



Carl Vinson
Institute of Government
UNIVERSITY OF GEORGIA

The Superior Court Clerks' Certificate Program



Program Description

Superior Court Clerks presently in office or those who are newly elected are eligible to enroll in the Superior Court Clerk's Certificate Program.

To receive a certificate, participating clerks must complete the following **program requirements**:

- 11 required six-hour courses,
- two required three-hour courses, and
- a project paper.

Each course in the program will be offered on a rotating basis in conjunction with regularly scheduled conferences or meetings.

The **project paper** that will be written at the conclusion of all coursework will profile three of the courses taken. The paper should be three-five pages in length and include the following:

- the titles and descriptions of the three courses profiled in the paper;
- a synopsis of what was learned in each of the three courses;
- a comprehensive explanation of how at least one component of each course could be used to improve the operation of a Superior Court Clerk's office; and,
- a plan for how the components described above could be implemented in a Superior Court Clerk's office. Plans do not have to be actually implemented in order to fulfill the requirements of the Certificate Program.

The paper will be reviewed by the director of the Certificate Program (Vinson Institute of Government faculty). If a peer review is needed, a designated member of the Superior Court Clerks' Training Council will review deficient papers with the director to make a recommended course of action.

When a clerk has completed the requirements of the program, a certificate will be awarded by the University of Georgia's Carl Vinson Institute of Government.

To keep their certificates current, clerks participating in the program will be required to complete six hours of continuing education each year.

The requirement will be met by participating clerks taking an Annual Update class (six hours), which will be offered twice each year.

Should a Superior Court Clerk participate in the certificate program, receive a certificate, and then allow it to lapse, **reinstatement will be allowed as follows**: the clerk will be required to take the Annual Update in the year reinstatement is sought, plus one required course from the Certificate Program curriculum for each year the certificate has lapsed.

Transcripts and records for the Superior Court Clerks' program are maintained by the Carl Vinson Institute of Government at the University of Georgia.

If you have questions regarding the Superior Court Clerks' Certificate Program or need other information please contact:

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Course Descriptions

REQUIRED COURSES

Jury Management (6 hours): In the course, participants will learn about the role of the jury clerk in managing jurors for Traverse and Grand Jury. The course will include discussion of the following: drawing jurors as directed by judge's order, greeting jurors and verifying the process by which to obtain strike lists for jury selection, jury compensation, the permanent storage of jury records, jury questionnaires, the jury selection process, and deferrals and excusals, and the authority/discretion given to the clerk through a standing order). Discuss rules regarding dissemination of jury list. The course will conclude with an exploration of using technology in the courtroom during the jury selection process.

Managing Human Resources (3 hours): The course will explore human resources from hiring and retention to firing. Discussion will include developing a personnel policy for your office, an overview of the difference between civil service employees and non-civil service employees and how it affects your office. Other topics will include how to prepare employee evaluations and the importance of evaluations for salary increases, the importance of cross training employees, dealing with employee generational and personality differences, as well as how to address and properly document disciplinary actions. Other discussion will provide an overview of the importance of documentation of personnel files, legal procedures to follow with terminating an employee, and preparing to legally defend disciplinary actions or terminations.

Financial Management (6 hours): The course will guide you in preparing a budget for your office using expenditures and projections of needs using the zero balance budget process and in using the Uniform Chart of Accounts to set your budget. Other discussion will include best practices for presenting your budget to the County Commissioners along with statutory requirements, review of statues pertaining to mandated funds, and the role of County Commissioners as it relates to the budgets of Constitutional Officers. Students will learn how to prepare and present financial reports to the Grand Jury Reports according to O.C.G.A. Day-to-day and monthly accounting practices will be covered such as establishing policies and

procedures for the office for accounting purposes and preparing accounting reports for an annual audit.

Criminal Case Management (6 hours): In this course, students will explore crucial issues affecting the flow of criminal cases from warrant to disposition. Discussion will include the process of the criminal warrant from the time of arrest to the filing of the accusation/indictment or dismissal including arrest, booking, warrant docket, filing of charging document by prosecuting attorney, return of indictments, arraignments, motions, and trial calendar. Other topics include the role of the Superior Court Clerk in the case flow management and in providing information to judges, other courts, sheriffs, probation/parole officers, prosecuting attorneys, public defenders, and other state agencies; and criminal and other proceedings such as sealed, expunged, and restricted. The course will look at the history of electronic docketing and imaging; how filings are entered in case management dockets using standards and uniform rules (current and as developed); how cases are created, offenses entered and final dispositions affect the criminal history of defendants in criminal cases; open records and what is in open records/public information as relates to criminal cases; how to petition the courts to have records sealed; understand the relationship between Superior Court Clerk, the arresting agency, and GCIC in the reporting of finger-printable criminal offenses onto the criminal histories of defendants. Additionally, the class will discuss the relationship between the Superior Court Clerk, the arresting agency, and the Department of Driver Services in the reporting of final dispositions on traffic offenses; and the importance of yearly case count required from the Superior Court Clerk as to criminal cases in the Superior Court and accuracy of same.

