,326
Houston	135	135	2	2	0	0	20	10	1	1	158	148
Lookout Mountain	247	210	57	44	38	38	50	41	4	5	396	338
Macon ⁵	52	61	15	11	0	0	3	3	6	6	76	81
Middle	173	165	36	34	0	0	81	83	0	0	290	282
Mountain	58	65	7	5	0	0	12	16	4	9	81	95
Northeastern ⁶	26	30	2	2	6	6	6	4	1	0	41	42
Northern	135	118	0	12	3	2	29	30	2	1	179	163
Ocmulgee	143	144	15	15	0	0	52	53	0	0	210	212
Oconee	118	119	21	23	1	2	39	41	0	0	179	185
Ogeechee	121	115	17	16	4	3	8	5	19	19	169	158
Pataula	150	143	4	3	4	4	23	27	0	0	181	177

(Docket Entries)

Circuit	DELINQUENT		UNRULY		TRAFFIC		DEPRIVED		SP. PROCEEDINGS		TOTAL CASES	
	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed	Filings	Disposed
Piedmont	130	123	23	31	12	13	43	41	0	0	208	208
Rome ⁷	-	-	-	-	-	-	-	-	-	-	-	-
South Georgia	175	145	2	2	5	5	9	14	13	10	204	176
Southern	512	451	59	50	21	15	46	43	75	53	713	612
Southwestern	236	200	75	67	1	0	39	4	0	1	351	272
Stone Mt.	2,554	2,501	89	85	29	24	56	56	0	7	2,738	2,673
Tallapoosa ⁸	119	103	3	4	6	6	1	1	30	20	159	134
Tifton	230	186	69	56	3	2	15	14	0	0	317	258
Toombs	120	123	14	17	2	0	20	22	0	0	156	162
Waycross	238	238	76	76	5	5	113	110	44	44	476	473
Western	289	298	31	28	172	160	34	32	8	9	534	527
Totals	17,700	16,941	4,428	4,239	1,111	1,098	3,580	3,342	751	667	27,570	26,259

*All figures are in terms of the number of children handled by the court.

¹Muscogee County is not included.

²Troup County is not included.

³Chatham County is not included.

⁴Spalding County is not included.

⁵Bibb County is not included.

⁶Hall County is not included.

⁷Floyd County is not included.

⁸Douglas County is not included.

PROBATE COURTS

Probate courts are located in each of Georgia's 159 counties. These courts have jurisdiction which includes probating wills; granting letters of administration in intestate estates; supervising the administrators and executors of estates; granting letters of guardianship relating to insane persons; and lunacy proceedings. Prior to 1974, probate courts were named courts of the ordinary.

Other jurisdiction of probate courts includes hearing some traffic cases

and game and fish violations. Habeas corpus cases, except capital felonies or where a person is being held for extradition under the warrant of the governor, are also within the jurisdiction of probate courts.

Filings of civil cases in the probate courts were collected for the first time in FY 1980. Seventy-eight of the state's 159 probate courts voluntarily submitted the number of cases in the ten types of case categories handled by their courts. This data, however,

does not reflect all of the duties performed by probate judges.

Filings were counted in the ninety-two courts in which criminal cases are heard. This category included traffic, fish, and game misdemeanors.

PROBATE COURT CIVIL CASELOAD BY FILING TYPE: FY 1980

(Docket Entries)

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardian-ship	12 Months Support	Inv. Hosp. Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Atkinson	14	6	3	10	9	3	5	1	97	52
Banks	9	4	2	14	7	3	3	0	45	89
Barrow	6	15	0	43	4	6	NA	0	219	170
Bartow	36	15	3	67	29	12	93	0	604	412
Berrien	2	4	1	40	4	2	39	2	201	149
Bibb*	50	32	29	346	68	19	NA	0	1,606	931
Bleckley	10	1	0	22	5	1	0	0	135	158
Brantley	9	8	1	10	2	7	12	0	90	50
Burke	8	6	8	25	10	6	0	0	139	108
Butts	13	8	0	23	12	8	0	0	136	190
Camden*	22	3	0	17	3	0	0	0	2,751	67
Charlton	6	5	1	18	2	0	1	0	2,361	5
Chatham	100	128	10	470	168	160	157	3	1,967	1,903
Cherokee*	14	19	0	98	14	13	19	0	392	592
Clarke	54	20	10	147	67	11	75/13	0	711	479
Clayton*	60	34	12	154	93	70	108	0	2,324	2,056
Cobb*	120	78	15	596	261	135	203	2	3,894	3,142
Coffee	20	14	3	48	27	5	0	0	383	245
Colquitt	21	17	10	71	20	19	0	0	433	124
Columbia	9	5	7	35	14	18	0	0	150	283
Coweta	24	18	8	103	20	22	70	1	412	304
Decatur	17	7	10	35	11	5	16/48	0	393	142
DeKalb*	195	172	172	832	325	132	277/206	4	5,610	4,005
Dodge	7	5	3	35	18	4	0	0	178	152
Dougherty	39	27	20	110	36	15	150	0	1,302	1,016
Echols	0	0	0	6	0	0	0	0	68	12
Effingham	10	12	4	23	3	7	41	0	109	192
Evans	4	2	0	19	3	2	3	0	84	107
Floyd	33	19	9	179	32	8	161/43	3	844	599
Grady	21	5	2	53	13	9	15	0	233	93
Greene	8	6	4	26	7	1	0	0	86	101
Gwinnett	53	30	20	175	65	47	70	0	1,712	1,706
Habersham	19	3	0	45	24	20	24	0	216	200
Hall	25	26	7	137	31	20	81	NA	770	625
Hancock	4	0	3	8	2	0	0/6	0	72	18
Harris	12	1	4	33	6	5	0	1	120	166
Hart**	18	8	2	35	8	4	10	0	1,211	151
Henry	16	5	2	70	10	10	0	0	321	390
Houston	75	30	15	125	90	25	NA	0	988	1,158
Jackson	19	13	1	55	13	9	0	0	257	276
Jasper	3	1	6	20	4	0	0	0	72	83

(Docket Entries)

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardian-ship	12 Months Support	Inv. Hosp. Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Jenkins	12	4	3	17	3	4	0	0	145	65
Lamar	7	7	1	29	3	3	2/1	0	93	108
Lanier	2	5	0	8	4	1	0	0	63	22
Lee	5	2	3	8	4	3	7	0	117	207
Lincoln	3	1	2	13	2	0	0	0	39	23
Lowndes	50	13	14	98	28	14	0	0	1,424	141
Marion	5	1	2	15	1	2	0	0	40	38
McIntosh	4	5	3	19	6	0	1	0	62	72
Montgomery	18	5	1	14	8	6	7	1	50	125
Muscogee	60	25	24	310	54	54	82	0	2,210	1,448
Newton	20	13	8	59	22	13	2	0	310	387
Paulding	9	10	0	38	17	12	27	2	306	229
Peach	5	8	7	43	9	3	7	0	150	153
Pickens	7	4	0	18	3	3	15	0	116	130
Pierce	1	3	2	22	1	6	0	0	170	63
Pike	6	2	1	11	3	3	8	0	71	104
Polk	13	7	3	76	27	13	0	0	403	305
Putnam*	20	3	3	30	5	3	20	0	96	175
Quitman	3	1	0	4	0	0	3	0	22	14
Randolph	6	1	6	18	4	0	0	0	88	91
Richmond*	97	53	42	202	76	95	287	1,210	966	174
Schley	1	1	0	0	1	0	0	0	24	2
Spalding	48	42	21	164	52	34	265	0	556	492
Stephens	32	2	2	61	7	7	15	0	243	154
Stewart	12	0	0	18	6	2	0	0	49	53
Sumter	16	8	2	72	9	5	0	0	210	288
Taylor	4	1	4	9	4	1	10	0	64	74
Terrell*	17	5	1	27	3	2	12	0	118	190
Toombs	58	20	7	33	21	16	10	0	299	232
Treutlen	8	6	1	10	4	7	0	0	78	37
Troup	24	16	7	136	10	13	49	-	541	509
Union	18	3	2	25	12	4	3	0	77	124
Ware*	31	36	2	100	16	18	15	0	508	162
Walker	38	31	9	119	57	27	0	0	420	258
Webster	4	4	0	10	3	0	7	0	16	33
White*	10	6	1	26	9	6	0	0	96	100
Whitfield	43	12	9	150	17	13	3	0	592	647
Totals	1,902	1,178	600	6,402	2,050	1,237	2,807	1,230	44,518	30,130

* Additional information collected.
** Cases reduced 1/1/80-10/15/80.

PROBATE COURT CRIMINAL* CASELOAD BY FILING TYPE: FY 1980

(Docket Entries)

County	Filings	County	Filings
Bacon	116	Lincoln	507
Baker	531	Lumpkin	724
Banks	790	Madison	901
Barrow	530	Marion	828
Ben Hill	644	McDuffie	3,300
Berrien	713	McIntosh	2,543
Bleckley	978	Meriwether	2,655
Brantley	542	Monroe	10,140
Brooks	1,055	Montgomery	598
Butts	2,290	Morgan	2,860
Calhoun	423	Murray	2,085
Camden	3,397	Newton	3,356
Catoosa	3,397	Oconee	1,225
Charlton	607	Oglethorpe	726
Chattahoochee	453	Paulding	1,460
Chattooga	2,275	Peach	1,420
Clay	388	Pickens	1,362
Columbia	3,774	Pike	1,385
Cook	2,427	Pulaski	673
Crawford	1,666	Quitman	294
Crisp	4,317	Rabun	315
Dade	1,269	Randolph	679
Dawson	355	Rockdale**	6,000
Dodge	621	Schley	128
Dooly	2,123	Seminole	1,419
Douglas	2,508	Stewart	534
Echols	241	Talbot	2,843
Fannin	488	Taliaferro	526
Fayette	1,546	Taylor	1,383
Floyd	4,052	Telfair	756
Franklin	2,646	Terrell	709
Gilmer	323	Towns	240
Gordon	3,775	Turner	2,753
Greene	1,684	Twiggs	791
Hancock	546	Union	446
Haralson	2,731	Upton	2,792
Harris	2,072	Walton	2,033
Hart	760	Warren	501
Heard	541	Webster	163
Henry	10,273	Wheeler	408
Irwin	767	White	527
Jasper	537	Whitfield	5,036
Jeff Davis	55	Wilcox	651
Jones	2,061	Wilkes	840
Lamar	1,545	Wilkinson	214
Lanier	644		
Lee	1,075	Total	148,260

*The probate court has jurisdiction to handle traffic and some misdemeanor cases without a jury when neither a state court nor county court is located in the county.

