



# 2023 Magistrate Court Clerks' Annual Training June 15-16, 2023

## *Savannah Riverfront Marriott, Savannah, GA*

Conference location will be held in the **Savannah Ballroom A**.

All meals will be located in the **Atrium**.

Registration will be outside the **Savannah Ballroom A**.

| Thursday, June 15 <sup>th</sup> , 2023 |                                      |  |
|--|--------------------------------------|--|
| Time                                   | Topic                                | Speaker  |
| 7:00 – 8:00 am                         | <b>REGISTRATION &amp; BREAKFAST</b>  | Registration - <i>outside Savannah Ballroom A</i><br>Breakfast - <i>Location - Atrium</i>  |
| 8:00 – 9:20 am                         | Garnishment – Processes & Procedures | Ms. Patricia Carreker, Clerk of Court (Rockdale County) & Ms. Tawney Bloodsaw, Chief Clerk (Washington County)   |
| 9:30 – 10:00 am                        | Services                             | Hon. David Crosby  |
| 10:00 – 10:50 am                       | Default Judgements                   | Hon. David Crosby  |
| 11:10 – Noon                           | Bankruptcy                           | Hon. Jim Altman  |
| <b>Noon – 12:30 pm</b>                 | <b>BUSINESS MEETING</b>              |  |
| <b>12:30 – 1:30 pm</b>                 | <b>LUNCH</b>                         | Lunch - <i>Location - Atrium</i>   |
| 1:30 – 2:20 pm                         | New Appeal Process                   | Hon. Megan Kinsey  |
| 2:20 – 3:10 pm                         | Dispossessory Warrants               | Hon. Caroline Evans  |
| 3:20 – 4:10 pm                         | Domestic Violence                    | Atty. April Ross and Ms. Kylee Elliott   |
| 4:10 – 5:00 pm                         | Domestic Foreign Justice             | Hon. Heather Culpepper   |
| Friday, June 16 <sup>th</sup> , 2023   |                                      |  |
| Time                                   | Topic                                | Speaker  |
| 7:00 – 8:00 am                         | <b>BREAKFAST</b>                     | Breakfast - <i>Location - Atrium</i>   |
| 8:00 – 8:50 am                         | Criminal Panel Overview              | Panel: Ms. Connie Griffith – County Ordinances<br>Hon. Julie Ruark – First Appearance – Bond Cond.<br>Ms. Jackie Norman – Prelim Hearings<br>Ms. Kelley Maslak – Transfer Warrants |
| 9:10 – 11:00 am                        | Customer Service Topics/Scenarios    | Moderator: Hon. Carla Brown  |
| 11:10 – Noon                           | Questions & Answers                  | Moderator: Hon. Carla Brown  |

If you have questions please reach out to your ICJE representatives:

**Mrs. Susan Mason** – Event Coordinator at [susan.mason@uga.edu](mailto:susan.mason@uga.edu) phone 706-542-1129

Or

**Mr. Thomas Erwin** – Event Planner at [terwin21@uga.edu](mailto:terwin21@uga.edu) phone 706-542-1150

# ICJE BOARD OF TRUSTEES



INSTITUTE OF  
CONTINUING JUDICIAL  
EDUCATION  
OF GEORGIA

The following are the members of ICJE's Board of Trustees.  
Please note that your Magistrate Court Representative is:

**Judge Megan Kinsey**  
Magistrate Court Judge – Butts County

|  |  |
|--|--|
| <p><b>Judge Katherine "Katie" Lumsden</b><br/><i>Chair</i><br/>Superior Court Judge<br/>Houston Circuit</p>      | <p><b>Dean Peter "Bo" Rutledge</b><br/><i>Vice Chair</i><br/>University of Georgia<br/>School of Law</p>           |
| <p><b>Judge William P. Bartles</b><br/><i>Secretary/Treasurer</i><br/>Juvenile Court Judge<br/>Flint Circuit</p> | <p><b>Judge Bonnie Chessher Oliver</b><br/><i>Past Chair</i><br/>Superior Court Judge<br/>Northeastern Circuit</p> |
| <p><b>Justice Verda M. Colvin</b><br/>Supreme Court of Georgia<br/>Atlanta</p>                                   | <p><b>Judge Elizabeth Gobeil</b><br/>Court of Appeals<br/>Atlanta</p>  |
| <p><b>Cynthia H. Clanton</b><br/>AOC Director<br/>Atlanta</p>  | <p><b>Brad Marsh</b><br/>State Bar of Georgia<br/>Atlanta</p>  |
| <p><b>Judge A. Gregory Poole</b><br/>Superior Court Judge<br/>Cobb Circuit</p>                                   | <p><b>Judge Allison Barnes Salter</b><br/>State Court Judge<br/>Cobb County</p>                                    |
| <p><b>Judge Detria Carter Powell</b><br/>Probate Court Judge<br/>Lowndes County</p>                              | <p><b>Judge Megan Kinsey</b><br/>Magistrate Court Judge<br/>Butts County</p>                                       |
| <p><b>Judge Matthew McCord</b><br/>Municipal Court Judge<br/>Stockbridge</p>                                     | <p><b>Kyemeshia T. Gibson</b><br/>Superior Court Clerk<br/>Meriwether County</p>                                   |
| <p><b>Dean Jace Gatewood</b><br/>Atlanta's John Marshall Law School<br/>Atlanta</p>                              | <p><b>Dean Mary Anne Bobinski</b><br/>Emory University<br/>School of Law</p>                                       |
| <p><b>Dean LaVonda Reed</b><br/>Georgia State University<br/>College of Law</p>                                  | <p><b>Interim Dean Karen J. Sneddon</b><br/>Mercer University<br/>School of Law</p>                                |

## 2023 ICJE STAFF TO MAGISTRATE COURT CLERKS:

Lynne Moore Nelson, Executive Director: 706-542-1124; [lynnemoore.nelson@uga.edu](mailto:lynnemoore.nelson@uga.edu)

Susan Mason, Event Coordinator: 706-542-1129; [susan.mason@uga.edu](mailto:susan.mason@uga.edu)

Thomas Erwin, Event Planner: 706-542-1150; [terwin21@uga.edu](mailto:terwin21@uga.edu)

|   |   |
|---|---|
| <p><b><i>Council of Magistrate Court Clerks Inc.</i></b></p> <p><b><i>Executive Committee &amp; District Representative TERM 2021-22</i></b></p>  | <p>President:<br/>Carla Brown, Lee County<br/>PO Box 522<br/>Leesburg, GA 31763<br/>Work: 229-759-6016<br/>Email: <a href="mailto:cabrown@lee.ga.us">cabrown@lee.ga.us</a></p>  |
| <p>Vice President:<br/>Cynthia Kelley, Burke County<br/>PO Box 401<br/>Waynesboro, GA 30830<br/>Work: 706-554-4281<br/>Email: <a href="mailto:c.kelley@burkecounty-ga.gov">c.kelley@burkecounty-ga.gov</a></p>                                      | <p>Secretary-Treasurer:<br/>Cheryl McMillan, Charlton County<br/>1520 Third St, Suite B<br/>Folkston, GA 31537<br/>Work: 912-496-2617<br/>Email: <a href="mailto:cmcmillan@charltoncountyga.gov">cmcmillan@charltoncountyga.gov</a></p> |
| <p>District 1:<br/>Renea Daniels, Brantley County<br/>PO Box 1150<br/>Nahunta, Ga 31553<br/>Work: 912-462-6730<br/>Email: <a href="mailto:danielsreneard@gmail.com">danielsreneard@gmail.com</a></p>  | <p>District 2:<br/>Kelley Maslak, Lowndes County<br/>PO Box 1349<br/>Valdosta, GA 31603<br/>Work: 229-671-2623<br/>Email: <a href="mailto:kmaslak@lowndescounty.com">kmaslak@lowndescounty.com</a></p>                                  |
| <p>District 3:<br/>Jackie Norman, Lee County<br/>PO Box 522<br/>Leesburg, GA 31763<br/>Work: 229-759-6016<br/>Email: <a href="mailto:jnorman@lee.ga.us">jnorman@lee.ga.us</a></p>   | <p>District 4:<br/>Patricia Carreker, Rockdale County<br/>PO Box 289<br/>Conyers, GA 30012<br/>Work: 770-278-7796<br/>Email: <a href="mailto:Patricia.Carreker@rockdalecountyga.gov">Patricia.Carreker@rockdalecountyga.gov</a></p>     |
| <p>District 5:<br/>Cathelene "Tina" Robinson Clerk: Fulton Co<br/>136 Pryor Street S W, Room 106<br/>Atlanta, GA 30303<br/>Work: 404-613-5313<br/>Email: <a href="mailto:Tina.robinson@fultoncountyga.gov">Tina.robinson@fultoncountyga.gov</a></p> | <p>District 6:<br/>Jan Streetman, Upson County<br/>PO Box 890<br/>Thomaston, GA 30286<br/>Work: 706-647-6891<br/>Email: <a href="mailto:jstreetman@upsoncountyga.org">jstreetman@upsoncountyga.org</a></p>                              |
| <p>District 7:<br/>Monika Welchel, Bartow County<br/>112 Cherokee Avenue Suite 101<br/>Cartersville, GA 30120<br/>Work: 770-387-5070<br/>Email: <a href="mailto:wechelm@bartowcountyga.gov">wechelm@bartowcountyga.gov</a></p>                      | <p>District 8:<br/>See page 2 Julie and Tawney have agreed to fill in.</p>  |
| <p>District 9:<br/>Connie Griffith, Forsyth County<br/>1090 Tribble Gap Rd<br/>Cumming, GA 30040<br/>Work: 770-205-4578<br/>Email: <a href="mailto:clgriffith@forsythco.com">clgriffith@forsythco.com</a></p>                                       | <p>District 10:<br/><br/>Vacant</p>   |
|   |   |

|  |  |
|--|--|
| Nominating Committee:  |  |
| Shelly Herndon, Pierce Co<br>3550 Hwy 84 Ste 2<br>Blackshear, GA 31516<br>Work: 912-449-2027<br><a href="mailto:shelly.herndon@piercecounyga.gov">shelly.herndon@piercecounyga.gov</a> | Alecia Lawrence<br>22 North Court Street<br>Camilla, GA 31730<br>Work: 229-336-2077<br>Email: <a href="mailto:alawrence@mitchellcountyga.net">alawrence@mitchellcountyga.net</a> |
| Advisor:   | Judge Connie Holt, Morgan County<br>PO Box 589<br>Madison, GA 30650<br>Work: (706) 342-3088<br>Email: <a href="mailto:Cholt@morgancountyga.gov">Cholt@morgancountyga.gov</a>     |

District 8 (Fill in till election)

Julie Ruark  
Associate Judge  
Deputy Clerk – Criminal Division  
Morgan County Magistrate Court  
PO Box 589  
Madison, GA 30650  
706-342-3088 xt 2  
[jruark@morgancountyga.gov](mailto:jruark@morgancountyga.gov)

Tawney Murray Bloodsaw  
Chief Clerk/Chief Magistrate’s Assistant  
Washington County Magistrate Court  
132 W. Haynes Street  
P.O. Box 1053  
Sandresville, Georgia 31082  
O: (478) 552-3591  
F: (478) 552-4010  
[tbloodsaw@washingtoncountyga.gov](mailto:tbloodsaw@washingtoncountyga.gov)



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***Savannah Riverfront Marriott, Savannah, GA***

**Attendance Form**

Please return this form to ICJE no later than ***Friday, July 14<sup>th</sup>, 2023***

**Ways to turn in your form:** 1) Onsite to ICJE staff OR 2) Via Mail: 1150 S. Milledge Ave, Athens GA 30602 OR  
3) Via Fax 706-369-5840 OR 4) Via Email to Mr. Thomas Erwin at [terwin21@uga.edu](mailto:terwin21@uga.edu)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ County: \_\_\_\_\_

| Thursday, June 15 <sup>th</sup> , 2023 |                     |               |
|--|---------------------|---------------|
| Topic/Session                          | CJE Hours Available | Hours Claimed |
| Garnishment – Processes & Procedures   | 1.5 Hrs.            |               |
| Services                               | .5 Hr.              |               |
| Default Judgements                     | 1 Hr.               |               |
| Bankruptcy                             | 1 Hr.               |               |
| New Appeal Process                     | 1 Hr.               |               |
| Dispossessory Warrants                 | 1 Hr.               |               |
| Domestic Violence                      | 1 Hr.               |               |
| Domestic Foreign Justice               | 1 Hr.               |               |
| Friday, June 16 <sup>th</sup> , 2023   |                     |               |
| Criminal Panel Overview                | 1 Hr.               |               |
| Customer Service Topics/Scenarios      | 2 Hrs.              |               |
| Questions & Answers                    | 1 Hr.               |               |

**TOTAL CJE HOURS CLAIMED FOR THE TRAINING** (Maximum allowed 12 hours offered): \_\_\_\_\_

I certify that the above statements are accurate and represent my true attendance at the seminar.

\_\_\_\_\_  
Signature Date

ICJE STAFF USE ONLY: Spreadsheet \_\_\_\_\_ EA \_\_\_\_\_

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**2023 Magistrate Court Clerks – Annual Training  
The Savannah Riverfront Marriott, Savannah, GA  
June 15-16, 2023  
ONLINE SURVEY LINK**

You may use this QR Code to access and submit  
the Online Conference Evaluation.

