

GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL

Minutes of a Regular Meeting

September 24, 2004

10:00 AM

The regular meeting of the Georgia Public Defender Standards Council (Standards Council), an independent state agency within the judicial branch, was held on Friday, September 24, 2004, at the office of the Standards Council, 104 Marietta Street, Suite 200, Atlanta, GA 30303.

Council members present were Emmet Bondurant (Chairperson), Hon. Willie Lockette, Hon. Evelyn Turner Pugh (Treasurer), Hon. Michael Hancock, Edward Hine, Jr., Gerald Word, E. Wycliffe Orr, Sr., Paul Kurtz, and Larry Schneider (ex-officio). Wilson DuBose (Vice-chair) participated via telephone conference.

Staff members present for all or a portion of the meeting were Michael Mears (Director), Jim Martin (Chief Legal Officer), Gary Parker (Deputy Director), Sarah Haskin (Deputy Director), Chris Adams, Marla Kosher, Helen Tate, Becky Chase, Cindy Wang, Susan Teaster, Trish McCann, and Hannah Allerdice.

Guests included presenters Hon. Mary Margaret Oliver (Chair of House of Representatives Judiciary Committee), Karen Worthington (Southern Juvenile Defender Center), and David Lipscomb (Chair of Gwinnett County Tripartite Committee).

Other guests are listed on pages 13 and 14.

I. CALL TO ORDER

Chairman Bondurant called the meeting to order at 10:05 AM after a quorum was declared. He welcomed the guests and acknowledged the presenters. Because of time constraints, each presenter was allotted 15 minutes to speak.

II. APPROVAL OF MINUTES

A motion was made to approve the minutes from the last Standards Council meeting held on August 27, 2004. The motion was seconded and adopted.

III. PRESENTATIONS

A. Presentation by Karen Worthington

Karen Worthington, Director of the Southern Juvenile Defender Center and the Barton Child Law and Policy Clinic at Emory Law School, spoke about the need for the protection of the right to counsel for juveniles. She talked about the history and purpose of the Southern Juvenile Defender Center, the states they serve (Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina), and other accomplishments.

Worthington stressed that juvenile representation is a specialized area of criminal defense and is impressed with the Standards Council's efforts to train the public defenders and other attorneys in this area. She stated that the Standards Council is at the forefront of systemic reform and offered the Center's help in achieving additional state funding for juvenile assistant public defenders and other areas.

Worthington explained that representing juveniles is a specialized area of law because it requires the attorneys to have not only litigation skills, but also social services skills. They must know about child and adolescent development, effects of trauma on a developing brain, competence and culpability issues, treatment options, communicating with juveniles, etc.

She suggested that having a leadership position for juvenile advocacy will convey to the legal community that juvenile representation is a legitimate career choice. Worthington gave North Carolina as an example of a state that has created a position called the Statewide Juvenile Defender, which pays a starting salary of \$70,000. This person mainly provides support and training for juvenile defense attorneys.

Worthington urged the Standards Council to do following:

- Continue to press for statewide funding for public defenders for adults and children;
- Create a standard for determining indigence that presumes indigence when the accused is a juvenile;
- Eliminate application fees for all juvenile offenders; and
- Help enact legislation that would prohibit juveniles from waiving their right to counsel, or in the alternative, condition their waiver by requiring them to consult with an attorney.

B. Presentation by Representative Mary Margaret Oliver

Representative Oliver stated that political compromises made at the Capitol can be painful. She stated that funding for juvenile public defenders must be reinstated or the State will face a lawsuit. Rep. Oliver expressed respect for the work that the Barton Law Clinic does and has pledged political support and help for juvenile public defender funding.

Chairman Bondurant expressed appreciation for Rep. Oliver's help in the legislature and explained that though the Standards Council's initial attempt at getting funding for juvenile public defender positions failed, the Standards Council is willing to try again.

