



Georgia Commission on Dispute Resolution Meeting

Wednesday, February 8, 2023

2:00 – 4:00 p.m.

State Bar of Georgia, Room #5

AGENDA

- I. Welcome: Hon. M. Cindy Morris
- II. Swearing in of new members Hon. Pandora E. Palmer and Hon. Vic Reynolds: Justice John J. Ellington
- III. Roll call
- IV. Meeting Minutes from November 2: *Approved via email*
- V. Standing Committee Reports:
 - Budget and Personnel Committee: Hon. Clarence C. Cuthpert
 - Ethics Committee: Hon. Renata Turner
 - Training and Credential Committee: Ms. Nicole Hull, Esq.
 - Outreach Committee: Mr. Hal Gray, Esq.
 - DV Rules Implementation Committee: Ms. Peggy Wilson
- VI. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
 - 2022 ADR Institute Update
 - 2022 Neutral Registration Renewal
 - Data Collection Plan
 - Strategic Projects update
 - Upcoming events:
 - Georgia Council Court Administrators: March 15-17
- VII. New Business
 - Committee Appointments
 - National Center State Courts (NCSC) Eviction Diversion Initiative Grant
- VIII. Old Business
- IX. Chairman's Report: Chief Judge Morris
- X. Recognition of outgoing member Hon. Jane C. Barwick
- XI. 2023 Commission Dates: May 3 (*virtual*); August 9 (*virtual*); November 29 (*in-person*)
- XII. Adjournment

Please email gaodr@georgiacourts.gov before COB on Tuesday, February 7, for the remote viewing link.



Georgia Commission on Dispute Resolution Meeting Minutes

Wednesday, February 8, 2023

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

Judge Jane C. Barwick; The Hon. Rebecca Crumrine Rieder; Mary S. Donovan, Esq.; Herbert H. (Hal) Gray III, Esq.; Judge Carrie B. Markham; Judge Pandora E. Palmer; Edith B. Primm, Esq.; Judge Vic Reynolds; Judge Renata D. Turner; Randall Weiland; and Peggy Wilson attended in person. N. Staten Bitting Jr., Esq.; Judge Clarence Cuthpert Jr.; and Melissa C. Heard, MSSW viewed the meeting virtually.

Tracy B. Johnson, Executive Director. Karlie A. Sahs, Deputy Director viewed the meeting virtually.

JC/AOC staff members present were Carole Collier, Esq., Staff Attorney; Ben Luke, JC/AOC Chief Technology Officer; Kriste Pope, Information Systems Analyst; and Mitchell Redd, Research Analyst.

The following guests attended in person: Miranda Black, Cobb Judicial Circuit Superior Court ADR Program; Dr. Timothy K. Hedeem, Kennesaw State University; Rebecca Lew, Cobb Judicial Circuit Superior Court ADR Program; and Caitlin Livingston, DeKalb County Courts Dispute Resolution Center. The following guests observed by video: T.J. Bement, Tenth Judicial Administrative District Court Administrator; Tina Cloud, Fulton County Juvenile Court ADR Program; Lakesiya Cofield, Fulton County ADR Program; Melissa Coston, Columbia Judicial Circuit ADR Program; Carlene Redmond, Cobb Judicial Circuit Juvenile Court ADR Program; Lee Robbins, The Mediation Center of the Coastal Empire; Kathleen Sterne, Esq., Clayton Judicial Circuit ADR Program; and Josh Weeks, Whitfield County Juvenile Court.

I. Welcome

Chief Judge Morris called the meeting to order at 2:00 p.m.

II. 30th Anniversary remarks: Ms. Edith Primm, Esq.

Chief Judge Morris asked Ms. Edith Primm, Esq., to provide a brief history of the Commission in celebration of its 30th year. A digital copy of the 2018 publication *Georgia Commission on Dispute Resolution: The First 25 Years (a History)* can be found on the GODR website, under the section "About Us": <https://godr.org/about-us/>

III. Swearing in of new Members Hon. Pandora E. Palmer and Hon. Vic Reynolds

Chief Judge Morris administered the oath to incoming Commission members Judge Pandora E. Palmer, Flint Judicial Circuit Superior Court; and Judge Vic Reynolds, Cobb County Judicial Circuit Superior Court ADR Program.

