



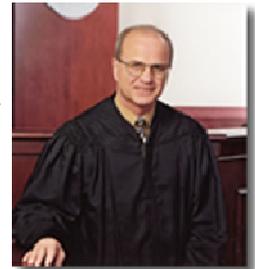
# The Bench and Beyond

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

In the early fall of 2008, I asked the Georgia Administrative Office of the Courts to perform an objective workload assessment analysis to determine whether or not a request for additional judicial resources was justified. The results of that analysis showed that the **four** State Court judges are doing the work that should be done by **9.47** judges. As a result of that troubling calculation, or more accurately, in spite of it, we are asking for one additional judge. Just **one**.

During the first 20 years of my service in this Court, my criminal jury calendars routinely had around 30 cases each month, and were always completely handled within the space of one week without any cases being carried over to succeeding months. Now, these same calendars number around 120 cases and are already scheduled at that level through the month of March. I have increased the number of criminal cases that I arraign each month from around 250 to around 600. In addition, my portion of standard traffic cases runs around 600 cases per month.



State Court Chief Judge  
Harold G. Benefield

In addition to the mushrooming criminal caseload, we have also experienced a tremendous increase in the number of civil actions – contract disputes, personal injury cases, medical malpractice, wrongful death – which require tremendous attention as well. Some of these cases can take years to prepare for a trial that can last for weeks on end.

The State Court of Clayton County is, indeed, at the crisis point. But it must be understood that this is not a crisis of numbers, it is a crisis of justice; it is a crisis for the life, death, and soul of our community. We are called upon to deal with household violence, alcohol and drug abuse, commercial theft, drunken and reckless drivers, and the destruction of our school environments. The numbers are overwhelming, and the human tragedies are frightful.

This is the true nature of the crisis, and because our resources are simply not equal, not anywhere nearly equal to the critical task at hand, we are asking for assistance.

On January 6, 2009, we met with the Legislative delegation to speak our needs and seek their understanding and their help. For the last few weeks, Judge John Carbo and Court Administrator Yolanda Lewis have gone to each County Commissioner to preach this same sad sermon. So far, the reception has been wonderfully positive. We are hopeful that help is on its way.

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](mailto:andrea.saxon@co.clayton.ga.us) . ♦



Pictured (l-r): Katrina Hood, Judge Linda Cowen, Robby Gordon, Sacha Green, Dr. Richard Highland

## D U I C O U R T T E A M V I S I T S S T A T E C A P I T O L

Court officials from across Georgia visited the state capitol in October to increase awareness of the effectiveness of DUI Courts. NASCAR driver Robby Gordon was on hand to thank everyone for their support and hard work. ♦

### S W E A R I N G - I N C E R E M O N I E S F O R C O U R T O F F I C I A L S



*Pictured (l-r): Superior Court Judge Deborah Benefield, Superior Court Chief Judge Matthew Simmons, Probate Court Judge Pam Ferguson, State Court Judge Linda Cowen, State Court Judge Morris Braswell*

The 2008 elections for the officials of the Banke Justice Center resulted not only in the re-election of several incumbents, but also created a few new faces in the building. Serving for an additional term are Superior Court Judges Matthew Simmons and Deborah Benefield, and State Court Judges Harold Benefield, Linda Cowen, and Morris Braswell.

While the judges in the Banke Justice Center were all re-elected, the Solicitor and District Attorney changed. Former Juvenile Court Judge Tracy Graham Lawson is now serving as District Attorney. Tasha Mosley, a former Clayton County Assistant Solicitor, is the new Solicitor General. Kem Kimbrough was elected as the new Sheriff.

Also re-elected to serve was Magistrate Court Judge Daphne Walker and Superior Court Clerk Linda Miller. ♦



*District Attorney Tracy Graham-Lawson is sworn in by Senior Superior Court Judge William Ison*



*Juvenile Court Judge Deitra Burney-Butler is sworn in by Superior Court Chief Judge Matthew Simmons*



### C C A P W I N S S T A T E A W A R D

CCAP (Court and Community Access Program) won the Program of the Year award at the Georgia Council of Court Administrators' fall conference in October. Will Simmons, the District Court Administrator and GCCA President, presented the award to Yolanda Lewis, Court Administrator, and Sandra Young, IT Coordinator. CCAP was up against programs created by Fulton, Cobb, and other counties. A formal presentation of the award will take place at an upcoming Board of Commissioners meeting. ♦

### C O U R T A D M I N I S T R A T O R S P E A K S A T C L A Y T O N E L E M E N T A R Y S C H O O L

Court Administrator Yolanda Lewis was the guest speaker for Roberta T. Smith Elementary School's newly-formed girls' organization, G.E.M.S. (Girls Empowered with Morals and Self-Esteem). She addressed over 25 girls, their parents, and G.E.M.S. mentors with a speech on the courage to be a leader at their first induction ceremony on November 1.