- OR -



You may use this link below to access and submit  
the Online Conference Evaluation:

[https://ugeorgia.ca1.qualtrics.com/jfe/form/SV\\_cuckyxysTPUEfuC](https://ugeorgia.ca1.qualtrics.com/jfe/form/SV_cuckyxysTPUEfuC)

***Your Feedback is greatly appreciated!***

**EVALUATION INSTRUCTIONS:**

Each attendee may only submit this evaluation once. All responses will be recorded anonymously.

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# Garnishment - Processes & Procedures

## *INSTRUCTORS:*

Ms. Patricia Carreker, Clerk of Court, Rockdale County  
&

Ms. Tawney Bloodsaw, Chief Clerk, Washington County

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# GARNISHMENTS

*PRESENTED BY:*

Patricia Carreker  
Clerk of Court  
Rockdale County

&

Tawney Murray Bloodsaw  
Chief Clerk  
Washington County



*Institute of Continuing Judicial Education of Georgia • University of Georgia • School of Law*

WE KNOW...



**BUT**

...YOU GOT THIS!!



# SOME OLD NEWS

## Year 2021 Changes to Georgia's Garnishment Code

- The length of the garnishment period for a continuing garnishment was extended from six months to three years, with extensions to the previous time limits for pending continuing garnishments to meet the new extended timeline.
- The garnishment period begins on the day of service of the summons of garnishment.
- A continuing garnishment for support, shall remain for so long as the defendant is employed by the garnishee.

## GARNISHMENT MAY BE FILED IN THE MAGISTRATE COURT IF:

- 1)The Plaintiff has a judgment against the debtor;
- 2)The valid judgment is for an amount no greater than \$15,000.00; and
- 3)The Garnishee (or its agent) is located in the county where the garnishment is filed.

# TYPES OF GARNISHMENTS

## CONTINUING

- Filed against the Defendant's wages/place of employment.
- 25% of the Defendant's Net pay (take-home pay) will be deducted

## FINANCIAL INSTITUTION

- Filed against the Defendant's bank, credit union, etc.
- Account will be frozen and 100% of the amount filed for OR whatever amount is in the account for five (5) days will be captured

## CHILD SUPPORT

- Filed based on the failure to make periodic child support payments as required under a judgment.
- 50% of the Defendant's Net pay (take-home pay) will be deducted

## DOCUMENTS REQUIRED TO FILE:



- 1) Affidavit (Continuing, Financial Institution, or Child Support);
- 2) Summons of Garnishment (Continuing, Financial Institution, or Child Support);
- 3) Notice to Defendant & Defendant;
- 4) Attachment for Garnishment (Continuing, Financial Institution, or Child Support); and
- 5) Garnishee Answer (Continuing, Financial Institution, or Child Support)

## CHECKLIST FOR CLERKS ESTABLISHING NEW GARNISHMENT FILINGS

- \_\_\_\_\_ Garnishment Fee \$\_\_\_\_\_ (only one Defendant per action)
- \_\_\_\_\_ Affidavit for Continuing Garnishment
- \_\_\_\_\_ Copy of Judgment or Writ of Fi Fa  
*(look for this amount on affidavit- interest will increase or payment(s) will decreased amount)*
- \_\_\_\_\_ (2) Original Summons – (must place case number on both)
- \_\_\_\_\_ Attachment for summons of Continuing Garnishment
- \_\_\_\_\_ Answer Form(s)
- \_\_\_\_\_ Notice to Defendant
- \_\_\_\_\_ Defendant’s Claim (Traverse form)
- \_\_\_\_\_ Georgia Garnishment Exemption Form
- \_\_\_\_\_ Sheriff’s Entry of Service Form
- \_\_\_\_\_ Self address envelope to Plaintiff *(for return copies)*
- \_\_\_\_\_ Reminder – *write case # on Affidavit(s), Summon(s), Sheriff’s Entry of Service and one answer form*

## SERVICE UPON THE

### DEFENDANT

- Plaintiff’s responsibility:
  - Must serve all 4 documents:
    - 1) Affidavit of Garnishment;
    - 2) Summons of Garnishment;
    - 3) Notice to Defendant; and
    - 4) Defendant’s Claim Form
  - Made after filing, not more than 3 business days after service of the summons on Garnishee
  - May be:
    - 1) mailed to last known address by regular mail and registered/certified mail/statutory overnight delivery (must show proof); or
    - 2) personally served (certification by the process server must be filed)

### GARNISHEE

- As provided in O.C.G.A. § 9-11-4, all 4 documents must be served:
  - 1) Affidavit of Garnishment;
  - 2) Summons of Garnishment;
  - 3) Notice to Defendant; and
  - 4) Defendant’s Claim Form

## ANSWERS BY GARNISHEE

### CONTINUING

- Must be filed with Court issuing the summons not sooner than 30 days and not later than 45 days AFTER service of the summons
- Pursuant to O.C.G.A. § 18-4-10(b), payment MUST accompany the Garnishee's Answer.
- Pursuant to O.C.G.A. § 18-4-42(f)(1), former employer who has no funds belonging to the Defendant at time of service of summons can file Answer immediately.

### FINANCIAL INSTITUTION

- Must be filed with Court issuing the summons not sooner than 5 days and not later than 15 days AFTER service of the summons.
- Pursuant to O.C.G.A. § 18-4-10(c), Garnishee can file early if no account exists.

### CHILD SUPPORT

- Must be filed with Court issuing the summons not sooner than 30 days and not later than 45 days AFTER service of the summons
- Pursuant to O.C.G.A. § 18-4-10(b), payment MUST accompany the Garnishee's Answer.

## GARNISHMENT EVENT TYPES

The Answer is the document Pleading

### GARNISHMENT ANSWER RECEIVED

Answer received with money:  
Amount received:\$535.00  
Check number: 93856

### NO MONEY ANSWER

Defendant no longer employed with Garnishee(employer) or never employed

### MONEY RECEIVED FROM GARNISHEE WITH NO ANSWER

Example:  
Funds from ADP with no Answer form

### BASIC GARNISHMENT ORDERS

- Final Order to Condemn Funds
- Order to Condemn Funds
- Order of Expired Garnishment
- Release of Garnishment



## IF DEFENDANT FILES CLAIM:

- On validity of the judgment, Court may wish to treat claim as a request for stay or release of garnishment.
- The filing of the claim is a stay of the garnishment.
- Defendant may file any time before a judgment is entered, and order to disburse funds is issued, or money is distributed by the Court, whichever occurs first.
- See O.C.G.A. § 18-4-15(d)
- Court shall order a hearing on the claim within 10 days (as a matter of right to the Defendant) AND no funds disbursed.

## IF DEFENDANT FILES CLAIM (CONT'D)...

### AFTER HEARING, JUDGMENTS:

- The Defendant has the burden of proof by the preponderance of the evidence and the Court finds that this burden has not been met; WHEREFORE, the Defendant's Claim is hereby DISMISSED and the Garnishment STANDS.
- The Court finds in favor of the Defendant. The Clerk of this Court is required to release all money being held in the Court's registry to the Garnishee to be released back to the Defendant. FUTHERMORE, this matter is hereby Dismissed Without Prejudice.
- Issue Release of Garnishment

## DEFAULT JUDGMENT AGAINST GARNISHEE:

### HEARING

- Clerk shall schedule a Default Hearing with all parties no earlier than fourteen (14) days and no later than thirty (30) days out.
- Garnishee may obtain relief from a default judgment upon the same conditions provided in O.C.G.A. § 18-4-24

### JUDGMENT

- In favor of Plaintiff OR Garnishee



## TIMEFRAMES OF ACTIVE GARNISHMENTS:

### CONTINUING

- Extended to 1,095 days = 3 years

### FINANCIAL INSTITUTION

- Considered a “One-Shot” garnishment
- A debt collector could keep filing bank account garnishments.
- Must file new garnishment case for unpaid judgment

### CHILD SUPPORT

- A continuing garnishment for support, shall remain for so long as the defendant is employed by the garnishee and shall not terminate until the original arrearage is retired

## DISSOLUTION OF GARNISHMENT

- When dissolved, it is the Clerk of the Court's duty to issue a Release of Garnishment **IF**:
  - The Plaintiff requests it in writing;
  - The amount claimed due along with the costs of the garnishment are paid into the Court;
  - The Judge enters an order, after a hearing, directing that the garnishment be released; OR
  - The garnishment is Dismissed

**\*\*Remember: Upon closing a case, ALWAYS file a Release of Garnishment\*\***

## A GLIMPSE AT GEORGIA GARNISHMENT EXEMPTIONS



Get your hand out of my Pocket!

### RETIREMENT:

- Social Security retirement benefits
- State Pension

### MILITARY:

Veterans' benefits, including military pensions, retirement pay, and disability payments...

### WORKERS COMP

#### GOVERNMENT BENEFITS:

- Social security retirement benefits; social security disability insurance benefits...

#### CERTAIN FINANCIAL ACCOUNTS:

- Joint account holders...

### FAMILY SUPPORT:

- Child support payments

#### INSURANCE & ANNUITIES:

#### RAILROAD:

#### MISCELLANEOUS:

- Crime victim compensation funds
- Federal student loans...

# GEORGIA GARNISHMENT EXEMPTIONS

- See attached list of exemptions.



## Q & A





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# Services

**INSTRUCTOR:**

**Hon. David Crosby**

No handouts provided at time of printing.

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# Judgments & Service of Process

2023 Magistrate Clerk's Training  
Judge David W. Crosby,  
Chief Magistrate  
Brooks County Magistrate Court



## What is a Judgment?

- A finding by the Court that one party has a legal obligation to compensate another party (In magistrate court, \$15K or less)



## Common Types of Judgments

- Default- Defendant fails to answer and/or appear for court. *Collections can begin once filed by the clerk*
  - *ALL Default Judgements require a MILITARY AFFIDAVIT*
- Judgment for Plaintiff (P)- P proved their case in court by Preponderance of the Evidence. P should allow 30 days for payment before filing collections, allowing time for an appeal.
- Judgment for Defendant (D)- Plaintiff failed to prove their case and/or D proved their counterclaim by Preponderance of the Evidence.
- Consent- Parties enter in an agreement for an amount owed and usually outlines a payment arrangement. *Default on consent can be entered if a defendant does not do as agreed.*

## Collecting on Judgments

**There are multiple ways to collect on judgments.**

*Clerk's should never advise someone how to collect on one and should never guarantee the outcome of a case.*

**Here is a brief overview of different ways to collect-**

- Writ of FiFa- A document issued by the Clerk for the purpose of recording a lien on the debtor's property, it may also be used as a legal instrument by the Sheriff or Constable to seize assets of a judgment debtor.
- Garnishment- A legal action that can be filed against a garnishee (a person or business entity that either owes funds to the judgment debtor or is holding funds on behalf of the judgment debtor.) Bank garnishments are the most common.



## Collecting on Judgments cont...



- Continuing Garnishments (CG)- can be used when the debtor is a wage earner. CG lasts for a period of 180 days and the appropriate sums will be deducted from the debtor's wages on a 30 day recurring basis until the judgment is paid or case expires. Answer must be no later than 45 days.
- Post Judgment Interrogatories- the purpose is to ascertain assets, if the judgment debtor has any to satisfy the debt.



## Satisfied Judgments

- Duties of judgment creditor: Upon payment of the entire debt upon which a judgment or Fife has been issued, the judgment creditor shall timely ( within 60 days) direct the clerk(s) of the appropriate court(s) in writing to: (1) cancel the writ of Fife, if a writ was issued; (2) mark the judgment satisfied. Failure to timely comply may subject the judgment creditor to monetary damages, O.C.G.A. 9-13-80
- You will not always receive a satisfaction of judgment, especially if you have a pro-se litigant. Consider including this info at the time the judgments are sent.

## FAQ'S about Judgments

### What should I bring to Court?

- All relevant evidence needed to prove case
- They may want to research how to properly introduce evidence in court.

### Do you think I have enough to win?

- General response:
  - "I cannot say either way. It is going to be up to the Judge based upon the evidence that is introduced in court."
- *Never guarantee the outcome of a case*

### I have a Judgment, now what?

- You can tell them that there are procedures on how to collect. *However, you can't tell them which one to use.* Consider having a handout that gives them some info.

## Dormant Judgments

Dormant Judgement: A judgment entered more than 7 years ago.

A judgment becomes Dormant when-

- 7 years have elapsed without the issuance of a FIFA, OR; entry in the GED as to levy or execute the FIFA OR; Plaintiff has made no good faith public attempt to enforce the execution of the judgment.
- Calculating the 7 years- If an effort is made to execute the Judgment, the effort begins a new 7 years. *Example nulla bona*

### REVIVING DORMANT JUDGEMENTS

- A dormant judgment may be renewed or received within 3 years of the time it becomes dormant.
- There are 2 ways a plaintiff can revive a dormant judgment:
- Filing a new action or Scire Facias

#### NOTE:

There is an absolute bar to execution of a judgment **10 years** after the last entry on the GED or other good faith enforcement effort.

## New Action

- Filing a new action is for dormant judgments from other counties.
- The plaintiff must file a new petition following all necessary steps for filing a petition
  - Common items to check for: Defendant resides in our county, D pays the filing fee, D served by the Sheriff.
- If there is no response after 30 days, notify the Judge.

## Scire Facias, also known as 'scary face'

- Continuing an old action based upon a judgments by your court
- Upon Plaintiff making a request, we must:
  - Assure it is our Court's judgment
  - Collect our fees
  - Prepare a Sheriff's entry of service for the county where the defendant resides, if the defendant resides out of state use O.C.G.A 9-12-67 (allows for publication)
- When issuing a summons to answer or setting a hearing, be sure to give at least 20 days of notice of the hearing or to respond.
- If the Judgment has been assigned or transferred, that will have to be noted in the Judge's order.

