



The Bench and Beyond

C L A Y T O N J U D I C I A L C I R C U I T

M E S S A G E F R O M T H E B E N C H

As many of you realize, the Georgia General Assembly approved the creation of a fifth judgeship for the State Court of Clayton County effective July 1, 2009. In light of this historic development, the Court is busy making the necessary preparations for the change. Beginning May 15, 2009 incoming criminal cases will be assigned to five divisions. It is anticipated that the new judge will have his or her first arraignment calendars during the third week of July. All existing cases as of May 15, 2009 will remain with the judge to whom they are currently assigned.



State Court Judge
John C. Carbo

Civil cases will be split into five divisions beginning June 1, 2009. Unlike criminal cases, some existing civil cases will be transferred from the existing judges to the new judge, but only if there has been no motion filed, nor an order entered in the case. It is anticipated that the new judge will schedule court dates for civil cases after he or she takes office.

In consideration for the many hours Judge Linda Cowen devotes to supervision of the DUI Court, she will no longer preside over traffic cases (those in the "TK" numbering system) as of July 1, 2009. The new judge will take over Judge Cowen's one-fourth of the TK cases, with the first calendar being scheduled for July 30, 2009.

The judges of the State Court are very appreciative for the efforts everyone has made to ensure the creation and implementation of the new judgeship. Special thanks go to the members and staff of the Clayton County Commission, the Clayton County Legislative Delegation, Court Administrator Yolanda Lewis and staff, Clerk of State Court Nancy Denham and staff, Solicitor General Tasha Mosley and staff, and the staff of the Clayton County Computer Center.

It must be said, though, that the true winners in this process are the citizens of Clayton County. Parties, victims, witnesses, and attorneys will now be in a position to have their cases heard more quickly, more efficiently, and more carefully. In the words of the proverbial credit card commercials, such improvements are "priceless".

Do you have an article or information that you would like included in The Bench and Beyond? Send it to andrea.saxon@co.clayton.ga.us . ♦

S T A T E C O U R T P R O C E S S S E R V E R C H A N G E S

Y O L A N D A L E W I S , C O U R T A D M I N I S T R A T O R

Recently, the Clayton County State Court changed the procedure for selection of process servers in the Court. In previous years, each petitioner drafted an order of appointment for service on individual civil cases, and in some instances, an order for an unlimited term. This process was often time-consuming for both the court and requesting parties as each judge was required to sign countless individual orders for private servers. The new system of appointment removes these barriers by requiring all petitioners to go through an annual screening process that requires appointment by a single order. This process is more transparent and streamlined, offering the court more accountability while saving time for the judge and petitioner.

The foundation of the process requires that each petitioner complete an application packet and submit to a criminal history check. The Court will review all information submitted for approval, and an order bearing the signature of all judges establishes the official list of appointments. Upon approval, applicants receive a letter to indicate their ap-

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S O L I C I T O R ' S O F F I C E S U P P O R T S V I C T I M S ' R I G H T S
J E N I T H A G O U C H

National Crime Victims' Rights Week is fast approaching! Each April since 1981, communities across the United States have been honoring crime victims through candle light vigils, art projects, and other ceremonies that raise awareness of the needs of victims. This week is a week to celebrate the successes of the victims' rights movement and raise awareness about victimization.

Raising awareness about victimization is an important element of crime prevention. Although crime prevention and victim service efforts may appear to be separate issues, they are linked. Both seek to reduce victimization and promote community unity.

To commemorate National Crime Victims' Rights Week, there will be a town hall meeting on April 28, 2009 at Forest Park City Hall and April 30, 2009 at Clayton County Board of Commissioners Board Room, 6:00 p.m. - 8:00 p.m. The theme will be "Crime Prevention." A town hall meeting will help citizens and leadership unite community support for crime prevention in an effort to improve local neighborhoods. Please join us as we pay tribute to crime victims and recognize the devastating impact of violence on individuals, communities and our nation as a whole. ♦

<p>April 28, 2009 FOREST PARK CITY HALL 746 FOREST PARKWAY FOREST PARK, GA 30297 6:00PM - 8:00PM</p>	<p>April 30, 2009 CLAYTON COUNTY BOARD OF COMMISSIONERS 112 SMITH STREET JONESBORO, GA 30236 6:00PM - 8:00PM</p>
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TASHA MOSLEY, SOLICITOR GENERAL

H O U S E B I L L A W A I T I N G S I G N A T U R E

After much effort, House Bill 811 (http://www.legis.state.ga.us/legis/2009_10/sum/hb811.htm), creating a fifth judge for the State Court of Clayton County, has been adopted and passed to Governor Perdue for his signature. The governor has 45 days from the end of the session to sign the bill into law. Thank you to the Clayton County Board of Commissioners, Solicitor's Office, Sheriff's Office, Court Administration, Georgia Administrative Office of the Courts, and members of the legislative delegation for all of your hard work. ♦

E V I D E N C E V I E W I N G S Y S T E M T R A I N I N G

Attention Attorneys: Are you ever worried that your DVD won't play for the jury? Do you have nightmares that you'll be unable to properly show pictures during a trial? Do you know which buttons to push to get sound in the courtroom? Well, worry no more! Court Administration is providing a learning experience for you! Join us in **courtroom 405** at the Banke Justice Center on **Friday, May 29** for a demonstration of the Evidence Viewing System. The vendor for the system will be available at **9:00 a.m. and 11:00 a.m.** to show you everything you need to know in order to present your case. No reservations are required to attend. ♦

FOR THE RECORD *

SUPERIOR COURT

- 1,179 criminal filings
- 970 domestic relations filings
- 621 general civil filings

