



Georgia Commission on Dispute Resolution Meeting

Wednesday, December 4, 2024

10:00 a.m. – 12:00 p.m.

(Livestream only)*

AGENDA

- I. Call to Order: Chief Judge M. Cindy Morris
- II. Welcoming Remarks: Mercer University President William D. Underwood
- III. Swearing in of new members Senior Judge Jack Partain, Judge Quinn Kasper, and Ms. Peggy Roth: Justice John J. Ellington
- IV. Roll call
- V. Meeting Minutes from August 14: *Approved via email*
- VI. Standing Committee Reports:
 - a. Budget and Personnel Committee: Hon. Clarence Cuthpert, Jr.
 - b. Ethics Committee: Ms. Carole Collier, Esq. JC/AOC
 - c. Training and Credentials Committee: Ms. Melissa Heard, MSSW & Ms. Nicole Hull, Esq.
 - d. Outreach Committee: Mr. Hal Gray, Esq.
 - e. DV Rules Committee: Ms. Peggy Wilson
- VII. GODR Report: Ms. Tracy Johnson & Ms. Karlie Sahs
 - a. 31st Annual ADR Institute
 - b. 2022 Data Collection Report
 - c. 2025 Program Directors' Conference: February 26-28
 - d. Probate Mediation Implementation Plan Updates
 1. Probate Court ADR Handbook
 2. Probate Judges Training: April 17
 - e. ICJE training: June 3
 - f. Strategic Projects update
- VIII. New Business:
 - a. Action Items
 1. Court ADR Program Rule Revisions:
 - i. Cobb County ADR Program
 - i. Clayton County ADR Program
- IX. Chairman's Report: Chief Judge Morris
- X. Recognition of outgoing members Mary Donovan, Esq. and Melissa Heard, MSSW
- XI. Old Business

- XII. 2025 Commission Dates: February 12 (*virtual*); May 14 (*in person*); August 20 (*virtual*); and December 10 (*in person*)
- XIII. Executive Session
- XIV. Adjournment

****Please send an email to gaodr@georgiacourts.gov no later than COB on December 2, 2024, for the livestream information.***



Georgia Commission on Dispute Resolution Meeting Minutes

Wednesday, December 4, 2024

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

Judge Carrie B. Markham, Chair-Elect; Justice John J. Ellington; N. Staten Bitting Jr., Esq., Hon. Clarence Cuthpert Jr.; Mary S. Donovan, Esq.; Presiding Judge Sara L. Doyle; Herbert (Hal) Gray III, Esq.; Melissa C. Heard, MSSW; Representative Rob Leverett, Esq.; Patrick T. O'Connor, Esq.; Judge Pandora E. Palmer; Randall Weiland; and Peggy McCoy Wilson. New members Judge Quinn Kasper; Senior Judge Jack Partain; and Peggy Roth were also present. The Hon. Rebecca Crumrine Rieder* observed virtually (vote proxy was given to Patrick T. O'Connor).

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

JC/AOC staff members present were Andres Bosque, Data Analyst; Carole Griffith, Staff Attorney; Stephanie Hines, Judicial Services Division Director; and Kriste Pope, Information Systems Analyst.

The following guests from Mercer University were present in-person: William D. Underwood, President; Karen Sneddon, Dean, School of Law; and Matthew Hall, General Counsel. Also present in-person were family members/friends of new and outgoing Commission members. The following guests observed virtually: Rita Carroll, Carroll County ADR Program; Linda Jezerinac, Blue Ridge Circuit ADR Program; Rebecca Lew, Cobb County Superior Court ADR Program; Caitlin Livingston, DeKalb County Dispute Resolution Center; Valerie Lyle, 9th JAD ADR Program; Alisha Markle, Chatham County ADR Program; Sabina Medina, Conasauga Judicial Circuit ADR Program; Jody Overcash, Blue Ridge Circuit; 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 10:05 a.m.

II. Welcoming Remarks: Mercer University President William D. Underwood and Mercer School of Law Dean Karen Sneddon

President William Underwood and Dean Sneddon warmly welcomed the GCDR to the Mercer University's campus.

III. Swearing in of New Members Senior Judge Jack Partain, Judge Quinn Kasper, and Ms. Peggy Roth: Justice John J. Ellington

Justice John J. Ellington administered the oath to incoming Commission members Senior Judge Jack Partain; Judge Quinn Kasper, Cobb County Magistrate Court; and Ms. Peggy Roth. All three (3) new members are Registered Neutrals.

IV. Roll Call of GCDR Members

Chief Judge Morris acknowledged honored guests of the meeting – Mr. Matthew Hall, General Counsel for Mercer University, as well as family/friends of new and outgoing GCDR members, then she asked Ms. Karlie Sahs to conduct a roll call of GCDR members.

V. Meeting Minutes from August 14, 2024: Approved via email

The minutes of the August 14 Commission meeting were approved prior to the meeting via e-mail vote on September 20, 2024.