**Estimate projected from FY 1979 funding.

OTHER COURTS

More than five hundred of Georgia's courts are courts of limited jurisdiction. These courts include the magistrates, mayors, police, small claims, municipal, civil, county, traffic, and recorders courts. There are also more than 1,200 justices of the peace in Georgia.

Several new courts of limited jurisdiction were created by the 1980 General Assembly. A magistrate's

court was established in Fulton County with three magistrates who were to be appointed by a majority vote of the judges of the State Court of Fulton County. The magistrates were to serve staggered four-year terms beginning July 1, 1980.

Eight small claims courts were also created by the legislature, bringing the total number of these courts to ninety-seven. Small claims courts

were created in Clay, Long, Lumpkin, Polk, Pulaski, Rabun, and Stephens Counties. Other courts created by the General Assembly were the Recorder's Court of Hapeville; the Municipal Court of Trenton, which replaced the Recorder's Court of Trenton; and the Recorder's Court of Harrison, which replaced the existing Mayor's Court of Harrison.

**JUDICIAL
COUNCIL
AGENCIES**



JUDICIAL COUNCIL AGENCIES

Several agencies have been created to specialize in functions that are part of the general responsibilities of the Judicial Council/Administrative Office of the Courts. These agencies are the Board of Court Reporting, the Institute of Continuing Judicial Education of Georgia, and the Judicial Planning Committee. Administrative support services are extended to these agencies from the Judicial Council/AOC.

The Board of Court Reporting of the Judicial Council monitors the practice of court reporting throughout Georgia. Certification and regulation duties are combined with employment services and inquiries into questionable employee behavior.

The Institute of Continuing Judicial Education of Georgia, also an arm of the Supreme Court of Georgia, was created to design and administer training programs for judges and court personnel. At the end of fiscal year 1980, the Institute assumed almost total responsibility for educational programs initially handled by the AOC.

The Judicial Planning Committee has been responsible for planning improvements in Georgia's judicial system, especially through optimum use of federal funding. For the third year, the Committee helped courts and agencies refine their goals and priorities.

Activities of these agencies during fiscal year 1980 are presented in this section.

BOARD OF COURT REPORTING

Responsibilities of the Board of Court Reporting of the Judicial Council of Georgia include certifying court reporters by examination, setting license fees, and making rules and regulations to improve the practice of court reporting. The Board was established by the 1974 General Assembly's enactment of the Georgia Court Reporting Act.

By the end of fiscal year 1980 there were 527 certified court reporters in the state, fifty-five more than the number certified in the previous fiscal year. During the fiscal year, the Board certified eighty-six court reporters by testing, including five persons who

upgraded their level of proficiency through auxiliary tests. Failure to renew certificates resulted in twenty-eight suspensions of certificates of court reporters. To keep the courts informed about available court reporters, the Board distributed an updated *Directory of Georgia Certified Court Reporters*.

Several changes in the Board's policies were also made during the year. The Board decided that a court reporter did not have to be certified through the initial "B" testing procedure to be eligible to take the upper level "A" test. Another change was a specific provision that any court re-

porter may upgrade the level of his or her certified proficiency by passing the required subsequent examinations. A change in the fee schedule, which was approved by the Judicial Council, allowed an increase from \$50 to \$75 in the per diem compensation (rate of pay per day) for court reporters.

An opinion was issued by the Board concerning the compensation of court reporters for criminal takedown in misdemeanor cases. The Board's opinion was that the fee for misdemeanor takedown in state courts is included in the per diem rate for official court reporters when take-

down is required by law or ordered by the court. Otherwise, misdemeanor takedown is a matter of private contract between the court reporter and the parties to a case. This opinion was approved by the Judicial Council.

While three formal complaints were filed with the Board against court reporters last year, the cases were dismissed before hearings occurred.

Court reporting referral services were continued by the Board for both court reporters and employers. More than fifty-five names of certified court reporters were supplied to fill ten positions employers had open. The Board keeps a file current of certified court reporters who are interested in official or free lance positions.

Also during the year, an amendment to the Georgia Court Reporting Act was made by the 1980 General Assembly. The amendment in Section 16 of the Act, provided that temporary permits obtained from a judge could be limited by the Board only with the concurrence of the judge issuing the temporary permit.

Section 16 now reads: "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 case is pending. The Board may limit the extent of any temporary permit obtained from the Board, based upon the need of such temporary employment. Temporary permits obtained from a judge may be limited by the Board only with the concurrence of the issuing judge." (Acts 1980, p. 528.)

BOARD OF COURT REPORTING

Stuart S. Huseby
Chairman
Court reporter
Atlanta

Harold G. Clarke, Esq.
Vice chairman
Attorney
Forsyth

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

Don Brady
Court reporter
Canton

Thomas E. Darity
Court reporter
Perry

Judge W.G. Elliott
Superior Court
Southern Judicial Circuit
Valdosta

Frances B. Roquemore
Court reporter
Forsyth

Frank W. Seiler, Esq.
Attorney
Savannah

Leslie Johnson
Clerk
Atlanta

GEORGIA CERTIFIED COURT REPORTERS ASSOCIATION

Carl Schanzle
Chairman
Atlanta

Pat Jones
Vice Chairman
Stone Mountain

Hazel Farmer
Secretary
Macon

Duane Smith
Treasurer
Rome

MEMBERS AT LARGE:

Stan Brown
Gainesville

Inez Wolfe
Albany

Susan Northington
Atlanta

BOARD OF COURT REPORTING CERTIFICATION TESTS*

Date	No. Applications	Passed "B" Test	Passed "A" Test
September 20-22, 1979	100	44	3
March 27-29, 1980	86	42	-

*Tests were given at Brown College of Court Reporting in Atlanta.

INSTITUTE OF CONTINUING JUDICIAL EDUCATION

Plans were made to transfer almost total responsibility for educational programs to the Institute of Continuing Judicial Education from the Administrative Office of the Courts at the close of fiscal year 1980. The Institute, which was originally created by the Judicial Council in 1977 as the Judicial College of Georgia, was to receive communication and administrative assistance from the AOC.

Along with a change in responsibilities, the Institute also underwent a change in structure. In compliance with a Supreme Court order of January 26, 1979, the Institute became an administrative arm of the Supreme Court of Georgia and received new bylaws for its Board of Trustees which became effective at the beginning of fiscal year 1980. The order reduced the size of the Board by three members, from sixteen to thirteen.

Representation on the Board included: one member of the Court of Appeals; two members of the Council

of Superior Court Judges: one member each named by the state court judges' association, the Council of Juvenile Court Judges, the probate judges' association, the State Bar of Georgia, and the Judicial Council of Georgia; and six ex officio members, including the immediate past chairman of the Institute's Board of Trustees, the immediate past chairman of the Board of Trustees of the Institute of Continuing Legal Education, and the deans of the law schools of Emory University, Mercer University, and the University of Georgia.

During the past year, the Institute conducted training seminars and workshops for judges and court personnel from Georgia's major courts of record. Thirteen training programs were held in fiscal year 1980 with an attendance of 1,039 persons from the judicial system. The AOC also trained 346 court support personnel and 413 justices of the peace who are required by law to take training and pass examinations for certification. These

educational programs were added to the Institute's agenda for next year.

Since its beginning, the Institute was largely funded through federal Law Enforcement Assistance Administration grants which came to an end at the close of fiscal year 1980. This federal funding had been awarded to the Judicial Council/AOC through the State Crime Commission. Besides funding the Institute's seminars and workshops, the funds were also applied to out-of-state training expenses for sixty-four judicial and court-related personnel. Limited financial assistance was given to the Georgia Justice Courts Training Council for justice of the peace training as well.

The Institute is located at the University of Georgia School of Law in Athens. The law school provides housing facilities for the Institute and the salary of the director. State funds for additional administrative expenses are provided for in the total amount of the budget appropriated to the Judicial Council/AOC.

INSTITUTE OF CONTINUING JUDICIAL EDUCATION BOARD OF TRUSTEES

Judge A.W. Birdsong, Jr.
Chairman
Court of Appeals of Georgia
Atlanta

Dean J. Ralph Beaird
Vice Chairman
University of Georgia School of Law
Athens

Judge Rex R. Ruff
Secretary-Treasurer
Juvenile Court of Cobb County
Marietta

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

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

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
Superior Court
Atlanta Judicial Circuit
Atlanta

Dean Harold L. Marquis
Emory University School of Law
Atlanta

Judge C. Cloud Morgan
Superior Court
Macon Judicial Circuit
Macon

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

Judge Floyd E. Propst
Probate Court of Fulton County
Atlanta

Judge Jack Short
State Court of Colquitt County
Moultrie

Jerome Braun
Executive Director
Athens

ICJE EDUCATIONAL SEMINARS IN FY 1980

Seminar	Location	Date	Attendees
Annual Summar Seminar, Superior Court Judges	Jekyll Island	July 29-August 1, 1979	56
Seminar for Professional Staff of Independent Juvenile Probation System	Athens	September 19-21, 1979	65
Fall Seminar for Probate Judges	Macon	October 23-25, 1979	68
17th Seminar for Superior Court Judges	Athens	October 21-November 2, 1979	76
18th Annual Workshop for Juvenile Court Judges	Atlanta	November 14-16, 1979	48
Mid-Winter Meeting	Atlanta	December 6, 1979	31
Second Judicial Convocation	Athens	January 28-29, 1980	263
Seminar for State Trial Judges and Solicitors	Savannah	March 21-22, 1980	39
Judicial Orientation Seminar	Atlanta	March 27-28, 1980	12
17th Institute for Clerks of Superior Court	Athens	March 21-April 2, 1980	135
24th Institute for Probate Judges	Athens	April 16-18, 1980	125
Seminar for Professional Staff of Independent Juvenile Probation Systems	Columbus	May 21-23, 1980	76
Annual Spring Seminar for Juvenile Court Judges	Savannah	May 29-31, 1980	45

JUDICIAL PLANNING COMMITTEE

With the creation of the Judicial Planning Committee in 1977 under the provisions of the U.S. Crime Control Act of 1976, the judicial branch of government was presented with an opportunity to develop priorities systematically for court improvement and for the allocation of federal funds to make those improvements. Fiscal year 1980 marked the JPC's third full year of operation.