## SERVICE OF PROCESS



- A copy of the summons and a copy of the affidavit must be personally served upon each of the defendant(s).
- But if you cannot do so, there are other ways of completing Service of Process.

## TYPES OF SERVICE

- Personal Service
- Tack and Mail Service
- Mail Service
- Notorious Service



## Personal Service

### Process may be served by:

- The sheriff of Brooks County (or his deputies) where the action is brought or where the defendant is found;
- The marshal or sheriff of the Brooks County Court or by the official's deputy;
- Any citizen of the United States specially appointed by the court for that purpose;
- A person who is not a party, not younger than 18 years of age, and has been appointed by the court to serve process or as a permanent process server; or
- A certified process server.



## Tack & Mail Service

...service upon a party can be made by

- A.** Posting copy of Affidavit and Summons on defendants door
  - a. This should be the door to premises noted in affidavit
- B.** *On the same day*, delivering the Affidavit and Summons to person to be served via U. S. Mail (must be properly addressed to address in summons and stamped accordingly)

**AND**

- A.** Making an entry of this action on the affidavit filed in the case



## Notorious Service

- If the sheriff is unable to serve the defendant personally, service may be made by delivering the summons and the affidavit to any person who is at least 18 years of age residing at the “place of abode” (residence) of the party to be served, or...



## Serving a Corporation

Corporations have a designated “Agent for Service”. This person would be served on behalf of the corporation.

## Questions?

The Sheriff was unsuccessful in attempts to serve party. The P's attorney subsequently served the party. Is this sufficient service?

What are the types of service for a writ of possession foreclosure?

Can default judgment be issued with no supporting documents? (i.e. Military Affidavit, Certificate in support of default)

Once Defendant has paid judgement to Plaintiff in full, what happens next?

## Thank You!





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# Default Judgements

**INSTRUCTOR:**

**Hon. David Crosby**

No handouts provided at time of printing.

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# Bankruptcy

**INSTRUCTOR:**

**Hon. Jim Altman**

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**Magistrate Court Clerks  
Annual Training 2023**



**Bankruptcy Basics**

**Presentation by:  
Hon. James Altman  
Senior Magistrate Fannin County**

**Powerpoint by:  
Hon. Gregory T. Douds  
Chief Associate Magistrate  
Cherokee County Magistrate Court**

## References

- U.S. Bankruptcy Law: 11 U.S.C. §§ 362 et seq.
- Unif. R. Mag. Ct. 42
- <https://www.uscourts.gov/>

## Ancient Origins

- **Roman and prior law harsh toward debtors**
  - No release of debts
  - Possible prison or death
- **Old Testament Biblical law favored debtors**
- **Similarities between modern bankruptcy law and Old Testament Biblical law**

## **Introduction**

- **Bankruptcy:**
  - **Federal court proceeding**
  - **Affects every type of civil action**
  - **Imposes an automatic stay**
  - **Penalizes violations of the automatic stay**

## **Course Goal**

**Learn the several categories of bankruptcy,  
basic procedures, and their effect  
on magistrate court cases.**

## **Two Types of Bankruptcy**

**Debt Forgiveness**

**Debt Reorganization**

## **Bankruptcy Chapters**

- Types based on chapters in the Bankruptcy Code
  - Ch. 7 – Individual Debt Forgiveness
  - Ch. 9 – Municipal Debt Reorganization
  - Ch. 11 – Business Debt Reorganization
  - Ch. 12 – Farmers and Fishermen Debt Reorganization
  - Ch. 13 – Individual Debt Reorganization

## **Basic Bankruptcy Procedures**

### **Initiating a Case**

- Petition is filed.
- Filing immediately triggers the *automatic stay*.
- Petition can seek to defer filing fee.
- Petition might omit most required schedules and forms.

## **Suggestion of Bankruptcy**

- The term used for any communication to the magistrate court that a bankruptcy case has been filed.
- Assume it is true until proven otherwise.
- Judge can call the Bankruptcy Court or search the PACER database to verify the bankruptcy.

## **Automatic Stay**

**The Number One Issue** for Clerks

Stops all civil court activity as of the date filed.

No notice or “not listed” is not an excuse.

Unif. R. Mag. Ct. 42

## **Automatic Stay**



## **Automatic Stay**

### ***DO NOT:***

- Set hearings
- Issue orders
- Issue fi.fa.s
- Approve garnishment actions.

## **Automatic Stay**

***DO:***

- Cancel scheduled hearings
- Judge can verify bankruptcy by phone or using the PACER database.

## **Automatic Stay**

The automatic stay remains in effect until the magistrate orders otherwise.

This can be longer than the actual bankruptcy stay.

Party must move to reopen the magistrate's case and wait for magistrate's order.

A ***dismissal*** of the bankruptcy case (not a discharge) releases the automatic stay.

## **Automatic Stay**

- It is *automatic*. No actual notice required.
- A Creditor seeking an exception must petition the Bankruptcy Court for an order relieving it from the automatic stay.

## **Types of Bankruptcy Cases and Case Administration**

## **Chapter 7 Case Individuals and Couples**

- Short, usually ~ 3 to 4 months.
- Results in a “discharge” or clean slate; wipes out most debts.
- Some debts not dischargeable, ex.:
  - Most Student Loans
  - Income Taxes (but not interest or penalty)
  - Criminal fines and fees
- Filing fee is \$335.00

## **Chapter 11 Case Business Reorganization**

- Individuals can use Ch. 11, but rare.
- There is no discharge of debts, just a payment schedule.
- Some debts might be forcibly reduced.
- Most cases quietly end when the business is solvent.
- Filing fee is \$1,717.00.

## **Chapter 12 Case Family Farmers and Fishermen**

- Very rare - 0.0005% of all bankruptcy cases
- Similar to Chapter 13 repayment plan with discharge upon completion
- *Codebtor stay* applies
- Requires “regular annual income” separate from farming or fishing operations
- Filing fee is \$275.00.

## **Chapter 13 Case Individuals & Couples Reorganization**

- Payment plan.
  - 3 to 5 year payment plan.
  - Remaining debts are discharged at the end.
- *Codebtor stay* applies.
  - If one debtor files Ch. 13, stay applies to any other debtors (e.g., cosigners) for that debt.
  - True even if the codebtor is not in bankruptcy.
- Filing fee is \$310.00.
- Debt must be under \$2,750,000.00 (over that go to Ch. 11)

## Assignment of Trustee

- Bankruptcy Court assigns a Trustee to the case.
- Trustee *marshalls assets* and *prioritizes debts*.
- Some assets are exempt and kept by the debtor.
- Debts are prioritized per law (secured, priority unsecured, nonpriority unsecured).

## Meeting of Creditors

- Applies to Ch. 7 and Ch. 13 consumer bankruptcies.
- Trustee calls a formal meeting creditors.
  - Debtors testifies under oath.
  - Trustee and creditors ask questions to identify assets.
  - Sometimes try to identify possible fraud.
  - Debtor might agree to *reaffirm* an important debt, such as a home mortgage or car loan, in order to keep the asset.

## Meeting of Creditors (cont.)

- In Ch. 13 consumer bankruptcies:
  - Debtor submits written plan for repayment of debts.
  - Can provide for less than total amount owing.
  - Must treat all creditors fairly.
  - Trustee will recommend *affirming* or *rejecting* the plan.
  - Court will decide.

## Chapter 7 Case Case Administration

- Trustee decides whether there are assets.
- If yes, debtor must turn them over to sell to pay debts.
- If no, Trustee determines it is a *no assets* case.
- Case usually closed with *discharge* of debts after 3 – 4 months.

## **Chapter 13 Case Case Administration**

- Court approves repayment plan.
- Debtor makes regular payments to Trustee.
- Trustee makes pro rata payments to creditors per the plan terms.
- After 3 – 5 years, remaining unsecured debts are *discharged* and case closed.

## **Practical Effects**

## Special Considerations

- *Dismissal* releases automatic stay  
*Discharge* makes automatic stay permanent
- Debt not “listed” or “included” in the bankruptcy?  
*The automatic stay still applies!*
- Sovereign Citizens abuse the process?  
*The automatic stay still applies!*

## Statements of Claim

- When in doubt, ask the judge!
- Assume you must stop everything until informed otherwise by your judge.
- Don’t forget the *codebtor stay*. Bankruptcy might be in a name other than the case caption name.

## **Statements of Claim**

### ***Codebtor Stay Example***

- Father co-signs car note for daughter and son-in-law.
- Payments become delinquent; car repossessed.
- Son-in-law files Ch. 13 case.
- Lender sues Father as cosigner for the balance.
- ***Codebtor stay*** applies to Father and daughter; magistrate case must stop.
- When Ch. 13 case ends, Father (and daughter) can be sued for remaining balance.

## **Dispossessory Cases**

- If bankruptcy filed after judgment entered, no stay (except as to money judgment).
- Otherwise, stop all court activity.
- Tenant has 60 days to accept or reject the lease (in bankruptcy court).

## **Abandoned Motor Vehicle & Abandoned Vessel Cases**

- The Bankruptcy Trustee has an interest in the motor vehicle or vessel.
- Do not sign any AV orders while the stay is in effect.
- The stay is in effect until bankruptcy is dismissed, discharged, or the Trustee *abandons* his claim to the vehicle or vessel.

## **Garnishment Cases**

- Magistrates have different opinions about what to do with money in registry.
  - Pay to judgment debtor and let him deal with Bankruptcy Trustee?
  - Pay to Bankruptcy Trustee?
  - Hold pending Bankruptcy resolution?
- Cherokee County issues stay order and pays money back to defendant.

## **Criminal and Ordinance Cases**

- No automatic stay of criminal proceedings
- No discharge of sentencing fines or restitution
- Some administrative fines or reimbursements might be dischargeable (e.g., costs relating to condemnation proceedings)
- Ch. 13 might stretch out time to pay some criminal sentencing fines

## **Course Summary**

### **We Learned:**

- **The Automatic Stay**
- **The Codebtor Stay**
- **Type of Bankruptcy (chapters)**
- **Bankruptcy Procedures**
- **Practical Applications**

**END OF CLASS**

**Questions?**

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# New Appeal Process

**INSTRUCTOR:**

**Hon. Megan Kinsey**

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# Superior and State Court Appellate Act

Judge Megan Kinsey, Magistrate Court of Butts County

[mkinsey@buttscounty.org](mailto:mkinsey@buttscounty.org)



*Institute of Continuing Judicial Education of Georgia • University of Georgia • School of Law*

## Objectives



1. Why is there a new appeal process?



2. What is the new appeal process?



3. What are our responsibilities in the new process?

## Superior and State Court Appellate Act HB 916

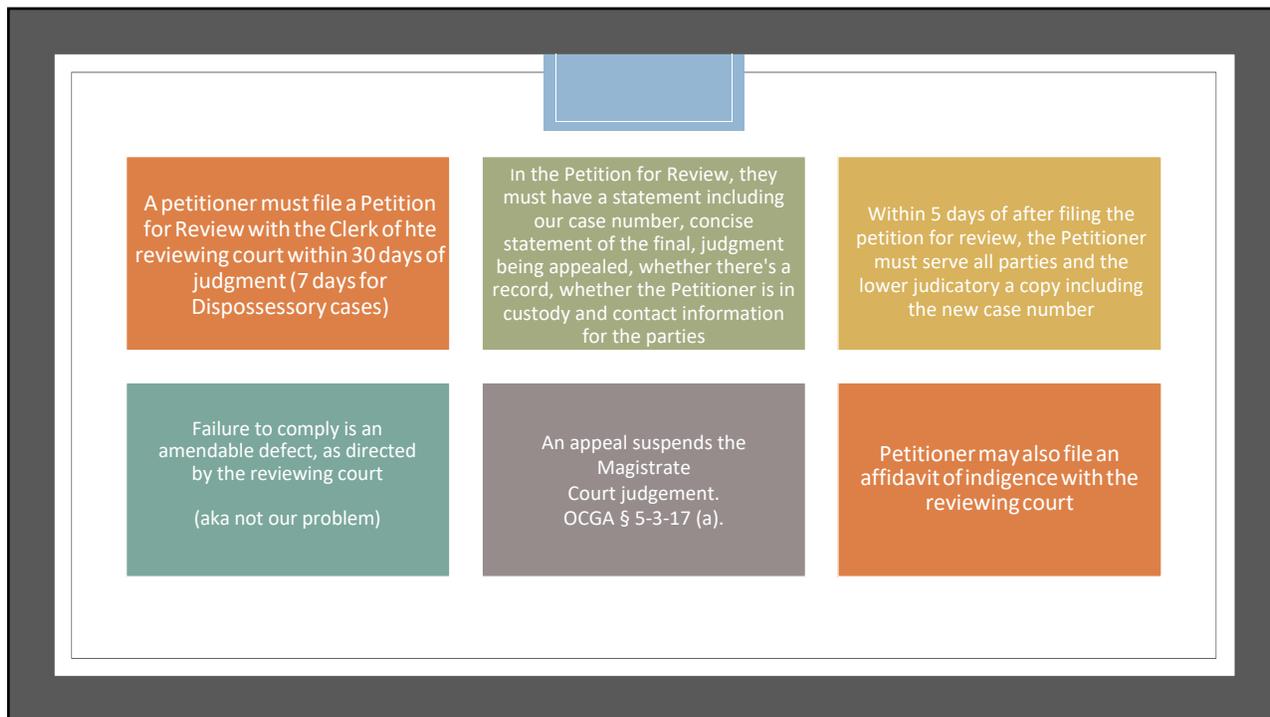
Committee formed because a municipal court judge is Atlanta didn't like being listed as a party in writs of certiorari (effected his credit)

Made for a "single, modern and uniform procedure called a "petition for review"

Replaces-NoticeofAppeals, DirectAppealandWritsof Certiorari

A petition for review from a Magistrate Court final judgement (not default) is a *de novo* proceeding





**Clerk's Responsibilities**

- Once Mag court is served with the petition for review, the Clerk must promptly notify the Judge
- Magistrate Court has 30 days to send a true copy of the record to the reviewing court OCGA § 5-3-15 (a).
- Magistrate court must send a bill for unpaid costs to the petitioner who will have 30 days to pay - OCGA § 5-3-16 (b)(1).
- Unless the affidavit of indigence has been filed, the petitioner must obtain a certificate from the Magistrate Court that costs have been paid, and file that with the reviewing court within 5 days after issuance. OCGA § 5-3-16 (f).