C. Council Discussion on Juvenile Issues Posed

1. Application fees

Chairman Bondurant stated that though the Standards Council will gladly consider the issues posed by Worthington, he questioned the Standards Council's authority to waive the application fee for juveniles. Director Mears stated that only the presiding judge may waive it. The State legislature may address any reforms.

2. Presumption of Indigence

The Council suggested that they revise the Standard for Determining Indigency to include the presumption of indigence for juvenile offenders. The juvenile court judges will be consulted regarding this change to the Standard.

3. Waiver of Counsel

Chairman Bondurant suggested that the Standards Council could place in the performance standards for juvenile representation that counsel first must consult with a juvenile client before there is any waiver of the right to counsel. (A more detailed discussion on this issue is under the heading of "Juvenile Performance Standards"). Director Mears stated that the staff's practice is to start with the presumption that an attorney must represent the juvenile. He has informed the Council of Juvenile Court Judges that all juveniles will be represented at the detention hearing, which will be the first appearance. Director Mears stated that until the judge says otherwise, the juvenile will be represented by an attorney. Council member Kurtz stated that the Standards Council does not have the authority to determine waiver rules.

D. Presentation by David Lipscomb

David Lipscomb, chair of the Gwinnett County Tripartite Committee since 1988, first congratulated the Standards Council for the passage of the Indigent Defense Act of 2003. He stated that though Gwinnett County wishes to opt-out of the system, they may join in a few years. Lipscomb discussed the positive aspects of their indigent defense delivery system. The county has fully funded the system, and the courts have been fully supportive. He feels that Gwinnett meets and exceeds the standards established by the Standards Council. Lipscomb provided each council member with a Power Point presentation of their system, from the qualifications of attorneys representing clients charged with different levels of criminal offense to the number of indigent cases they handle. He talked about the training requirements for all of their panel attorneys. Lipscomb stated that Gwinnett is committed to providing support services. Their Administrative Office of the Courts provides all the data. They require the attorneys to meet with clients 36 hours after arrest. Gwinnett will meet all of the Standards Council's requirements.

Lipscomb stated that the tripartite committee monitors the performance of the appointed counsel. He said that they have 100 good attorneys on the

panel list. Most of their attorneys have several years of experience. If the attorney does not perform well (i.e. misses court, is unprofessional, etc.), the tripartite committee will discipline accordingly. Some attorneys have been permanently removed from list. The attorneys are appointed every term of court (2 months).

The tripartite committee handles all of the complaint letters with the help of their Administrative Office of the Courts and judges. They occasionally receive complaint letters via the Standards Council.

They approve the fees, both legal and expert. Their general rule is to not cut any expert fees. Gwinnett had 7,879 indigent cases in 2003. About 3,038 were felony cases. 95% of people arrested and still in jail after 48 hours are indigent.

Regarding their training program, Lipscomb stated that they will train both locally and in conjunction with the Standards Council. He hopes to send their attorneys to the Council's training seminars.

Gwinnett will gladly use the JCATSDefender program as database. Those attorneys who do not wish to use the system will be removed from the panel.

Applications for counsel can be made at the jail, or orally before the judge. Gwinnett follows the federal poverty guidelines, though they have been more generous.

Gwinnett handles death penalty cases a little differently. They gladly turn over that function to the Georgia Capital Defender.

E. Questions Asked by Council Members about Gwinnett

1. Voluntary Appointments

Lipscomb stated that though the language suggests otherwise ("subject to appointment), appointment to cases and being on panel are completely voluntary.

2. Complaint Procedure

Lipscomb stated that they receive about 6 or 7 complaint letters a month, and about 1 letter cycled through the Standards Council. The tripartite committee keeps up with the letters. If the tripartite committee receives 5 letters about a particular attorney, then that attorney is removed from the panel.

