



Georgia Commission on Dispute Resolution Meeting

Wednesday, November 29, 2023

2:00 – 4:00 p.m.

State Bar of Georgia, Room #1

AGENDA

- I. Welcome: Chief Judge M. Cindy Morris
- II. Roll call
- III. Meeting Minutes from August 9, 2023: *Approved via email*
- IV. Standing Committee Reports:
 - a. Budget and Personnel Committee: Chief Judge Clarence Cuthpert, Jr.
 - b. Ethics Committee: Presiding Judge Renata Turner
 - c. Training and Credentials Committee: Ms. Melissa Heard & Ms. Nicole Hull
 - d. Outreach Committee: Mr. Hal Gray, Esq.
- V. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
 - a. Updates:
 1. 2023 Neutral Registration Renewal
 2. 2023 Training Renewals
 3. 30th Annual ADR Institute
 4. 2023 Program Directors' Conference
 5. Probate Mediation Implementation Plan Updates
 - i. 2024 Training Sessions
 - ii. 2024 National Aging and Law Conference Invitation
 6. Strategic Projects
 - i. Current Project List
 - ii. FY 2025-2027 Project List
- VI. Chairman's Report: Chief Judge Morris
 - a. Special recognitions
- VII. Old Business
- VIII. 2024 Commission Dates: February 7 @ State Bar (*in person*); May 8 (*virtual*); August 14 (*virtual*); December 4 @ Mercer Law School (*in person*).
- IX. Adjournment



Georgia Commission on Dispute Resolution Meeting Minutes

Wednesday, November 29, 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:

N. Staten Bitting Jr., Esq.; Chief Judge Clarence Cuthbert Jr.; Mary S. Donovan, Esq.; Presiding Judge Sara L. Doyle; Herbert H. (Hal) Gray III, Esq.; Melissa C. Heard, MSSW; Judge Carrie B. Markham; Judge Pandora E. Palmer; and Randall Weiland attended in person. Judge Vic Reynolds viewed the meeting virtually.

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

JC/AOC staff members present were Carole Collier, Esq., Staff Attorney; Ben Luke, JC/AOC Chief Technology Officer; and Andrew Zoll, Chief Budget Officer.

The following guests viewed the meeting virtually: Lynn Ansley, Seventh Judicial Administrative District Court Administrator; Abby Carter, Gwinnett Judicial Circuit ADR Program; Lakesiya Cofield, Fulton County ADR Program; Jan East, Dublin Judicial Circuit ADR Program; Ellen Lahtinen, Kennesaw State University; Rebecca Lew, Cobb County Superior Court ADR Program; Rebecca Lindsey, Coweta County ADR Program; Valerie Lyle, 9th Judicial Administrative District ADR Program; Liesl Owen, 6th Judicial Administrative District ADR Program; Lee Robbins, The Mediation Center of the Coastal Empire; Kathleen Sterne, Esq., Clayton Judicial Circuit ADR Program; and Shannon Watts, Southern Judicial Circuit ADR Program.

I. Welcome

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

II. Roll Call of GCDR Members

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

III. Special Announcement and Remembrance

Chief Judge Morris called for a moment of silence in remembrance of Robert (Bob) Berlin, Esq. who passed away on November 22, 2023. Bob was a longtime registered neutral and ADR training provider.

IV. Meeting Minutes from August 9, 2023: Approved via email

The minutes of the August 9 Commission meeting were approved prior to the meeting via e-mail vote on September 8, 2023.

V. Standing Committee Reports:

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

Chief Judge Cuthpert talked through each section of the budget report (provided with the meeting materials). He explained that although the year-to-date revenue is significantly lower than the current expenditures, this is expected to be rectified at the conclusion of the 2023 registration renewal (and late renewal) period. As of the end of September, the Office has spent 23% of its operating budget, which is in line with budgeted expectations. Special projects are ongoing, with associated expenditures aligning with the budgeted expectations.

No further budgetary issues or personnel matters were noted.

b. Ethics Committee: Judge Renata Turner

The Committee on Ethics last met on October 16, 2023.

Ms. Carole Collier reported on behalf of Judge Turner, sharing that, in total for 2023, the Ethics Committee received ten (10) complaints. Of these, nine (9) have been dismissed, and one (1) is currently under investigation and pending Committee review.

Further for 2023, the Committee has received eleven (11) applications requiring review. Of these, five (5) have been approved, two (2) have been denied, and four (4) are currently pending Committee review.