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_,  
Petitioner,

vs

\_\_\_\_\_,  
Respondent.

Civil Action No.:

**CERTIFICATE OF PAYMENT OF COSTS**

Now comes the undersigned, (Deputy) Clerk of the Magistrate Court of \_\_\_\_\_ County, certifying that all costs have been paid in Magistrate Court Case No. \_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Deputy) Clerk  
Magistrate Court of \_\_\_\_\_ County

## Points of Interest



If the party dismisses or withdraws their petition, it is as if no appeal had been filed

The clerk of the reviewing court shall serve a copy of the reviewing court's final decision on the Clerk of Magistrate Court within 5 days.

The Clerk of Magistraet Court shall, in turn, promptly notify the judge who decided teh case of the reviewing court decision. Final decisions must be in writing and specify whether the reviewing court is affirming, reversing, or vacating the final judgement of the lower judicatory.

If the final decision rendered pursuant to this Code section remands the petition for review back to the lower judicatory, it shall provide instructions to the lower judicatory for further proceedings. OCGA § 5-13-18 (b) § 5-13-18 (b)

In dispossessory appeals, Rent will be paid into the registry of the reviewing superior or state court. OCGA § 44-7-56 (3)

## Questions Submitted

- What is the cost of transfer from Magistrate Court to a higher court?
- How does Magistrate Court handle electronic filing mandates on appeals/transfers to a higher court?
- Is HB 916 going to have any effect on the clerks and if so, what do we need to know?
- On transfers do the original papers go to the transfer court?
- On an appeal does the original papers stay in the lower court or do you transfer the original?



## SUPERIOR AND STATE COURT APPELLATE PRACTICE ACT — A Bench Card for Clerks —

Effective July 1, 2023, H.B. 916 (2022), the Superior and State Court Appellate Practice Act, will repeal and replace Georgia’s notice of appeal and certiorari review statutes (former OCGA §§ 5-3-1 et seq.; 5-4-1 et seq.) with a unified “petition for review” procedure for appealing cases from a lower judicatory to superior court or state court. OCGA §§ 5-3-1 to 5-3-21. The new “petition for review” is a modernized and relatively simplified process for superior or state court review of decisions from municipal courts, magistrate courts, non-Article 6 probate courts, and other lower judicatories. OCGA § 5-3-2 (b) (1); 5-3-4 (b) (6). A “lower judicatory” is broadly defined in OCGA § 5-3-3 (5)-(6) to include any government official or body “exercising judicial or quasi-judicial powers authorized by law.”

Under this new procedure, any document filed that requests a review by a superior or state court of a “final judgment” of a lower judicatory must be treated as a “petition for review” even if the petitioner titles it something else. OCGA §§ 5-3-2 (c) (2); 5-3-3 (4), (9). Treat a document titled a writ of certiorari, petition for writ of mandamus, petition for writ of prohibition, or notice of appeal as a “petition for review” if the document is requesting a review by a superior or state court. OCGA § 5-3-3 (9). The new procedure applies to any request for superior or state court review filed on or after July 1, 2023. H.B. 916 (2022), lines 1360-1361.

### GENERAL INFORMATION

#### DEFINITIONS

- “Article 6 probate court” means a probate court with expanded jurisdiction as provided in OCGA Article 6 of Chapter 9 of Title 15. OCGA §§ 5-3-3 (1); 15-9-120; 15-9-123.
- “Clerk” means a clerk of court or an individual who acts as the functional equivalent of a clerk of court if there is no official clerk of court. OCGA § 5-3-3 (2).
- “Judicatory” means any court, official, board, tribunal, commission, municipal or county authority, council, or similar body exercising judicial or quasi-judicial powers. OCGA § 5-3-3 (5).
- “Lower judicatory” means any judicatory inferior in authority to the superior and state courts and subject to the appellate jurisdiction of the superior or state courts as provided by law and the Georgia Constitution. OCGA § 5-3-3 (6).
- “Respondent” means a person adverse to the petitioner and a party to the underlying dispute in the lower judicatory. OCGA § 5-3-3 (11). The former term “opposite party” is eliminated. See OCGA § 5-3-3 (11) for prohibition on including a judge as a “respondent” and who the respondent is if there is no party adverse to the petitioner.
- “Reviewing court” means a superior or state court reviewing a final judgment under the petition for review procedure. OCGA § 5-3-3 (12).

#### APPELLATE JURISDICTION

- Unless an exception applies, the superior and state courts have appellate jurisdiction over a final judgment of a “lower judicatory” as defined to the left. OCGA §§ 5-3-3 (4); 5-3-4 (a).
- Appellate jurisdiction generally means the power to review and revise a judicial or quasi-judicial decision by a lower court or other government official.
- H.B. 916 did not change the previous appellate jurisdiction of superior or state courts. OCGA §§ 5-3-2 (b) (3), (c) (3); 15-6-8; 15-7-4 (a) (6); 15-10-41 (b) (1).
- Superior and state courts do not have appellate jurisdiction over each other. OCGA § 5-3-4 (b).

#### APPELLATE JURISDICTION EXCEPTIONS

Superior and state courts do not have appellate jurisdiction over the following courts or matters (OCGA § 5-3-4 (b) (1)-(8)):

- Juvenile courts;
- The Municipal Court of Columbus;
- The Civil Court of Macon-Bibb County;
- The Civil Court of Richmond County;
- The Georgia State-wide Business Court;
- A civil case in an Article 6 probate court;\*
- An order appointing a temporary administrator; and
- Any other court with an appeal directly to the Court of Appeals or the Supreme Court.

\*See the first definition bullet to the left.

### IMPROVE ACCESS TO JUSTICE

In enacting H.B. 916 (2022), the General Assembly found “that many appeals from a lower judicatory to a superior or state court result in dismissal on complex procedural grounds and not a decision on the merits.” OCGA § 5-3-2 (a). Accordingly, the intent of H.B. 916 is to “[i]ncrease access to justice through the greater resolution of appeals on the basis of substantive issues rather than on complex procedural grounds.” OCGA § 5-3-2 (b) (2). To achieve this goal, OCGA §§ 5-3-1 to 5-3-21 should be read “broadly so as to render decisions based on the merits of each case and avoid dismissal of any case . . . unless such dismissal or refusal is expressly required by statute.” OCGA § 5-3-2 (c) (1).

## CLERKS: WHAT YOU NEED TO KNOW

### CERTIFICATE OF PAYMENT OF COSTS

- Unless prohibited by law, no petition for review shall be heard in a reviewing court unless the petitioner: (1) pays all unpaid costs owed to the lower judiciary within 30 days after receiving notice of such costs; or (2) files an affidavit of indigence with the reviewing court. OCGA § 5-3-16 (b).
- The petitioner in a civil case shall either: obtain and file with the reviewing court a certificate of payment of costs (see attached) from the lower judiciary within five days of issuance; or file an affidavit of indigence with the reviewing court. OCGA § 5-3-16 (e).
- See the next page for a model Certificate of Payment of Costs for use in a petition for review.

### TRANSMIT THE RECORD

Upon being served with a copy of the petition for review and unless otherwise ordered by the reviewing court, the clerk of the lower judiciary shall retain the original of the corresponding record and transmit a true copy of the record to the reviewing court within 30 days (or within fewer days if otherwise required by law) after the copy of the petition for review is served on the clerk of the lower judiciary. OCGA § 5-3-15 (a). See second bullet in NOTIFICATIONS directly below if no record exists.

### LOWER JUDICIARY CLERKS: NOTIFICATIONS

H.B. 916 includes the following notification requirements for lower judiciary clerks:

- If known or reasonably believed to be the case, the clerk in the lower judiciary shall notify the reviewing court if a petitioner in a criminal case is confined in jail or otherwise incarcerated when the record is transmitted from the lower judiciary to the reviewing court. OCGA § 5-3-15 (b).
- If no record is available for transmission to the reviewing court, the clerk of the lower judiciary shall notify the judge, official, or member who made the decision appealed to determine next steps. OCGA § 5-3-15 (c).
- If the clerk of the lower judiciary does not transmit the record to the reviewing court within 30 days after being served with a copy of the petition for review, the petitioner shall notify the reviewing court, which then shall order the clerk of the lower judiciary to promptly transmit the record or state the reason for the delay. OCGA § 5-3-15 (d).
- The clerk of the lower judiciary shall promptly notify each judge, official, or member of the lower judiciary who rendered the final judgment appealed of any final decision served on the lower judiciary clerk. OCGA § 5-3-18 (b).

### SUPERIOR AND STATE COURT CLERKS: NOTIFICATIONS

H.B. 916 includes the following notification requirements for reviewing court clerks:

- The clerk of the reviewing court shall promptly serve all parties and the clerk of the lower judiciary with a copy of any deadline extension granted and the motion filed to request such extension. OCGA § 5-3-11 (c).
- The clerk of the reviewing court shall serve a copy of the reviewing court's final decision regarding a petition for review on the clerk of the lower judiciary and on all parties named in the petition for review within five days after the date the reviewing court's final decision was rendered. OCGA § 5-3-18 (b).
- If the lower judiciary does not have a clerk, then the clerk of the reviewing court shall serve a copy of the reviewing court's final decision on each judge, official, or member of the lower judiciary who rendered the final judgment appealed. OCGA § 5-3-18 (b).

See next page for Model Certificate of Payment of Costs and visit [jcaoc.georgiacourts.gov/hb916](http://jcaoc.georgiacourts.gov/hb916) for additional resources.

IN THE [SUPERIOR/STATE] COURT OF \_\_\_\_\_ COUNTY<sup>1</sup>

STATE OF GEORGIA

|             |   |                           |
|-------------|---|---------------------------|
| _____,'     | ) |                           |
|             | ) |                           |
| Petitioner, | ) |                           |
|             | ) | Reviewing Court Case No.: |
| v.          | ) | _____                     |
|             | ) |                           |
| _____,'     | ) |                           |
|             | ) |                           |
| Respondent. | ) |                           |

**CERTIFICATE OF PAYMENT OF COSTS**

Now comes the undersigned, a judge, clerk, official, member, or other designated representative of the       [name of Lower Judicatory]      , certifying that all costs have been paid in lower judicatory case number: \_\_\_\_\_.

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Lower Judicatory

<sup>1</sup> "Unless the petitioner in a civil case files an affidavit of indigence with the reviewing court stating that the petitioner is unable to pay the costs owed to the lower judicatory because of indigence, the petitioner in a civil case shall obtain and file with the reviewing court a certificate of payment of costs from the lower judicatory certifying that the petitioner has paid all costs owed to the lower judicatory. Such certificate shall be:

- (1) Filed in the reviewing court within five days after issuance by the lower judicatory; and
- (2) Signed by a judge, clerk, official, member, or other designated representative of the lower judicatory." OCGA § 5-3-16 (e).

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IN THE [SUPERIOR/STATE] COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

|             |   |                           |
|-------------|---|---------------------------|
| _____,'     | ) |                           |
|             | ) |                           |
| Petitioner, | ) |                           |
|             | ) | Reviewing Court Case No.: |
| v.          | ) | _____                     |
|             | ) |                           |
| _____,'     | ) |                           |
|             | ) |                           |
| Respondent. | ) |                           |

**PETITION FOR REVIEW TO [SUPERIOR/STATE] COURT**

\_\_\_\_\_, the Petitioner named above, petitions the [Superior/State] Court of \_\_\_\_\_ County for review of the final judgment rendered by the [insert official name of lower judicatory] on [insert date] with the following case number designated by the lower judicatory: \_\_\_\_\_.

*Concise Statement of the Final Judgment Appealed*  
OCGA § 5-3-7 (e) (3) (B)

The final judgment being appealed is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

*Record in the Lower Judicatory*  
OCGA § 5-3-7 (e) (3) (C)

The following describes any existing recording, transcript, or other record of evidence in the lower judicatory (check one):

- NO official transcript or recording exists of the proceedings in the lower judicatory.
- NO official transcript exists of the proceedings in the lower judicatory, but the proceedings were recorded by: \_\_\_\_\_ [insert who recorded the proceedings and whether audio or video] \_\_\_\_\_.
- An official transcript exists of the proceedings in the lower judicatory.
- Other: \_\_\_\_\_ [describe other record of evidence in the lower judicatory] \_\_\_\_\_.