3. Hourly Rates

Death penalty first chair -- \$145 per hour

Death penalty second chair -- \$125 per hour

Serious felonies -- \$75 per hour

All other offenses -- \$60 per hour (in court) and \$45 per out of court

4. Abuse of System

Lipscomb stated that since they process over 7,000 invoices a year, they know what kinds of fees are typical. If red flags are raised, then he asks the attorney to have written explanations. If an attorney has the same problem, then he or she is removed from list. Their Administrative Office of the Courts is constantly running averages. The system requires a lot of attention. Lipscomb also listens out for court room gossip for any attorney not performing well.

5. Inconsistent Statements

Lipscomb explained that though Gwinnett currently has a good system, he may not be able to run it any longer than a year or two because of his age. That is why Gwinnett may want to join in the state public defender system in a few years. However, though Lipscomb may not run it, he explained that others are also quite capable of running the system well.

6. Monitoring for Compliance with the 72 Hour Rule

Lipscomb stated that currently the magistrates tell them when an attorney doesn't show up for court. They do not have a monitoring procedure in place.

7. Investigators

Private Investigators are appointed in the same manner in which attorneys are appointed from a list. The lawyers will report if there any issues with the investigator.

8. Problems or Deficiencies

Lipscomb stated Gwinnett needs to monitor the following areas:

- Money always needs to be watched. Lipscomb commented that even though the county commissioners raised lawyers' hourly rates, the tripartite committee still needs to be active about funding. The committee members must also closely monitor how the vouchers are claimed so that fees can be justified;
- New judges have to be educated about the system in general, and also learn which lawyers are appropriate for certain cases; and
- Monitor the 5% of attorneys that do not perform well and remove accordingly.

9. Supervision

Lipscomb stated that the tripartite committee will be recreated by intergovernmental agreement. He will probably be chairperson again. Lipscomb will provide the staff with a copy of the intergovernmental

agreement between the county commissioners and the tripartite committee.

He stated that they keep up with the rotation list. When an attorney gets appointed to a certain number of cases, he does not get any more appointments.

10. Independence of System

Lipscomb stated that Gwinnett does not have the problem of certain attorneys being appointed by judges because they plead cases. He said that Gwinnett has a good structure in place.

11. Private Practice Attorneys' Caseloads

Lipscomb stated that although there is no mechanism to monitor how many private cases an attorney has along with the indigent defense appointments, he believes that there are basically 3 groups of attorneys. One group that just handles indigent defense cases; another group that has a mix of cases; and one group that only handles a few indigent defense cases. Lipscomb said that they are able to pull up all cases that an attorney is involved in through their court data collection system.

12. Monitoring of Ineffective Assistance of Counsel Claims

Lipscomb stated the judges handle those complaint letters. He said that their judges take a pro-active stance.

13. Panel of Attorneys

Lipscomb said that the system will go on as before; however, he reiterated that those attorneys that do not want to adhere to JCATSDefender program requirements will be removed from the panel.

F. Conclusion of Gwinnett County's Presentation

Chairman Bondurant stated regardless of whether circuits opt-in or out, the Standards Council's goal is to meet constitutional adequacy of representation. He thanked Lipscomb for his presentation and said that this would give the Standards Council experience in how to deal with other systems that wish to opt-out.

IV. RATIFICATION OF PRIOR ACTIONS

Jim Martin, Chief Legal Officer, presented these prior actions to be ratified.

A. Purchase of 2 state vehicles

The executive committee had already approved the purchase of 2 vehicles for use by the Standards Council's central office staff. Motion was made to ratify. It was seconded and adopted.

B. Sexual Harassment Policy (Council Resolution 12-04)

The Standards Council had already adopted the prior Georgia Indigent Defense Council's (GIDC) policy on sexual harassment with one addition of the word "inappropriate" on page 3. Council Resolution 12-04 ratifies this action. A motion was made to adopt the Resolution. It was seconded and approved.

