



Court of Appeals

Memorandum

To: Bill Martin
From: Dorothy Beasley *DB*
Subject: Confidential Banc Information
Date: June 6, 1994

In response to your memo of June 2, I have the following comments:

1. Item 1 - The letter is returned, with suggestions on it.

2. Item 2 - As a matter of correct wording, I believe that "disqualification" refers to the reason a judge cannot sit in a case. For example, he or she is disqualified by family relationship to one of the parties. "Recusal" is what a judge does about it, i.e. removes himself or herself from consideration of the case. So a judge does not disqualify, but rather recuses, himself or herself.

Subsection 3: There should be one uniform mark designated. Choose one, Bill.

Subsection 4: There should be one uniform color for rubber band. Again, you should choose one, Bill.

3. Item 3 - Thank you for the figures on Appellate Settlement Conference costs. This will be relevant to the proposal for Fast Track procedure.

4. Item 4 - Thanks for sharing.

5. Item 5 - Is the cost and manual labor of microfilming the long-term answer? What does the National Center for State Courts say is the most future-oriented system now in use in a state appellate court for dealing with records?

6. Item 6 - Is State Law Department saying this is adequate?

7. Item 7 - Does this add to the burdens of your office, or is it easier for you just to handle them at the outset, without all the routing around and delay which accompanies such a process? Early, informal intervention seems to be the best course.

8. Item 8 - Thank you; no further action required, as far as I am concerned.

Thank you for tending so patiently, alertly, and efficiently ~~with~~ these details, each of which is important to smooth operations.

May 31, 1994

Honorable
Clerk of Superior Court
County
, Georgia

Dear Clerk :

Re: Smith v. Jones

The Court of Appeals has received from your office a partial record in the above referenced case. The notice of appeal filed in this case states that a transcript of evidence will be included. However, no transcript was submitted with the original record.

Last week, Mary Jo Stephens of our office telephoned your office and advised that unless a transcript was delivered to the Court of Appeals within a week, we would be required to return the record to you.

Our rules (Rules 21[a] and 41) and Georgia law (OCGA 5-6-43 [a] and 5-6-48 [d]) require that the record be complete when transmitted to the Court of Appeals. Our two-term rule makes it difficult to docket a case until we have the transcript in hand. Article 6, Section 9 Paragraph 2 of the Constitution requires that the Appellate Courts of Georgia shall dispose of every case in the term in which it is entered on the Court's docket for hearing or the next term.

I apologize for any inconvenience this may have caused you. Please transmit the record back to the Court of Appeals when it is in fact complete.

Should you have any questions regarding this matter, please contact me.

Sincerely,

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia

WLM, III/sc
Enclosure



Court of Appeals

Memorandum

To: All Judges
From: *WSM*
Bill Martin
Subject: Confidential Banc Information
Date: June 2, 1994

On behalf of Judge Andrews, Kaye Carter and myself, I want to thank each of you for your help and attention to the updating of the Internal Operations Manual. It was a hugh task to review and update the IOM, and it would have been impossible without the help of Judge Andrews and Kaye Carter. Hopefully, we can keep the IOM current from this day forward.

There were several items for discussion at the Banc Meeting, which time did not permit to be brought up. I have enclosed those matters herein and hope that you can review them and give me the benefit of your thoughts and feelings on these matters, if any.

1. The first item is a form letter to be sent to the trial court clerks when returning records which have come up without a transcript, and in which a transcript was said to be included in the Notice of Appeal. This is a matter which we have discussed at past Banc Meetings and at the April meeting, the Court directed that Judge Beasley and I come up with this form letter. This is a product of our collaboration and if there are no objections, we will begin to implement this policy in the Clerk's Office in the very near future.
2. The second item for consideration is the protocol on disqualification of judges. The protocol is what I believe the Court directed at the last Banc meeting with the exception of paragraph 4. This paragraph was suggested by Judge Blackburn which will band the records of disqualification with a distinctive colored rubber band, to be used only for disqualification cases which will further help everyone be alerted to the special status of a disqualification case.