*Notice of Petitioner's Confinement or Incarceration*  
OCGA § 5-3-7 (e) (3) (D)

This is a criminal case and the Petitioner named above [is not confined in jail or otherwise incarcerated / is currently confined or incarcerated at (location)]. The offense[s] and the sentence prescribed by the lower judicatory in this case are as follows:

---

---

*Applicable Standard of Review*  
(Check one)

A limited review on the record is the default standard of review in a petition for review and a de novo (new) trial is not specified in the OCGA as the applicable standard of review for this type of case. Therefore, this Petition for Review seeks judicial review for clearly erroneous findings of fact and credibility, abuse of discretion, sufficiency of evidence, and de novo review of questions of law. OCGA § 5-3-5 (a). Additional details regarding the issues for review are attached.

A de novo proceeding is specified in OCGA § \_\_\_\_\_ as the applicable standard of review for this type of case. Therefore, this Petition for Review seeks a de novo (new) trial of all the issues raised in the lower judicatory with NO REMAND. OCGA § 5-3-5 (b).

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature: \_\_\_\_\_

I am the (check one):

Petitioner     Attorney for Petitioner

Printed Name: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Model Certificate of Payment of Costs for Petition for Review

IN THE [SUPERIOR/STATE] COURT OF \_\_\_\_\_ COUNTY<sup>1</sup>

STATE OF GEORGIA

|             |   |                           |
|-------------|---|---------------------------|
| _____ ,     | ) |                           |
|             | ) |                           |
| Petitioner, | ) |                           |
|             | ) | Reviewing Court Case No.: |
| v.          | ) | _____                     |
|             | ) |                           |
| _____ ,     | ) |                           |
|             | ) |                           |
| Respondent. | ) |                           |

**CERTIFICATE OF PAYMENT OF COSTS**

Now comes the undersigned, a judge, clerk, official, member, or other designated representative of the \_\_\_\_\_ [name of Lower Judicatory], certifying that all costs have been paid in lower judicatory case number: \_\_\_\_\_.

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Lower Judicatory

<sup>1</sup> "Unless the petitioner in a civil case files an affidavit of indigence with the reviewing court stating that the petitioner is unable to pay the costs owed to the lower judicatory because of indigence, the petitioner in a civil case shall obtain and file with the reviewing court a certificate of payment of costs from the lower judicatory certifying that the petitioner has paid all costs owed to the lower judicatory. Such certificate shall be:

- (1) Filed in the reviewing court within five days after issuance by the lower judicatory; and
- (2) Signed by a judge, clerk, official, member, or other designated representative of the lower judicatory." OCGA § 5-3-16 (e).



INSTITUTE OF  
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# Dispossessory Warrants

**INSTRUCTOR:**

**Hon. Caroline Evans**

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# Georgia Dispossessory Processes, Procedures and a Clerk's Role

Presented by: Caroline Power Evans, Chief Magistrate of Barrow County

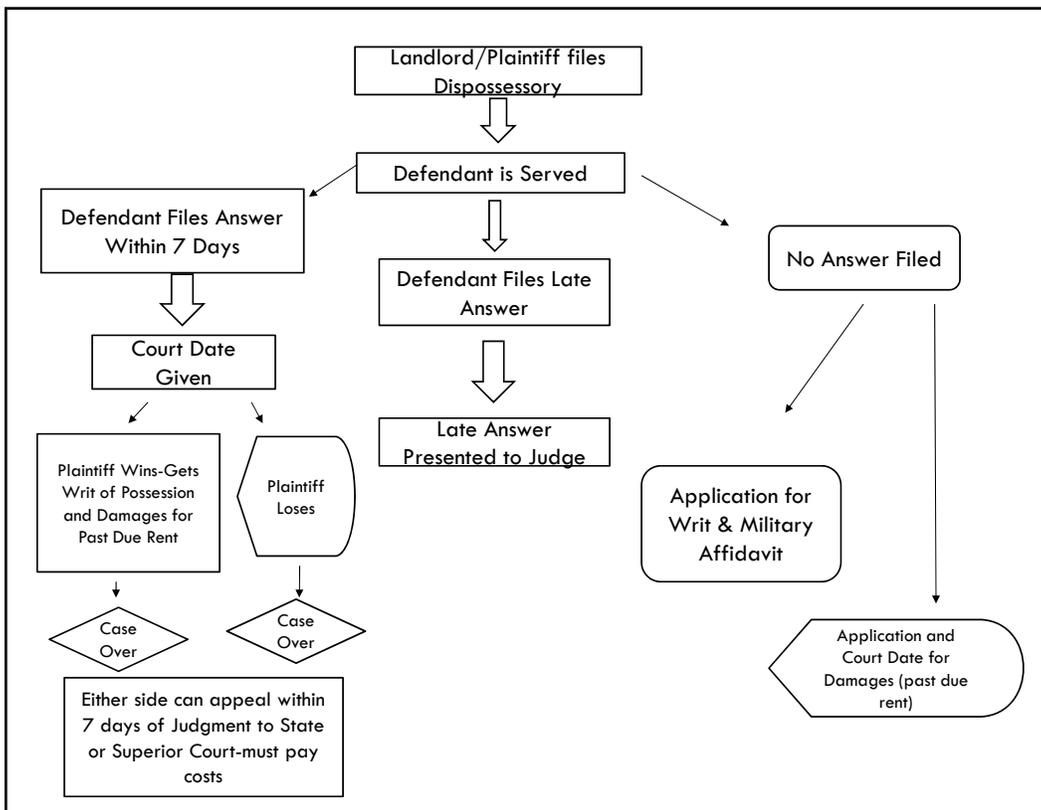
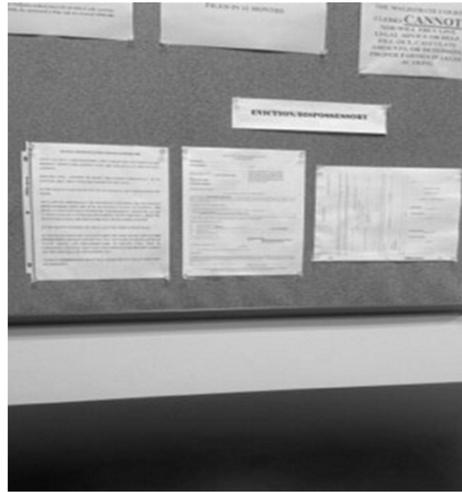


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## MAGISTRATE COURT OF BARROW COUNTY PROFILE:

- -Population of ~ 90,000 (50 Miles NE of Atlanta)
- -3 Deputy Clerks
- -1 Chief Clerk
- -1 Full Time Judge
- -2 Part Time Judges
- -1 Chief Magistrate





## THE BASICS:

- Dispossessory Affidavit
  - The property where the defendant lives or business is located must be located inside of your county.
  - Signed by Deputy Clerk, Notary or electronic verification (e-signatures) (OCGA 15-10-53)

## THE BASICS (CONT'D):

- TYPES OF SERVICE
  - Tack and Mail
  - Personal Service
  - Notorious Service (Sui Juris)-
    - Definition: Latin “of his own right”; possessing full social and civil rights; not under any legal disability, or the power of another, or guardianship. Having capacity to manage one's own affairs; not under legal disability to act for one's self.

## THE BASICS (CONT'D):

- Monetary Limits-no limits on monetary filing dispossessory affidavits in dispossessory court.
- On a default judgement, when NO appearance has been made by the defendant, the plaintiff MUST file a Military Affidavit. (as is on any civil action)

## Trial:

-After the answer is received by the court, the court should try and expedite the trial

-Tenant is required to pay rent into the court when the right of possession cannot be finally determined within two weeks from the service of the landlord's affidavit upon the defendant. OCGA 44-7-54

O.C.G.A. 44-7-54 (2010)

44-7-54. Payment of rent and utility payments into court; issuance of writ upon failure to pay; disposition of funds

(a) In any case where the issue of the right of possession cannot be finally determined within two weeks from the date of service of the copy of the summons and the copy of the affidavit, the tenant shall be required to pay into the registry of the trial court:

## WHAT IS MY ROLE AS A CLERK?

### Magistrate Court Rules

#### -Rule 17. Clerical Assistance for Pro Se Litigants

Magistrate Court clerks may not practice law, but may provide basic information regarding procedures, routine legal forms, available forms, and proceedings in the Magistrate Court.

## COMMON QUESTIONS FOR CLERKS IN DISPOSSESSORY PROCEEDINGS:

- How do I evict someone who has failed to pay rent, violated the terms of the lease or is holding the premises over past the end of the term of the lease?
  - The clerk may provide to the litigant the appropriate form necessary to initiate a dispossessory action. There are several complicated issues that are connected with the dispossessory actions which should not be addressed by the clerk (i.e.-when a security deposit has to be returned; should the landlord request damages in addition to the back due rent; was notice required prior to filing the dispossessory action, etc). Therefore it is important that the clerk not get involved with telling the litigant whether the form is correct because every fact pattern is different.

## QUESTIONS SENT IN FROM CLERKS:

- If a Landlord files a dispossessory and the tenant in turn files bankruptcy, can the Court proceed with the dispossessory if the landlord only asks for possession and not money?

QUESTION: IF A LANDLORD FILES A DISPOSSESSORY AND THE TENANT IN TURN FILES BANKRUPTCY, CAN THE COURT PROCEED WITH THE DISPOSSESSORY IF THE LANDLORD ONLY ASKS FOR POSSESSION AND NOT MONEY?

- Answer: NO! The case is still stayed, even when there is no money involved. It is up to the landlord to go to Bankruptcy court and argue for relief from the stay.
- Remember, Clerks should not speculate about how bankruptcy laws would apply in a particular case, which would be a clear example of providing legal advice. In addition, bankruptcy is a complicated area of the law. Strongly recommend that the party consult an attorney. The defendant should advise the court if he or she is under Bankruptcy protection (provide a case number).

QUESTION: Regarding dispos, is there a minimum amount of notice that landlords are required to give regarding the raising of rent prices? The Georgia landlord Tenant Handbook seems to touch it, but I can't find any OCGA to back it up.

Answer: You have to distinguish between automatic increases in rent agreed upon in a written contract vs. landlord's unilateral increase which changes the agreed-upon terms. For example, a contract might call for two automatic renewals with a 5% increase in rent at each renewal date. But a unilateral increase in a tenancy at will terminates the oral contract and creates a new tenancy at will and a new 60-day notice requirement.

Answer Cont'd: But a unilateral notice of rental increase sent to the tenant by the landlord would, in effect, constitute notice of the termination of the \$850 per month tenancy and, after termination was effected, a new tenancy at will at the higher rate would be commenced. See *D. Jack Davis Corp. v. Karp*, 175 Ga.App. 482, 484, 333 S.E.2d 685. We find that the letter announcing a rental increase was at least in substantial compliance with the notice requirements of OCGA § 44-7-7 (OCGA § 1-3-1(c)); however, as a landlord must give 60 days' notice to terminate a tenancy at will (OCGA § 44-7-7), the notice would not become effective to terminate the old tenancy at will and to commence the new tenancy, at the increased rental rate, until the 60-day notice period had expired." *Alexander v. Steining*, 197 Ga. App. 328, 332, 398 S.E.2d 390, 394 (1990).

“

Answer Cont'd: "There was no rental agreement for this tenancy, and thus it was a tenancy at will, requiring sixty days' notice from the landlord or thirty days' notice from the tenant to terminate it. O.C.G.A. § 44-7-7 (formerly Ga.Code § 61-105). In effect, the rental increase would constitute a termination of the \$300-per-month tenancy and commence a new tenancy for \$500 plus the three months' security deposit which the landlord also demanded by the letter of December 10. See *Childrey v. Brantley*, 52 Ga.App. 146, 182 S.E. 675 (1935). Defendant did not have the 60 days' notice for the new tenancy to which he was entitled, and thus the landlord was without grounds to seek to distrain the tenant's property when the application was filed a few days before tenant moved out in response to the demand for possession." *D. Jack Davis Corp. v. Karp*, 175 Ga. App. 482, 484, 333 S.E.2d 685, 688 (1985).

Question/Issue: The only issue I have seen lately is when a dispo is filed "Jane Doe and all others". Jane comes in and files her answer and the case is scheduled for court prior to giving "all others" the seven days to file. We hold court for dipo cases every Monday. Our Judge gave our files to the Clerk of Superior Court in 2020 so they take all the filings and therefore they accept the answers. I have learned they confuse "legal advice" with "directions" so as the filing is complete, such as checking the box that applies or even address information.

Solution: Set the hearing past the time that it would take for everyone to have been given the opportunity to file their answer. The clerk can still accept the answer, just check the dates on the dispo as far as service and if the court date that you have set gives everyone the opportunity to file their answer, then set it. It may be that you have to set it for the following week if the current court date isn't enough time but should still meet the requirement of hearing it within two weeks.

**LEGAL OR PROCEDURAL ADVICE?**

You must check the box on your dispossessory that applies to your reasoning for filing today.

LEGAL OR PROCEDURAL?

-You must check the box on your dispossessory that applies to your reasoning for filing today.....

PROCEDURAL!

-It's perfectly fine to direct them to check on of the boxes that applies to their filing.

-You must have given a 60 day notice if there's no past due rent involved.

LEGAL OR PROCEDURAL?

-You must have given a 60 day notice if there's no past due rent involved.

LEGAL!

-It is NEVER clerk's place to advise a Landlord on what they can and cannot file for on their dispossessory.

-You may obtain your writ of possession on the 8<sup>th</sup> day from the service date if no answer is filed.

LEGAL OR PROCEDURAL?

-You may obtain your writ of possession on the 8<sup>th</sup> day from the service date if no answer is filed.

PROCEDURAL!

-This is just a simple procedural question as to when the Landlord can come back to get their Writ of Possession.

-What's the difference in a service of tack and mail or having it served personally?