There are no pending appeals at this time.

The first draft of the *Best Practices for Neutrals* guide has been finalized and is currently being reviewed for edits by the Ethics Committee. The Committee's goal is to present the guide to the full Commission at the February 7, 2024, meeting.

The Ethics Committee will meet next on December 11, 2023.

c. Training and Credentials Committee: Ms. Melissa Heard

The Committee on Training and Credentials last met on October 3, 2023.

Ms. Heard reported that, at its last meeting, the Committee considered two (2) appeals:

The first appeal was a request for an extension of time for an individual to complete their application for registration as a general civil mediator. Due to personal circumstances, the applicant was unable to complete the application

and pay their fee by the deadline. The Committee voted to allow the applicant to submit their application by the end of the year, as long as the applicant also completed three hours of continuing education.

The second appeal arose from a denial of a request to waive the renewal requirements for a mediator who allowed their registration to lapse. The neutral was in Inactive II status and would have been required to pay a renewal fee of \$350, and complete 7 hours of continuing education. This was requested because the neutral was traveling out of the country for work for two years and the individual was not using their registration. This request was denied as the individual had made accommodations for their law license to be inactivated while they were out of the country and no similar attempts were made for their registration with the GODR. Additionally, it was noted that Appendix B was amended while the individual was out of the country, and these changes worked to their benefit as they would have been required under the old rules to complete all of the initial requirements for registration.

The Committee's next meeting is scheduled for December 15, 2023.

d. Outreach Committee: Mr. Hal Gray

The Outreach Committee last met on October 30, 2023.

Mr. Gray provided the following Committee updates:

1. Conflict Resolution Week was October 15-21. Hal and Tracy participated in the State Bar of GA Dispute Resolution's one-day event on October 19, providing information about the Commission to the program viewers. Additionally, GODR facilitated an official proclamation of Dispute Resolution Week from Governor Brian P. Kemp.
2. A letter from the Outreach Committee has been drafted to send to courts in areas of Georgia which are underserved by ADR. The letter is being reviewed for edits and will be co-signed by the Outreach Committee Chair, Hal Gray, and the GCDR Commission Chair, Chief Judge Morris.
3. On November 6, Ms. Johnson traveled to Nashville, Georgia, to meet with Lisa Hancock, the new court ADR program director for the Alapaha Judicial Circuit.
4. The 2023 ADR Program Directors' Conference was held November 15-17 at the State Bar of Georgia Conference Center. Programming was the full Probate Mediation training, with information for administrating the case type under the new rules (within the Supreme Court ADR Rules, Appendix B).

The Committee's 2024 meetings will be set by the end of 2023.

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

a. 2023 Neutral Registration Renewal

Registered neutrals were sent an initial renewal notice and invoice on October 1. Neutrals will receive reminders, up to six (6) in total, until they either renew or the on-time registration period ends. So far, 989 neutrals have completed their registration renewal. The on-time renewal period is October 1 through December 31 (at 12pm) annually. The late renewal period will begin on January 1, 2024, and end on February 29, 2024.

b. 2023 Training Renewals

This year, the Domestic Relations Mediation training programs were due to complete a renewal application. Applications have been submitted by the trainers, and GODR will begin processing them in December.

c. 2023 ADR Institute

The 30th Annual ADR Institute was held on Thursday, November 16, at the State Bar of Georgia Conference Center. As the event was less than two weeks prior, a full report, including financial analysis, is not yet available. However, there were approximately 540 attendees, not including sponsors, speakers, Commission members, staff, and guests.

For the first time, the conference had *exhibitors* at the event. In total, nine (9) conference sponsors – of different sponsorship tiers – exhibited onsite.

GODR offered free livestream registration to any University System of Georgia-affiliated law school ADR programs.

Terrence Croft, Esq. was selected by a committee to be the 2023 recipient of the Harold G. Clarke Award.

