



Georgia Commission on Dispute Resolution Meeting
Wednesday, August 14, 2024
2:00 – 4:00 p.m.
(Virtual)*

AGENDA

- I. Welcome: Chief Judge M. Cindy Morris
- II. Roll call
- III. Meeting Minutes from May 8, 2024: *Approved via email*
- IV. Standing Committee Reports:
 - a. Budget and Personnel Committee: Judge Clarence Cuthpert, Jr.
 - b. Ethics Committee: Chief Presiding Judge Renata Turner
 - c. Training and Credentials Committee: Ms. Melissa Heard & Ms. Nicole Hull
 - d. Outreach Committee: Mr. Hal Gray
 - e. DV Rules Committee: Ms. Peggy Wilson
- V. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
 - a. Probate Mediation Implementation Plan Updates
 - b. 31st Annual ADR Institute – November 21, 2024
 - c. Strategic Projects List
 - d. Upcoming conferences:
 1. Georgia Council of Court Administrators, September 22-25
- VI. New Business
- VII. Chairman's Report: Chief Judge Morris
- VIII. Old Business
- IX. 2024 Commission Dates: December 4 @ 10 a.m. Mercer Law School (*in person*)
- X. Adjournment

****Please send an email to gaodr@georgiacourts.gov no later than COB on August 13, 2024, for the meeting access information.***



Georgia Commission on Dispute Resolution Meeting Minutes

Wednesday, August 14, 2024

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

Justice John J. Ellington; Judge Clarence Cuthpert Jr.; Mary S. Donovan, Esq.; Presiding Judge Sara L. Doyle; Herbert (Hal) Gray III, Esq.; Judge Carrie B. Markham; Judge Vic Reynolds; and Randall Weiland. Melissa C. Heard and Patrick T. O'Connor observed by phone.

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

JC/AOC staff members present were Andres Bosque, Data Analyst; Cynthia Clanton, Esq., Director; Carole Griffith (nee Collier), Staff Attorney; Stephanie Hines, Judicial Services Division Director; Dylan Long, Research Analyst; Ben Luke, Chief Technology Officer; and Kriste Pope, Information Systems Analyst.

The following guests observed: TJ BeMent, 10th Judicial District Court Administrator; Rita Carroll, Carroll County ADR Program; Melissa Coston, Columbia Judicial Circuit ADR Program; Ashley Ivey, 10th Judicial District ADR Program; Ellen Lahtinen, Kennesaw State University; Pam Manning, The Mediation Center of the Coastal Empire; Sabina Medina, Conasauga Judicial Circuit ADR Program; Andrew Snyder, The Mediation Center of the Coastal Empire; Kathleen Sterne, Esq., Clayton Judicial Circuit ADR Program; Libby LeTourneau, Chatham County Juvenile Court; 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.

III. Meeting Minutes from May 8, 2024: Approved via email

The minutes of the May 8 Commission meeting were approved prior to the meeting via e-mail vote on May 24, 2024.

IV. Standing Committee Reports:

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

The FY2024 year-end budget report was included in the meeting materials. Judge Cuthpert advised that, overall, there was a net loss of \$33,413 for FY2024, indicating

that GCDR is continuing to spend down reserve funds to support approved projects. Compared to the previous year-end report, the Commission saw an increase of \$61k in revenue, partially offset by an increase of \$24k in expenses. Still, the Commission operated within its budget, spending 96% of the total funds allotted for fiscal year 2024.

No further budgetary or personnel matters were noted.

b. Ethics Committee: Presiding Judge Renata Turner

The Committee on Ethics last met on August 6, 2024.

Ms. Carole Griffith (formerly Collier) reported on behalf of Judge Turner. Ms. Griffith noted that since the last Commission meeting, five (5) complaints were filed against mediators. Of those complaints, four (4) were dismissed, and one (1) remaining complaint remains under investigation.

Additionally, the Committee has received six (6) applications requiring Ethics Committee review this calendar year. Of these, two (2) have been approved, two (2) are being held for further investigation by counsel, and the remaining two (2) are in the preliminary stages of investigation and pending Committee review.