3. Item three is a cost report on the Appellate Settlement Conference, comparing the average cost per case per judge for cases coming through the Court of Appeals to those coming through the Appellate Settlement Conference. These are figures that have been discussed in general during some of the past Banc Meetings and this report gives specific figures through March 31, 1994.
4. The fourth item includes two letters received from Representative Kathy Cox and Senator Pete Robinson thanking the Court for our recognition of their efforts in the Appellate Judges Compensation Bill.
5. The fifth item is a copy of the response to the Department of Archives from the Supreme Court regarding the Archives' proposed draft agreement for the Supreme Court and the Court of Appeals.
6. The sixth item is a copy of a letter I received from Michael Hobbs of the Law Department regarding the liability coverage for the Court of Appeals. This was discussed briefly at the Banc Meeting in conjunction with the IOM, but I thought you might like to have a copy of it for your files.
7. The seventh items does not have an enclosure. Presiding Judge Beasley and Judge Johnson have requested that the Clerk/Court Administrator handle all conflicts and requests for rescheduling oral arguments for cases assigned to them. If you would like for me to do the same for your office, please let me know. I shall be happy to do so if you wish, or we can continue to route the requests for rescheduling of oral arguments to your office.
8. I want to report that the security sweep by the Georgia Bureau of Investigation of the 3rd, 4th, and 6th floors is complete in so far as the Clerk/Court Administrator's Office is concerned, the Fiscal Office and all of the Judges' offices, Banc Room and staff attorneys' offices on the on the 4th floor. There were no listening devices or breaches of security discovered. We did not do a sweep of the staff attorneys' offices on the 6th floor, but if you desire a sweep of those offices,

please let me know and I will contact the GBI..

I appreciate your taking the time to review these enclosures and I apologize for not having the time to bring them up at the last Banc Meeting. If there are any items you wish to discuss with me please let me know. Likewise, if there are any items in here that you think should be discussed by the whole Court at the next Banc Meeting, let me know that fact and I shall put it on the agenda for the next Banc Meeting.

Thank you.



Court of Appeals

6/7

FROM: Judge Beasley

TO : Bill Martin

Please see attached. If not too late, please add these 2 proposed amendments to the TOM revision.

I don't believe they were voted on at the January '94 time as had been planned.

Thanks. DSB.

EB



Court of Appeals

Memorandum

To: All Judges
From: Dorothy T. Beasley *DTB*
Subject: Internal Operations Manual
Date: December 30, 1993

The following proposed additions to the IOM are prompted by the provision for "speedy, efficient, and inexpensive resolution of disputes and prosecutions" in the Georgia Constitution (Art. 6, Sec. 9, Par. 1), the delay-avoiding change made last year in OCGA § 15-2-4 (c), and some specific cases which have come to our attention recently.

In checking with the Clerk, I am advised that opinions are not released until after the date the case would have been orally argued, if requested, as by tradition the case is not officially considered as submitted to the court before that date. However, there apparently is no statute, Constitution requirement, rule, or IOM policy establishing this timing. Therefore, it is proposed that decisions and final orders be released whenever ready, regardless of the term in which the case is docketed. This would also be in keeping with the statutory requirement that we "expedite disposition of [any] case where a defendant is confined in jail pending appeal," OCGA § 5-6-43 (c), and our policy of expediting child custody cases.

Proposed are the following additions:

DTB

"Page 74, J.2. Opinions shall be released in any case whenever ready and in conformity with OCGA § 15-2-4 (c), but not before oral argument if requested or the last date upon which oral may be requested."

"Page 78, N.2. Orders shall be released whenever ready. See OCGA § 15-2-4 (c)."

OCGA § 15-2-4 (c) provides: "Each term shall continue until the business for that term has been disposed of by the court, provided that, unless sooner closed by order of the court, the September term shall end on December 20 and the April term shall end on July 31. No judgment in a second-term case, other than a judgment on a motion for reconsideration in such case, shall be rendered during the last fifteen days of any term. Disposition of first-term cases may be made during non-term periods."

Let us please vote on these proposed additions at the January banc meeting.

PROTOCOL ON DISQUALIFICATION OF JUDGES

When a judge disqualifies himself or herself from a case after the case has been assigned to that judge the following protocol shall be followed in an effort to minimize the problem with cases being circulated to judges and panels that have been disqualified.

1. Whenever a judge disqualifies himself or herself in a case, that judge shall send a memorandum of the fact of the disqualification to the other judges on the panel, to the substituting judge, to the disqualified judge's administrative assistant and staff attorneys, to the file and to the Clerk's Office.
2. Upon the receipt of the memorandum from the judge, the Clerk's Office shall change the judgment sheet showing the panel by striking the name of the judge with the notation of "disqualified" and inserting the name of the alternate judge.
3. The Clerk's Office, upon receipt of the memorandum of disqualification of the judge, shall cause the face of the record to be marked with an identifying character such as a dot, arrow or etc. on the face of the record to indicate that particular case is one involving a disqualification.
4. The disqualifying judge shall band the record of the case in which he or she is disqualified with a distinctive colored rubber band which shall only be used for cases in which there is a disqualification. This band will alert everyone in the Court to the fact that the particular case is one dealing with a disqualification and can be identified as a case involving a disqualification by the distinctive rubber band even if the case is stacked in a pile with several other cases.