C. Hiring Practice (Council Resolution 11-04)

The subcommittee of Ed Hine, Evelyn Turner Pugh, and Gerald Word had come up with the hiring practice resolution (Council Resolution 11-04) to correlate with the Standards Council's diversity policy. The Executive committee adopted this Resolution on September 2, 2004. An amendment was made to the Resolution to correct the typo on page 2 whereby "electronic mailed" was changed to "electronic mail." A motion was made to ratify the Executive Committee's action and approve Council Resolution 11-04 with the amendment. It was seconded and approved.

D. Proposed Opt-out Procedure Resolution (Council Resolution 10-04)

Chief Legal Officer Martin pointed out that the proposed draft is from September 1, 2004. No changes have since been made to the draft. Council member Hine asked if instead of voting up or down on the opt-out application, the Standards Council could condition the opt-out. Suggestions were made to change paragraph (e) on page 2 of the proposed draft of Council Resolution 10-04. Specifically, add the phrase "subject to the fulfillment of such conditions as the Council shall require" after the word "permit". Director Mears stated that some things can be negotiated with the counties wanting to opt-out. He said that Lipscomb had called him to work on Gwinnett County's application. The staff will not submit an application to the Council until all avenues have been exhausted. The staff will attempt to work it with counties first. Council member Kurtz agreed that the amendment will give the Standards Council more flexibility. The amendment was moved and seconded.

Chief Legal Officer Martin pointed out that a date must also be filled in paragraph (e). Director Mears stated that the staff was prepared to submit all recommendations to the Council by the next Council meeting on October 29, 2004. He mentioned that the staff wanted enough time to set up a public defender office if the Council were to deny an application. Chairman Bondurant suggested trying to meet earlier in October since people need to know the answer to be able to proceed quickly; however, Director Mears stated that the staff needs until October 29th to fully prepare the recommendations. Council member Kurtz opined that 1 more week would not make that much of a time difference. Director Mears suggested that the staff could modify the agenda to only include opt-out recommendations for the next Council meeting. Chairman Bondurant stated that there is no need to decide that now.

Resolution 10-04 was amended to put in October 29, 2004 as the date before when all applications have to be reviewed by the Director. The amendment was seconded and approved. Vice-chair DuBose suggested an amendment to Council member Hine's earlier amendment of "subject to the fulfillment of such conditions as the Council shall require " so that paragraph (e) would read (changes in italics):

(e) Approval or denial of applications. The director of the Standards Council shall review all applications to determine if the application complies with Section 1(b) and 1(c) and if the applicant's written plan demonstrates that the alternative delivery system meets or exceeds and will continue to meet or exceed the standards adopted by the Council and the requirements of law including O.C.G.A. § 17-12-23 (b). After the review and before *October 29, 2004*, the director shall submit to the Standards Council a written recommendation to permit, *permit subject to the fulfillment of such conditions as the Council shall require*, or deny the operation of the alternative delivery system. If the recommendation is to deny the operation of the alternative delivery system, the written recommendation shall delineate the deficiencies in the alternative delivery system. Pursuant to O.C.G.A. § 17-12-36 (c) and §2.2 (c) (6) of the Standards Council Bylaws, the Standards Councils may permit, *permit subject to the fulfillment of such conditions as the Council shall require* or deny the operation of an alternative system by an affirmative vote of 6 members of the Standards Council present at a meeting of the Council. The decision to permit, *permit subject to the fulfillment of such conditions as the Council shall require* or deny the operation of an alternative delivery system is discretionary with the Standards Council and is final. There is no further administrative appeal of the decision of the Standards Council to permit, *permit subject to the fulfillment of such conditions as the Council shall require* or deny the operation of an alternative delivery system.

This amendment was moved and seconded. Council member Word expressed concern that the change may have implications on the right to appeal. Chief Legal Officer Martin reminded him that appeal rights are only to decisions not to renew, not the initial decision to deny opt-out.

Council Resolution 10-04 was adopted with the amendments.