VI. Standing Committee Reports:

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

The October 2024 (FY25) budget report was included in the meeting materials.

Judge Cuthpert advised that the report provided includes June, July, and September, but, due to an accounting error, August revenues will be reflected in the month of November (once available). While revenue appears low, this is typical, as the majority of our funds are generated during the registration renewal period, held annually from October through February. Since the beginning of FY2025 on July 1, 2024, the Commission has spent 27% of the total budget.

No further budgetary or personnel matters were noted.

b. Ethics Committee: Ms. Carole Griffith, Esq.

The Committee on Ethics last met on October 9, 2024.

Ms. Carole Griffith reported on behalf of Committee Chair Chief Judge Renata Turner. Ms. Griffith noted that, for the year 2024, the Ethics Committee has received a total of nine (9) ethics complaints. Seven (7) have been dismissed, one (1) is pending review, and one (1) is under investigation.

Additionally, since the last Commission meeting, four (4) applications are pending Committee review.

There are no pending appeals at this time.

The Ethics Committee will meet next on December 11, 2024.

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

The Committee on Training and Credentials last met on November 12, 2024.

Ms. Heard reported that, at its last meeting, the Committee reviewed one (1) inactive reinstatement request, and the applicant was required to both pay the reinstatement fee and review continuing education materials. Currently, there is one Inactive IV request which is pending Committee review.

The Committee also reviewed a request for an extension of time to register as a neutral due to extraordinary hardship faced by the applicant. The Committee granted this request, and the applicant is required to complete their registration by February 28, 2025.

There is one (1) outstanding appeal for consideration of the full Commission.

The Committee's 2025 meetings have not yet been scheduled.

d. Outreach Committee: Mr. Hal Gray

The Outreach Committee last met on October 21, 2024.

Mr. Gray reported that the 2025 Program Directors' Conference has been scheduled for February 26-28 in Savannah. An initial survey of court ADR program directors and Commission Members indicated strong interest in attending this conference. Additional details about the event will be provided soon.

While brainstorming future outreach initiatives, Randy Weiland suggested the annual training for law clerks as a potential opportunity. Following this recommendation, Ms. Tracy Johnson reached out to the Institute for Continuing Judicial Education (ICJE), who were very receptive to the idea.

GODR is scheduled to participate in several training events in 2025, including those hosted by the Georgia Council for Court Administrators (GCCA) and ICJE training sessions for State, Magistrate, Probate, and Municipal judges. The Committee welcomes any additional outreach opportunities and encourages suggestion for further engagement.

The Committee's 2025 meetings have not yet been scheduled.

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

The Committee held its last annual meeting on September 18, 2024.

Ms. Wilson shared that, during its last meeting, the Committee reviewed a detailed report on the use of the online screening tool and corresponding response metrics. From May 5, 2023, through August 31, 2024, the tool recorded a total of 14,722 responses. Notably, approximately 14% of the responses affirmatively indicated issues of domestic violence.

Recognizing the importance of keeping the DV Rules relevant and effective, the Committee decided to use the next year to conduct a comprehensive review of the rules. This initiative includes engaging with key stakeholders – court ADR program directors, mediators, attorneys, judges, etc. – to gather input and identify any necessary updates or changes.

The Committee plan to meet again in late 2025 to finalize any recommended changes, unless an earlier meeting is required to address any pressing issues which may arise.

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

a. 31st Annual ADR Institute

A copy of the conference agenda and information on registration was included in the meeting materials.

Ms. Sahs highlighted several sessions on the agenda, including plenary sessions by Bill Eddy, LCSW, Esq., renown expert in high conflict; Susan Guthrie, Esq., Chair of the American Bar Association Dispute Resolution Section and expert in technology and mediation; and an ethics session presented by Carole Griffith.

While specifics as to the ticket price structure were included with the materials, Ms. Sahs explained the trends in total attendance. In all, approximately 555 attendees were in-person or livestreamed the conference, held at the State Bar of Georgia Conference Center in Atlanta. Additionally, there were 8 total sponsors of the program, including JAMS – who served as the very first sponsor of the program’s audio/visual.

Ms. Sahs extended thanks to all who made the event a success, including Ms. Kriste Pope and Ms. Carole Griffith, the Georgia Child Support Commission Staff as well as other AOC staff, volunteers, and the State Bar of Georgia Conference Center staff.

As GODR is still closing out revenue and expenditures, that information will be presented at the next meeting in February 2025.

b. 2022 Data Collection Report

A copy of the full 2022 Caseload Data Report was provided with the meeting materials.

Mr. Andres Bosque reviewed highlights of the report; in all, there were over 28,000 cases referred to ADR across the 32 court ADR programs who reported data, with 17,790 ADR sessions and 16,622 dispositions. The report further outlines case insights, such as in-person/virtual/hybrid sessions, party representation, occurrence of family violence, average time to disposition, and disposition outcomes (full agreement, no agreement).