LEGAL OR PROCEDURAL?

-What's the difference in a service of tack and mail or having it served personally?

PROCEDURAL!

-Although the service is up to your Sheriff, you can still tell the Landlord the difference in the two types of services.

-Who should I list on my  
dispossessory to have served?

LEGAL OR PROCEDURAL?

-Who should I list on my dispossessory to  
have served?

LEGAL!

-NEVER advise a Landlord who all they  
should list on their dispossessory.

-What do I put as my answer to my dispossessory?

LEGAL OR PROCEDURAL?

-What do I put as my answer to my dispossessory?

LEGAL

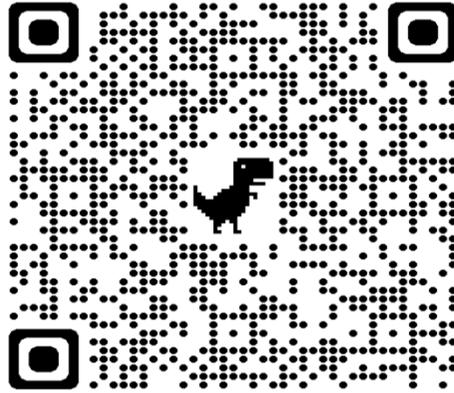
-NEVER advise a tenant as to what to put on their answer.

A TEST THAT WE USE FOR LEGAL VS.  
PROCEDURAL IS ASK YOURSELF “CAN  
THIS BE USED AS A DEFENSE?”

QUESTIONS??

[www.accgov.com](http://www.accgov.com)

Rule 17



Judge Caroline Power Evans, Chief Magistrate  
Barrow County, Georgia  
[cpevans@barrowga.org](mailto:cpevans@barrowga.org)  
Cell (770) 307-6387

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CONTINUING JUDICIAL  
EDUCATION  
OF GEORGIA

# Domestic Violence

**INSTRUCTORS:**

**Atty. April Ross & Ms. Kylee Elliott**

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## *Can I Help You? Understanding Dynamics and Managing Interactions with Domestic Violence Victims*

Magistrate Court Clerks Training  
June 15, 2023

April W. Ross | Executive Director  
Kylee Elliott | Support for Survivors of Murder-Suicide Project Coordinator



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## Georgia Commission on Family Violence

### **WHO WE ARE:**

- GCFV was created in 1992 by the state legislature to develop a comprehensive state plan for ending family violence in Georgia

### **OUR PROJECTS :**

- Family Violence Fatality Review
- Support for Survivors of Murder-Suicide
- Family Violence Intervention Program
- Family Violence Task Forces
- Law Enforcement Education Program
- Firearms Lethality Alert Georgia

### **WHAT WE DO FOR GEORGIA:**

- Track domestic violence-related fatalities
- Study and evaluate needs and services relating to family violence
- Evaluate, monitor, and advise on the adequacy and effectiveness of existing family violence laws
- Initiate and coordinate the development of family violence legislation
- Host the Statewide Annual Family Violence Conference
- Certify and monitor Family Violence Intervention Programs
- Develop models and provide guidance for community Family Violence Task Forces
- Provide training to Law Enforcement on Family Violence



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## Learning Objectives

- Identify the primary legal avenues that courts have to offer victims of domestic violence
- Distinguish between legal and general advice and how to be helpful without crossing the line
- Discuss at least two approaches to deescalate a potential crisis involving a victim and/or abuser
- Highlight key resources to have available for domestic violence litigants



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## **Why Are We Talking About Domestic Violence to Court Clerks?**



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4

# Family Violence in Georgia - A Quick Glance



- Georgia ranks 30th in the nation for the rate women are killed by men. (*Violence Policy Center, 2022*)
- In 2022, victims of domestic or sexual violence made 129,528 crisis calls.
- Law enforcement officers received 42,285 reports of family violence incidents. (*GCFV Annual Data Fact Sheet, 2021*)
- In 2021, 17,682 Ex Parte Temporary Protective Orders (TPOs) were granted - 41% were extended to longer terms. (*GCFV Annual Data Fact Sheet, 2022*)



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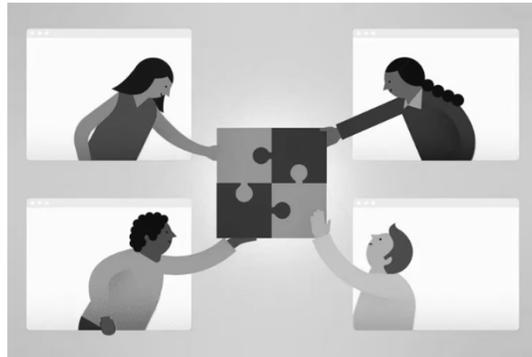
# Coordinated Community Response



A Coordinated Community Response (CCR) is a team-centered approach that joins multidisciplinary community partners, systems, agencies, and institutions to provide inter-connected, collaborative responses to domestic violence. Collaboration through CCR prioritizes safety, meets the needs of victims/survivors, and more effectively holds offenders accountable.



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Court Clerks are an important partner in a Coordinated Community Response to domestic violence.



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What Role Do You Think Court Clerks Play in a CCR?



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# Common Legal Avenues Sought by Domestic Violence Victims

The Clerk's office is the gatekeeper of access and information and often one of the first contacts a DV victim makes in the court system.

- Temporary protective orders (TPOs)
- Criminal warrant application
- Domestic relations filings
- Dispossessory actions
- Seeking legal aid referral/ assistance



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# I Have So Many Questions!

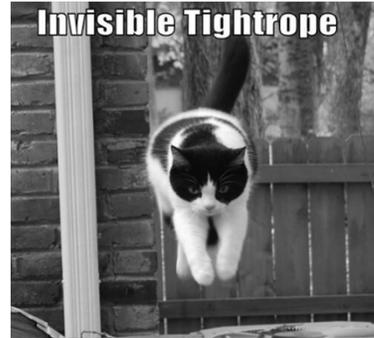


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# Legal Information v. Legal Advice

Handling the delicate balance between giving legal information and avoiding legal advice can seem precarious.

Remember: That person just wants help.



One good or bad interaction can shape a victim's perception or reinforce pre-existing beliefs of the entire legal/court system.



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# GA Magistrate Courts Uniform Rules

## Rule 17. Clerical Assistance for Pro Se Litigants

Magistrate Court clerks may not practice law, but may provide basic information regarding procedures, routine legal forms, available forms, and proceedings in the Magistrate Court. Each Chief Magistrate may institute methods for clerks to assist litigants and may utilize Appendix A “Guidelines and Instructions for Clerks Who Assist Pro Se Litigants in Georgia’s Courts,” in directing the conduct of clerical personnel. Clerks may also, in the absence of contrary judicial direction, rely on Appendix A for guidance in avoiding unlawful practice of law. Said Appendix shall not be considered a directory rule, nor as binding authority, but may be considered by Magistrates and the Supreme Court as persuasive authority on the scope of lawful provision of legal information by clerks; further such guidelines shall be admissible in showing good faith by clerks in providing information and assistance to the public.



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# GA Magistrate Courts Uniform Rules

## Rule 17. Clerical Assistance for Pro Se Litigants

Magistrate Court clerks may not practice law, but

**may provide basic information regarding procedures, routine legal forms, available forms, and proceedings in the Magistrate Court...**

... **good faith** by clerks in providing information and assistance to the public.



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## Legal Information vs. Legal Advice

### **Legal information**

- Not direct or specific.
- Does not propose a suggested action to the person.
- Factual, general information that can be given to everyone.
- Does not address a particular, specific issue.

### **Legal advice**

- Involves giving counsel about a specific legal matter.
- Usually requires legal knowledge.
- Entails applying specific law to a particular set of circumstances.
- Potentially affects someone's specific rights, remedies, responsibilities, or duties under law.



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# Legal Information vs. Legal Advice

THE BOTTOMLINE:  
Legal advice is an act of practicing law.  
Legal information is not.



You CAN explain and answer questions about how the court works and give general information about navigating court processes, procedures, filing requirements, etc.



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# Legal Information vs. Legal Advice

Let's try some examples. If the question invites legal advice, what can you say?

- Can you help me choose the right [legal document or specific form] for a TPO?
  - Likely legal advice.
- What happens at a TPO hearing? How am I supposed to present my case?
  - Legal information; Likely legal advice
- Can the judge look at these text messages on my phone during the hearing?
  - Legal advice.
- What does TPO stand for and what does it do? What does ex parte mean?
  - Legal information
- Can you help me fill out these child support forms, I have difficulty writing because of my disability?
  - Not the unauthorized practice of law if you do not give input on the content



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# Legal Information vs. Legal Advice

Let's try some examples. If the question invites legal advice, what can you say?

- How do I get my ex boyfriend to move out of my house? We are no longer dating and he's abusive.
  - Likely legal advice.
- Should I get a lawyer? Can you recommend some good lawyers for domestic violence?
  - Legal advice.
- It says "other relief requested" next to this blank on the petition. What do I put here?
  - Likely legal advice.
- What am I supposed to say to the judge at an ex parte hearing?
  - Legal information.
- How do I get someone served? Is it expensive because I don't have much money?
  - Legal information.



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# Legal Information vs. Legal Advice

- Beware questions like "should I file a dating violence or family violence petition?" "is [fill in the blank] consider stalking or family violence?"
  - These questions are inviting legal advice.
- Good sources of appropriate legal information is the information on websites, brochures, or resources the court already provides (i.e. court website, resource centers, FAQs, etc.).
  - Example 1: <https://www.gwinnettcourts.com/magistrate/family-violence-faqs>
  - Example 2: <https://www.nejc.org/familylaw>
- Other good sources for examples of legal information: online message boards, YouTube channels, vlogs, or legal websites - such as Avvo.com - where lawyers sometimes answer questions or offer explanations.
  - Lawyers often give legal information for general consumption on their websites or in online forums which are intended for general and educational purposes (and also, they hope, to generate a new client!)



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## Successful Interactions with Domestic Violence Victims



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## Steps to Success

- ✓ Listen carefully.
- ✓ Allow them to finish their question/statement.
- ✓ Understand they are likely feeling anxious and overwhelmed.
- ✓ Help them to be informed of their options.
- ✓ Recognize that this is likely an unfamiliar, uncomfortable and intimidating environment.



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# Steps to Success

- ✓ Provide simple and clear instructions.
- ✓ Use plain language (avoid legal jargon).
- ✓ Show the person you care and are supportive of their efforts to achieve a violence free life.
- ✓ Believe them.



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# Handling the Escalation

How to Diffuse and De-escalate Situations With Domestic Violence Litigants in the Courthouse



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# Scenario 1: “Clueless”

*Molly enters the clerk’s office and approaches the counter. She tells you her friend suggested that she come and file for a TPO. She says she’s not really sure what that is or what it does. She asks if you can explain it to her and help her figure out what to do.*



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# Scenario 2: The Race to the Courthouse



*Donna anxiously rushes into the clerk’s office. Her eyes are darting around and she shifts impatiently in the line. When she approaches you she says she’s going through a contentious divorce, but still lives with her husband. They had a bad altercation the night before, but she didn’t call 911. Her husband threatened to lie about what happened and told her he’s going to get a TPO against her to kick her out of the house. She insists that she is the victim and fears he will make good on his threat to punish her and she has nowhere else to go if kicked out of the house. She tearfully asks you what she should do.*



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## Scenario 3: The “Emotional” Victim



*Joy tells you she wants to file a warrant to have her ex-boyfriend arrested because he tried to kill her last night. When you ask if she knows where he lives she becomes angry and says loudly she doesn't know where he lives but "I know he's with some woman!" When you tell her that she cannot file the application without a valid service address she gets louder and says you just don't want to help her. Then she demands, "What's it going to take? Do I have to wait until he kills me before someone helps me?"*



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## Scenario 4: After an Unfavorable Court Outcome

*Sam comes into the clerk's office visibly frustrated and upset. He asks to file a criminal warrant and wants a TPO, and if there's anything else he can file he wants that too. He states that if he wants anything done right he has to figure it out for himself. When you ask him if he's okay, he explains "the dumb prosecutor dismissed the case against his abuser." He says he's going to fix it and is never going to rely on the system again.*



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# How To Tell a “Real” Victim of Domestic Violence?



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## WHY DO VICTIMS STAY?



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How many  
times will  
s/he leave  
and return?



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## Good Resources To Have...

- National Domestic Violence Hotline: 800-799-7233
- Georgia Domestic Violence Hotline: 800-33-HAVEN
- Georgia Bar Association ([www.gabar.org](http://www.gabar.org)) OR local bar association
- Georgia Legal Services ([www.glsp.org](http://www.glsp.org)) OR local legal aid/Pro Bono organizations
- Local Certified Domestic Violence organization in your county/ area
- Family Justice Centers, where available



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## Good Resources To Have...