IV. Roll Call of GCDR Members

Chief Judge Morris asked Ms. Tracy Johnson to conduct a roll call of all GCDR members and to acknowledge guests present.

V. Meeting Minutes from November 2: Approved via email

The minutes of the November 2 Commission meeting were approved prior to the meeting via e-mail vote on December 23, 2022.

VI. Standing Committee Reports:

a. Budget and Personnel Committee: Judge Clarence Cuthpert, Jr.

Budget documents were included in the meeting materials. Chief Judge Morris recognized Judge Clarence Cuthpert, Jr. as new chair of the Committee on Budget and Personnel. In his absence, Ms. Johnson reported on behalf of Judge Cuthpert.

Ms. Johnson advised that the budget is on track, with the percentage of project expenditures align with mid-year expectations.

No further budgetary issues or personnel matters were noted.

b. Ethics Committee: Judge Renata Turner

The Committee on Ethics last met on December 12, 2022.

Judge Turner reported that one (1) application was approved at the Committee's last meeting, with one (1) remaining application pending further Committee investigation.

Further, since the last Commission meeting, two (2) complaints were filed against separate mediators. One of these complaints is pending Committee review.

There are no pending appeals at this time.

The Ethics Committee will meet next on February 13, 2023.

c. Training and Credentials Committee: Ms. Nicole Hull, Esq.

The Committee on Training and Credentials last met on December 16, 2023.

Ms. Carole Collier and Ms. Johnson provided the Committee update on behalf of Ms. Hull.

Ms. Collier reported that, at its last meeting, the Committee considered one (1) request for a waiver of training requirements. The request sought additional time to complete the practicum portion of General Civil Mediation training, which is required to be completed (and an application for registration submitted) within the 18-month registration window. The request was denied by staff during processing of the application, and the applicant submitted a timely appeal to the Committee for consideration. The Committee did consider the appeal and ultimately denied the applicant's request for extension. The applicant has been invited to re-take the training and then re-apply for neutral registration.

Ms. Johnson further reported out that the Committee is working to finalize the requirements for both a new registration category and training requirements for mediation in probate courts. This initiative will require updates to both the Supreme Court Rules, Appendix B and the Training Program Guidelines. A draft of each is anticipated to be ready for review by the full Commission at their next meeting on May 3.

At their December meeting, the Committee also discussed ways to support, improve, and expand trainings in the areas with one (1) or fewer approved training programs -Early Neutral Evaluation, Juvenile Delinquency Mediation, and Juvenile Dependency Mediation

The Committee's next meeting is scheduled for February 24, 2023.

d. Outreach Committee: Mr. Hal Gray

The Outreach Committee last met on January 30.

Mr. Gray provided the following Committee updates:

1. A draft copy of the Court Program Handbook has been submitted to the working group and Ms. Johnson is coordinating a meeting for review. Once approved by the working group, the draft will be circulated to program directors for feedback. It is expected that a final version of Court Program Handbook will be presented for Commission review at the May 3 meeting. The final product will assist existing court ADR programs with remaining compliant and act as a guide for courts who want to develop a new program.
2. Ms. Johnson and Ms. Ellie Lanier continue to work on the implementation of probate court mediation, as discussed during the Training and Credentials standing committee report.
3. Conflict Resolution Week, which aligns with the international Conflict Resolution Day and the American Bar Association's Mediation Week, will be October 16-20, 2023. The Office would like to concentrate efforts during that time on providing free webinars, working on a Proclamation from Governor Kemp, and promoting the 30th Annual ADR Institute. The Committee is interested in any opportunity to collaborate with Georgia Bar and Atlanta Bar Dispute Resolution Sections, JAMS, the American Arbitration Association on Conflict Resolution Week initiatives.

4. In continued partnership with the Georgia Child Support Commission, the Office will hold two (2) mediator-only child support trainings in 2023 (or more, if there is a demand).
5. Plans are underway to host program directors at a one-day event leading up to the 30th Annual ADR Institute.

The committee's next meeting is set for April 23, 2023.

e. Domestic Violence Rules Committee: Ms. Peggy McCoy Wilson

The Committee last met on October 17, 2022.