5. The opinions clerk shall keep a list of those cases in which judges have been disqualified in an effort to check the judgment line before the opinion goes out.
6. The ultimate responsibility for ascertaining the correctness of the judgment line shall lie with the authoring judge's office.



Court of Appeals

Memorandum

To: All Judges
From: *W. H. Martin*
Bill Martin
Subject: Appellate Settlement Conference Report
Date: May 31, 1994

Attached please find a breakdown of the average cost per case per judge through the Court of Appeals as well as the average cost per case through the Appellate Settlement Conference. These figures have been discussed in general during some of the past Banc Meetings.

APPELLATE SETTLEMENT CONFERENCE REPORT

The following is a comparison of the cost per case of cases settled via the Appellate Settlement Conference relative to the cost of the conference as compared to cases disposed of through the regular Court of Appeals appellate process.

Amended FY 94 Budget - Court of Appeals	\$5,819,886.00
Cases Disposed of in 1993	3,701
Cost Per Case	\$1,572.52
Average Cost per case per Judge	\$174.72

Appellate Settlement Conference Program Cost FY 90-94	\$293,096.00
Number of Cases Settled through Appellate Settlement Conference (July 1, 1989 - March 31, 1994)	133
Cost Per Case	\$2,203.73

Number of Years in operation of Appellate Settlement Conference	5
Average number of cases settled per year	26.6
Terms per Year	3
Average number of cases settled per term	8.99
Number of Cases settled per term per judge	.99

The Appellate Settlement Conference is costing in excess of \$2,200 per case settled. The total number of cases settled from July 1, 1989 through March 31, 1994 is 133 cases, or approximately 27 cases per year, or 9 cases per term, or one case per judge per term.



House of Representatives

CATHY COX
REPRESENTATIVE, DISTRICT 160
1302 LOBLOLLY LANE
P.O. BOX 1932
BAINBRIDGE, GEORGIA 31717
(912) 246-5694 (O)
(912) 246-7065 (H)

LEGISLATIVE OFFICE BUILDING, ROOM 401
ATLANTA, GEORGIA 30334
(404) 656-0152

May 3, 1994

STANDING
COMMITTEES:

GAME, FISH & PARKS
JUDICIARY
STATE INSTITUTIONS &
PROPERTY

Mr. William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334

Dear Bill:

Thank you for your kind note, and thanks also to the Judges who wrote earlier to express thanks for my very limited role in supporting the judicial compensation legislation during the session. It's never too difficult to support those things you really believe are needed, and this bill was long overdue.

I will give you a call when I am next in Atlanta and can take you up on the mealtime offer. I made it through qualifying without opposition, but I expect that my colleagues who are out on the campaign trail will try to minimize our Atlanta meetings for the next several months. Wow -- that might actually give me time to practice law! By the way, the Court of Appeals graciously affirmed a week ago or so a case in which I had obtained a summary judgment.

Again, thanks for your note, and with best regards, I remain

Sincerely yours,


Cathy Cox

LAW OFFICES
SELF, MULLINS, ROBINSON & MARCHETTI, P.C.

1017 FIRST AVENUE
POST OFFICE BOX 751
COLUMBUS, GEORGIA 31902

RONALD W. SELF (GA & ALA)
RICHARD A. MARCHETTI
J. RONALD MULLINS, JR.
PETE ROBINSON
MARTHA M. HARTLEY
ROBERT P. TAYLOR (GA & ALA)
THOMAS C. RAWLINGS (GA & ALA)
ANGELA D. MEDDERS

TELEPHONE
(706) 649-3080

FAX
(706) 649-3094

May 5, 1994

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334

Dear Mr. Martin:

Thank you for your nice letter of April 29, 1994. Please convey my appreciation to all members of the court for the job they do. It was a pleasure to support our judges as Senate sponsor of H.B. 1398.

Thank you also for your kind words about my Senate service. I have loved serving in the Georgia General Assembly (House and Senate), but more particularly I am looking forward to getting back to a full time law practice. I am sure I will be seeing more of you and the Court as I resume full time practice.

Thank you for what you do for Georgia.

With best regards, I am

Respectfully,



Pete Robinson

PR/tks

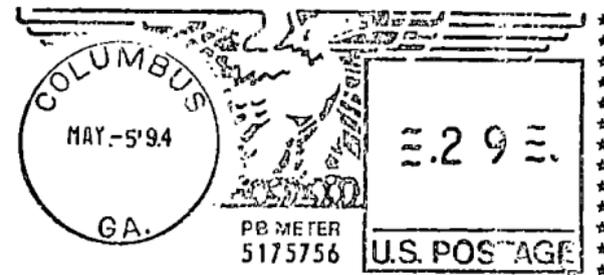
CLERK/COURT ADMIN
COURT OF APPEALS

W.L. Z. McF.

