



# Georgia Commission on Dispute Resolution Meeting *(Virtual)*

Wednesday, May 3, 2023

2:00 – 4:00 p.m.

Via Zoom: Please email [gaodr@georgiacourts.gov](mailto:gaodr@georgiacourts.gov) by COB on Tuesday, May 2 to receive the link

## AGENDA

- I. Welcome: Chief Judge M. Cindy Morris
- II. Swearing in of new member: Judge Sara Doyle, Georgia Court of Appeals
- III. Roll call
- IV. Meeting Minutes from February 8, 2023: *Approved via email*
- V. Standing Committee Reports:
  - a. Budget and Personnel Committee: Judge Clarence Cuthpert, Jr.
  - b. Ethics Committee: Judge Renata Turner
  - c. Training and Credentials Committee: Ms. Melissa Heard
  - d. Outreach Committee: Mr. Hal Gray, Esq.
  - e. DV Rules Implementation Committee: Ms. Peggy Wilson
- VI. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
  - a. 2022 Neutral Late Registration Renewal
  - b. 2022 Data Collection
  - c. Strategic Projects update
  - d. Upcoming conferences:
    1. ABA Dispute Resolution: May 10-12
    2. Association of Family and Conciliation Courts: May 31-June 3
    3. National Association of Court Management: July 10-13
    4. Georgia Gerontology Association: July 24-26
- VII. New Business:
  - a. Action Items
    1. Rule Revisions
      - i. Appendix B [Doc #3]
      - ii. Training Program Guidelines [Doc #4]
    2. Court Program Handbook [Doc #5]
      - i. Filing Fee Policy [Doc #6]
      - ii. Maintaining Good Standing Policy [Doc #7]

- VIII. Chairman's Report: Chief Judge Morris
- IX. Old Business
  - X. Recognition of outgoing member Vice Chief Judge Amanda Mercier, Georgia Court of Appeals
- XI. 2023 Commission Dates: August 9 (*virtual*); November 29 (*in-person*)
- XII. Adjournment



# Georgia Commission on Dispute Resolution Meeting Minutes Wednesday, May 3, 2023

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

The Hon. Rebecca Crumrine Rieder; N. Staten Bitting Jr., Esq.; Judge Clarence Cuthbert Jr.; Mary S. Donovan, Esq.; Presiding Judge Sara L. Doyle; Herbert H. (Hal) Gray III, Esq.; Melissa C. Heard; Judge Carrie B. Markham; Patrick T. O'Connor; Judge Pandora E. Palmer; Edith B. Primm, Esq.; Judge Renata D. Turner; Randall Weiland; and Peggy Wilson.

Tracy B. Johnson, Executive Director; and Karlie A. Sahs, Deputy Director.

JC/AOC staff members present were Carole Collier, Esq., Staff Attorney; Stephanie Hines, Judicial Services Division Director; Kriste Pope, Information Systems Analyst; and Jeffrey Thorpe, Judicial Caseload Data Manager.

The following guests observed: Abby Carter, Gwinnett Courts ADR Program; Tina Cloud, Fulton County Juvenile Court ADR Program; Lakesiya Cofield, Fulton County ADR Program; Rebecca Lew, Cobb County Superior Court ADR Program; Liesl Owen, Sixth Judicial Administrative District ADR Program; Carlene Redmond, Cobb Judicial Circuit Juvenile Court ADR Program; Lee Robbins, The Mediation Center of the Coastal Empire; Olivia Rudder-Wilson; DeKalb County Juvenile Court ADR Program; Kathleen Sterne, Esq., Clayton Judicial Circuit ADR Program; and Brittany Whaley, Seventh Judicial Administrative District ADR Program.

## **I. Welcome**

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

## **II. Swearing in of new member Presiding Judge Sara Doyle: Justice John J. Ellington**

Justice John J. Ellington administered the oath to Presiding Judge Sara L. Doyle, Georgia Court of Appeals, during Executive Session.