After reviewing a number of objectives and standards that were set forth for the judicial system, the JPC updated the overall goal, to improve the quality of justice, and settled on twenty-eight new objectives and standards that were included in the 1981 *Georgia Courts Plan*. The *Plan* encompassed multi-year priorities for the improvement of the courts, prosecution, and defense. Legislative and administrative changes were considered, as well as funding sources.

Six task forces were named by the JPC to recommend objectives for resolving problems in trial court management, education, prosecution, court administration, juvenile justice, and defense. These task forces used a

greater number of court personnel than had been used in the past. Participants were drawn from the Council of Administrative Judges, the district administrative assistants, the circuit court administrators, clerks of the superior court, the Board of Trustees of the Institute of Continuing Judicial Education, the Council of Juvenile Court Judges, the Prosecuting Attorneys' Council, the Indigent Defense Council, and the Administrative Office of the Courts.

In the 1981 *Georgia Courts Plan*, the JPC emphasized the need to improve the effectiveness of justice. In the area of education, the JPC recommended that a comprehensive training program be established for all judicial personnel. The JPC also suggested that district attorneys participate fully in all delinquency proceedings in juvenile court.

One area in which a standard of the JPC was accomplished was that of traffic court facilities. The Traffic Court Committee of the Judicial Council adopted the JPC's standards and guidelines for traffic court facilities which were then distributed to the

traffic court judges and were published in *Urban Georgia*, a publication of the Georgia Municipal Association, Inc.

The 1981 *Georgia Courts Plan* was distributed by the JPC to all regional public libraries and to other public and private libraries for the first time to communicate to the public some of the interests and activities of the courts. The total number of libraries receiving copies was 198.

Another major activity of the JPC was the review and approval of grant applications for LEAA funds for programs for judicial services, education, defense, and prosecution services. The total requests of grant applications amounted to \$153,580 of which only \$136,875 was approved by the JPC for compliance with funding stipulations. These totals were only fifteen percent of the previous year's grant approvals due to the late award of LEAA funding which delayed many application reviews until fiscal year 1981, and the general reduction of LEAA grant appropriations.

In fact, reduction in anticipated appropriations for LEAA grants required the JPC to cut its 1980

action program, so that no new projects were funded and some existing project funds were reduced. Work on the development of a courts plan for the State Crime Commission's 1981 Criminal Justice application was halted when the end of federal funding of the LEAA program became obvious.

It is worthwhile to note, however, that at the close of fiscal year 1980,

fifty-three percent of the superior court judges had law clerks. Of these, a total of twenty-nine positions were LEAA-funded and a total of twenty-seven positions were locally funded. This is in contrast to a total of fifteen LEAA-funded and fifteen locally funded law clerk positions that existed in 1977 when the JPC began administering the program.

Notwithstanding the lack of federal

funding, the Judicial Council decided to continue planning for the courts and designated itself as the Judicial Planning Committee beginning in fiscal year 1981. The increased size of the Council and diverse selection of members no longer made it necessary to appoint a separate JPC as had been done in the past.

JUDICIAL PLANNING COMMITTEE

Judge Paul W. Painter
Chairman
Lookout Mountain Judicial Circuit
Rossville

Judge Francis W. Allen
Vice Chairman
State Court of Bulloch County
Statesboro

Judge Charles L. Weltner
Secretary-Treasurer
Superior Court
Atlanta Judicial Circuit
Atlanta

Judge Hal Bell
Senior Superior Court Judge
Macon

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

Woodson Daniel
Clerk of the Superior Court
of Pulaski County
Hawkinsville

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

Judge Joseph J. Gaines
Superior Court
Western Judicial Circuit
Athens

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

Judge P. Harris Hines
State Court of Cobb County
Marietta

Charles H. Hyatt, Esq.
Immediate Past President
State Bar of Georgia
Decatur

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

Justice Robert H. Jordan
Supreme Court of Georgia
Atlanta

Kirk M. McAlpin
President, State Bar of Georgia
Atlanta

Judge C. Cloud Morgan
Superior Court
Macon Judicial Circuit
Macon

Chief Justice H.E. Nichols¹
Supreme Court of Georgia
Atlanta

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

Judge Romae T. Powell
Juvenile Court of Fulton County
Atlanta

H. Reginald Thompson
District Attorney
Middle Judicial Circuit
Swainsboro

Judge Norman L. Underwood²
Court of Appeals of Georgia
Atlanta

Robert H. Walling
Attorney
Atlanta

Judge Andrew J. Whalen, Jr.
Superior Court
Griffin Judicial Circuit
Griffin

Judge Edward D. Wheeler
Juvenile Court of DeKalb County
Decatur

¹Chief Justice Hiram K. Undercoffer replaced Justice Nichols in March, 1980.

²Judge J. Kelley Quillian replaced Judge Underwood in January, 1980.

**RELATED
JUDICIAL
AGENCIES**



RELATED JUDICIAL AGENCIES

Several judicial agencies with specific responsibilities receive support services, particularly fiscal and budget administration, from the Judicial Council/Administrative Office of the Courts. These agencies are the judicial administrative districts, the Judicial Qualifications Commission, and the Superior Courts' Sentence Review Panel.

The judicial administrative districts serve the superior courts on a regional level. The AOC works with the district administrative assistants to pinpoint areas of need in local courts and apply technical or administrative assistance to alleviate the problems.

The Judicial Nominating Commission is charged by executive order with the responsibility of evaluating qualified persons to fill vacancies on the Georgia's major courts of record.

The Judicial Qualifications Commission investigates complaints about the conduct of judges. Recommendations may be made to the Supreme Court of Georgia for disciplinary action. The Commission also has the authority to issue advisory opinions, on request, about the propriety of certain situations and actions.

The Superior Courts' Sentence Review Panel considers sentences of five years or more imposed by superior court judges and reduces or affirms the length of term.

A new agency was created by the 1980 General Assembly, the Advisory Council for Probation, but was not staffed during fiscal year 1980. The Advisory Council was to be comprised of an elected superior court judge from each of the ten judicial administrative districts. The Council would meet with and advise the Board and Department of Offender Rehabilitation on determining matters related to probation activities.

Summaries of the activities of the first four agencies listed above are followed by brief 1980 annual reports of the Council of Juvenile Court Judges and the Georgia Justice Courts Training Council.

JUDICIAL ADMINISTRATIVE DISTRICTS

Georgia's court system was divided into ten judicial administrative districts in 1976 to provide an intermediate level of court administration and to encourage the local courts to participate in available judicial programs from the state. During the past fiscal year, the districts, which were funded by state monies administered by the Administrative Office of the Courts,

continued to help equalize workloads from circuit to circuit and to add some uniformity to the court system.

The judicial administrative districts were created by the 1976 General Assembly and are similar to the geographical boundaries of the congressional districts of Georgia, except that judicial circuit boundaries remain intact. Initially the districts had ap-

proximately equal populations, but the geographical area covered varied from one county to twenty-seven counties.

Each district has a council composed of superior court judges from whom an administrative judge is elected. A district administrative assistant is employed to assist the administrative judge in determining and

resolving problems of court administration.

District administrative assistants cooperate with the AOC in a variety of projects. During fiscal year 1980, the district administrative assistants assisted the AOC in the annual collection of statistical data on the caseloads of Georgia's major courts of record. Specialized caseload studies were also conducted for individual circuits and counties.

Assistance with other activities, such as an evaluation of needed facilities improvements and involvement in recommended facilities programs, was offered by the district administrative assistants. The district administrative assistants and the AOC cooperated in determining needs for assistance with records and docketing

systems and for implementing automated systems for jury selection.

District administrative assistants were also active in writing and administering grants for a variety of programs, in coordinating temporary assignments of judges to relieve those who were disqualified or ill, in making improvements in the jury systems on a circuit-wide basis, and in preparing district council meetings to conduct the district's business. Continuing education programs both within and outside of the state were actively attended by the district administrative assistants. Also, the district administrative assistants completed an evaluation of the law clerk program during the year.

Each district, except district four, has a district administrative assistant.

Summaries of district activities, which were provided by these nine assistants, follow.

District 1. Grants were prepared and approved for law clerks, assistant district attorneys, investigators, secretaries, juvenile offender programs, public defender and panel attorneys, and court administration projects. Circuit budgets were implemented for the first time in two circuits. Local circuits were assisted in the preparation of indigent defense proposals, as well as in the establishment of child support receiver programs, the procurement of educational funds for court personnel, the preparation of circuit calendars and rules, the coordination of facilities projects in two circuits, and the improvement of juror programs.

DISTRICT PERSONNEL

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

Headquarters: Savannah

Administrative Judge: Senior Judge Dunbar Harrison

District Administrative Assistant: Michael S. deVegter

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

Headquarters: Valdosta

Administrative Judge: Judge Asa D. Kelley, Jr.

District Administrative Assistant: Roger E. Douglas

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

Headquarters: Macon

Administrative Judge: Senior Judge Hal Bell

District Administrative Assistant: David L. Ratley

District Four: Stone Mountain judicial circuit (two counties)

Headquarters: Decatur

Administrative Judge: Judge Curtis V. Tillman¹

District Administrative Assistant: (position vacant)

District Five: Atlanta judicial circuit (one county)

Headquarters: Atlanta

Administrative Judge: Judge Sam P. McKenzie²

District Administrative Assistant: Ronald E. Owens³

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

Headquarters: Griffin

Administrative Judge: Judge Andrew J. Whalen, Jr.