94 MAY - 6 PM 5:13

RECEIVED IN OFFICE

LAW OFFICES
SELF, MULLINS, ROBINSON & MARCHETTI
POST OFFICE BOX 751
COLUMBUS, GEORGIA 31902



Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334





Supreme Court
State of Georgia
STATE JUDICIAL BUILDING
Atlanta 30334

WILLIS B. HUNT, JR., CHIEF JUSTICE
ROBERT BENHAM, PRESIDING JUSTICE
NORMAN S. FLETCHER
LEAH J. SEARS-COLLINS
CAROL W. HUNSTEIN
GEORGE H. CARLEY
HUGH P. THOMPSON
JUSTICES

SHERIE M. WELCH, CLERK
WM. SCOTT HENWOOD, REPORTER

May 26, 1994

Dr. Edward Weldon, Director
Department of Archives & History
330 Capitol Avenue, S.E.
Atlanta, Georgia 30334

Dear Dr. Weldon:

After careful consideration of the "draft agreement" proposed by your department, I am not able to recommend to the Court that it enter into the contract. Doing so would not be in the best interests of the Court as it does little to meet our long term concerns.

We are actively engaged in setting up an improved microfilming operation and a records retention schedule and seek your expertise in pursuing this course of action.

I look forward to continue working with you to solve our mutual problems.

Sincerely,

Sherie M. Welch, Clerk

cc: Chief Justice Hunt
Presiding Justice Benham
William L. Martin, III ✓



MICHAEL J. BOWERS
ATTORNEY GENERAL

Department of Law
State of Georgia

40 CAPITOL SQUARE SW
ATLANTA, GA 30334-1300

Direct Dial: (404)651-9451
FAX: (404)651-9148

April 28, 1994

Hon. William L. Martin, III
Clerk, Court of Appeals
State of Georgia
State Judicial Building
Atlanta, Georgia 30334

Re: Liability Coverage for the Georgia Court of Appeals

Dear Mr. Martin:

Pursuant to your request, I have contacted Mr. Jerry Newsome, who is the Director of the Office of Risk Management Services for the Department of Administrative Services, regarding the various coverages in place for the Georgia Court of Appeals. As far as the Court as an entity is concerned, the Court would be covered under the State Tort Claims Trust Fund established pursuant to the Georgia Tort Claims Act, O.C.G.A. § 50-21-20, et seq.. The coverage under this Fund is \$1,000,000 per person, with a \$3,000,000 aggregate limit of liability per occurrence. The limits of liability set forth in the Fund are established by statute. O.C.G.A. § 50-21-29.

In addition, each employee of the Court of Appeals is covered by a blanket faithful performance bond in the amount of \$100,000 and a blanket honesty bond in the amount of \$5,000,000. It is my understanding that the proceeds from these bonds would be payable directly to the Court for damages sustained because of unfaithful or dishonest performance.

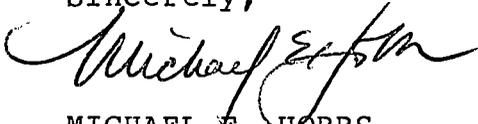
Also, each employee is covered by a policy of liability insurance provided under the State Employees Self Insurance Liability Fund. The coverage available under this policy is \$1,000,000 per person with a \$3,000,000 aggregate limit of liability per occurrence. In addition, the Department of

Hon. William L. Martin, III
April 28, 1994
Page 2

Administrative Services has recently purchased a \$25,000,000 excess policy with Lexington Insurance Company, which provides liability coverage to state employees in conjunction with the State Employees Self Insurance Liability Trust Fund. These employee coverages are designed to protect individual employees from suits brought against them in their individual capacities in actions brought pursuant to 42 U.S.C. § 1983, primarily in federal court. Hopefully, most other actions would be brought pursuant to the Tort Claims Act against the state agency employing the individual.

I hope the foregoing has been helpful to you. Of course, should you have any further questions about the particulars of insurance coverage for the Court of Appeals, please do not hesitate to contact me.

Sincerely,



MICHAEL E. HOBBS
Deputy Attorney General

MEH:ds

RECEIVED IN OFFICE
94 APR 29 PM 12:11
C. L. Z. M. G. T. M.
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS 100 GA.

Bill MARTIN

Fair share only

18 OCTOBER 1993

FY 94 TEC
(**

1. UPGRADE MAINFRAME:

Bud
7-8947

BANC

- ** . DEVELOP ETHERNET COMMUNICATION CABLE FROM NEW COMPUTER ROOM TO ROOM 510. INSTALL TERMINAL SERVERS AND COMPLETE LINK TO CLERKS AREA.
- * * . MOVE MAINFRAME TO ROOM 700H HEALTH BUILDING WITH NETWORK CONNECTION BACK TO ROOM 510 JUDICIAL.
- . SPECIAL COMMENT CONCERNING CONTROL OF NEW COMPUTER FACILITY?????????.