## **III. Roll Call of GCDR Members**

Chief Judge Morris asked Ms. Karlie Sahs to conduct a roll call of all GCDR members.

## **IV. Meeting Minutes from February 8, 2023: *Approved via email***

The minutes of the February 8 Commission meeting were approved prior to the meeting via e-mail vote on March 10, 2023.

**V. Standing Committee Reports:**

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

Budget documents were included in the meeting materials Judge Cuthpert advised that the budget remains healthy, with revenue and expenditures in line with fiscal year expectations. Further, the Commission passed the Fiscal Year 2024 (July 1, 2023, through June 30, 2024) budget. The FY24 budget reflects continued funding for the strategic projects, including the case management system (ScheduleADR).

No further budgetary issues or personnel matters were noted.

**b. Ethics Committee: Judge Renata Turner**

The Committee on Ethics last met on April 10, 2023.

Judge Turner reported that one (1) application was denied at the Committee's last meeting, with one (1) remaining application pending further Committee investigation. There are three (3) new applications pending staff review.

Further, since the last Commission meeting, one (1) complaint was filed against a mediator, and one (1) complaint was dismissed after a finding that the mediator had not violated any ethical standards.

There are no pending appeals at this time.

The Ethics Committee will meet next on August 14, 2023.

**c. Training and Credentials Committee: Ms. Melissa Heard**

The Committee on Training and Credentials last met on April 21, 2023.

Ms. Heard reported that, at its last meeting, the Committee reviewed and approved training requirements for two (2) Inactive IV applicants for reinstatement. Since Appendix B was updated in 2021, this is the first time neutrals have been placed in Inactive IV status and are eligible for reinstatement.

Changes to Appendix B and the Training Program Guidelines were presented to the Commission for a vote under the meeting agenda Action Items.

The Committee's next meeting is scheduled for July 28, 2023.

**d. Outreach Committee: Mr. Hal Gray**

The Outreach Committee last met on April 23, 2023.

Mr. Gray thanked Committee members for their continued active involvement and provided the following Committee updates:

1. Conflict Resolution Week – October 16-20: GODR is collaborating with the State Bar of Georgia Dispute Resolution Section to plan a number of activities/events for the week. Importantly, the Office will seek a proclamation from the Governor. Mr. Gray and Ms. Johnson have been asked to present as part of the State Bar of Georgia Dispute Resolution Section’s day-long program for Mediation Day on October 19. This presentation will highlight the work of the Commission and the Office.
2. The Office is again teaming up with the Georgia Child Support Commission to provide mediator-only training on the child support calculator. These will be the full 1-hour guidelines & calculator training with an extended Q&A, to be held on May 12 and September 15.
3. On November 17, GODR will host a one-day event for court ADR program directors, following the ADR Institute. GODR has asked program directors for suggested topics so that the agenda is specific to their needs.

Probate Court Mediation was discussed during the Committee on Training and Credentials report. Further, the new Filing Fee Policy and Policy on Maintaining Good Standing (items from the Court Program Handbook) were presented to the Commission for a vote under the meeting agenda Action Items.

The committee’s next meeting is set for July 24, 2023.

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

The Committee last met on October 17, 2022.

Ms. Wilson noted that, since the February Commission meeting, Ms. Johnson participated in a Temporary Protective Order (TPO) forum on February 1, 2023. This informal monthly gathering of DV Advocates, Legal Aid attorneys, and others in the DV community is used as a sounding board and safe space to brainstorm ideas on addressing current issues or challenges. Like previous discussions, there was an outpouring of support for the Commission to reconsider its position on the prohibition of mediation of issues in a TPO. Following the discussion, Ms. Johnson reached out to the Georgia Commission on Family Violence Executive Director, Ms. April Ross, and asked for a meeting for representatives of both Commissions to discuss this topic, as the DV Rules were revised through a collaborative partnership. It is expected that a meeting will occur in May or June, with a full report to the Commission at its August meeting.