STATE COURT

- 3,247 civil filings
- 2,203 criminal filings
- 6,805 traffic filings

DUI COURT

- 25 participants in Phase I
- 23 participants in Phase II
- 13 participants in Phase III
- 16 participants in Phase IV
- 11 participants graduated

INTERPRETERS

- 386 interpreter hours billed
- \$21,472 billed
- 9 languages used

ADR MEDIATION

- 173 cases closed
- 39% cases mediated
- 61% reached full or partial agreement

ADR PARENTING

- 4 seminars held
- 142 cases referred
- 144 seminar attendees

*for 1st quarter of 2009

DRUG COURT: CHANGING OPINIONS, CHANGING LIVES

TIFFANY BOULWARE, ASSISTANT DISTRICT ATTORNEY

Recently I attended training in Nashville, Tennessee to aid Clayton County in creating a drug court. My interest in drug court was initially tepid. As a prosecutor, my mentality has always been to incarcerate the offender. To me, repeated drug offenses were the calling cards of individuals who squandered away countless opportunities to help themselves overcome an addiction and discontinue their chosen life of crime.

What I learned in Nashville has completely turned my understanding of addiction and choice upside down. Drug court utilizes a holistic approach that is designed to break the cycle of addiction, restore lives and families, create a more stable community, and in doing so, decrease crime. This is done NOT by simply sending the offender back through the ever-revolving door of prison, as time has proven this approach to be futile. Rather the drug court program is aimed at removing the addiction. The program addresses addiction related issues like the drug treatment itself, housing, childcare concerns, job training and many other factors that impact recovery. The goal is to start the participant on the path towards leading a productive life.

As a seasoned prosecutor, I was skeptical, but Drug Court works! This multi-faceted approach has been in existence and more importantly, **working** for over 20 years. It makes a difference. Through the development and implementation of programs that are individually designed for each participant, the statistics clearly show high retention rates and low recidivism.

The team that has assembled to create Clayton County's Drug Court is an enthusiastic group who are committed to serving the citizens of the county. Drug court will benefit the entire community and change lives in the process. Of this, I have no doubt. ♦

(Process Server, Continued from page 1)

pointment status as a permanent process server for a specific calendar year. Requirements for appointment include:

- Submission of an official application for review or renewal (Effective 10/2009);
- The petitioner must be 18 years of age;
- Submission of a recent criminal background check (*within one year of the request for appointment*);
- The petitioner must not have committed any serious criminal offenses;
- The petitioner must attest that he/she does not suffer from any debilitating mental or legal disability that would impede appointment;
- The petitioner must be of good character and/or in good standing with the Georgia Bar.

Appointment review begins each year on the first business day of October and ends the last business day of November. Requests for appointment must be received on or before the last business day of November for consideration and review for the following year. The designated appointment status remains effective through December of the official year of appointment.

For more information or to review the list of appointments for calendar year 2009, please visit http://www.co.clayton.ga.us/court_administrator/permProcessSvrs.htm or the Court Administrator's Office at the Harold R. Banke Justice Center. ♦

Superior Court
Chief Judge Matthew O. Simmons
Judge Deborah C. Benefield
Judge Albert B. Collier
Judge Geronda V. Carter

State Court
Chief Judge Harold G. Benefield
Judge John C. Carbo
Judge Linda S. Cowen
Judge Morris E. Braswell

Court Administrator
Yolanda L. Lewis

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C L A Y T O N J U D I C I A L C I R C U I T

F O C U S O N : A S H L E Y A R N O L D



Ashley Arnold is Court Administration's new Court Programs Coordinator. She began working with the county in December

2008. Her position enables her to work with both the Superior and State Courts. She develops court programs and policies related to Drug Court, ADR, language interpreters, and internship programs. She also conducts research, writes grant proposals, and prepares the Superior and State Court Annual Report.

Ashley is originally from Clayton County, born and raised here. She is

a lifelong member of Andrews Chapel UMC in Jonesboro. She received a Bachelor of Arts in English from Georgia Southern University, a Paralegal Certificate from Gainesville State College, and will complete a Master of Arts in Criminal Justice from American Military University in May 2009. She is also a member of the American College of Forensic Examiners.

After college, Ashley served in the Navy for over two years, and is now a reservist. In February 2009, she received a Navy and Marine Corps Achievement Medal for "superior military bearing, attention to detail, and initiative."

What have you found to be the best way to relieve tension?

Shoe shopping! Trying new recipes and then eating, of course.

Where would you go on your dream vacation?

I've already been on my dream vacation – shopping in Milan.

Do you own an iPod? If so, what songs are in your playlist?

I do have an IPOD and it is ALWAYS in my possession. I love a wide range of music genres, but the most frequently used playlists include Earth, Wind & Fire, Foo Fighters, Beyonce, Whodini, Denise Williams and Biz Markee. ♦

S U P E R I O R A N D S T A T E C O U R T A N N U A L R E P O R T

Court Administration has created the first annual report for Superior and State Court. The 2008 report will be available online soon at www.co.clayton.ga.us/court_administrator. The report will include court and county statistics, and highlights of new programs that were implemented throughout the year. ♦

L A W L I B R A R Y B O O K S A L E

Are you looking for some law books to add to your collection? Court Administration is now selling the previous year's books on an ongoing basis. Several 2008 editions are available: OCGA volumes, Georgia Process & Service, Courtroom Handbook on Georgia Evidence, and West's Analysis of American Law. Books are on display behind the secretary's desk in the Law Library. Please stop by to see if we have one you are interested in! Remember, we only accept cash. ♦

L E G A L L I N G O

"Bench Trial"
A trial held before a judge and without a jury.