2. UPGRADE REPORTERS OFFICE:

- ** . INSTALL PC'S WITH WORDPERFECT AND MODEM.
- ** . PROVIDE NETWORK ACCESS FOR GEORGIA LAW ON DISK AND NETWORK PRINTING CAPABILITIES.
- ** . PROVIDE LEXIS/CHECKCIT ACCESS.
- . DEVELOP PROCEDURES FOR DISTRIBUTION OF OPINION BY COMPUTER MEDIA FROM COURT OF APPEALS TO REPORTS OFFICE.
- . DEVELOP PROCEDURES FOR DISTRIBUTION OF OPINIONS BY COMPUTER MEDIA FROM REPORTERS OFFICE TO PUBLISHER.
- . DEVELOP INTERIM OPINION DATABASE AND REPORTERS LOCAL AREA NETWORK.
- . PROVIDE TECHNICAL SUPPORT FOR REPORTERS STAFF.

3. LEXIS/WESTLAW BILL

- . 1992 AVERAGE MONTHLY BILL = \$2,757
- . 1993 AVERAGE MONTHLY BILL = \$3,907

SPECIAL NOTE: THIS COST IS NOT DECREASING AS EXPECTED. DISCUSSION

PAGE 2

4. UPGRADE CLERKS OFFICE: ** . REPLACE VAX VT320 TERMINALS WITH PERSONAL COMPUTERS WITH TERMINAL EMULATION PACKAGE.
- ** . TRAIN CLERK'S STAFF FOR BASIC PC FUNCTION, EMULATION SOFTWARE AND WORDPERFECT V5.1.
5. FOURTH FLOOR OPERATION: ** . INSTALL NETWORK CABLES IN NEW OFFICE AREAS.
- ** . PROVIDE NETWORK PRINTING CAPABILITIES FOR FOURTH FLOOR STAFF ATTORNEYS.
- . DEVELOP OFFICE AUTOMATION PACKAGE(MAIL) EACH JUDGES STAFF AND WHOLE COURT.
6. NEW DOCKET SYSTEM: . EVALUATE NEW CASE MANAGEMENT PACKAGE, CURRENT MAINFRAME SYSTEM V. THE STATE WIDE PACKAGE SUPPORTED BY THE COURTS AUTOMATION COMMISSION.
- . EVALUATE MIGRATION OF DOCKET SYSTEM FROM MAINFRAME TO PC LAN FOR SELECTED SOFTWARE PACKAGE.
- . DEVELOP CONVERSION PLAN(METHOD AND TIME).
- . PROVIDE JUDGES ONLINE ACCESS TO DOCKET.
7. NEW TECHNICAL STAFF . RECRUIT AND TRAIN NEW PROGRAMMER.
8. MAINTENANCE: . CONTINUE TO PROVIDE MAINTENANCE FOR DOCKET SYSTEM, LAN, LEXIS/CHECKCIT, WORDPERFECT, LASER PRINTERS AND PC.

22 Dec 1993

Subject: Technical Support Staff Requirements.

BACKGROUND:

Currently the Judicial Branch has a combined technical resource pool of approximately 83 Personal computers with 25 Laser printer attached; a Digital Mainframe running approximately 325 application programs and word processing software; two Local Area Networks (LAN) for Staff Attorney opinion research; a stand-alone PC application for the Court of Appeals Settlement Conference Docketing System and a real-time subscription to a second opinion data base via MODEM using a vendor supplied software. These resources have emerged to it's current level over the past five years with a technical support staff of two.

CURRENT SITUATION:

In July of 1993, the Supreme Court determined it needed one additional support person if it was to maintain the desired level of support for existing systems and have staff time available to provide new development planning and implementation to keep the court moving ahead. Also, in July of 93, the decision was made to separate the two Courts technical staff; that is each Court would be responsible for their technical resources. As a result of this decision the Supreme Court added one additional programmer/analyst.

The Court of Appeals currently has only one support person with the responsibility of providing support to three major areas. The technical functions of the Judge's Offices, the Clerk's Office, and the Court of Appeals Settlement Conference, the Reporters Office and two LAN's. The combined technical resource pool for the Court of Appeals at the present time is as follows:

- . 45 Personal Computers with MODEMS and LAN Communications.
- . 11 Laser Printers.
- . 208 Applications Programs.
- . 1 Local Area Network.
- . Digital Mainframe Support.