District Administrative Assistant: Fred Roney

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

Headquarters: Cartersville

Administrative Judge: Senior Judge Jefferson L. Davis⁴

District Administrative Assistant: Gerard P. Verzaal

District Eight: Cordele, Dublin, Middle, Ocmulgee and Oconee judicial circuits (seventeen counties)

Headquarters: Dublin

Administrative Judge: Judge Walter C. McMillan, Jr.

District Administrative Assistant: Jack L. Bean

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

Headquarters: Canton

Administrative Judge: Judge Marion T. Pope⁵

District Administrative Assistant: John T. Shope

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

Headquarters: Augusta

Administrative Judge: Judge John F. Hardin⁶

District Administrative Assistant: L. Tom Gunnels

¹Judge Richard Bell is now administrative judge of the fourth district.

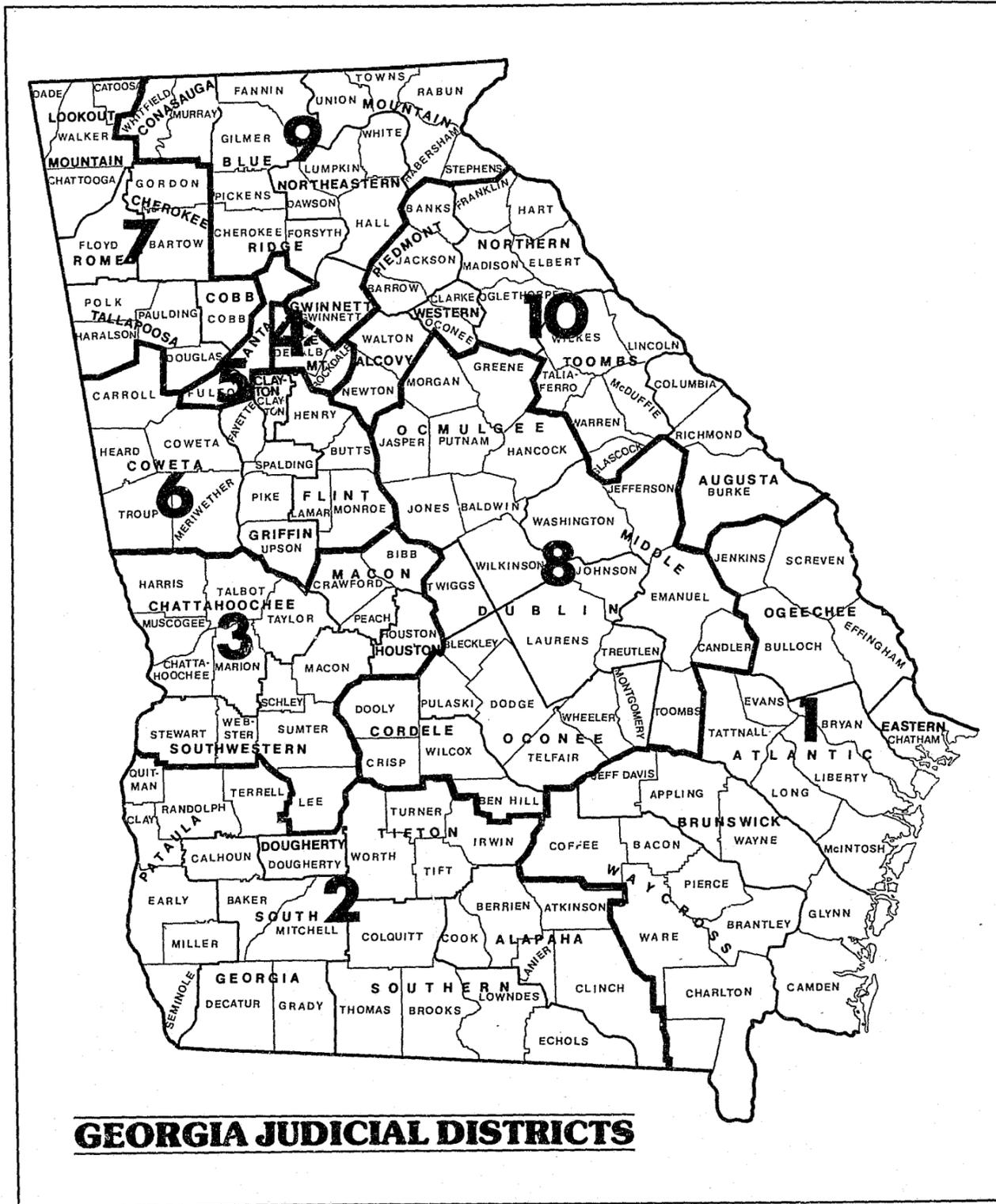
²Judge Luther Alverson is now the administrative judge of the fifth district.

³During fiscal year 1980, Ron Owens was an assistant to Jack E. Thompson, court administrator of Fulton County superior court, whose position existed prior to the Judicial Administrative Act.

⁴Senior Judge W.A. Foster, Jr., is now the administrative judge of the seventh district.

⁵Judge Homer M. Stark is now administrative judge of the ninth district.

⁶Judge William M. Fleming, Jr., is now the administrative judge of the tenth district.



GEORGIA JUDICIAL DISTRICTS

District 2. Juror computer programs were developed for Lowndes County superior and state courts. Half of the district's counties were assisted in the process of selecting jurors. The district's objective was to have most circuits using electronic rather than mechanical methods of juror selection where possible. A statewide juror pay survey was conducted for submission to a grand jury to determine remuneration to be allotted to petit jurors, grand jurors, and bailiffs. Communication among the district's superior court clerks was encouraged by the arrangement of regular quarterly meetings.

District 3. Federal and state funding was secured for court-related personnel, the indigent defense programs of three circuits, and new court reporting systems in three counties. Local funding was obtained for additional court personnel. Stenotype training was established for interested court reporters in preparation for the introduction of a computer-aided transcript (CAT) project. Preliminary work was begun to establish an automated jury selection program in three counties, as well as a pre-trial release program in one circuit. Facilities projects included the development of the Bibb County Law Library and the purchase of equipment for the library, renovation of the Harris County courtroom, and redesign of a courtroom for a county law enforcement center. Also, a centralized juvenile court model docket system was completed for three counties.

District 4. District four had no district administrative assistant to report district activities.

District 5. Paper caseflow analysis studies of the state court were completed by researchers from American University, Washington, D.C., with assistance from the AOC. Computer-

ized systems for indexing criminal cases and facilitating accounting procedures in the traffic division were implemented in the state court. Also, in the state court, courthouse annexes were utilized for filing and processing civil and criminal pleadings, issuing warrants, conducting preliminary hearings, and disposing some traffic cases. In the superior court, the CAT system of court reporting was expanded.

District 6. Funding was obtained to continue the law clerk and investigator of Flint circuit, to continue the indigent defense programs of Flint and Coweta circuits and Spalding County, and to continue a juvenile program in Henry County. A facilities inventory update was conducted for the AOC. Jury boxes were revised in Upson, Fayette, and Spalding Counties. Efforts were made to implement an automated jury system in Spalding County. Court rules were implemented in the Griffin circuit, and during the year, the first district court rule regarding the assignment of judges was prepared.

District 7. The need for an additional superior court was presented to a public meeting and a grand jury in the Rome circuit. Jury telephone reporting systems were installed in Haralson and Paulding Counties. A case management system that had been designed by the AOC was implemented in the State Court of Cobb County. Law clerks were retained in Paulding and Bartow Counties by federal funds, and a permanent, county-funded law clerk was established in Cherokee circuit.

District 8. Financial and public support for the indigent defense program was developed through canvassing and promotional activities in nineteen counties. Funding for telephone devices to contact jurors was

obtained for thirteen counties. Grant applications were made and funding received for law clerks in the Ocmulgee circuit. Work was continued on developing circuit-wide budgets.

District 9. Grants were written and received for a variety of administrative needs in Blue Ridge, Conasauga, Gwinnett, Mountain, and Northeastern circuits. The funds were used for law clerks, juvenile court personnel, and indigent defense services. Operation of automated systems was continued for jury selection in Rabun, Habersham, Stephens, White, Dawson, Fall, and Lumpkin Counties. An automated jury-selection system was developed in Forsyth County as well. Studies were made of the Cherokee and Pickens Counties' jails during the year. Courtroom and office space were redesigned in Whitfield and Cherokee Counties. Plans for revising the jury boxes of Towns and Forsyth Counties were made. In Cherokee circuit, a procedure flow study of the superior court clerk's office was conducted and used to develop specific procedures.

District 10. A feasibility study of establishing a state court in Columbia County was conducted. Proposals for funding the indigent defense locally were created to supplement the loss of federal aid and state funding. Material for a *Grand Jury Information Booklet* for the Augusta circuit was compiled to instruct jurors about the purpose of serving on a grand jury. Grants were received for a juror utilization program for the Western circuit. The district also participated in the statewide facilities inventory and assisted in the renovation of Newton County's courthouse and Warren County's clerk's office.

JUDICIAL NOMINATING COMMISSION

The Judicial Nominating Commission screened nominees for fourteen vacant judgeships that occurred in Georgia's major courts of record in fiscal year 1980. Evaluations of nominees were furnished to the governor for one vacancy on the Supreme Court, one vacancy on the Court of Appeals, eleven vacancies in the superior courts, and one vacancy in the state courts. Five of the eleven

superior court openings were due to the creation of new judgeships.

Created in 1973 by executive order of former Governor Jimmy Carter, the Commission exists to assist the governor in appointing qualified persons to judicial offices. Governor George Busbee continued the Commission by a 1975 executive order.

Nominations are solicited by the Commission for each judicial

vacancy, after which evaluations are made of each candidate. Each candidate completes a questionnaire for the Commission about his or her qualifications and presents a legal article or brief which he or she has authored.