V. **FOR REVIEW**

Amendment to Bylaws to Incorporate Procedure for Correction of Typographical Errors in Standards Council's Documents

This procedure would mirror the code revision procedure of the State legislature to correct any typographical errors. This issue came up at the last Council meeting when it was pointed out that the standard for limiting case loads had a mistake since there is no such thing as "misdemeanor juvenile offender cases." The word "misdemeanor" was proposed to be taken out, and it would not have been a substantive change. The amendment to the bylaws was passed out to the council members for review and for approval at the next Council meeting.

VI. **PUBLIC COMMENT**

During the public comment portion of the meeting, Karen Worthington's remarks were passed out to the council members. Kem Kimbrough from the Association County Commissioners of Georgia introduced himself.

(Lunch Break)

(Vice-Chair Wilson DuBose disconnected from the telephone conference.)

VII. ACTION/VOTING ITEMS

The lease agreement for the Georgia Capital Defender was discussed. It was determined that the space at 225 Peachtree Street was good and the rental price of \$15.00 per square feet was reasonable. The Standards Council voted to approve the lease.

VIII. DIRECTOR'S REPORTS

A. Upcoming Training Sessions for Public Defenders and Administrative Staff

Director Mears reported that the September training in Hiawassee was a success. There was a good turnout with only a couple of circuit public defenders not attending because of the hurricane. The next training will be at Jekyll Island. This training will involve management of law offices. The next training after that will be at Little Ocmulgee State Park. The administrative staff will train at the central office on October 8th through 9th. The December training will be at George T. Bagby State Park.

B. Update on Spangenberg Contract to Set Rates for Conflicts, Experts, and Interpreters

Director Mears advised that the Spangenberg Group was asked to revise their contract price. Staff member Jim Bonner has already agreed to help provide legal research. This has reduced the total costs from \$64,000 to \$56,000. Director Mears stated that the Council has already allocated monies to cover the initial costs.

The Standards Council authorized Director Mears to enter into the contract. The action was moved, seconded, and approved.

C. Update on Conflict Defender Programs

Director Mears informed that the conflict defender programs are going well. The Fulton County Conflict Defender Program will save money since the attorneys will be salaried. He met with Judge Downs, the chief superior court judge of Fulton County. Director Mears talked about Fulton County's practice of appointing Fulton County Conflict Defender to cases not really considered to be conflict cases.

D. Update on Contracts with Counties

Director Mears talked about the problems with some of the contracts, specifically the Augusta and the Atlantic judicial circuits. He also mentioned that Steve Messinger, circuit public defender for the Atlantic Judicial Circuit, hired Nina Hickson as his administrative staff, but she will become the chief assistant public defender after December.

E. Update on Hiring

Council member Hine asked how the hiring for the public defender offices was going. Whether there has been enough interest from applicants. Director Mears said that the process was going well. Council member Kurtz asked how many assistant public defenders have been hired. Director Mears answered it depends on how many the counties have contracted for with the Standards Council. Council member Hine asked about the diversity issue. Director Mears said that it was going well. Deputy Director Parker stated that the Legislative Black Caucus is in a “wait and see” mode. He said that the problem is with a small pool of candidates. Not many minority attorneys interested in public interest law. Council member Word said that he is getting 4-5 resumes a week.

F. Clinical Programs with Emory University and Georgia State University (GSU)

Director Mears stated that the public defenders will get credit for salary increases for participation in the Council’s honors program and for completion of the clinical programs with Emory University or GSU. He said that this was a good way to bring people from out of state. Council member Kurtz mentioned that it would be good to send people out to interview law students. Deputy Director Parker stated that the training division of the central office has been attending conferences and talking to law students to drum up interest. (More details under the heading of “Update on Training programs.”)

G. Report on Circuits Requesting Opt-out

So far, these single-county circuits have requested opt-out: Clayton, Houston, Douglas, Cherokee, Cobb, Forsyth, and Gwinnett. Fulton County has voted unanimously to opt-in.