There are no pending appeals at this time.

The Ethics Committee will meet next on October 9, 2024.

c. Training and Credentials Committee: Ms. Melissa Heard & Ms. Nicole Hull

The Committee on Training and Credentials last met on July 8, 2024.

Ms. Griffith reported on behalf of Committee Co-chairs Ms. Heard and Ms. Hull. Updates can be characterized into the following areas:

Practicum Waiver Request: The Committee received a request to waive the requirement that the practicum be completed after the General Civil Mediation training. This request was denied because the applicant's training not a GODR-approved training, was deemed insufficient, and the applicant was previously advised of the rule that the practicum must be taken secondary to completion of a GODR-approved training.

Extension of Time Request: The Committee received a request for an extension of time to complete the registration requirements. Due to personal circumstances, the applicant was unable to complete the practicum requirement. The Committee elected to grant the request, allowing the applicant until December 31, 2024, to register with the GODR.

Credential Waiver Request: The Committee received a request for a waiver of the bachelor's degree requirement for the Domestic Relations Mediation registration category. The Committee denied this request determining that the applicant's experience was not sufficient to substitute for a bachelor's degree.

Inactive Status – Continuing Education Request: The Committee received one (1) request to renew a registration that was in Inactive V status, which requires the Committee to determine and assign the amount of CE hours needed. As the neutral is an attorney, the Committee mandated that the neutral review the GUMA and complete a 12-hour practicum within 90 days.

Deregistered Requirement Request: The Committee received a request to waive the reinstatement requirements for a neutral who has been deregistered due to non-renewal. The neutral requested that their experience as both a mediator and an attorney substitute the requirement that the neutral retake GODR-approved mediation training. Due to the significant amount of time that has passed since the neutrals last renewed, the Committee decided to deny the request. The neutral has expressed an interest in appealing this decision, though no formal appeal has been received.

The Committee's next meeting is scheduled for September 10, 2024.

d. Outreach Committee: Mr. Hal Gray

The Outreach Committee last met on April 15, 2024. At the May 8, 2024, GCDR meeting, the Commission approved the final draft of an outreach letter aimed at offering assistance to courts in Georgia which are not currently served by an ADR Program.

Mr. Gray advised that on July 9, the Outreach Committee letter was sent to the chief judges of the seven (7) circuits covering 43 counties* that do not have an associated ADR program; this number does not include Rockdale County, as the Committee plans to reach out after the first of the year (2025). While there has not yet been feedback, the Committee remains optimistic about this outreach effort.

*A list of the 43 counties will be provided to GCDR members upon request.

The committee's next meeting is set for October 21, 2024.

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

The Committee last met on May 15, 2023.

On behalf of Ms. Wilson, Ms. Johnson shared that the Committee meets annually and had no updates to share at this time. The DV Rules Committee is scheduled to hold its annual meeting on September 18, 2024, and a detailed report will be provided at the GCDR meeting on December 4, 2024.

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

a. Probate Mediation Implementation Plan Updates

GODR has completed five (5) sponsored Probate Mediation trainings between March and July in Marietta, Lawrenceville, Macon, Columbus, and Savannah (in that order). A total of 122 mediators, including mediation trainers, were trained at these events. Ms. Johnson expressed gratitude to the court ADR program directors and

court staff, local probate judges, trainers, Eleanor Crosby Lanier, Barbara Koll, and Ms. Sahs. Further, GODR would like to thank GCDR members for their participation and support.

Ms. Johnson also reported that the Probate Mediation training curriculum has been provided to interested trainers and the application to become pre-approved as a Probate Mediation training program will be open soon.

Ms. Johnson and Ms. Lanier are also working on creation of a Probate Court ADR Handbook, which is intended to be a guide for probate judges and their courts.

b. 31st Annual ADR Institute – November 21, 2024

Ms. Sahs provided that the 31st Annual ADR Institute will be presented live at the State Bar of Georgia Conference Center and via livestream on Thursday, November 21, 2024.