Nominees are then investigated by the Commission, a procedure that includes interviews of lawyers who are familiar with the nominee or of mem-

bers of the bar in the jurisdiction where the vacancy exists. Each nominee who completes a questionnaire for the Commission is personally interviewed. After evaluations are made, the Commission submits a list of up to five names of qualified persons for each position vacant. The Commission is composed of

ten members—five citizens who are appointed by the governor and five ex officio members of the State Bar of Georgia. The ex officio members are the president, the president-elect, the immediate past president and the second immediate past president of the State Bar, and the immediate past president of the Younger Lawyers

Section of the State Bar. In the past seven years, the Commission has advised appointment on seven vacancies in the Supreme Court, eight in the Court of Appeals, fifty-seven in the superior courts, eleven in the state courts, and one in a municipal court—a total of eighty-four judgeships.

JUDICIAL NOMINATING COMMISSION

H. Holcombe Perry, Jr., Esq.
Chairman
Attorney
Albany

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

Odone B. Hill
Hawkinsville

Edgar C. Morgan, Jr.
Conyers

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

EX OFFICIO MEMBERS
(until June 1980 meeting of the State Bar of Georgia)

Kirk M. McAlpin, Esq.
President
State Bar of Georgia
Atlanta

Bob Reinhardt, Esq.
President-elect
State Bar of Georgia
Tifton

Charles H. Hyatt, Esq.
Immediate past president
State Bar of Georgia
Decatur

Wilton D. Harrington, Esq.
Next immediate past president
State Bar of Georgia
Eastman

Theodore M. Hester, Esq.
Immediate past president
Younger Lawyers Section
State Bar of Georgia
Atlanta

EX OFFICIO MEMBERS
(from June 1980 meeting of the State Bar of Georgia to present)

Bob Reinhardt, Esq.
President
State Bar of Georgia
Tifton

J. Douglas Stewart, Esq.
President-elect
State Bar of Georgia
Atlanta

Kirk M. McAlpin, Esq.
Immediate past president
State Bar of Georgia
Atlanta

Charles H. Hyatt, Esq.
Next immediate past president
State Bar of Georgia
Decatur

W. Terence Walsh, Esq.
Immediate past president
State Bar of Georgia
Atlanta

*Mr. Perry resigned effective January 1, 1980. Mr. Cleveland then became chairman.

JUDICIAL QUALIFICATIONS COMMISSION

The Judicial Qualifications Commission, established in 1973, is responsible for conducting investigations and hearings concerning the complaints of misconduct by judges of any court in Georgia and for issuing formal opinions in answer to inquiries about appropriate judicial conduct.

Nine meetings were held during the year in which sixty-seven complaints were disposed of by the Commission. Of those complaints, forty-six were found to be without merit because the

complaint itself did not encompass misconduct or there was a satisfactory explanation by the accused judge or the Commission's investigation did not reveal misconduct. Other cases were resolved by calling the attention of the judge to specific canons of the Code of Judicial Conduct. One case was solved by the disputants; another was dismissed because the accused judge was no longer a candidate for a non-judicial office; and one case was terminated by the death of the judge

in question. In connection with a complaint for which the Commission had previously recommended a reprimand, the Supreme Court subsequently approved the recommendation as a private reprimand.

Two hearings were also held by the Commission. One resulted in a thirty-day suspension of a judge while the other resulted in the Commission recommending a public reprimand of the offending judge.

During fiscal year 1980, the Com-

mission rendered seven opinions on questions of appropriate judicial conduct. The following decisions were issued:

- One who is employed as a police officer cannot serve as a justice of the peace.

- An arrangement whereby a practicing attorney, anticipating (and subsequently receiving) an appointment as superior court judge, who worked out a "division of contingent fees due him on a basis agreed on in advance and arrived at according to estimates of relative value" is reasonable and conforms to the requirement of the Code of Judicial Conduct.

- Neither a judge holding office nor a non-judge candidate for a judicial office may act as a leader or hold an office in a political organization or may make speeches for or publicly endorse a candidate for public office.

- A judge may serve as president of a charitable organization provided that he does not participate in certain fund-raising activities.

- A judge serving on a State Board of Probation does not constitute a violation of the Code of Judicial Conduct, pursuant to legislation providing that probation is a function of the judicial system.

- A person who is a candidate for a judicial office should not at the same time hold a non-judicial office which would be improper to hold in the event of being elected judge.

- A judge would not necessarily be disqualified to hear a case in which a financial institution where he or she has an outstanding loan was a party, but any special circumstances should be considered to determine if a per-

sonal bias had developed.

On June 9, 1980, the Supreme Court ordered an amendment to the Code of Judicial Conduct. Canon 7 of the Code, subsection B (2) was changed to read: "A candidate, including an incumbent judge, for a judicial office that is filled by public election should not himself solicit or accept campaign funds, but he may establish a committee of responsible persons to secure and manage the expenditure of funds for his campaign and to obtain public statements of

support for his candidacy. Such committees are not prohibited from soliciting campaign contributions and public support from lawyers. A candidate's committee may solicit funds for his campaign no earlier than six months before a primary election and no later than the date of the last contested primary or election in which he participates during that election year. The candidate should not use or permit the use of campaign contributions for the private benefit of himself or members of his family."

JUDICIAL QUALIFICATIONS COMMISSION

H. Holcombe Perry, Jr., Esq.
Chairman
Attorney
Albany

Howard Ector
Vice Chairman
Trust Company Bank
Atlanta

Harry S. Baxter, Esq.
Attorney
Atlanta

Amilee Graves*
The Tri-County Advisor
Clarksville

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

Judge Byron H. Mathews
State Court of Coweta County
Newnan

Laura Rains*
Atlanta

Will Ed Smith
Attorney
Eastman

*Ms. Graves resigned in November, 1979, and Ms. Rains was appointed to succeed her on the Commission.

SENTENCE REVIEW PANEL

Because of increases in caseloads, in the middle of fiscal year 1980, the Sentence Review Panel, which was established in 1974 by the General Assembly, adopted the practice of using two panels that would serve simultaneously. The two panels were created to assure that as many as reasonably possible criminals with similar personal histories and records would receive similar sentences.

The combined caseload of two quarters with one panel and two quarters with two panels in fiscal year 1980 was 6.72 percent more than

that of the previous year. There were 1,318 cases reviewed by the panels last year. Of those cases, 1,228 sentences were affirmed to be left in their original form, and 90 sentences were reduced at the judges' discretion.

Panels review those sentences which total five years or more which have been fixed and imposed by a judge, except in death penalty cases. Cases for consideration are specified in the Sentencing Act of 1974 (Ga. Laws 1974, p. 352). In order for a case to be reviewed, an application must be filed with the clerk of the

sentencing court within thirty days of the date the appellate court remittitur is made or the judgment of the sentencing court, whichever occurs last.

After reviewing available information, the panel decides whether the imposed sentence is excessively harsh. If such a decision is reached, the Sentence Review Panel may reduce the length of the sentence. Sentences may not be increased by the panel.

Each panel is comprised of three superior court judges who are appointed by the president of the

Council of Superior Court judges. A supernumerary member is named each term to serve when one of the other members cannot attend a meeting or is disqualified. The fiscal year is divided into quarter terms of three months each.

The rate of sentence reduction was 7.28 percent in fiscal year 1980. Since its creation in 1974, the panel has reviewed a total of 5,695 sentences. Of those cases, 5,302 sentences were affirmed while 393 sentences were reduced for a cumulative reduction rate of 6.90 percent.

SUPERIOR COURTS SENTENCE REVIEW PANEL ADMINISTRATIVE BOARD

Judge Luther Alverson
Chairman
Atlanta Judicial Circuit
Atlanta

Judge Thomas Ridgway
Alcovy Judicial Circuit
Monroe

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

SUPERIOR COURT SENTENCE REVIEW PANELS OF GEORGIA

PANEL XXI

(July 1, 1979-September 30, 1979)

Judge Gordon Knox, Jr.
Chairman
Brunswick Judicial Circuit
Hazlehurst

Judge A. Wallace Cato
South Georgia Judicial Circuit
Bainbridge

Judge Homer M. Stark
Gwinnett Judicial Circuit
Lawrenceville

Judge Ray B. Burruss, Jr.
Supernumerary
Northern Judicial Circuit
Hartwell

PANEL XXIII (ONE)

(January 1, 1980-March 31, 1980)

Judge Reid Merritt
Chairman
Gwinnett Judicial Circuit
Lawrenceville

Judge Joe C. Crumbley
Clayton Judicial Circuit
Jonesboro

Judge Arthur W. Fudger
Tallapoosa Judicial Circuit
Buchanan

Judge Keegan Federal, Jr.
Supernumerary
Stone Mountain Judicial Circuit
Decatur

PANEL XXIII (TWO)

(January 1, 1980-March 31, 1980)

Judge William F. Blanks
Chairman
Southwestern Judicial Circuit
Americus

Judge E. Mullins Whisnant
Chattahoochee Judicial Circuit
Columbus

Richard B. Neville
Blue Ridge Judicial Circuit
Cumming

Judge Keegan Federal, Jr.
Supernumerary
Stone Mountain Judicial Circuit
Decatur

PANEL XXII

(October 1, 1979-December 31, 1979)

Judge William M. Fleming, Jr.
Chairman
Augusta Judicial Circuit
Augusta

Judge William H. Ison
Clayton Judicial Circuit
Jonesboro

Judge George E. Oliver
Eastern Judicial Circuit
Savannah

Judge R. Alex Crumbley
Supernumerary
Flint Judicial Circuit
McDonough

PANEL XXIV (ONE)

(April 1, 1980-June 30, 1980)

Judge Franklin H. Pierce
Chairman
Augusta Judicial Circuit
Augusta

Judge Kenneth B. Followill
Chattahoochee Judicial Circuit
Columbus

Judge Robert J. Noland
Tallapoosa Judicial Circuit
Douglasville

Judge A'Delbert Bowen
Supernumerary
Pataula Judicial Circuit
Cuthbert

PANEL XXIV (TWO)

(April 1, 1980-June 30, 1980)