IX. OTHER REPORTS

A. Update on Training Programs

Deputy Director Parker talked about the Public Defender Honors Program. He passed out brochures. His staff has been attending various conferences and law schools to promote the honors program as a recruitment tool. The honors program is a hybrid of the D.C. training program and various other models. There has been good interest from the Hispanic community in Texas. Another goal of the program is to match up program participants with mentors and supporters. Deputy Director Parker intends to go to law

firms to ask them to give participants credit for going through the program. He hopes this would encourage more private practice minded attorneys to work in the public interest arena. He also mentioned that the December training will have a list of good speakers, including Ernie Lewis from Kentucky.

B. Year to Date GPDSC Budget Report

Operations Director Helen Tate gave the budget report. So far, all divisions are under budget. Council member Kurtz inquired about the additional fees, and Director Mears stated that the October collections should give a better reflection of the revenue projections. GSU is working on the revised projections.

C. Update on Crisp County Data Exchange Project

Technology Manager Marla Kosier gave an update on the Crisp County Data Exchange Project in the Cordele Judicial Circuit. All participants are willing to sign the MOU and Rick Malone, Director of the Prosecuting Attorneys Council, will present to the Criminal Justice Coordinating Council on October 6, 2004, to receive funding. Once this project proves to be successful, the surrounding counties will be pulled in. Then the project will be implemented in other circuits. This will have a tremendous impact on the 72 hour rule. The next meeting for the project participants will be at the central office on October 8, 2004. They will look at different vendors. Kosier also introduced a new staff member who will handle the help desk.

D. Update on JCATS Training

Circuit Public Defender Coordinator Becky Chase gave an update. November 15, 2004, is the live date for the start of the program. They will use the Tifton Bar Center for the first training. They are also looking into using the Chatham County Courthouse as a possible training location. The circuits that wish to opt-out are not participating in the training yet. Whoever is responsible for inputting the data has to attend the training. Hardware will be on site. There will be multiple training dates. The library at the central office will be converted to a training room which can train 20 people at the same time.

E. Georgia Appellate Practice and Educational Resource Center

Chairman Bondurant reminded the Council that he is also the chair of the Georgia Appellate Practice and Educational Resource Center (Resource Center). For the past few years, the budget for the Resource Center has been on shaky grounds. Each year, the State legislature threatens to remove all funding. Chairman Bondurant has been in conversations with the Supreme Court of Georgia to look out the following options:

- Maintain status quo;

- Use IOLTA funds for Resource Center and the State put in more funds for the Standards Council; and
- Fold the Resource Center into the Standards Council.

The Supreme Court will decide what their preference is. Regardless, legislative action will be required. The Resource Center has 3 lawyers handling either directly or indirectly over 50 cases. The Resource Center has had their budget in the Judicial Council's budget since 1988.

(Council member E. Wycliffe Orr, Sr. left the meeting.)

F. Juvenile Performance Standards (Draft 2)

Council member Word presented his committee's proposed draft for the Juvenile Performance Standards. He thanked Karen Worthington, Amy Howell (Southern Juvenile Defender Center), Trish McCann, and Susan Teaster for their contributions. Howell said that it would be inappropriate for defense counsel to represent the best interest of child. There should be a guardian ad litem appointed. The defense attorney should look at competency issues. It is the lawyer's duty to represent the express desire of the child. Howell reiterated Worthington's point that juvenile offender representation is a specialized field.

The Juvenile Performance Standards are consistent with the ABA and IJE national standards. There was a motion to post on the website, and it was seconded. Council member Hine asked if there has been input from the juvenile court judges. Council member Word said that it will be distributed for comments. Director Mears pointed out that Judge Nash, President of the Council of Juvenile Court Judges, felt that the judges promulgating the standard would be problematic since there is a conflict because they also handle deprivation proceedings.

