



Georgia Commission on Dispute Resolution Meeting

Wednesday, February 9, 2022, 2:00 – 4:00 p.m.

Guests are welcome to attend remotely. Please email gaodr@georgiacourts.gov by COB on February 7, 2022, to receive the zoom link.

AGENDA

- I. Call to Order: Judge M. Cindy Morris
- II. Swearing in of new members Rep. Rob Leverett; Hon. Carrie M. Markam; and Hon. Rebecca Crumrine Rieder: Justice John J. Ellington
- III. Roll call
- IV. Meeting Minutes from November 3: Approved via email
- V. Standing Committee Reports:
 - Budget and Personnel Committee: Judge C. Andrew Fuller
 - Ethics Committee: Hon. Renata Turner
 - Training and Credential Committee: Ms. Melissa C. Heard, MSSW
 - Outreach Committee: Mr. Hal Gray, Esq.
 - DV Rules Implementation Committee: Ms. Peggy Wilson
- VI. Special Committee Report:
 - Ad Hoc Rules Committee: Ms. Mary Donovan, Esq.
- VII. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
 - 2021 ADR Institute Recap & 2022 ADR Institute Update
 - Strategic Projects update
 - Upcoming events:
 - State Bar of Georgia Family Law Section presentation: February 25
 - Access to Justice Committee Retreat: March 9
 - Georgia Council Court Administrators: March 28-30
 - Program Directors' Conference: April 25-27
- VIII. Chairman's Report: Judge Morris
- IX. New Business
 - Action Items: Court Program Rules Renewal (*Rule Revisions folder*)
 - *Alapaha Judicial Circuit*
 - *Cobb County Superior Court*
 - *Conasauga Judicial Circuit*
 - *Dekalb County*
 - *Ogeechee Judicial Circuit*
- X. Old Business
- XI. Recognition of outgoing member Ms. Sandy Bair, Esq.
- XII. 2022 Commission Dates: May 4; August 17; November 2
- XIII. Adjournment



Georgia Commission on Dispute Resolution Meeting

Minutes

Wednesday, February 9, 2022

Chair Judge M. Cindy Morris called the meeting to order. In addition to Judge Morris, Commission members and Office staff present were:

Emily S. Bair, Esq.; Hon. Rebecca Crumrine Rieder; Judge C. Andrew Fuller; Judge Carrie B. Markham; Edith B. Primm, Esq.; Randall Weiland; and Peggy McCoy Wilson attended in person. N. Staten Bitting Jr., Esq.; Judge Clarence Cuthbert Jr.; Mary S. Donovan, Esq.; Herbert H. (Hal) Gray III, Esq.; Melissa Heard, MSSW; Nicole W. Hull, Esq.; Patrick T. O'Connor, Esq.; and Judge Renata D. Turner attended by video.

Tracy B. Johnson, Executive Director, and Karlie A. Sahs, Deputy Director, Office of Dispute Resolution

JC/AOC staff members present were: Cynthia Clanton, Esq., Director; Carole Collier, Esq., Staff Attorney; and Jeffrey Thorpe, Judicial Caseload Data Manager.

The following guests observed by video: T.J. BeMent, 10th District; Chief Judge William Boyett, Conasauga Judicial District; Rita Carroll, Esq., Carroll County ADR Program; Mark Dehler, Registered Neutral; Melissa Hughes, Tifton ADR Program; Linda Jezerinac, 7th District ADR Program; Bridget Jones, Cobb County Juvenile Court ADR Program; Rebecca Lew, Cobb County Superior Court ADR Program; Charity Messer, 7th District ADR Program; Lindsay Mobley, Coweta Judicial Circuit ADR Program; Hilda Ortiz, Conasauga ADR Program; Jody Overcash, 7th District ADR Program; Bonnie Powell, Esq., Fulton County Landlord/Tenant ADR Program; Lee Robbins, The Mediation Center of the Coastal Empire; Olivia Rudder-Wilson, DeKalb County Juvenile Court Mediation Program; Kathleen Sterne, Esq., Clayton County ADR Program; Dr. Angela Taylor, Fulton County ADR Program; and Rebecca Zimmerman, Esq., Registered Mediator/Trainer.

I. Meeting called to order

Judge Morris called the meeting to order at 12:15 p.m. and went directly into Executive Session. The open meeting was called to order at 2:00 p.m.

II. Swearing in of new members Rep. Rob Leverett; Hon. Carrie B. Markham; and Hon. Rebecca Crumrine Rieder; Justice John J. Ellington

Justice John J. Ellington swore in new members at the beginning of the Executive Session.

III. Roll Call of GCDR Members

Judge Morris asked Ms. Karlie Sahs to conduct a roll call of all GCDR members and to acknowledge guests present.

IV. Minutes

The minutes of the November 3 Commission meeting were approved prior to the meeting via e-mail vote on November 30, 2021.