The Court of Appeals finds itself in the same position as the Supreme Court, that of needing an additional support person. Our support person is working an average of 50 to 55 hours per week just in normal daily support functions. With this daily support requirement there is little or no time for new development and expansions. In calendar year 94 a second Network is planned for the Reporters Officer, upgrade our mainframe or switching to a LAN for the two Docketing Systems; install an Office Automation package to link the full Court together. The Court of Appeals sees computer technology as the only way it can continue to function

Page 2 of 2

given the ever-increasing caseload. Office automation and the use of networking is the center of our future planning strategy. To do this, it is essential that at least one additional programmer/analyst be added at the earliest possible time.

There is another issue that concern the Court even to a greater degree; there is no backup for our support staff person. Mr. Tirey is the only person having knowledge of all the systems that are essential to the Courts daily functions. In addition to this, Mr. Tirey will be eligible to retire in February 1997 and we must have someone trained and ready to continue the support function.

DATE: 01/05/94

COURT OF APPEALS

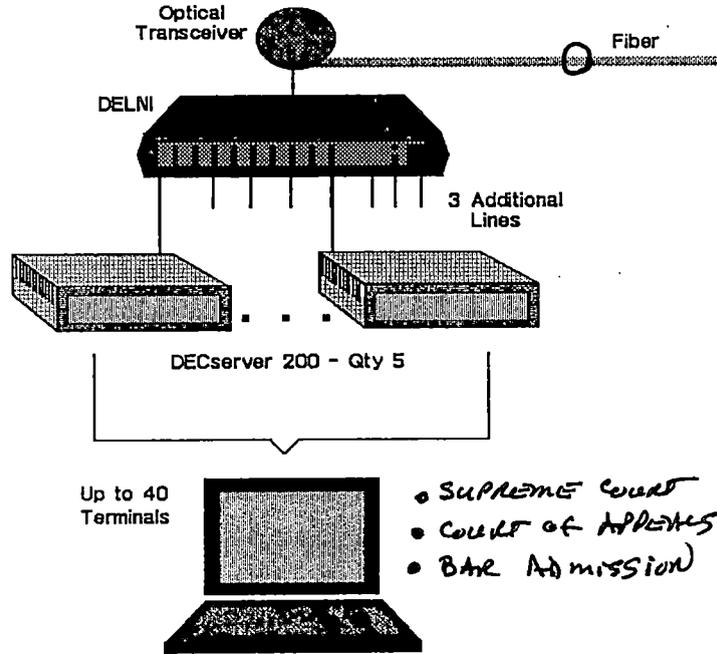
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C A S E L O A D S U M M A R Y

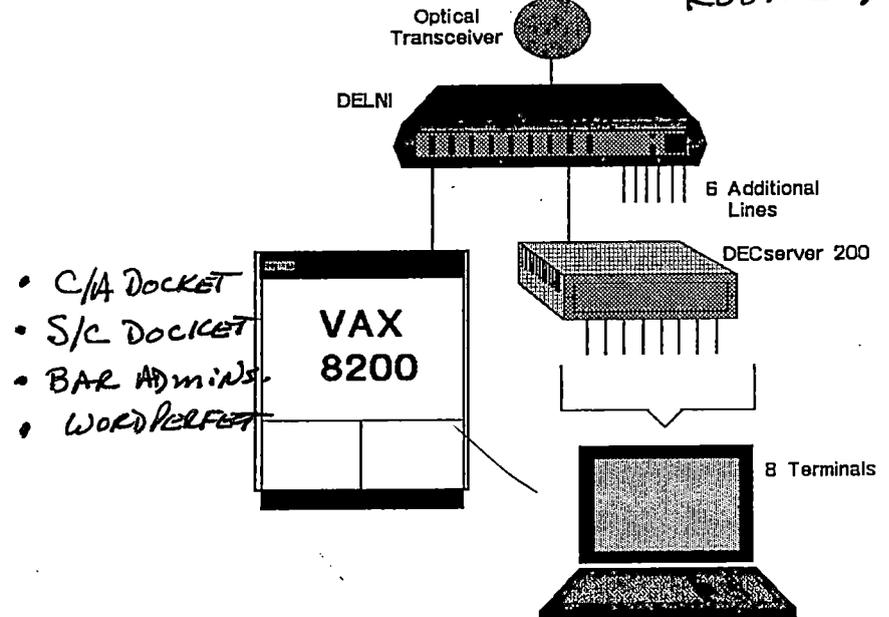
HISTORY SET =	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984
DIRECT APPEALS:	2601	2455	2265	2384	2360	2306	2071	2666	1946	2135
% VARIANCE:	5.6	7.7	5.3-	1.0	2.3	10.2	28.7-	27.0	9.7-	3.7-
AVG. CASES PER JUDGE:	0289	0272	0251	0264	0262	0256	0230	0296	0216	0237
DESCRETIONARY APPL.:	0475	0471	0430	0394	0408	0356	0342	0313	0298	0314
% VARIANCE:	.8	8.7	8.4	3.6-	12.7	3.9	8.5	4.8	5.4-	24.2
AVG. CASES PER JUDGE:	0052	0052	0047	0043	0045	0039	0038	0034	0033	0034
INTERLOCUTORY APPL.:	0450	0486	0450	0400	0401	0361	0391	0313	0343	0327
% VARIANCE:	8.0-	7.4	11.1	.3-	10.0	8.3-	19.9	9.6-	4.7	.3-
AVG. CASES PER JUDGE:	0050	0054	0050	0044	0044	0040	0043	0034	0038	0036
TOTAL MATTERS DOCT:	3526	3412	3145	3178	3169	3023	2804	3292	2587	2776
AVG. CASES PER JUDGE:	0391	0379	0349	0353	0352	0335	0311	0365	0287	0308