*Ms. Lewis (l) and Ms. Striggles (r)*

G.E.M.S. is for girls in third through fifth grade at Smith Elementary. The organization's mission is to "encourage standards which promote respect for academic achievement, high morals, and self-esteem among young girls."

Assistant Principal Janice Striggles said that Ms. Lewis "touched the lives of the little G.E.M.S. of Roberta T. Smith Elementary." ♦



*G.E.M.S. Inductees*

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



Nancy Denham is Clayton County's new State Court Clerk. She was recently appointed to replace Brenda Smith, who retired on January 23. Nancy was the Deputy Clerk Administrator for State Court under Brenda, and has worked for the county more than 20 years.

As the State Court Clerk, Nancy oversees the day-to-day operations of the

Clerk's office. Her staff is responsible for maintaining all files and records for civil and criminal misdemeanors, traffic citations, and microfilm. Nancy also processes month-end reports and the disbursement of the fine monies received each month.

Nancy grew up in Jonesboro, and has been married to husband Brad for 40 years. They have two daughters, a son-in-law, and four grandchildren. "I love spending time with my husband, our children, and grandchildren. They are the loves of my life!" she says. Nancy and Brad are also

very involved in their church. They are directors of the Outreach Ministries of their Sunday school class, and plan social activities for the class.

**What have you found to be the best way to relieve tension?** Going out on our porch with a tall cup of coffee and a good book.

**Where would you go on your dream vacation?** My husband and I enjoy vacationing in Destin, Florida where we love taking walks on the beach and eating seafood. ♦

M O C K   T R I A L   T E A M S   R E C E I V E  
W A L L   O F   H O N O R

Clayton County's mock trial championship teams were given a Wall of Honor in the Banke Justice Center on November 16. Superior and State Court Administration, along with the Clayton County Bar Association, presented six of the seven teams with framed portraits. The portraits are displayed in the jury assembly room at the courthouse.

The teams represented are the state champions of Riverdale High School (2001) and Jonesboro High School (2002, 2003, 2006), as well as the national champions of Jonesboro High School (2007, 2008). The portrait of the state championship team of Jonesboro High School from 1988 will be displayed after it is received.

Local judges, attorneys, media, and past and present team members attended the ceremony. State Court Judge Linda Cowen said, "Clayton County has a long and intimate history with the Mock Trial Program, one that we can all be proud of. The photos of the Georgia championship teams from Clayton County enable others to share in that history."

Superior Court Judge Deborah Benefield, a coach of the 2008 Jonesboro High team, said, "I was so proud of our courts and community when they honored the Jonesboro High School national champion mock trial team. As one of their coaches, I remain thrilled with, and proud of, the achievements of every member of the team." ♦



On behalf of everyone in the Harold R. Banke Justice Center, we would like to congratulate Brenda Smith, Clerk of State Court, on her retirement. Brenda served Clayton County for over thirty years. Best wishes on your future endeavors!

- State Court Judges & Staff

L E G A L  
L I N G O

**"Alternative  
Dispute  
Resolution"**

*Different methods that may be used for resolving problems without going to court (ex., mediation, negotiation).*

C O U R T  
C L E R K  
U P D A T E S

Congratulations to Gail Carnes, formerly the judicial secretary for State Court Judge John Carbo. Gail is now the Deputy Clerk Administrator in the State Court Clerk's office. ♦

**FOR THE RECORD \***

**SUPERIOR COURT**

- 3,892 criminal filings
- 4,769 domestic relations filings
- 1,013 general civil filings

**STATE COURT**

- 13,463 civil filings
- 15,391 criminal filings
- 25,530 traffic filings

**DUI COURT**

- 33 participants in Phase I
- 18 participants in Phase II
- 22 participants in Phase III
- 9 participants in Phase IV
- 22 participants graduated