Judge Robert L. Culpepper, Jr.
Chairman
South Georgia Judicial Circuit
Camilla

Judge Ralph H. Hicks
Atlanta Judicial Circuit
Atlanta

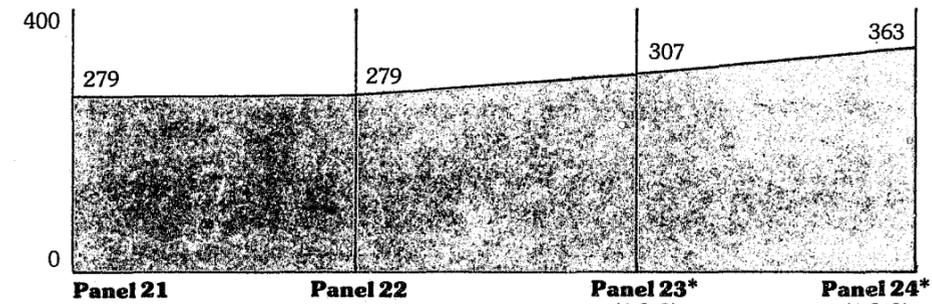
Judge Faye Sanders Martin
Ogeechee Judicial Circuit
Statesboro

Judge A'Delbert Bowen
Supernumerary
Pataula Judicial Circuit
Cuthbert

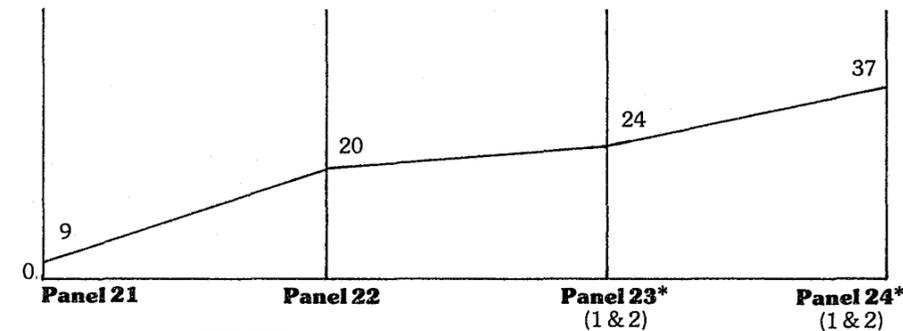
SENTENCE REVIEW PANELS CASELOAD SUMMARY

Cumulative reduction rate from July 1, 1974, to June 30, 1980: 6.9 percent

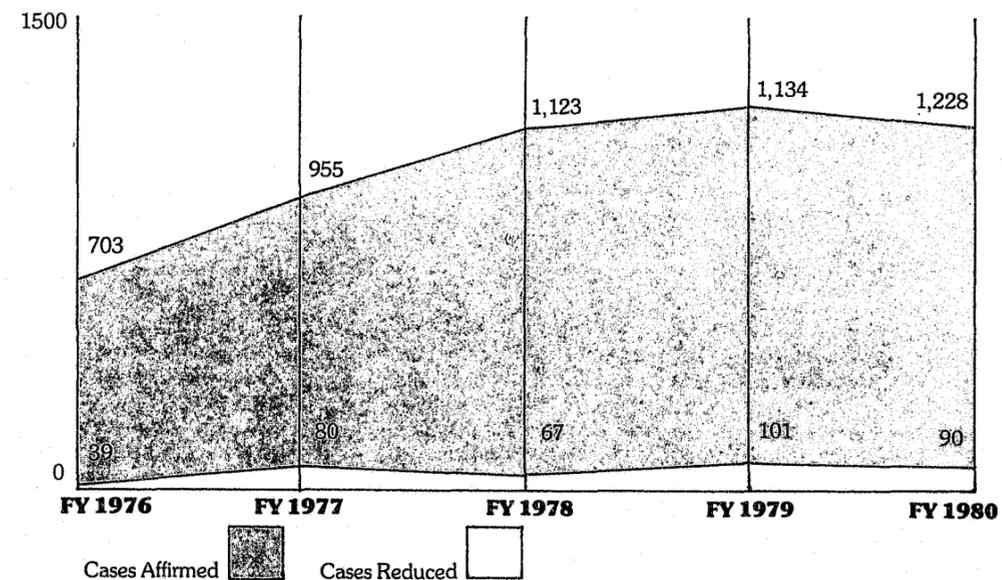
TOTAL CASES AFFIRMED



TOTAL CASES REDUCED



FIVE-YEAR COMPARISON OF CASELOAD SUMMARIES



*Effective January 1, 1980, the Panel adopted the procedure of using two panels serving simultaneously.

ANNUAL REPORT

COUNCIL OF JUVENILE COURT JUDGES

The Council of Juvenile Court Judges was created in 1971 by the General Assembly and is empowered with the authority to establish general policies for the conduct of juvenile courts and to promulgate uniform rules, and forms governing the procedures and practices of the courts. Its membership consists of all judges exercising juvenile court jurisdiction. During the past year, membership consisted of eight full-time juvenile court judges, forty-one part-time juvenile court judges (five of these also served as state court judges), and thirty-six superior court judges who also served as judges of the juvenile court in counties which have not established a separate juvenile court.

The system of juvenile justice encompasses a network of state, local, and private agencies which work together to insure a high quality of correctional and rehabilitative services to troubled children. The courts which exercise jurisdiction in juvenile matters have a special responsibility to insure 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 fiscal year 1980, the Georgia Council of Juvenile Court Judges continued to place special emphasis on continuing education for judicial personnel within the court system and on the development of management tools such as a juvenile court information system and Model Juvenile Court Dockets in an effort to improve administration within the juvenile courts.

The Council also revised and updated a previously published Juvenile Court Benchbook which provided a ready reference of statutes and cases

COUNCIL OF JUVENILE COURT JUDGES EXECUTIVE COMMITTEE



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

Judge Herbert M. Crane
Immediate Past President
Juvenile Court of Bartow County
Cartersville

Judge Martha K. Glaze
President Elect
Juvenile Court of Clayton County
Jonesboro

Judge Othniel W. McGehee
Vice President
Juvenile Court of Bibb County
Macon

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

Judge David J. Turner, Jr.
Treasurer
Juvenile Court of Meriweather County
Manchester

that were indexed by subject for use by judges on the bench.

The Council of Juvenile Court Judges has continued its liaison with numerous justice-related agencies and worked especially closely with the Judicial Council of Georgia/Administrative Office of the Courts; the Division of Youth Services of the Department of Human Resources; the Judicial Planning Committee; State Crime Commission; the Institute of Continuing Judicial Education of Georgia; the Committee to Revise the Judicial Article; the Senate Committee on Juvenile Institutions; and the Senate Study Committee on Ju-

venile Justice.

Continuing Education

The Council and its staff cooperated with the Institute of Continuing Judicial Education in developing and conducting two training workshops for judges and referees who exercise jurisdiction in the juvenile courts. One seminar, presented in the Spring, was attended by approximately fifty judges and referees. The subject matter was timely with heavy emphasis on changes in both statutory and case law. The Council's Education Committee also assisted in planning and presenting a Fall 1979 workshop.

The Council and the Division of Youth Services of the Department of Human Resources continued implementation of a joint grant which provides training programs for direct service personnel of the juvenile courts. The grant was 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-member board supervised the establishment of program curricula. The staff of the joint grant produced and presented fifty-one workshops which were attended by 1,224 direct service personnel from the independent juvenile court systems and the Division of Youth Services. These fifty-one workshops generated a total of 16,346 training hours during fiscal year 1980. The Council of Juvenile Court Judges was represented by a staff member on the committee which makes detailed arrangements for the training sessions.

A dramatic change was seen in this program last year which will insure its continuation long after federal funds are exhausted. The board of directors made a commitment to a program whereby local court personnel would be trained to fill the local training needs of their peers. These individuals had previous expertise in specific fields which are being enhanced through this project. The result will be locally based trainers who are familiar with the problems experienced by the workers, and locally based workshops which cost very little to provide.

The Council will continue to work with the Institute of Continuing Judicial Education in planning future judicial education programs and is represented on the Institute Board of Trustees by Judge Rex R. Ruff, an experienced juvenile court judge.

Management Tools

The Council placed particular emphasis on refining and completing the automated statistical information system for juvenile courts. Progress of the system, which depends on the use of the Model Juvenile Court Docket, was slowed by computer programming problems. The information system generates a set of twelve reports for those counties which use the Model Juvenile Docket. The programming for this system has been completed by the Administrative Office of the Courts which has provided technical assistance on this project.

COUNCIL OF JUVENILE COURT JUDGES EDUCATION COMMITTEE

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

Judge Harold H. Wollstein
Juvenile Court of Floyd County
Rome

Judge G. Mallon Faircloth
Juvenile Court of Crisp County
Cordele

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

Judge George A. Bell
Juvenile Court of Clay County
Fort Gaines

Judge Joe Tucker
Juvenile Court of Catoosa County
Ringgold

Judge James H. Wood
Juvenile Court of Banks County
Jefferson

Judge John W. Beam, Jr.
Juvenile Court of Chatham County
Savannah

Judge Eugene C. Black
Juvenile Court of Dougherty County
Albany

Judge Martha K. Glaze
Juvenile Court of Clayton County
Jonesboro

The Council received a special boost this year with the addition of its own IBM Mini Computer. This computer has two terminals and one printer to assist in the computation and printing of statistical reports. Much of the delay in completing the implementation of the information system was related to the problem of converting the data files from the rental computer to the Council's computer.

Until the juvenile court information system is in full operation, limited data on the caseloads of the juvenile courts must still be collected manually to provide planning data to forecast the needs of the courts. Data on the caseloads of the juvenile courts during fiscal year 1980 was collected through a joint project of the Administrative Office of the Courts and the judicial administrative districts. This year, however, there were 15 counties which submitted sufficient data to the Council of Juvenile Court Judges to have their data generated by the information system. So, for the first time, some of the manual method of case counting became obsolete in the juvenile court system.