Ms. Johnson noted that the report will be published on the GODR website.

c. 2025 Program Directors’ Conference: February 26-28

The 2025 Program Directors’ Conference will be held on February 26-28 in Savannah. Based on an initial survey, participation by court ADR programs is expected to be robust. Formal registration, as well as the hotel reservation window, will open soon.

d. Probate Mediation Implementation Plan Updates

1. Probate Court ADR Handbook

Ms. Johnson anticipates the handbook will be completed by the end of the calendar year.

2. Probate Judges Training: April 17

Ms. Johnson, Ms. Eleanor Crosby Lanier, and Judge Carrie Markham will serve as panelists.

e. ICJE training: June 3

This training will be four (4) hours and will cover such topics as best practices. Ms. Johnson will be reaching out to Commission members in the coming months to assist with topics and presentations.

f. Strategic Projects Update

Updates to the strategic projects are as follows:

1. **Data Collection:** GODR is continuing collaboration with JC/AOC Office of Research & Data Analysis to refine the data collection process and present current data analytics. The 2022 report was provided earlier in the GODR Report. The 2023 data is currently under review, and the 2024 data collection is scheduled to begin in January 2025. GODR and JC/AOC Research and IT divisions are working to determine the best methods for collecting data from court ADR programs which are not using ScheduleADR.
2. **Neutral Registration System:** AOC/IT is progressing its efforts to: refine the Georgia Courts Registrar (GCR) system to enhance functionality, improve reporting capabilities, and optimize overall usability; build a dedicated support team (notably, since the recent resignation of long-time GCR staff member Herbert Gordon); and provide ongoing application oversight to ensure high-quality service.
3. **Court Program Support:** Carole Griffith is presenting at a CE event in Clayton County on December 9; GODR staff is meeting with the 7th JAD ADR Program on December 10; and GODR continues to field ongoing onboarding requests for ScheduleADR.
4. **Expansion of Neutral Services:** Further developments for this project are expected for 2025.
5. **GODR 2.0:** The Judicial Council has approved the GODR FY2026 budget enhancement request for ScheduleADR maintenance expenses and the addition of a full-time program coordinator. The request will be presented as part of the Judicial Council budget during the 2025 legislative session.

6. **Judicially Hosted Settlement Conferences (JHSC)/Evaluative Processes:** This project has not yet begun; it is projected that a working group will be assembled in early 2025.
7. **Juvenile Court ADR Programs:** This project has not yet begun; it is projected that a working group will be assembled in early 2025.
8. **ADR Institute & Program Director Conference:** updates were provided earlier in the GODR Report.

VIII. New Business

a. Action Items

1. **Court ADR Program Rule Revisions:**
 - i. **Cobb County ADR Program**
 - ii. **Clayton County ADR Program**

Mr. Gray made motion to approve revisions to the rules for both Cobb County Superior Court ADR Program and Clayton County ADR Program. Ms. Heard seconded the motion. All members present voted in favor.

IX. Chairman's Report: Chief Judge Morris

Chief Judge Morris congratulated Eleanor Crosby Lanier, recipient of the 2024 Chief Justice Harold G. Clarke Award, which was presented to Ms. Lanier by former recipient/GCDR Member Edith B. Primm at the 31st Annual ADR Institute. A copy of the press release was included in the meeting materials.

Chief Judge Morris also congratulated Randy Weiland on his new role as District Court Administrator (DCA) for the First Judicial Administrative District. Mr. Weiland will transition to DCA on January 2, 2025.

Chief Judge Morris issued a reminder to GCDR members that the upcoming legislative session will begin on Monday, January 13, 2025, and any requests or questions received regarding legislative matters should be funneled through GODR.

X. Recognition of outgoing member Mary Donovan, Esq. and Melissa Heard, MSSW

Chief Judge Morris recognized long-serving members Mary Donovan, Esq. and Melissa Heard, MSSW for their many years of selfless service to the Commission. Ms. Donovan, former dean of the Mercer University School of Law, had served on GCDR since 2014, and Ms. Heard had served on GCDR since 2009 (and as Chair of the Committee on Training & Credentials since 2010).

A special video message from former GCDR Chair Judge Charles E. Auslander III was played for each of the outgoing members.

XI. Old Business

There was no old business to report.

XII. 2025 Commission Dates: February 12 (virtual); May 14 (in-person); August 20 (virtual); and December 10 (in-person)

The next meeting is scheduled for February 12 at 2:00 p.m. and will be held virtually. The May 14 meeting will be held at the State Bar of Georgia Conference Center, and the December 10 meeting will be held in Dalton (at a location to be determined).

XIII. Executive Session

Presiding Judge Doyle made motion to move into Executive Session, with Peggy Wilson seconding the motion. All members voted in favor. Chief Judge Morris excused all guests, both in-person and virtual observers, and the Commission moved into Executive Session at 11:10 a.m.

XIV. Adjournment

The meeting adjourned at 11:24 a.m.

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

[Minutes approved via email December 20, 2024]