Ms. Wilson noted that there has been continued conversations regarding mediation in Temporary Protective Order (TPO) cases. On February 1, 2023, Ms. Johnson participated in a monthly TPO forum, coordinated by the Georgia Commission on Family Violence. During this monthly meeting, DV Advocates and Legal Aid attorneys informally discuss issues and/or challenges faced by their community and share in offering assistance or guidance. Ms. Johnson was invited to provide an overview of the DV Rules (Supreme Court Rules, Appendix D) and offer the group a background on why there is no longer mediation allowed in TPOs. The feedback was positive and will be shared at the Commission meeting on May 3.

The Committee is scheduled to meet next on May 15, 2023.

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

a. 2022 ADR Institute Update

The 29th Annual ADR Institute was held on Friday, November 18, at the Georgia Tech Hotel & Conference Center. This was the first in-person ADR Institute in two (2) years, though ticket options included virtual attendance (via livestream). There were 512 total attendees, which includes 170 in-person attendees, 305 virtual attendees, and 37 guests (Commission members, staff, speakers, etc.). The Georgia Courts Registrar team was onsite to assist with neutral registration renewal.

Judge Charles E. Auslander III, State Court judge and former GCDR Chair, was selected by a committee to be the 2022 recipient of the Harold G. Clarke Award.

For the first time, the conference had sponsors: FourthParty (a case management tool for mediations) owned and operated by Gino and Melissa Brogdon; and UGA School of Law's new Certificate in ADR Program, headed by Daniel Serviansky.

GODR would like to thank:

- Justice John Ellington for delivering welcome remarks
- Justice Carla Wong McMillian for serving as a session panelist
- Hon. Rebecca Crumrine Rieder for her presentation on domestic relations
- Ben Luke (JC/AOC) for his presentation on cybersecurity
- Kristy King (JC/AOC) for her role in managing the updated ticketing system

- Carole Collier (JC/AOC) for onsite assistance
- Hal Gray III (GCDR Member and former Clarke Award Recipient) for his presentation of the Harold G. Clarke Award to Judge Auslander.
- Dr. Timothy K. Hedeem (KSU and former GCDR Member) for his ethics presentation
- The magical, irreplaceable Kriste Pope (JC/AOC) for her assistance with sponsorships, conference logistics, onsite assistance, and dazzling everyone with her enthusiasm, calm resolve, and warm spirit.

b. 2022 Neutral Registration Renewal

In total, 2,438 neutrals completed their registration renewal during the on-time renewal period. The late renewal period will end on February 28, and notices continue to be sent to those neutrals which have not yet renewed. There are currently 2,726 neutrals in approved/pending approval status and 430 neutrals in active-needs renewal status.

c. Data Collection Plan

A copy of the final Data Collection Plan was included with the meeting materials. Data collection for calendar year 2022 began on January 3, 2023, and will end of March 15, 2023. All programs utilizing the GODR case management system (ScheduleADR) will automatically transmit their data; all others will submit their data via the JC/AOC reporting portal.

d. Strategic Projects Update

1. **Neutral Registration System:** Mr. Ben Luke was present for the meeting and provided an update on this project. Since the JC/AOC has taken over the Georgia Courts Registrar system, they have made the application portable (removed from a static technology platform) so that it can be hosted on whichever platform is most suitable. There is a plan for migrating it to Amazon Web Services (AWS). Current functionality updates include a focus on security, where new automation allows for bugs to be identified and fixed significantly quicker. Future improvements will include better business continuity and dynamic system growth, generally, and improved searching for registered neutrals and more intuitive reporting for administrators, specifically.

Mr. Luke shared that GODR has been a pleasure to work with – a sentiment equally expressed at the meeting by both GODR and Chief Judge Morris.

2. **Court Outreach – Expansion and Enhancement:** GODR conducted orientation with the new Fulton Juvenile Court mediation coordinator, Ms. Tina Cloud, on November 10, 2022.

The Restorative Conferencing Atlanta (RCA) working group briefly met on November 16. RCA is in conversation with Cobb County Juvenile Court regarding expanding services. Additionally, RCA was asked by the Criminal Justice Coordinating Council (CJCC) Domestic Violence and Community

Programs Unit to conduct a conference with an associated community DV center in Waycross. The conference helped the group successfully resolve – or create a plan for resolving – their internal issues. RCA hopes to continue the collaboration with CJCC.