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

## VI. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs

### a. 2022 Neutral Registration Late Renewal

The late renewal period for neutral registration is from January 1 through February 28/29 annually. In total, 187 neutrals completed their registration renewal during this year's late renewal period. This figure does not include registration reinstatements. Total reinstatements are as follows:

Inactive I: 16  
Inactive II: 3  
Inactive III: 4  
Inactive IV: 1  
Inactive V: 0

### b. 2022 Data Collection

GODR has concluded ADR data collection for calendar year 2022 (CY22), marking the first year that data was extracted from the case management system (CMS) ScheduleADR. As there was a minor glitch in the report functionality, programs using the CMS were given through April 28 to export their reports (GODR does not pull data from the system). All ScheduleADR users must have been utilizing the system for the entirety of 2022 to report data via CMS report (11 programs total); all others, including those not using ScheduleADR at all, were to report data to the judicial council/AOC caseload portal (24 programs total). Mr. Jeffrey Thorpe's team will be gathering all data and creating a comprehensive data report for CY22.

### c. Strategic Projects Update

The current Strategic Projects cover 2021-2023. The Commission will meet this Fall to discuss an updated plan for strategic projects.

1. **Neutral Registration System:** Mr. Ben Luke provided a written report for updates to the Georgia Courts Registrar integration, which was then presented by Ms. Johnson.

Mr. Luke's team is focused on three areas: security, reporting/data, and "quality of life" improvements. Specifically, these include: 1) designing multi-factor authentication for login; 2) restructuring the database to be more accessible and timelier, importantly allowing Ms. Johnson and Ms. Sahs will be able to run reports without requesting from IT or the GCR team; and 3) monitoring poorly written and implanted code to develop and deploy efficient improvements.

2. **Court Outreach – Expansion and Enhancement:** GODR plans to develop an implementation plan for the roll out of Probate Mediation. Further updates regarding relative changes to Appendix B and the Training Program Guidelines were discussed during Action Items.

There are no new updates for Juvenile Court support.

3. **Public Education/Resources:** GODR's former intern, Mr. Onalapo Obilade, worked on developing public resources for the GODR website. A new summer intern will begin on May 22 and continue this work. This intern will also assist GODR in assessment and updates to the website (godr.org) ensure it remains modern, relevant, and easy-to-use for the public, registered neutrals, and other stakeholders.

Ms. Sahs also provided a demonstration of a new website page which features upcoming training dates. For those interested in new neutral registration or registration in a new category.

4. **DV Rules and Court Program Support** were discussed earlier in the meeting. **Online Dispute Resolution, Statewide Partnerships, and Annual Report:** No new updates to report. **Case Management System, Expansion of Neutral Services, and UMA, and ADR Conference:** Projects completed.

#### d. Upcoming Conferences

1. **ABA Dispute Resolution: May 10-12**  
Las Vegas, NV; Ms. Johnson will attend
2. **Association of Family and Conciliation Courts: May 31-June 3**  
Los Angeles, CA; Ms. Sahs will attend
3. **National Association of Court Management: July 10-13**  
Tampa, FL; Ms. Johnson and Ms. Sahs will attend
4. **Georgia Gerontology Association: July 24-26**  
Lake Oconee, GA; Ms. Johnson is presenting with Ms. Ellie Lanier

## VII. New Business

### a. Action Items

1. Rule Revisions

Ms. Heard provided a review of proposed revisions to Appendix B, which includes: 1) new rules and qualifications for registration in Probate Mediation (a new category); 2) clearer guidelines for training waivers for applicants with neutral training not pre-approved by GODR; and 3) clarification that observation and co-mediation for Domestic Relations Mediation must be with a neutral registered in said category and related to a case which has been filed in a Georgia court.