V. Standing Committee Reports:

a. Budget and Personnel Committee: Judge C. Andrew Fuller

Prior to the Committee report, Judge Morris made note that the Committee has two new members: Judges Clarence Cuthbert Jr. and Renata D. Turner.

Judge Fuller advised that the budgets are sound and on target with midyear expectations. No further budgetary issues or personnel matters were noted.

b. Ethics Committee: Judge Renata Turner

Judge Turner reported that at their meeting on October 18th, the Committee issued discipline in the form of a private reprimand in response to an open complaint. This complaint also resulted in a vote by the Committee to issue an Ethics Opinion providing guidance and best practices on appropriate social media conduct. A draft opinion is in the process of being generated.

Judge Turner further noted that there are three (3) registrations undergoing ethics review at this time. Since the Commission's last meeting, one (1) applicant was approved by the Committee. There are no pending appeals at this time.

Upcoming Committee meetings are scheduled for February 14, April 11, June 13, August 15, and October 17.

c. Training and Credential Committee: Ms. Melissa C. Heard, MSSW

Ms. Heard shared that the Committee does not have any pending matters at this time. However, the group anticipates upcoming work with various committees as the Supreme Court ADR Rules and appendices continues to be reviewed for revisions.

The Committee was last scheduled to meet in January but the appellant in question failed to meet the deadline given to submit requested documentation. Thus, the Committee did not meet at the scheduled time.

Upcoming Committee meetings are scheduled for May 18, August 19, and December 16.

d. Liaison Committee: Mr. Hal Gray

Mr. Gray shared that the Committee has partnered with The Mediation Center of the Coastal Empire to offer four (4) trainings in 2022 on the topic “Safety Precautions and Screening for General Civil Cases”. Funding for the trainings has been approved since the last Commission meeting, and details will be announced by GODR in the weeks to come.

The ADR Program Directors’ Conference will return in April and includes a “speed dating” session for program directors and staff to get to know Commission members; Mr. Gray encouraged all Commission members to attend the conference and join the session.

Work also continues to target areas in Georgia that are currently underserved by ADR. Mr. Gray plans to bring in Mark Dehler to assist in researching the area around Milledgeville in central Georgia.

The next Committee meeting is scheduled for March 7.

e. DV Rules Committee: Peggy McCoy Wilson

Since the departure of Judge Charles E. Auslander III, the Committee’s former chair, Ms. Peggy McCoy Wilson has been named the new chair of the DV Rules Committee.

Ms. Wilson advised that there are no new developments to report since the last Commission meeting.

The next Committee meetings are scheduled for March 14 and October 17.

VI. Special Committee Report:

a. Ad Hoc Rules Committee: Ms. Mary Donovan

Ms. Mary Donovan shared that the Rules Committee was established following passage of the Georgia Uniform Mediation Act and has since met four (4) times. The Committee has now drafted a summary of proposed recommendations for revisions to the Supreme Court ADR Rules. Following Commission feedback to the summary, the Committee will meet once again to review the Rules regarding the issue of party capacity. Then, the Committee will report back to the full Commission at the upcoming May 4 meeting.

VII. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs

a. 2021 Neutral Registration Renewal

The on-time 2021 Registration Renewal period ended on December 31, 2021; a total of 2,242 neutrals renewed their registration prior to the deadline. As of February 4, a total of 133 neutrals renewed their registration during the late renewal period. Effective July 1, 2021, the new late registration renewal deadline is the last day of February (28th or 29th, respectively).

b. 2021 ADR Institute Recap & 2022 ADR Institute Update

The 2021 ADR Institute was held on November 19, 2021, delivered as a livestreamed virtual event. This event was the best attended in known history and included 420 total attendees, 45 of which included GCDR Members, ADR Institute Planning Committee members, and other guests.

Ms. Sahs reported that the group intends to plan an in-person/virtual hybrid event in 2022. The 2022 ADR Institute will be held on Friday, November 18, and the initial meeting of the ADR Institute Planning Committee will be scheduled prior to the next GCDR meeting.

c. Strategic Projects Update

An updated copy of the Office project list was provided with the meeting materials. Ms. Johnson and Ms. Sahs provided a brief status of each project on the list, excluding those projects that had already been mentioned.

1. **Neutral Registration System:** Ms. Johnson advised that a recent update from Mr. Ben Luke, JC/AOC Chief Technology Officer reported his team just completed writing an automated test suite – a major milestone. This will allow for a comprehensive review of the code to fix overdue systematic issues, making the system more stable and decrease time needed for future enhancement and modification.
2. **Court Outreach- Expansion and Enhancement:** Ms. Sahs reported the Fulton County Juvenile Court has made its first referral to Restorative Conferencing Atlanta – the Community Conferencing Pilot Program. RCA recently launched an official website and continues to apply for grant funding. The working group will meet next on February 10, March 17, and April 14. Ms. Sahs thanked Tim Ezell, Court Administrator, Fulton County Juvenile Court, for his direction and support. Ms. Johnson praised Ms. Sahs for her foresight of and leadership in this project.