STATE OF GEORGIA

Judicial Building Room 510

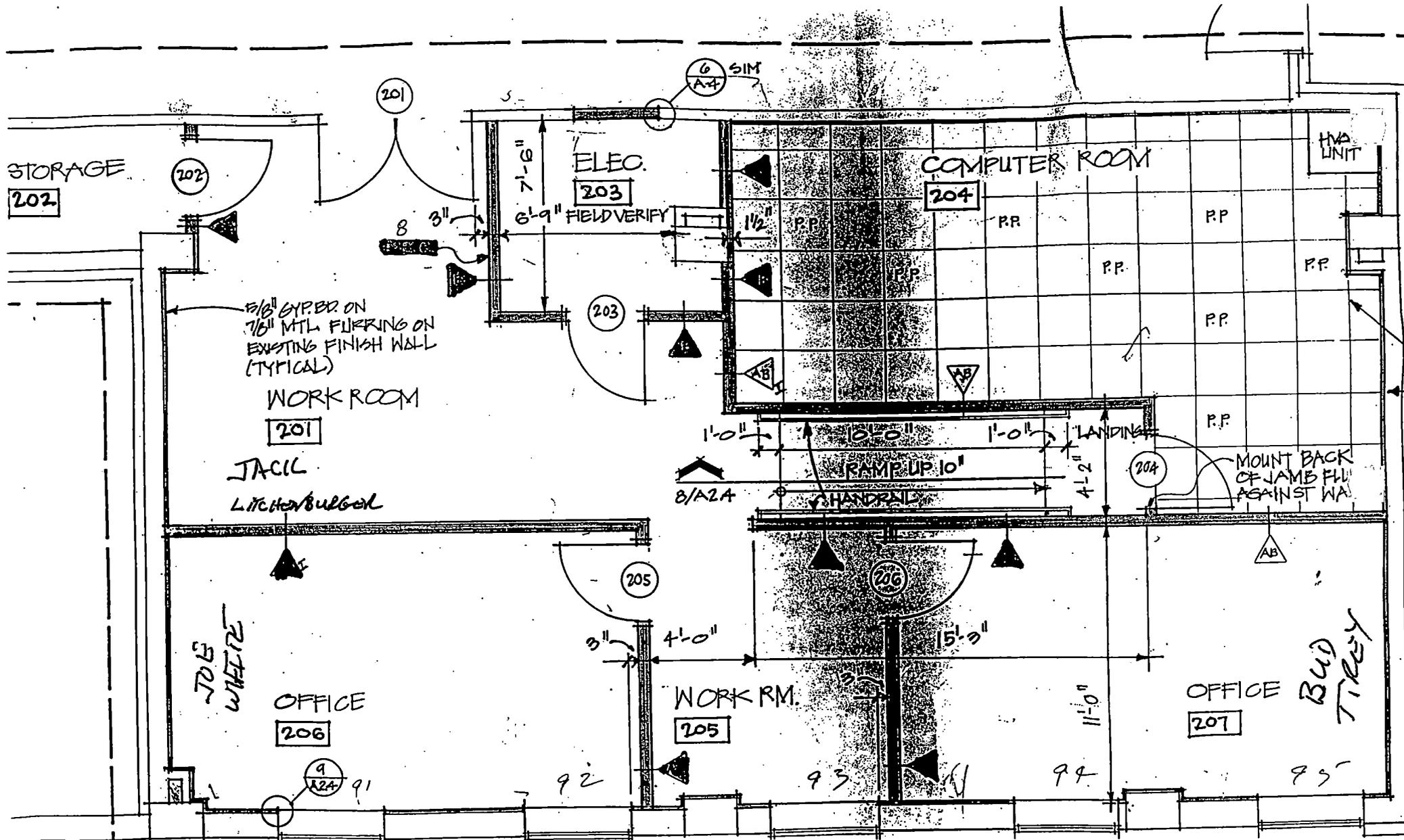


Health Building Room 700H



digital™

Digital Equipment Corporation



STORAGE
202

202

5/8" CYPER ON
7/8" MTL FURRING ON
EXISTING FINISH WALL
(TYPICAL)

WORK ROOM
201

JACIL
LITCHENBURGER

JOE
WHAITE

OFFICE
206

9
A2A
91

92

WORK RM.
205

93

206

94

OFFICE
207

95

BUD
TILLEY

201

6
A4
SIM

ELEC.
203

8
3"

7'-6"

6'-9" FIELD VERIFY

203

1 1/2"

P.P.