GODR would like to thank:

- Chief Judge Morris delivering welcome remarks
- Judge Carrie Markham for serving on a panel session
- Former Commission Member Tim Hedeem for both serving as co-emcee and wrapping up the day with an interactive session on ethics
- The Georgia Child Support Commission for providing a session on the GA Child Support Guidelines, Calculator, and Income Deduction Orders
- Kristy King (JC/AOC) for her role in managing the updated ticketing system
- Jasmine Jackson (JC/AOC) for developing updates to the ticketing system
- Carole Collier (JC/AOC) for onsite logistics and attendee support
- Scott Zucker (State Bar DR Section Chair) for serving as co-emcee
- The Georgia Courts Registrar Staff (JC/AOC) for assisting neutrals onsite with registration renewal
- Mr. Onalapo Obilade and Missus Christine Collins, Alexis Jones, and Laura Lynn Swafford for volunteering onsite.
- GODR would especially like to extend the utmost gratitude for the enchanting Kriste Pope (JC/AOC) for: her willingness to assist with anything and everything, facilitating sponsorships, onsite technical prowess, and a contagiously kind disposition. The ADR Institute would not have been a success without her.

d. 2023 Program Directors' Conference

In total, thirteen (13) program directors and staff attended this 3-day Probate Mediation training. In addition, four (4) Commission members also attended the training. Leading the training was Ms. Eleanor Crosby Lanier, who has been contracted with GODR to assist with creating training guidelines and, further, develop the training curriculum. Ms. Lanier was assisted by Ms. Barbara Koll and Ms. Rebecca Zimmerman. Ms. Johnson thanked Judge Markham for lending her expertise to the rule and training development, the Program Directors' Conference training, and the panel at the ADR Institute.

e. Probate Mediation Implementation Plan

Following the Probate Mediation training with program directors, Ms. Johnson and Ms. Lanier are taking a strategic pause to make modifications to the training based on takeaways from the event. There will be five (5) trainings in 2024, but the dates and locations are being re-negotiated.

Ms. Johnson, Ms. Lanier, and Judge Markham will be traveling to Miami for the American Bar Association's National Aging and Law Conference. The conference will be held on May 16-18, 2024, at the University of Miami School of Law (Coral Gables, FL). On May 18, the group will present on the development of Probate Mediation rules/training in Georgia.

f. Strategic Projects

The current Strategic Projects are in effect through the current fiscal year (FY), ending June 30, 2024. Prior to the open meeting, the Commission met to set the new projects, which will be effective FY 2025 (beginning July 1, 2024) through FY 2027 (ending June 30, 2027). Updates to the current strategic projects are as follows:

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 worked on rebuilding the back end, which is now complete. Mr. Luke shared that his team is now ready to accept feedback for user and admin functionality improvements. GODR will assess for redesign suggestions over the following months. The priority at this time is to enable GODR staff to run reports.
2. **Public Education/Resources:** Mr. Timothy Hedeem (KSU, former Commission Member) is in the final stages of developing a preparation video for parties of a mediation. He has graciously offered to give the resource to GODR to add as a resource on <https://godr.org/>
3. **Expansion of Neutral Services:** The Ethics Committee is currently reviewing the first draft of a *Best Practices Guide for Neutrals*.
4. **ADR Conference** was discussed earlier in the meeting. **Court Outreach – Expansion and Enhancement, Online Dispute Resolution (includes virtual), Statewide Partnerships, and Annual Report:** No new updates

to report. **Case Management System, DV Rules, UMA, and Court Program Support:** these are completed projects without updates.

VII. Chairman’s Report: Chief Judge Morris

Chief Judge Morris thanked Ms. Sahs for her work on the ADR Institute.

Chief Judge Morris announced that Ms. Edith Primm is concluding her longtime service to the Commission. Ms. Primm was appointed in January of 2008 and led the Commission through its most critical period, saving the existence of the Office, in her time as Chair from June 2009 to September 2012. In 2015, Ms. Primm was the Chief Justice Harold G. Clarke Award.

Additionally, it was announced that Ms. Primm is also stepping down in her role as Executive Director of the Justice Center of Atlanta; fellow Commission member Ms. Melissa Heard will be filling her shoes, effective January 1, 2024.

VIII. Old Business

There was no old business to report.

IX. 2024 Commission Dates: February 7; May 8; August 14; December 4

The next meeting is scheduled for February 7, at 2:00 p.m. and will be held in Room 1 of the State Bar of Georgia Conference Center. The remaining dates are May 8 (virtual), August 14 (virtual), and December 4 at Mercer Law School (in-person). In-person meetings will have the option for Commission members and guests to *observe* remotely, but remote *participation* will not be allowed.

X. Adjournment

The meeting concluded at approximately 2:37 p.m.

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

[Minutes approved via email January 5, 2024]