The keynote speaker will be Bill Eddy, LMSW, Esq., a renowned expert in high conflict. Additional speakers include Susan Guthrie (a national speaker) as well as local presenters. Included in the agenda is a GCDR Ethics Committee session, presented by Ms. Griffith, on best practices for neutrals.

Registration for the event opened on August 1 with the early bird rate, and regular registration will be open September 3 through November 11. The Office will also solicit nominations in September for the annual Harold G. Clarke Award.

The office is grateful for the support of the Commission as well as those interested in sponsorship. GCDR members are invited to attend in person, and all members will receive a link to the livestream.

c. Strategic Projects List

Last fall, the Commission established a new list of strategic projects, which take effect on July 1, 2024. The new Strategic Projects & Events plan covers fiscal years 2025 through 2027 (July 1, 2024, through June 30, 2027). The restructured plan was presented, with updates as follows:

Strategic Projects

1. **Data Collection:** GODR is collaborating with JC/AOC Office of Research & Data Analysis to refine the data collection process and present current data analytics. Further, GODR is working on a new and expanded format for data reporting; the most current data will be presented to the Commission at the December meeting.
2. **Neutral Registration System:** Mr. Ben Luke provided a report for updates to the Georgia Courts Registrar (GCR) integration.

Mr. Luke explained that the system required re-writing from legacy technology, making it less dependent on current technologies. Now, business will drive the technology and not the other way around. Every

report requested by GODR from the GCR has been turned into a dashboard, making future report generation less manual and time consuming. Eventually, that functionality will be accessible via a button, allowing real-time access data, stored securely and sensibly.

3. **Court Program Support:** Mr. Gray reported on the outreach letter during the Outreach Committee meeting. Ms. Johnson and Ms. Sahs are scheduled to travel to Athens on August 21 to meet with Ms. Ashley Ivey, the new 10th JAD Court ADR Program director.
4. **Expansion of Neutral Services:** GODR held webinars on July 12 and August 9 covering updates to the Georgia Child Support Guidelines & Calculator, due to statutory changes made during the 2024 legislative session. While GODR hosted the webinars, the training was led by Kurt Bryant and Noelle Lagueaux-Alvarez, staff to the Georgia Child Support Commission. In all, nearly 400 mediators tuned in.
5. **GODR 2.0:** This updated was covered during the Chairman's Report.
6. **Judicially Hosted Settlement Conferences (JHSC)/Evaluative Processes:** This project has not yet begun; it is projected that a working group will be assembled later this year.
7. **Juvenile Court ADR Programs:** This project has not yet begun; it is projected that a working group will be assembled in early 2025.

Strategic Events

1. **ADR Institute:** This event is held annually, in collaboration with the State Bar of Georgia's Dispute Resolution Section. Information for the 2024 event was covered earlier in the GODR report. The 2025 event is projected for November 20, and the 2026 event is projected for November 19.
2. **Program Director Conference:** This event is held every other year. Planning for the next conference has not yet started. While no information is available at this time, it is expected that the next conference will be held in spring 2025.

d. Upcoming Conferences

1. **GA Council of Court Administrators Fall Conference: September 22-25** Savannah; Ms. Johnson and Ms. Sahs will attend

VI. New Business

Following the meeting welcome, Justice John J. Ellington presiding over the swearing-in of Judge Carrie B. Markham as the new GCDR Chair-elect.

VII. Chairman's Report: Chief Judge Morris

Chief Judge Morris shared that GCDR is requesting state appropriations for FY2026 (July 1, 2025, through June 30, 2026). The request was presented to the Judicial Council Budget Committee by Judge Markham on July 17, 2024, where it was approved as part of the judiciary's budget package. The full Judicial Council is scheduled to review and vote on budget items at their next meeting, set for August 16, 2024.

VIII. Old Business

There was no old business to report.

IX. 2024 Commission Dates: December 4

The next meeting is scheduled for December 4, at 10:00 a.m. and will be held at the Mercer University School of Law. As it has been moved to the morning, the meeting will conclude with a luncheon.

X. Adjournment

The meeting concluded at approximately 2:50 p.m.

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

[Minutes approved via email September 20, 2024]