AB

COMPUTER ROOM
204

P.P.

P.P.

P.P.

P.P.

P.P.

P.P.

1'-0" 10'-0" 1'-0" LANDING
RAMP UP 10"
HANDRAIL

8/A2A

204

MOUNT BACK
OF JAMB FLU
AGAINST WALL

AB

HVA
UNIT

Mon, 12/19 5:30

ALBANIANS COMING TO U. S. FOR LEGAL TRAINING
NOVEMBER-DECEMBER 1994

Dr. Zef Brozi, President, Court of Cassation (comparable to U. S. Supreme Court, except that constitutional questions are in jurisdiction of Constitutional Court.)

Agim Gjoleka (pronounced Gee-oh-leka), Justice, Court of Cassation.

Petrit Plloqi (pronounced Plochi), Justice, Court of Cassation; President, Albanian Judges Association. Fluent English.

Vjollca Proni (pronounced Vee olsa), Legal researcher and foreign relations expert for Court of Cassation; Dr. Brozi's "right arm." Fluent English.

Perikli Polloshi, formerly chief lawyer for Parliament; working to establish a research, publication, and legal library system for Albania (fluent English).

Ardian Zace (pronounced Za chay), responsible for computerizing the Court of Cassation (fairly fluent English).

James V. Noble, Esq., Santa Fe, New Mexico, lived in Albania more than half of the last two years, working as a legal consultant for the government.

Nora L. Hughes, President, The Hughes Consulting Group, Inc., Grenada Hills, California, is working in Albania and the United States to help establish a management system for the courts of Albania; computer expert.

John Johnson, Esq., Seattle, Washington, will go to Albania for one year to help implement what is learned on this training trip, among other things. Has been to Albania several times.

REPUBLIC OF ALBANIA
CASSATION COURT
TIRANA ALBANIA

Tirane on October 1, 1994

FAX TO NORA HUGHES

Dear Nora!

We need a strong, competent, independent judiciary that has the trust and confidence of the people it serves. For that we are trying and working hard for strengthening of judicial system and improving our rule of law.

Nora, as you had seen with your eyes when you visit some Albanian Courts we need so many things. The state of the Courts and the people on charge of justice is as follows

1. The judges are very young (25- 35 years old). They are appointed as Judge as soon as they graduate from Law Faculty.
2. The legislation and the Laws are in the continuous change. For the first time after 50 years we are applying the Law of Free Market and the Capitalist system legislation
3. Our courts and the judges have no enough information about judicial administration, policies and the programmes. No one from the courts had its own library. Only in Cassation Court exist an office for library but you can find there only the Official Gazzett where you can find the new laws passed by the Parliament.

We need to have the good management and the organization of the Court. For this reason we want to share with ECSC their experience and to exchange our ideas about the administration of our court, which of the administration court system is proper for our system.

Regarding to the administration we are interested to know and to learn more about the caseload management and everything else in its function. Nora, you have already our caseload management so, we want to assess different system and then to design a proper programme for our Court.

Regarding the Court technology.

The technology in our Courts is so poor. As you had seen we have no fax, no computer.

We have established an Judicial Information Office in our Court. Through this office we want to establish a network system for exchanging the information inside the Court and outside it. Also, we want to get published the most important decisions made by Cassation Court and have them used by the Judges of lower courts. This is just a vision for the future because till now we have only two computers in Cassation Court, working to put data of the case appealed in our Court.

4. The judges, the Inspectors of Law, and the Lawyers need to be familiar with some different Court systems, they need consultation and training in judicial administration and information system.

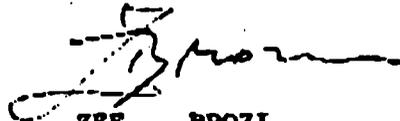
These are the problems that we facing now. During our stay we can talk being more detailed for the most important topics, but if we can take something on what i explain above, then we can go ahead on details.

Today we have to talk to Agim Isaku at SOROS. I dont know if we are going to get that fund for our trip or not .For anything new i will inform you.

If this trip is going to happen we have decided the leaving date: October 19.

Hoping to see you soon i remain.

SINCERELY



ZEF BROZI

Chairman of Cassation Court