**INTERPRETERS**

- 1,478 interpreter hours billed
- \$79,762 billed
- 17 languages used

**ADR MEDIATION**

- 983 cases closed
- 41% cases mediated
- 51% reached full or partial agreement

**ADR PARENTING**

- 22 seminars held
- 477 cases referred
- 610 seminar attendees

\*for calendar year 2008

**COURT TOURS IMPRESS KIDS**

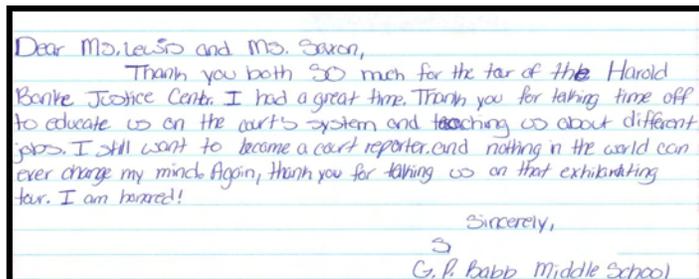
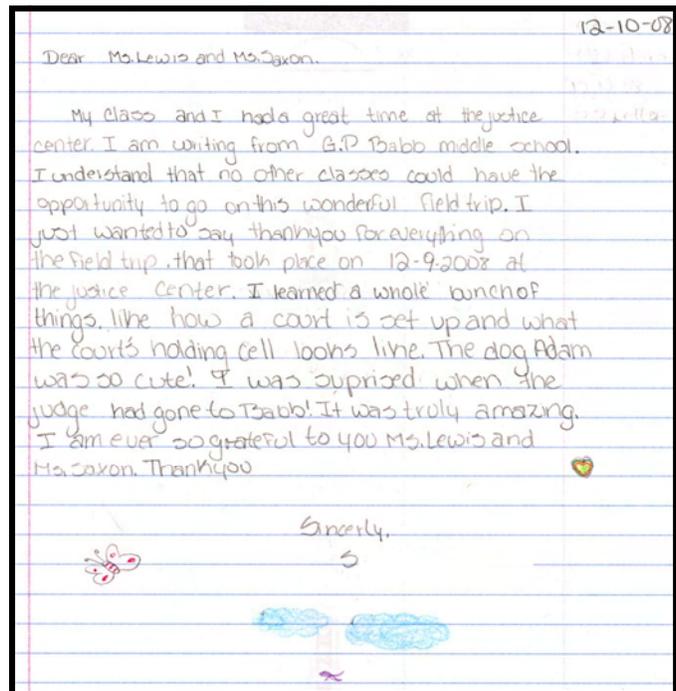
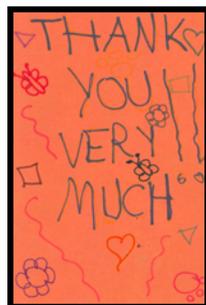
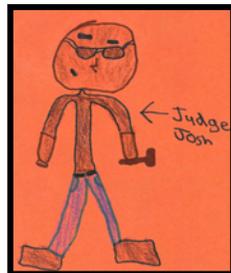
During the school year, Court Administration hosts tours for Clayton County elementary, middle, and high schools. The Public Education Outreach Initiative allows local school children to observe personally how justice is served in their community.

Court Administrator Yolanda Lewis gives the students the history of the courthouse and explains the three levels of court within the Banke Justice Center. The students visit the jury assembly room and the Superior Court Clerk's office. Students are then able to engage in a hands-on learning experience in an empty courtroom. They play out the various roles in court, such as court reporter, interpreter, and prosecutor. They can also sit in the judge's chair or jury box. Ms. Lewis provides the students with situations to act out, and she answers questions about court, jail, and everything in between. Students get to meet judges and other court officers, and can even meet Sergeant Hensley and Adam, the courthouse's bomb-sniffing German Shepherd.

Many schools will send thank-you notes after their tours. Included on these last two pages are some of the drawings and notes that Court Administration has received in the past few months.

If you know of a teacher or school that may be interested in a tour, please refer them to the following link:

[http://www.co.clayton.ga.us/court\\_administrator/public\\_ed\\_initiative.htm](http://www.co.clayton.ga.us/court_administrator/public_ed_initiative.htm) . For additional information, schools may also call Court Administration at 770-472-8190.



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

Editor  
Andrea Saxon  
Harold R. Banke Justice Center  
9151 Tara Boulevard, Suite 3CA01  
Jonesboro, Georgia 30236  
Phone: 770-472-8190  
Fax: 770-478-2381  
E-mail: andrea.saxon@co.clayton.ga.us

Visit us at:  
[www.co.clayton.ga.us/courts](http://www.co.clayton.ga.us/courts)

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

M O R E N O T E S F R O M T H E S C H O O L S

Dear Ms. Saxon,

Thank you for the tour I had  
a lot of fun I learned a lot about  
favorite part was role playing in Judge  
Saxon's court.

Sincerely,

*ariell*

2984 Mt Zion Road  
Jonesboro Georgia 30236  
October 2, 2008

Dear Court Administrators,  
Thank you for the tour of  
the Clayton County Courthouse  
on September 17, 2008. I enjoyed  
it very much, it was fun.  
We got to bang the gavel,  
hear about some crimes,  
and see the inside of the holding  
cell. I had a great time.

Sincerely,

Alexis

Dear Mrs. Lewis & Miss Saxon,

I really enjoyed the field trip to the  
Harold Banke Justice Center. It was  
very entertaining. Some people say it  
was okay, but my opinion is totally  
different. I had seen the judge and  
wondering that he once came to Babo.  
It makes me think that anyone of us can  
become a judge one day. I also enjoyed  
learning how you pick the jurors. Anyway  
I loved it & I hope to see you all  
again soon.

Sincerely,



Dear Ms. Lewis & Ms. Saxon,

Thank you so much for the wonderful tour at  
Harold Banke Justice Center. I had a wonderful time  
and I really learned a lot. I usually don't get into  
trouble a lot but after this trip, it reminded me to stay  
out of trouble and stay safe. I was so excited  
when I was able to see a real live court taking  
"action" & I was a little disgusted - grossed out -  
when I saw the holding cell, but the whole trip was  
very fun and I enjoyed it. Thanks 400!!

Student at Babo,

*[Signature]*