Ms. Johnson shared that the Probate Court Mediation Working Group last met on November 8. Ms. Ellie Lanier presented to GCDR during Executive Session, outlining a summary of the Working Group's recommendations.

3. **Case Management System:** Ms. Johnson conveyed that the total number of programs who have been onboarded and are either using the

program or will use the program is up to twelve (12). An additional program (Ogeechee Judicial Circuit) will complete onboarding in the weeks to come.

4. **Expansion of Neutral Services:** Ms. Sahs announced that there will be four (4) Child Support Guidelines and Calculator trainings for registered neutrals, co-hosted by the Georgia Child Support Commission, in 2022; two full trainings are scheduled for April 13 and September 21, and two Lunch and Learn Q&A sessions are scheduled for May 13 and October 28. Notice regarding registration will be sent to registered neutrals in the weeks to come.
5. **Court Program Support:** Ms. Sahs shared that the 2022 Program Directors' Conference is scheduled for April 25-27 at the Homewood Suites by Hilton Savannah Historic District. A session has been scheduled for discussing program needs. Additionally, GODR is in discussion with Ben Luke, JC/AOC, to develop a private forum for court ADR program directors in a Teams environment.
6. **DV Rules, UMA, and ADR Conference** were discussed earlier in the meeting. **Online Dispute Resolution (includes virtual), Public Education/Resources, Statewide Partnerships, and Annual Report:** No updates to report.

d. Upcoming Events

1. **State Bar of Georgia Family Law Section presentation: February 25**
Ms. Johnson will be presenting on the application of the DV Rules for attorneys representing parties in domestic relations cases.
2. **Access to Justice Committee Retreat: March 9**
The retreat is in Montgomery, Alabama; Ms. Johnson will attend.
3. **Georgia Council of Court Administrators: March 28-30**
The conference is being held at Brasstown Valley Resort; Ms. Johnson and Ms. Sahs will attend.
4. **Program Directors' Conference: April 25-27**
The conference will be held at the Homewood Suites by Hilton Savannah Historic District. All GCDR members and Court ADR Program directors/staff are encouraged to attend. A copy of a draft program agenda was included in the materials.

VIII. Chairman's Report: Judge Morris

Judge Morris shared that an article regarding GUMA, written by Doug Yarn, Shelby Guilbert, Steve McKinney, and Ms. Johnson, was recently published in the Georgia Bar Journal; she encouraged everyone to read it.

Ms. Johnson shared that the Judicial Council’s COVID-19 Task Force, of which she is a member, is revising the pandemic bench book. Ms. Johnson will be reaching out to GCDR members for input.

IX. New Business

a. Action Items: Court Program Rules

Ms. Johnson reiterated that all court ADR program rules need to be revised due to the creation of the Supreme Court ADR Rules, Appendix D: Rules for Mediation in Cases Involving Issues of Domestic Violence. All rules are first submitted to Ms. Johnson for review and feedback before presenting final rules to the Commission for approval. The revised rules for the following programs were included in the meeting materials and presented to the Commission for approval. The program representative(s) in attendance are also noted below:

• <i>Alapaha Judicial Circuit</i>	<i>No representative present</i>
• <i>Conasauga Judicial Circuit</i>	<i>Chief Judge William Boyett & Ms. Hilda Ortiz, Program Director</i>
• <i>Ogeechee Judicial Circuit</i>	<i>No representative present</i>
• <i>Cobb County Superior Court</i>	<i>Ms. Rebecca Lew, Program Director</i>
• <i>DeKalb County</i>	<i>No representative present</i>

Mr. Hal Gray made a motion to approve all the court programs’ rules as presented to the Commission, which was seconded by Ms. Melissa Heard. All remaining Commission members present voted to approve.

There are four (4) programs remaining which need to submit rules for approval; two (2) of these programs have recently sent their rules and are under review by Ms. Johnson.

X. Old Business

There was no Old Business to report.

XI. Recognition of outgoing member Ms. Sandy Bair, Esq.

Emily S. (Sandy) Bair, Esq. has served on the Commission since 2010. Judge Morris thanks Ms. Bair for her dedicated service to the Commission, as well as the Committees on Ethics and Training and Credentials.

XII. Upcoming Commission Dates for 2022: May 4, August 17, and November 2

The next meeting is scheduled for May 4, 2022, at 2:00 p.m. in Room #1 of the State Bar of Georgia.

XIII. Adjournment

The meeting concluded at approximately 2:43 p.m.

[Minutes prepared by Karlie A. Sahs and Tracy B. Johnson]

[Minutes approved via email March 16, 2022]



(L-R) Judge Carrie B. Markham; The Hon. Rebecca Crumrine Rieder; and Representative Rob Leverett being sworn in by Justice John J. Ellington (not pictured)



(L-R) Sandy Bair, Esq. and Tracy B. Johnson