A motion was made by the Committee on Training and Credentials to approve the revisions as presented; all members voted in favor. Chief Judge Morris held a proxy vote for absent GCDR members Judge Vic Reynolds and Nicole Heard, Esq. Changes will become effective on July 1,

2023, and those currently mediating probate cases will have until July 1, 2024, to receive training and apply for category registration.

Ms. Heard provided a review of proposed revisions to the Training Program Guidelines, which covers the required qualifications and curriculum for Probate Mediation training programs.

A motion to approve the revisions as presented was made by the Committee on Training and Credentials; all members voted in favor. Chief Judge Morris held a proxy vote for absent GCDR members Judge Vic Reynolds and Nicole Heard, Esq. Changes will become effective on July 1, 2023

## 2. Court Program Handbook

Mr. Gray provided an overview of the new Court Program Handbook, which will serve as a guide for both courts who wish to create a new court ADR program and for existing court ADR programs. The handbook includes existing materials, such as the Supreme Court ADR Rules, ADR-related legislation, etc. Two new documents were created for the handbook: Filing Fee Policy and Policy on Maintaining Good Standing, which are meant to guide court ADR programs in the use of ADR funds and other ways which to remain in compliance with GCDR.

A motion was made by the Outreach Committee to approve the two policies; all members voted in favor. Chief Judge Morris held a proxy vote for absent GCDR members Judge Vic Reynolds and Nicole Heard, Esq. Changes will become effective July 1, 2023, and will be released with publication of the Court Program Handbook.

## **VIII. Chairman's Report: Chief Judge Morris**

Chief Judge Morris shared that GCDR Members Representative Rob Leverett and Mary Donovan as well as Ms. Johnson attended HB 80 bill signing with Governor Kemp. Ms. Donovan gave a brief review of HB 80, which was created to address an issue with international clients who may now sign under penalty of perjury in lieu of requiring a notary signature for legal matters, including arbitration and mediation.

Chief Judge Morris noted that an informal directive has been given by the Supreme Court to create a GCDR member succession plan to begin rolling off members who have had extensive terms. New appointments orders will state five (5) years as member terms.

Further, she announced that the Commission is creating a new award – the Partner in Progress Award – to recognize organizations or individuals for their outstanding service contributions to GCDR and its work. The award is still in development but is expected to be presented inaugurally at the 2023 ADR Institute.



**IX. Old Business**

There was no old business to report.

**X. Recognition of outgoing member Vice Chief Judge Amanda Mercier**

The Commission recognized Vice Chief Judge Amanda Mercier for her service to the Commission. Judge Mercier served the Commission for seven (7) years, including as a member of the Committee on Budget & Personnel. Judge Mercier is expected to be sworn in as Chief Judge of the Georgia Court of Appeals on July 1, 2023.

**XI. 2023 Commission Dates: August 9: November 29**

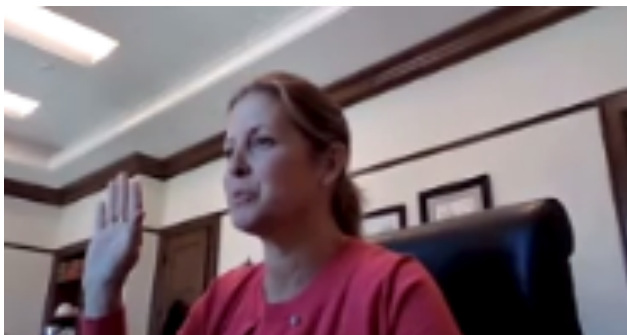
The next meeting is scheduled for August 9, at 2:00 p.m. and will be held virtually. The remaining meeting date is November 29 (in-person).

**XII. Adjournment**

The meeting concluded at approximately 2:53 p.m.

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

[Minutes approved via email June 2, 2023]



*Presiding Judge Sara L. Doyle, Georgia Court of Appeals, recites the oath via virtual swearing-in.*



*HB 80 bill signing*