Chairman Bondurant brought out the issue of representing someone not really competent. Council member Word said that they will do mental health performance standards next. Council member Kurtz asked if it was ethical for lawyers to listen to what a juvenile wants to do even when he or she knows that to be wrong. Should a guardian ad litem be appointed? Howell said that these ethical considerations arise all the time. The defense lawyer is to represent the juvenile. The guardian ad litem will inform the court any relevant information. The court will then decide what to do. Council member Hine asked if the attorney can ask for withdrawal. Howell answered that it depends on the grounds.

Deputy Director Parker discussed the importance of training. He suggested amending the word "provided" on page 2 to "mandated." There was a concern that attorneys from circuits that opt-out may not attend the training since they would have to pay for it.

A discussion proceeded regarding the waiver of counsel. The suggestion was made to amend the Juvenile Performance Standards to state that an attorney must do a preliminary investigation of the case and inform the juvenile of the consequences of waiving counsel. The Council suggested having the juvenile courts establish a procedure in which they caution each juvenile defender to consult with an attorney before there is any waiver. Chairman Bondurant stated that he was uncomfortable with stating that the juveniles have a right to waive counsel when they may be incompetent. Council member Kurtz asked who had the power to say that.

The first amendment to the Juvenile Performance Standards to change the word “provided” on page 2 to “mandated” was moved for adoption. It was seconded and approved.

Council member Hancock had a concern about posting the Juvenile Performance Standards when there may be more changes made. The essence of section 3.1 would change if amendment 2 was incorporated. Council member Kurtz made a motion that the Council hold off posting the standard until the next meeting. The staff can work with Worthington and Howell to perfect language. Mental health advocates will also be consulted. After the language is worked out, the alternatives can both be posted on the website for public comment.

This motion was seconded and approved.

X. CONCLUSION

A. Miscellaneous

Council member Word suggested that he and Becky Chase can look at Gwinnett County’s system of different case levels to assist in developing a weighted cases system.

B. Next Council Meeting

The next Standards Council meeting will be October 29, 2004 @10:00 AM. On the agenda will be the following:

- Approval of minutes
- Staff recommendations on opt-out applications
- Approval of amendment to bylaws
- Juvenile Performance Standards

Council members Pugh and Kurtz informed the Council of their conflicts for that day. They will be unable to attend. Chairman Bondurant asked the staff to poll the council members before the next meeting to ensure that a quorum will be present for the meeting. No proxies are allowed.

C. Guests in attendance:

Eric John, Council of Juvenile Court Judges (Executive Director)
Scott Drake, Gwinnett County Bar
Hon. Ronnie Batchelor, Gwinnett County Superior Court
Hon. Warren Davis, Gwinnett County Magistrate Court
Hon. Robert Rodatus, Gwinnett County Juvenile Court
Johnny R. Moore, Gwinnett Tripartite Committee
Larry Love, Columbus Consolidated Government
Pam Baxter, Gwinnett County Deputy Court Administrator
Phil Boudewyns, Gwinnett County Administrative Office of the Courts
Dawn Dwyer, Council of Juvenile Court Judges
Hon. Billy Ray, Gwinnett County Superior Court
Hon. Dawson Jackson, Gwinnett County Superior Court
Melinda Wells, Deputy County Attorney for Gwinnett County
Hon. F. Wayne Hill, Gwinnett County Chairman
Charlotte Nash, Gwinnett County Court Administrator
Billie Bolton, Administrative Office of the Courts
Helen Scholes, Administrative Office of the Courts
Kem Kimbrough, Association County Commissioners of Georgia
Beth Locker, Barton Child Law and Policy Clinic
Sara Totonchi, Southern Center for Human Rights
Atteenah Hollie, Southern Center for Human Rights
Hon. Henry Newkirk, Fulton County State Court
Lance Stewart, Southern Center for Human Rights

These minutes are respectfully submitted this 27th day of September, 2004.

Natasha Perdeu Silas, Secretary