- Courthouse Law library or self-service center
- Family Law Information Centers, where available
- Prosecutor's or Solicitor's office victim-witness advocate
- Local community Family Violence Task Force  
(Visit <https://gcfv.georgia.gov/family-violence-task-forces>)
- Official court websites Help page or Online forms
- LanguageLine or in-house interpreter service



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## Questions

April Ross | Executive Director | [april.ross@dcs.ga.gov](mailto:april.ross@dcs.ga.gov)  
Kylee Elliott | Support for Survivors of Murder Suicide Project Coordinator | [kylee.elliott@dcs.ga.gov](mailto:kylee.elliott@dcs.ga.gov)



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## Support for Survivors of Murder-Suicide Project

GCFV provides support, resources, and referrals to address domestic violence murder-suicide in Georgia:

- Individual support for survivors post-incident (victims/witnesses/friends/family)
- Network of mental health clinicians specializing in grief, trauma and family violence
- Support groups for survivors (online, 10-week closed groups, led by licensed clinicians)
- Training, technical assistance, and resources to communities

For more info:



[gcfv.georgia.gov/ssms](http://gcfv.georgia.gov/ssms)



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TO LEARN MORE, VISIT: <https://gcfv.georgia.gov/news-and-events/annual-conference>



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**Kylee Elliott**

Support for Survivors of Murder-  
Suicide Program Manager

Kylee.Elliott@dcs.ga.gov  
(404) 615-3267

**April W. Ross**

Executive Director

April.Ross@dcs.ga.gov  
(678) 628-8726

*Thank You!*



**Georgia  
Commission on  
Family  
Violence**

**Contact GCFV:  
gcfv.georgia.gov  
404-657-3412**



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EDUCATION  
OF GEORGIA

# Domestic Foreign Justice

**INSTRUCTOR:**

**Hon. Heather Culpepper**

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# What is a Foreign Judgment and what can I do to revive a Dormant Judgment?

Judge Jennifer Lewis  
Chief Magistrate  
Camden County  
912-576-5658 / jlewis@co.camden.ga.us

## There are two types of Foreign Judgments

- Those that are issued in another country or nation
- The Foreign Money Judgments Recognition Act applies
- Those that are issued in another states court in the United States
- The Uniform Enforcement of Foreign Judgments Law applies
- The UEFJA has been formally adopted by 48 states and the District of Columbia
  - The holdouts are California and Vermont

First – the creditor must have a valid final judgment in another state.

Next – the creditor will need an authenticated copy of that judgment. See Example 3

The authenticated copy of the judgment will come from the court where the judgment was rendered and will have an attestation by the Clerk of the issuing court with the Seal of the Court (if one exists). It will also have a certification from a Judge of the issuing court that that Attestation is in proper form.

**NOTE: THIS IS NOT THE SAME AS A CERTIFIED COPY OF THE JUDGMENT**

## What needs to be filed with the Georgia court?

- (1) Affidavit of Filing a Foreign Judgment
  - OCGA 9-12-133(a) See Example 1
- (2) Notice of Filing Foreign Judgment
  - OCGA 9-12-133(b) See Example 2
- (3) Authenticated Copy of the Foreign Judgment
  - OCGA 9-12-132 See Example 3
- (4) Your normal filing fee for a civil case
- (5) Note: Venue is in the county where the judgment debtor resides

## What do I do now?

The clerk **shall promptly mail notice of the filing** of the foreign judgment to the judgment debtor at the address given and shall note the mailing the in docket.

NOTE: OCGA 9-12-133(b) says “mail.” It does not say mail via certified return receipt or to personally serve the judgment debtor.

## What can the judgment debtor file?

Remember – the case is **NOT** being re-tried in the state of Georgia. We are simply trying to make a determination of whether or not the judgment should be given full faith and credit in the state of Georgia. They will not be filing a traditional “Answer” to the claim.

The judgment debtor must file a Motion for Stay with the court and show cause why the judgement should not be domesticated. For example, they may show the court that an appeal from the foreign judgment is pending or will be taken.

## What should you do with the file after mailing notice to the judgment debtor?

I suggest that you hold the file on your desk, or in your holding file to track the case. If after 30 days there has not been a Motion to Stay that has been filed, the judgment can be formally domesticated by the court. See Example 4

## What can the judgment creditor do with a domesticated judgment?

It's time for the to start the collection process. They can record the judgment through a FiFa, they can serve interrogatories, they can file garnishments, etc.

## What if someone requests an Exemplified Copy of a judgment rendered by my court?

- Make a copy of the judgment from the file
- Prepare an Exemplification Order See Example 5
- The clerk will sign in two areas and the judge will sign in one area and affix their court seals
- The fee is \$2.50

## Where can I find information on Foreign Judgments?

OCGA § 9-12-130 through OCGA § 9-12-138

## What is a Dormant Judgment?

- Georgia judgments are good for seven (7) years. If not renewed prior to the seventh year, the judgment will become DORMANT and will be unenforceable.
- However, Georgia does have a provision that will allow a creditor an additional three (3) years to file a judgment renewal action – known as a scire facias OR a by a new action to revive.
- If no renewal action is filed between years seven (7) and ten (10), the judgment will be forever time barred and void.
- A judgment can be renewed as many times as necessary to collect and each renewal extends the judgment life by another seven (7) years.

## What is a Petition for Scire Facias?

It is a request for a judicial writ, filed by the holder of a dormant judgment requiring the person or person against whom it is brought to show cause why the judgment should not be revived. It is not an original action, but is the continuation of the action in which the judgment was obtained.

See Example 6

## What is the writ of scire facias?

This is a writ, issued by the clerk where the judgment was obtained which requires the judgment debtor to appear and show cause why the dormant judgment should not be revived. It shall be served by the sheriff 20 days before the court date. Personal service is required.

See Example 7

## What happens now?

It will be up to the judgment debtor to show sufficient cause why the judgment should not be revived. Failure to do so will result in the judge signing the Order Reviving Dormant Judgment.

See Example 8

## What can the judgment creditor do with a revived judgment?

It's time for the to start the collection process. They can record the judgment through a FiFa, they can serve interrogatories, they can file garnishments, etc.

# Where can I find information on Foreign Judgments?

OCGA § 9-12-60 through OCGA § 9-12-68

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INSTITUTE OF  
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# Criminal Panel Overview

## INSTRUCTORS:

*Panel: Ms. Connie Griffith - County Ordinances*

*Hon. Julie Ruark - First Appearance - Bond Cond.*

*Ms. Jackie Norman - Prelim Hearings*

*Ms. Kelley Maslak - Transfer Warrants*

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**IN THE MAGISTRATE COURT OF LEE COUNTY  
STATE OF GEORGIA**

THE STATE OF GEORGIA,

vs.

\* WARRANT NO. (s): \_\_\_\_\_

\*

\*

\*

\*

\*

\*

\_\_\_\_\_

Defendant,

**COMMITTAL HEARING**

A Committal Hearing having been (set for) (heard on) the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and the State having been represented by \_\_\_\_\_ and the Defendant having been represented by \_\_\_\_\_ ; and ( ) sworn testimony having been received from: \_\_\_\_\_.

**FINDINGS**

( ) The Court finds the State proved by a probable cause standard the allegations of warrant number(s):  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
and that the Defendant shall be bound over to the SUPERIOR COURT of Lee County, Georgia on said charge(s).

( ) The Court finds that the State has failed to show by a probable cause standard the allegations of warrant number(s):  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
\_\_\_\_\_ charging the Defendant with the offense of \_\_\_\_\_ ;  
and said warrants are hereby dismissed.

**BOND ORDER**

( ) Defendant shall be released from jail instanter.

( ) The District Attorney \_\_\_\_\_ and Defendant’s Attorney \_\_\_\_\_  
having consented to a bond modification:

( ) The Defendant having waived his/her right to a committal hearing.

( ) It is ORDERED that (Defendant be granted bond in the amount of) (Defendant’s bond be modified to)  
\$ \_\_\_\_\_ to be secured by ( ) professional bondsman ( ) property ( ) cash ( ) surety as  
approved by the Sheriff; ( ) own recognizance

( ) as condition of said bond **DEFENDANT SHALL:**

\_\_\_\_\_ ( ) NOT violate any laws of Any Governmental Unit.

\_\_\_\_\_ [ ] NOT have any direct or indirect contact of any kind, character or nature with

\_\_\_\_\_ and/or any member of the immediate family of the afore stated person(s).

( ) May communicate with afore stated person by text and/or email concerning  
child care and/or child visitation.

\_\_\_\_\_ [ ] NOT go to or be within \_\_\_\_\_ feet of the person(s) named above and/or their homes,  
work places and any other location occupied by said person(s).

\_\_\_\_\_ [ ] NOT harass, stalk, threaten, or engage in conduct that would place the persons named  
above in reasonable fear of receiving bodily harm to themselves or any member of their  
immediate family.

\_\_\_\_\_ [ ] Immediately enroll in and cooperatively participate in ( ) domestic violence counseling  
( ) substance abuse treatment; and provide proof of said treatment to the Court within  
\_\_\_\_\_ days of this order.

\_\_\_\_\_ [ ] BY accepting this bond as exhibited by Defendant’s signature below, Defendant shall  
waive his/her 4<sup>th</sup> Amendment rights as to search and seizure under the U.S. and Georgia  
Constitutions. The Defendant shall, at the request of law enforcement, consent to a  
search, without necessity or benefit of a search warrant, of his/her person, vehicle,  
business or home by a law enforcement officer.

\_\_\_\_\_ [ ] NOT return to \_\_\_\_\_  
unless accompanied by the Lee County Sheriff , or Police Officer; and then only to retrieve your  
personal belongings. **I.E.** Clothing, medications, medical equipment, personal cell  
phone(s), and personal and/or work computer.

\_\_\_\_\_ [ ] REPORT each \_\_\_\_\_ to Sheriff Reggie Rachals

between the hours of 8:00 am and 11:00 am and submit a urine sample to be tested to determine if Defendant has or is using illegal controlled substances ( ) and pay all cost associated with testing at \$\_\_\_\_\_ per test.

- \_\_\_\_\_ [ ] HAVE a GPS electronic monitor installed upon his/her persons and shall wear device at all times, so that his/her movements can be monitored on house arrest pursuant to the follow terms:
  - [ ] Home confinement from \_\_\_\_\_ .M. to \_\_\_\_\_ .M. ( ) Pay cost of H.A.
  - [ ] Total lock-down ( ) except to attend ( ) Church ( ) School ( ) Work ( ) Counseling ( ) Probation Officer ( ) 12 step program ( ) Community Service ( ) Court ( ) Other:

\_\_\_\_\_

- \_\_\_\_\_ [ ] HAVE an alcohol monitor installed, and be monitored every \_\_\_\_\_ hours and pay all cost associated with alcohol monitor.
- \_\_\_\_\_ [ ] NOT be outside of his/her residence at \_\_\_\_\_ between the hours of \_\_\_\_\_ m. and \_\_\_\_\_ .m.
- \_\_\_\_\_ [ ] SURRENDER all firearms in his/her possession to Sheriff Reggie Rachals.
- \_\_\_\_\_ [ ] NOT purchase, sell, acquire or possess a firearm of any kind.
- \_\_\_\_\_ [ ] ATTEND substance abuse 12 step treatment meetings \_\_\_\_\_ times per week and provide proof of attendance Sheriff Reggie Rachals.
- \_\_\_\_\_ [ ] Not enter or do business with any Pawn Shop, Gold Buyers, and/or any similar business.
- \_\_\_\_\_ [ ] NOT use any prescribed drugs without the consent of the Court, and any such drug must be prescribed by a licensed MD, or DO, or DMD.
- \_\_\_\_\_ [ ] NOT miss any court ordered drug testing, unless excused by the Court.
- \_\_\_\_\_ [ ] \_\_\_\_\_
- \_\_\_\_\_ [ ] \_\_\_\_\_
- \_\_\_\_\_ [ ] \_\_\_\_\_

**SO ORDERED**, this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge, Magistrate Court of Lee County  
State of Georgia

**ACKNOWLEDGMENT OF SPECIAL CONDITIONS OF BOND**

I acknowledge and accept the above stated conditions of my bond and realize that upon any **VIOLATION OF THE CONDITIONS SET FORTH, MY BOND MAY BE REVOKED**, and that I do not have a legal right to a second bond after such revocation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

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# Customer Service Topics/Scenarios

**MODERATOR:**  
**Hon. Carla Brown**

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# Questions & Answers

**MODERATOR:**  
**Hon. Carla Brown**

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INSTITUTE OF  
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***ICJE MOST COMMON  
MAGISTRATE COURT  
CLERKS FAQs***

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# Full Set of Frequently Asked Questions (“FAQs”) for MAGISTRATE COURT CLERKS

---

Your assigned ICJE Staff are:



**Mrs. Susan Mason**  
Event Coordinator  
[susan.mason@uga.edu](mailto:susan.mason@uga.edu)  
(706) 542-1129

**Mr. Thomas Erwin**  
Event Planner  
[Terwin21@uga.edu](mailto:Terwin21@uga.edu)  
(706)542-1150

## SEE SEPARATE FAQs FOR MAGISTRATE JUDGES

**FAQ # 1 – SEPARATE FAQs FOR JUDGES:** I am a Magistrate Court Clerk, but I simultaneously serve as a Magistrate Judge also. Is there a separate set of FAQs for Magistrate Court Judges?

**ANSWER:** Yes, this set of FAQs covers information for Magistrate Court Clerks only. If you are also serving as a Magistrate Court Judge, then you should also consult the separate FAQs for Magistrate Court Judges.

## NO CJE MANDATE FOR EXPERIENCED CLERKS – FAQs

**FAQ # 2 – EXPERIENCED CLERKS/NO MANDATE:** I am an Experienced Magistrate Court Clerk, is the “No CJE Required” status still the same this year as it was last year?

**ANSWER:** Yes, it’s still the same, you do not have any mandatory CJE requirement as a Magistrate Court Clerk. Although ICJE is pleased to offer an annual training opportunity for Magistrate Court Clerks as an accommodation, you are not required to participate.