An update regarding work in probate court was addressed earlier in the meeting.

3. **Case Management System:** There are now a total of 17 ADR Programs using ScheduleADR.
4. **Online Dispute Resolution (includes virtual):** Information on online/virtual dispute resolution will be added to a mediator best practices document, on which Ms. Collier is currently working.
5. **Public Education/Resources:** GODR's former intern, Mr. Onalapo Obilade, had worked on developing public resources for the GODR website. Major developments to the website are on hold for reassessment and website review. GODR will be "scrubbing" the website again in 2023 to ensure it remains modern, relevant, and easy-to-use.

There has been an uptick in requests from the public for legal advice via the "contact us" web form on godr.org. Ms. Collier will be putting together language for a legal disclaimer which will be added to the "contact us" page to clarify the role of GCDR/GODR and where the public may go for legal resources.

6. **Expansion of Neutral Services:** GODR will meet with the Georgia Child Support Commission on January 25 to discuss scheduling two (2) child support calculator trainings for mediators in 2023.
7. **Court Program Support:** While the Court Program Handbook was discussed previously in the meeting, it was further noted here that the resource will include a policy on use of fees as well as criteria for establishing an approved court ADR program and then to remain in good standing.
8. **DV Rules and ADR Conference** were discussed earlier in the meeting. **UMA, Statewide Partnerships, and Annual Report:** No new updates to report.

e. Upcoming Events

1. Conferences

Georgia Council of Court Administrators (GCCA)

The Spring 2023 GCCA conference will be held March 15-17 at Callaway Gardens in Pine Mountain. Both Ms. Johnson and Ms. Pope have taken on an active role as co-chairs of the Conference Committee, which is responsible for all planning.

VIII. New Business

a. **Committee Appointments**

Chief Judge Morris will be reaching out to Commission members regarding new appointments. If members are interested in particular committees, they were asked to let her know.

b. **National Center for State Courts (NCSC) Eviction Diversion Initiative Grant**

Ms. Johnson, a member of the Judicial Council Standing Committee on Access to Justice, informed the Commission on a NCSC Eviction Diversion Initiative Grant, which the Committee is exploring as a means to fund providing mediation services for those underserved in areas of Georgia deemed “legal deserts”.

Several Commission members asked a few questions, which were briefly discussed. As the initiative is new, Ms. Johnson was seeking approval from the Commission to, in her role as Executive Director of GODR, continue exploring this possible grant. While a formal vote was not deemed necessary, Commission members orally approved further exploration, and any updates will be provided at future meetings.

IX. Old Business

There was no old business to report.

X. Chairman’s Report: Chief Judge Morris

Chief Judge Morris noted that an executive session will be added to both the May and November Commission meetings; the May meeting is important, as it will include a vote on the annual budget, and the November meeting will include strategic planning for calendar years 2024 – 2027.

Further, she reminded the group of the Commission’s 30th Anniversary in 2023 and recognized the work of the Outreach Committee to create a formal celebration via Conflict Resolution Week and recognition at the ADR Institute.

XI. Recognition of outgoing member Judge Jane C. Barwick

The Commission recognized Judge Jane C. Barwick for her service to the Commission. Judge Barwick served the Commission for six (6) years, including her tenure as Chair from 2019 to 2021 and as Chair of the Committee on Ethics from 2018 to 2019.

As a fun fact, it was highlighted that Judge Barwick, a native Atlantan, has run the Peachtree Road Race (established in 1970) a whopping 46 times in a row.

XII. 2023 Commission Dates: May 3; August 9; November 29

The next meeting is scheduled for May 3, at 2:00 p.m. and will be held virtually. The remaining dates are August 8 (virtual) and November 29 (in-person).

XIII. Adjournment

The meeting concluded at approximately 3:05 p.m.

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

[Minutes approved via email March 10, 2023]



(L-R) Tracy B. Johnson; Chief Judge M. Cindy Morris; Judge Pandora E. Palmer; and Judge Vic Reynolds



(L-R) Chief Judge M. Cindy Morris; Judge Jane C. Barwick; and Tracy B. Johnson