In an effort to provide valuable and practical service to the Juvenile Court Judges of the state and the courts which they represent, the Council submitted and received a continuation of its purchase of services grant. This grant, in the amount of \$370,000,

provides funds to every county to purchase services for status offenders for which the courts have no funds. Each court contracts with local providers of services such as counseling, tutoring, and nonsecure detention, and the Council reimburses the county for actual expenses. There are currently fifty-four counties actively using the funds and twenty-four others planning its use eminently. Several counties have made special use of the money by instituting summer work programs and massive summer tutorial and counseling programs. This grant will expire September 30, 1981, but plans for its continuation have already been confirmed.

Liaison with other agencies

An important and continuing 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. Special committees of the Council were appointed to increase the Council's effectiveness.

The Judicial Liaison Committee of the Council of Juvenile Court Judges meets regularly with the Division of Youth Services and the Department of Human Resources to improve the working relationship between the executive and judicial branches in providing services to children. Additionally, other Council committees met to

assist in planning processes affecting the juvenile court system. The Judicial Planning Committee and the 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 in revision of the Judicial Article.

Judge Herbert M. Crane, Jr., and two members of the Council's professional staff were named to the advisory committee of the Senate Juvenile Justice Study Committee. This committee examined the entire juvenile justice system and presented

its findings to the full Senate in January, 1981.

Statutes

There were several statutes enacted by the 1980 session of the General Assembly which affected juvenile courts. House Bill 1062 involved child custody proceedings and provided that investigations and reports would be made by the Department of Human Resources to the courts in those proceedings. House Bill 1147 provided that the district attorney of the county be notified upon the arrest of children charged with certain crimes and that they be prosecuted by that office upon request of the judge. Senate Bill 43 granted grandparents visitation rights in certain divorce proceedings.

Senate Bill 489, perhaps the most sweeping legislation, created a new category of offenses designated as felonies and set minimal sentencing guidelines to be used by juvenile courts. Senate Bill 580 gave the Department of Human Resources the authority to assume, as a state institution, control over certain county-owned juvenile detention facilities.

The most far reaching bill relating to the juvenile justice system considered during the 1980 session was Senate Bill 144. This bill which had passed easily in the Senate the previous year failed to reach the majority by only one vote in the House. That legislation would have created a statewide system of separate juvenile courts organized on a circuit basis with state-salaried judges.

ANNUAL REPORT

GEORGIA JUSTICE COURTS TRAINING COUNCIL

Training is mandatory for justices of the peace in Georgia. The Georgia Justice Courts Training Council (GJCTC) was created by the 1978 General Assembly (Ga. Laws, p. 894) to plan and implement such training. During fiscal year 1980, the GJCTC sponsored six training seminars through the help of the Administrative Office of the Courts.

Justices of the peace are required to take forty hours of training and to pass an examination for certification before the end of the fiscal year when they take office. If they do not take the training or pass the examination, they are not authorized to receive fees for the performance of their duties. Justices of the peace are required to take twenty hours of training each year in order to maintain their certification. Training requirements also apply to small claims court judges whose enabling legislation granted them the powers of a justice of the peace.

Training sessions for both the twenty- and forty-hour seminars were designed to give each participant a basic understanding of the justice courts. Curriculum categories included an introduction to the role and history of the justices of the peace in the judicial system, justice court operations, civil law, and criminal law. The forty-hour program provided a more in-depth coverage of the topics for the new justices of the peace. Demonstrations of procedures in a civil trial and a commitment hearing were also provided.

Seminars were held at various dates and locations during fiscal year 1980. A total of 380 justices of the peace were certified through the GJCTC's training program. Of these, forty-five were new justices of the peace, and sixty were small claims

GEORGIA JUSTICE COURTS TRAINING COUNCIL



Judge Nick Lazaros
Chairman
Justice of the Peace
Houston County
Warner Robins

Judge George W. Eisel
Vice Chairman
Small Claims Court of
Hancock County
Sparta

Judge Leonard Danley
Justice of the Peace
Douglas County
Winston

Judge Eleanor Dotson
Justice of the Peace
Charlton County
Folkston

Judge Frost Ward
Justice of the Peace
Clayton County
Morrow

Robert L. Doss, Jr.
Ex Officio Secretary
Director
Administrative Office of the Courts
Atlanta

court judges. However, the number that were certified was still a small percentage of the more than 1,200 justices of the peace in Georgia.

To cover the costs of the educational materials provided in the forty-hour session, the GJCTC charged a tuition fee of \$56. The monies obtained from the fees, as well as other appropriations, were used to provide each participant with a two-volume edition of the *Georgia Code Unannotated* and the 1979 supplement. The GJCTC also distributed a justice of the peace handbook. Other educational materials for justices of

the peace included caseload handouts, recommended forms and procedures, and Canons of Judicial Ethics.

The GJCTC also accepted formal complaints against justices of the peace who were violating the certification law. The Council sought injunctive relief against one offender through the attorney general's office, but the offender resigned before action was taken. The GJCTC consulted the Judicial Qualifications Commission about the problem of misconduct complaints in order to plan training sessions that would bet-

CERTIFICATION SEMINARS FOR JUSTICES OF THE PEACE

Dates	Location	Attendance	No. Hours
October 17-19, 1979	Statesboro	33	20
February 6-8, 1980	Tifton	70	20
March 5-7, 1980	Barnesville	91	20
April 23-25, 1980	Gainesville	151	20
June 9-13, 1980	Macon	46	40
June 10-12, 1980	Macon	22	20

ter acquaint justices of the peace with appropriate judicial behavior.

During the year, the GJCTC also decided to adopt eight of nine priorities that were presented to the Council by the Georgia Association of Justices of the Peace and Constables. In brief, these priorities were to:

1. Continue the mandatory training that is required by law, and increase the amount of training that is available in the future.

2. Have the civil jurisdiction of the justice of the peace court increased to a sum not exceeding \$2,500 in order to reinstate some of the jurisdiction of the court that has been lost as a result of inflation.

3. Revise the fee schedule of the justices of the peace and remove all jury trial provisions from the justice courts.

4. Seek legislation and state funding for the development and implementation of standard forms, record systems, and docket systems for all justice courts and small claims courts with justice court jurisdiction to be administered through the Judicial Council/Administrative Office of the Courts and the Judicial Administrative

Districts.

5. Modify the first sentence of Georgia Code Annotated § 24-905 by deleting the phrase "have the power in their discretion to..." to eliminate discretionary authority and place a clearer responsibility on the local county to provide materials for operations to the justice courts.

6. Modify Georgia laws to assure that justices of the peace are compensated for approved bills of cost within thirty days from the date when such bills were rendered.

7. Devise a mechanism capable of identifying, investigating, and taking appropriate action in cases involving irregular or illegal actions or violations of the Code of Judicial Conduct.

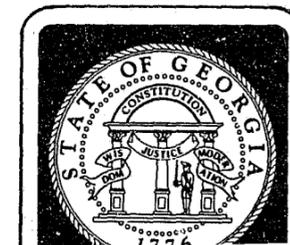
8. Expand contempt powers of the justice of the peace to sentence an individual found in contempt of court in an amount not to exceed \$100 or thirty days in jail.

The creating act of the Georgia Justice Courts Training Council (Ga. Laws 1978, p. 894) was amended by the 1980 General Assembly to include as "justice of the peace" only those small claims court judges who are not practicing attorneys, as shown

by active membership in the State Bar of Georgia. Another act passed during the 1980 session amended Code § 24-601 to delete the requirement that justices of the peace make a list of names of all persons not on the tax digest who are liable to tax on property in their respective districts. Both acts became effective on March 20, 1980.

The Georgia Justice Courts Training Council operated on a budget of \$37,160 in fiscal year 1980. Of that sum, \$20,000 was obtained from state appropriations and \$17,160 was obtained from fees. As previously noted, those attending the forty-hour training session were charged a tuition fee of \$56. Those who attended the twenty-hour sessions were charged a fee of \$40. Expenditures totalled \$29,893.71, and the remaining \$7,266.29 was carried over into the next year.

This report was prepared in compliance with Section 5(e) of the Georgia Justice Courts Training Council Act which states that the "Council shall report at least annually to the Governor and to the General Assembly as to its activities."



APPENDIX ONE:

SUPREME COURT ORDERS AND ACT CREATING THE JUDICIAL COUNCIL

SUPREME COURT OF GEORGIA ATLANTA, JUNE 12, 1978

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

The petition of the Judicial Council of Georgia filed on May 30, 1978, is hereby granted.

It is ordered:

(a) that the Judicial Council of Georgia be and it hereby is established as an administrative arm of this Court; and

(b) that the officers and members of the Judicial Council of Georgia shall be the

officers and members of the Council as presently constituted; and

(c) that the powers and duties of the Judicial Council of Georgia shall be the same as the powers and duties of the Council as presently constituted; and

(d) that the membership, powers and duties of the Council may be changed from time to time by further order of this Court.

It is further ordered that any member of the State Bar of Georgia or any other interested person may file with this Court

SUPREME COURT OF GEORGIA ATLANTA, FEBRUARY 6, 1980

The Judicial Council of Georgia, acting by and through its lawfully appointed officers, filed with the Court on December 28, 1979, its petition reciting that it is authorized by its members to apply to this Court for an order:

(a) increasing the voting membership of the Judicial Council of Georgia;

(b) providing for election of voting membership;

(c) providing for the lengths of terms for members;

(d) providing for certain other matters relating to the operation of the Judicial Council of Georgia; and

(e) providing for certain measures regarding implementation of the restructuring of the Judicial Council of Georgia.

It is hereby ordered that:

(A) The membership of the Judicial Council of Georgia is established as follows:

(1) Voting membership: one judge of the Georgia Court of Appeals; ten (10) judges of the superior court; three judges of the state court; three judges of the probate court; one judge of the juvenile court; and two members of the State Bar of Georgia. 20 voting members.

(2) Non-voting membership: one justice of the Supreme Court of Georgia; one justice of the peace; and one clerk of the superior court. 3 non-voting members.

(B) The selection of voting members shall be as follows:

(1) Voting membership

(a) The judge of the Georgia Court of Appeals shall be elected by the members of that court.

(b) One superior court judge shall be elected by the District Council in each of the ten Judicial Administrative Districts (established by the Judicial Administration Act of 1976) by secret written ballot in each District.