*The Next Steps: (1) register for the annual training using the registration form; and (2) mail the form and fee to ICJE using the mailing address shown on the form. Online registration is not available.*

## NO CJE MANDATE FOR NEW CLERKS - FAQs

**FAQ # 3 – NEW CLERKS/NO MANDATE:** I am a New Magistrate Court Clerk, is there any CJE requirement for New Clerks?

**ANSWER:** No. You do not have any mandatory CJE requirement as a Magistrate Court Clerk. Although ICJE is pleased to offer an annual training opportunity for Magistrate Court Clerks as an accommodation, you are not required to participate.

*The Next Steps: (1) register for the annual training using the registration form; and (2) mail the form and fee to ICJE using the mailing address shown on the form. Online registration is not available.*

## JUDGES' ATTENDANCE AT CLERKS' TRAININGS - FAQs

**FAQ # 4 – JUDGES & ATTENDANCE:** I have noticed Judges attending some Clerks' trainings as participants (not as speakers). Are Judges allowed to attend Clerks' training events?

**ANSWER:** Yes; however, you will have to pay the Clerks' fee to attend and training at this conference cannot count toward your 12 mandated CJE hours as a Magistrate Court Judge.

## CLERKS' ATTENDANCE AT JUDGES' TRAININGS - FAQs

**FAQ # 5 – CLERK ATTENDANCE AT JUDGES' TRAININGS:** I am a Magistrate Court Clerk who is not serving as a Magistrate Court Judge. Am I allowed to attend the Magistrate Judges' training events?

**ANSWER:** No, and this policy is set by the Magistrate Court Training Council ("MCTC").

## CONFIRMATION OF YOUR REGISTRATION – FAQ

**FAQ # 6 WHERE IS MY CONFIRMATION EMAIL?** Why haven't I received my email confirmation of the courses I registered for?

**ANSWER:** (1) Have you checked your spam folder? Some email servers categorize emails sent from the ICJE Event Management software as spam. (2) Have you added the ICJE Staff to your email contacts to insure delivery?

| ICJE Points of Contact  |   |                                  |  |
|---|---|----------------------------------|--|
| Constituent Groups  | ICJE Staff  | Office Number                    | Email Address  |
| Superior Court Judges<br>Superior Court Clerks<br>Magistrate Court Judges<br>Magistrate Court Clerks<br>Multi-Class Live & Online<br>USCR 43.6                | <b>Susan Mason</b><br>Event Coordinator<br>&<br><b>Thomas Erwin</b><br>Event Planner          | 706-542-1129<br><br>706-542-1150 | <a href="mailto:susan.mason@uga.edu">susan.mason@uga.edu</a><br><br><a href="mailto:terwin21@uga.edu">terwin21@uga.edu</a> |
| State Court Judges<br>Probate Ct Judge/Non-Traffic<br>Probate Ct Judge/Traffic<br>Probate Court Clerks<br>Accountability Court Judges<br>International Groups | <b>Laura Kathryne Hogan</b><br>Event Coordinator<br>&<br><b>Casey Semple</b><br>Event Planner | 706-542-1126<br><br>706-542-1128 | <a href="mailto:lkhogan@uga.edu">lkhogan@uga.edu</a><br><br><a href="mailto:csemples@uga.edu">csemples@uga.edu</a>         |
| Juvenile Court Judges<br>Juvenile Court Clerks<br>Judicial Staff Attorneys<br>Municipal Court Judges<br>Municipal Court Clerks                                | <b>Melinda Hobbs</b><br>Event Coordinator<br>&<br><b>Annelle Berry</b><br>Event Planner       | 706-542-1158<br><br>706-542-1164 | <a href="mailto:mlhobbs@uga.edu">mlhobbs@uga.edu</a><br><br><a href="mailto:awberry@uga.edu">awberry@uga.edu</a>           |
| Office Manager<br>Financials  | <b>Emily Rashidi</b><br>Business Operations<br>Manager  | 706-542-1160                     | <a href="mailto:emily.rashidi@uga.edu">emily.rashidi@uga.edu</a>   |
| ICJE Executive Director   | <b>Lynne Moore Nelson</b>   | 706-542-1124                     | <a href="mailto:lynnemoore.nelson@uga.edu">lynnemoore.nelson@uga.edu</a>   |

(3) Completed Registration Forms are processed as promptly as possible; to check on the status of your form, contact Mrs. Susan Mason ([susan.mason@uga.edu](mailto:susan.mason@uga.edu) or 706-542-1129) or Mr. Thomas Erwin ([terwin21@uga.edu](mailto:terwin21@uga.edu) or 706-542-1150)

## COVID - FAQs

**FAQ # 7 – PROGRAM CHANGES/IMPACT OF COVID:** What impact will COVID have on the annual training this calendar year?

**ANSWER:** ICJE staff anticipates that COVID may continue to impact the format of ICJE-facilitated training. As noted on the registration form, the program delivery format of this event is subject to change due to COVID. At this time, your event is scheduled to occur as noted at the dates and location shown on the registration form.

**FAQ # 8 – PROGRAM CHANGES/COMMUNICATION:** Who decides if a scheduled event is changed due to COVID, and how will I find out?

**ANSWER:** Both ICJE and your group’s leadership collaborate on any decisions regarding schedule changes. Full logistical information is emailed to you as promptly as possible after any decision is made.

## **CJE AGENDA CONTENT - FAQs**

**FAQ # 9 – AGENDA PLANNING:** Who plans the agendas and topics for CJE events?

**ANSWER:** The leadership of the Council of Magistrate Court Clerks, Incorporated (“CMCC”), using a collaborative, committee-based, process in conjunction with the ICJE Staff.

**FAQ # 10 – IDEA FOR FUTURE AGENDA:** I have a suggested topic for a future seminar – who should I contact?

**ANSWER:** The President of the Council of Magistrate Court Clerks, Incorporated (“CMCC”); and, also your ICJE Staff Point of Contact.

## **CJE PRESENTERS - FAQs**

**FAQ # 11 – PRESENTERS:** Who chooses the speakers/presenters for CJE events?

**ANSWER:** The leadership of the Council of Magistrate Court Clerks, Incorporated (“CMCC”), using a collaborative, committee-based, process in conjunction with the ICJE Staff.

**FAQ # 12 – FUTURE PRESENTER:** I would like to volunteer to be a presenter for a future seminar; and/or I have a suggestion for an excellent presenter for a future seminar – who should I contact?

**ANSWER:** The leadership of the Council of Magistrate Court Clerks, Incorporated (“CMCC”).

## CJE VENUES - FAQ

**FAQ # 13 – LOCATIONS FOR LIVE EVENTS:** Who chooses the locations for the live, on-site training events?

**ANSWER:** The leadership of the Council of Magistrate Court Clerks, Incorporated (“CMCC”), using a collaborative, committee-based, process in conjunction with the ICJE Staff. In order to insure availability and the best possible pricing, venues are chosen and contracted well in advance.

## INFORMATION ABOUT CJE SUPPORT FEES - FAQs

**FAQ # 14 – WHY FEES ARE NECESSARY:** Why do ICJE constituent groups have to pay annual CJE Support Fees to ICJE?

**ANSWER:** Revenues from CJE Support Fees paid by ICJE Constituents pays for the educational programming for those ICJE Constituents. The funds appropriated to ICJE in the State of Georgia budget are not sufficient to cover: (1) the entire cost of ICJE administrative/overhead operations; nor, (2) the costs of facilitating educational programming for the constituent groups served by ICJE.

**FAQ # 15 – WHO DETERMINES THE FEES:** Who sets the amounts of the annual CJE Support Fees?

**ANSWER:** The ICJE Board of Trustees, in collaboration with the leadership of all ICJE constituent groups. The annual CJE Support Fees are reviewed every year in a collaborative process. The ICJE staff calculates the revenues received, minus the expenditures paid, and the resulting fund balance (whether positive or negative).

**FAQ # 16 – ICJE AS A NON-PROFIT ENTITY:** What is ICJE’s Profit Margin?”

**ANSWER:** On occasion, ICJE staff has been asked by constituent group representatives, “What is your profit margin?”. The answer is that ICJE, as a state judicial branch agency, is not a “for-profit” entity. From an accounting standpoint, the term “profit margin” does not apply to ICJE. “Profit margin” is used to describe a for-profit company’s income, after direct expenses to market or manufacture a product or service, and before deducting administrative costs. “Profit Margin” (or “Gross Profit”, which is the actual term found on the financial statements of for-profit entities) is not a term found on the financial statements of a not-for-profit organization.

**FAQ # 17 – OVERSIGHT/FINANCIAL REPORTING:** Describe the financial oversight of ICJE, the recipient of annual CJE support fees?

**ANSWER:** ICJE is governed by a Board of Trustees, comprised of representatives of all ICJE constituent groups. Monthly financial reports are provided to all Board members and also to all constituent group leaders by the ICJE staff. Additionally, financial spreadsheets showing the cost of each educational programming event are provided to all Board members and constituent group leaders as soon as practicable after each event.

## **GENERAL INFORMATION ABOUT ICJE - FAQ**

**FAQ # 18 – ABOUT ICJE:** What is “ICJE”?

**ANSWER:** Established in 1978 by Order of the Supreme Court of Georgia, the Institute of Continuing Judicial Education (“ICJE”) is a professional education consortium of the Georgia Judicial Branch, the State Bar of Georgia, and Georgia’s ABA accredited law schools: Emory University School of Law; Georgia State University College of Law; Mercer University School of Law; the University Of Georgia School Of Law; and, Atlanta’s John Marshall Law School.

## **FOR MORE INFORMATION**

**FAQ # 19 – FOR MORE INFORMATION:** I have a question that has not been answered, who can I contact?

**ANSWER:**

Please contact Mrs. Susan Mason at 706-542-1129 or via email at [susan.mason@uga.edu](mailto:susan.mason@uga.edu) OR Mr. Thomas Erwin at 706-542-1150 or via email at [terwin21@uga.edu](mailto:terwin21@uga.edu).

***INSTITUTE OF CONTINUING JUDICIAL EDUCATION OF GEORGIA  
(ICJE) POLICY ON FACULTY DIVERSITY AND INCLUSION***



INSTITUTE OF  
CONTINUING JUDICIAL  
EDUCATION  
OF GEORGIA

**It is the policy of the ICJE of Georgia to encourage Diversity and Inclusion in the faculty recruited for ICJE-facilitated programming, as a diverse and an inclusive faculty pool with expertise on substantive legal and judicial issues will enhance the success of ICJE-facilitated programming.**

**This policy shall be communicated by ICJE staff to the leadership of all of the constituencies represented on the ICJE Board of Trustees; and, to the leadership of the educational apparatus of each ICJE constituent group at the beginning of the planning process for each period of programming. The ICJE Board of Trustees requests that ICJE constituent groups and educational apparatuses make every effort to implement this policy.**

**(Adopted by ICJE Board of Trustees on March 9, 2018)**

## ICJE STAFF POINTS OF CONTACT



# INSTITUTE OF CONTINUING JUDICIAL EDUCATION OF GEORGIA

| CONSTITUENT GROUPS  | ICJE TEAM MEMBERS  | NEW OFFICE PHONE NO.                           | EMAIL ADDRESS  |
|---|--|--|--|
| <p>Superior Court Judges<br/>Superior Court Clerks<br/>Magistrate Court Judges<br/>Magistrate Court Clerks<br/>Multi-Class Live &amp; Online<br/>USCR 43.6</p>                                      | <p><b>Susan Mason</b><br/>Event Coordinator<br/><br/>&amp;<br/><b>Thomas Erwin</b><br/>Event Planner</p>         | <p>706-542-1129<br/><br/><br/>706-542-1150</p> | <p><a href="mailto:susan.mason@uga.edu">susan.mason@uga.edu</a><br/><br/><br/><a href="mailto:terwin21@uga.edu">terwin21@uga.edu</a></p> |
| <p>State Court Judges<br/>Probate Court Judges (<i>Non-Traffic</i>)<br/>Probate Court Judges (<i>Traffic</i>)<br/>Probate Court Clerks<br/>Accountability Court Judges<br/>International Groups</p> | <p><b>Laura Kathryn Hogan</b><br/>Event Coordinator<br/><br/>&amp;<br/><b>Casey Semple</b><br/>Event Planner</p> | <p>706-542-1126<br/><br/><br/>706-542-1128</p> | <p><a href="mailto:lkhogan@uga.edu">lkhogan@uga.edu</a><br/><br/><br/><a href="mailto:csemple@uga.edu">csemple@uga.edu</a></p>           |
| <p>Juvenile Court Judges<br/>Juvenile Court Clerks<br/>Municipal Court Judges<br/>Municipal Court Clerks<br/>Judicial Staff Attorneys</p>   | <p><b>Melinda Hobbs</b><br/>Event Coordinator<br/><br/>&amp;<br/><b>Annelle Berry</b><br/>Event Planner</p>      | <p>706-542-1158<br/><br/><br/>706-542-1164</p> | <p><a href="mailto:mlhobbs@uga.edu">mlhobbs@uga.edu</a><br/><br/><br/><a href="mailto:awberry@uga.edu">awberry@uga.edu</a></p>           |
| <p>Office Manager / Financials</p>  | <p><b>Emily Rashidi</b><br/>Business Operations<br/>Manager</p>  | <p>706-542-1160</p>                            | <p><a href="mailto:emily.rashidi@uga.edu">emily.rashidi@uga.edu</a></p>  |
| <p>ICJE Executive Director</p>  | <p><b>Lynne Moore Nelson</b></p>   | <p>706-542-1124</p>                            | <p><a href="mailto:lynnemoore.nelson@uga.edu">lynnemoore.nelson@uga.edu</a></p>  |