(c) The three judges of the state court shall be elected by the judge members of the Trial Judges and Solicitors Association of Georgia.

(d) The three judges of the probate court shall be elected by the Probate Court Judges Association.

(e) The juvenile court judge shall be elected by the Georgia Council of Juvenile Court Judges.

(f) The members of the State Bar of Georgia shall be the immediate two Past

before September 1, 1978, written objections to this order. Written objections may be accomplished by argument and citations of authority. A hearing on objections will be set by this Court after September 1, 1978, if demanded by any objector.

It is further ordered that the State Bar of Georgia publish a copy of the petition of the Judicial Council of Georgia and of this order in the next issue of the *Georgia State Bar News*.

Presidents of the State Bar of Georgia.

(2) Non-voting membership

(a) The justice of the Georgia Supreme Court shall be elected by the members of that court.

(b) The justice of the peace shall be a certified justice of the peace appointed by the Supreme Court of Georgia.

(c) The clerk of the superior court shall be elected by the Georgia Superior Court Clerks Association.

(C) It is further ordered that:

(1) The terms of voting members of the Judicial Council shall be for three years commencing on the first day of July of each year and the terms shall be staggered.

(2) The terms of non-voting members shall be for three years commencing on the first day of July each year.

(3) No member of the Judicial Council shall succeed himself for a period of three years.

(4) No senior judge shall serve on the Judicial Council.

(5) There shall be no age limit as to members who may serve on the Judicial Council.

(6) The terms for initial new members shall be staggered and the length of these

terms shall be determined by lot as shown in Exhibit 1 attached hereto.

(D) It is further ordered that the reconstitution of the Judicial Council shall be effective as of March 1, 1980. Current members of the Judicial Council shall complete the full terms for which they were appointed. The new members of the Judicial Council taking office on March 1, 1980, shall serve as mem-

bers of the Judicial Council for a special four-month term until the commencement of their regular term as members on July 1, 1980. During this special term (March 1, 1980 to June 30, 1980) the President and the Immediate Past President of the State Bar of Georgia shall serve as the two Bar representatives. Thereafter, the terms of members of the Judicial Council shall commence on July 1 and end on June 30.

(E) It is further ordered that the Judicial Council of Georgia shall provide copies of this Order to the interested parties set out in Schedule A of the Judicial Council's petition, and the Judicial Council is hereby authorized and directed to coordinate the timely and proper implementation of the reorganization of the Judicial Council.

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 Govern-

nor, 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:

JUDICIAL ADMINISTRATIVE 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 Administrative 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 will 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 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 operation 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, sentences, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional.

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

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

Approved March 25, 1976.

APPENDIX THREE:

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 procedures; to provide for other matters relative to the fore-going; 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 the 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 proceedings 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, removals. 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 the 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." 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 2 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 if a felony subsequent to the passage of this Act;

(2) Conviction of a misdemeanor involving moral turpitude and 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 case is pending. The board may limit the extent of any temporary permit obtained from the board, based upon the need of such temporary employment. Temporary permits obtained from a judge may be limited by the Board only with the concurrence of the issuing judge. (Acts 1980, p. 528)

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 the Act.

Section 19. Effective date. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

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

Approved March 20, 1974.

APPENDIX FOUR:

JUDICIAL COUNCIL OF GEORGIA SETS COURT REPORTER FEES

CODE SEC. 24-3103, 24-3104 REPEALED ACT NO. 588 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., 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 pro-

per."

Section 2. This Act shall not apply to those court reporters taking and furnishing transcripts of depositions, nor for taking and furnishing transcripts of non-judicial 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 24-3104 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), 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 FIVE:

JUDICIAL PERSONNEL CHANGES

APPOINTMENTS

Appellate Courts

Supreme Court of Georgia
Justice Harold G. Clarke by Governor Busbee for term 12/28/79 to 11/4/80.

Court of Appeals of Georgia
Judge John W. Sognier by Governor Busbee for term 1/7/80 to 11/4/80.

Superior Courts

Atlanta Judicial Circuit
Judge William W. Daniel by Governor Busbee for term 9/27/79 to 1/1/81.
Judge Isaac Jenrette by Governor Busbee for term 2/8/80 to 1/1/81.

Augusta Judicial Circuit
Judge Albert M. Pickett by Governor Busbee for term 12/18/79 to 1/1/81.
Judge Bernard J. Mulherin, Sr. by Governor Busbee for term 3/7/80 to 1/1/81.

Brunswick Judicial Circuit
Judge A. Blenn Taylor, Jr. by Governor Busbee for term 6/9/80 to 1/1/81.

Conasauga Judicial Circuit
Judge Charles A. Pannell, Jr. by Governor Busbee for term 9/27/79 to 1/1/81.

Cordele Judicial Circuit
Judge Whitfield R. Forrester by Governor Busbee for term 6/9/80 to 1/1/83.

Coweta Judicial Circuit
Judge Dewey Smith by Governor Busbee for term 6/9/80 to 1/1/81.

Oconee Judicial Circuit
Judge Hugh Lawson, Jr. by Governor Busbee for term 8/2/79 to 1/1/81.

Rome Judicial Circuit
Judge Robert G. Walther by Governor Busbee for term 6/9/80 to 1/1/81.

Tifton Judicial Circuit
Judge John R. Rogers by Governor Busbee for term 6/9/80 to 1/1/81.

State Courts

State Court of Cherokee and Forsyth Counties
Judge Richard S. Gault by Governor Busbee for term 6/9/80 to 1/1/81.

State Court of Clayton County
Judge Emmett J. Arnold, III by Governor Busbee for term 7/1/79 to 1/1/81.

Juvenile Courts

Camden County
Judge J. Robert Morgan by Superior Court Judge Gordon Knox, Jr. for six-year term beginning 12/5/79.

Jeff Davis County
Judge E.M. Wilkes, III by Superior Court Judge Gordon Knox, Jr. for six-year term beginning 9/1/79.

Troup County
Judge A. Quillian Baldwin, Jr. by Superior Court Judge H. Lamar Knight for six-year term beginning 1/1/80.

Special Courts

Small Claims Court of Bacon County
Judge Eugenia Loper for term 5/1/80 to 12/31/80.

Small Claims Court of Bleckley County
Judge Dewey M. Brown for term 7/1/80 to 7/1/84.

Small Claims Court of Bulloch County
Judge Lewis Carroll Blankenship for term 1/1/80 to 12/31/84.

Small Claims Court of Coweta County
Judge Eddie S. Ball for term 6/30/80 to 12/31/81.

Small Claims Court of Effingham County
Judge Virgil H. Zoller for term 1/1/80 to 12/31/81.

Small Claims Court of Jasper County
Judge John Lee Parrott for term 8/1/79 to 12/30/80.

Small Claims Court of Jenkins County
Judge Jeannette Weathersby for term 9/18/79 to 1/1/81.

Small Claims Court of Jones County
Judge Emily W. Greene for term 8/1/79 to 2/1/83.

Small Claims Court of Lamar County
Judge Jimmy Burousas for term 1/1/80 to 12/21/81.

Small Claims Court of Laurens County
Judge Johnny W. Warren for term 7/1/79 to 7/1/81.

Small Claims Court of Liberty County
Judge Al L. Phillips, Jr. for term 7/5/79 to 7/1/83.

Small Claims Court of Long County
Judge Hugh D. Gordon for term 4/9/80 to 12/31/80.

Small Claims Court of McIntosh County
Judge Ronald C. King for term 7/17/79 to 12/31/79.*
Judge Gordon Shuman for term 1/8/80 to 12/31/80.

Small Claims Court of Oconee County
Judge Choyce Johnson for four-year term beginning 8/1/79.

Small Claims Court of Pulaski County
Judge William T. Collins for term 4/15/80 to 4/15/84.

Small Claims Court of Randolph County
Judge Ozella Taylor for term 1/1/80 to 1/1/82.

Small Claims Court of Stephens County
Judge Sam G. Church for term 4/24/80 to 12/31/82.

Small Claims Court of Sumter County
Judge Larry W. Sutton for term 9/7/79 to 1/1/82.

Small Claims Court of Tattnall County
Judge Lamar L. McGregor for term 11/1/79 to 10/31/83.

Small Claims Court of Taylor County
Judge William S. Tarver for term 9/7/79 to 4/18/83.

Small Claims Court of Telfair County
Judge Hargis W. Simmons for four-year term beginning 7/23/79.*
Judge Joann Selph for term 1/22/80 to 1/22/84.

Small Claims Court of Terrell County
Judge Sam Daniel for term 11/5/79 to 2/19/83.

Small Claims Court of Upson County
Judge James R. Davis, Jr. for term 9/3/79 to 9/5/83.

Magistrate's Court of Rockdale County
Judge Hal Dawkins for term 1/1/80 to 12/31/81.

Recorder's Court of Chatham County
Judge Michael Lewis Karpf for term beginning 7/1/79 until the following general election.

*Retired

ELECTIONS

Probate Courts

Banks County
Judge Milton Dalton for term 11/21/79 to 1/1/81.

Stephens County
Judge Maudaine Charles for term 4/2/80 to 1/1/81.

Small Claims Court of Troup County
Judge Jeanette L. Little for term 11/14/79 to 1/1/83.

ANALYSIS OF STATEWIDE JUDICIAL MANPOWER CHANGES

(July 1, 1979 to June 30, 1980)

Court	Judges Beginning First Terms				Judges Leaving the Bench				
	Total No. Judgeships*	Method of Selection			Total No. New Judges	Reason for Leaving			Total No. Judges Leaving the Bench
		Elected	Appointed	New Judgeship		Resigned	Retired	Died	
Supreme Court	7	-	1	-	1	-	1	-	1
Court of Appeals	9	-	1	-	1	-	1	-	1
Superior Courts	109	-	5	6	11	1	3	1	5
State Courts	77	-	1	1	2	-	-	1	1
Juvenile Courts (Full & part time)	48	-	2	1	3	-	1	1	2
Probate Courts	159	3	-	-	3	-	1	1	2

*As of June 30, 1980.

END