Civil Case Management (6 hours): The course will explore crucial issues affecting the flow of cases from filing to disposition. Discussion will include the role of the Superior Court Clerk in case flow management and in providing case information to the sheriff, the attorneys of record, and state agencies; the importance of entering the civil case from the beginning by correct type of case (i.e., general civil type and/or domestic civil type); overview of the Uniform Rules of Superior Court affecting case flow; and the importance of

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understanding what the official record is in the Superior Court civil case management docket. Students also will learn about the custodianship role of the Superior Court Clerk as to the official civil case records of the Superior Court; the importance of accurate data entry and how that data affect not only the Superior Court Clerk's office but other state agencies; electronic docketing and imaging and the relationship between the Superior Court Clerk, the Clerk's case management vendor, and the Council of Superior Court Clerks' e-filing portal vendor; and the pros and cons of civil e-filing.

Fines, Fees and Forfeitures (6 hours): The course will offer an overview of Georgia statutes and GSCCCA Rules and Regulations; GSCCCA web-based tools; proper collecting, reporting, and distributing miscellaneous fees (e.g., copy fees, trade name fees); assessment, collection, reporting, and distribution of surcharges and deductions; collection, reporting, and distribution of fines, fees, and forfeitures including civil filing fees and real estate recording fees. Additional discussion will include an overview of Unclaimed Funds, time frame, procedure of notification to parties, and distribution to proper entities as well as using, maintaining and distribution of interest bearing accounts.

Real and Personal Property (6 hours): The course will explore the filing, e-filing, recording, indexing, and maintenance of real estate and personal property documents; recordable real estate or personal property records; accepting or rejecting real estate or personal property documents. Other topics include indexing standards; collection, reporting, and distribution of Transfer and Intangible Taxes to proper entities including annual reports to Department of Revenue; and plat filing requirements.

Public Sector Leadership (6 hours): While some characteristics are shared, leading in the public sector is different from leading in the private sector. Superior and State Court Clerks become public leaders by virtue of being an elected or appointed official; therefore, a broad

understanding of public sector leadership is critical to Superior and State Court Clerks' organizational success and effectiveness. This course will explore foundational public service values in the context of the fundamental challenges experienced when leading in the public sector.

Superior Court Clerks' Manual: Resources and Research (6 hours): The class consists of basic research techniques of Georgia statutory law, navigating the Legislative website, and navigating the General Assembly. Other topics include research techniques of the Clerks' Manual and review of Uniform Superior Court and State rules as they apply to clerks.

Ethical Use of Power (6 hours): The course provides an overview of governmental ethics by highlighting the principles and issues most relevant to local governments. Superior and State Court Clerks will increase their Understanding of public sector ethics and recognize the need to continuously clarify and reinforce organizational values. Ethical decision-making and power and its sources will be addressed, along with the potential for abuse of power. Participants will analyze some ethical dilemmas that Superior Court Clerks and State Court Clerks might encounter. In addition, transforming power into influence, selecting an appropriate influence strategy, and acting assertively will be discussed.

Disaster Recovery and Records Management (6 hours): The course will examine the Custodianship Bill (15-6-60.1), My Vault, and other backup options. If disaster strikes, students need to have in place or know how to make an emergency plan or disaster plan and know who the emergency management person is in the county. Discussion regarding open records will cover record retention schedule, archival storage including office site facilities away from the courthouse, and the custodial role of the clerk (e.g., contracts).

Effective Communication (6 hours): The ability to communicate effectively is a core management competency. Although communication may seem like a simple concept, Miscommunication creates confusion, conflict, and frustration and can diminish the capacity for Superior and

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State Court Clerks to practice effective leadership. Participants will focus on enhancing workplace communication skills through practice, exercises, and an increased understanding of the components of effective communication.

County Government and the Superior Court Clerk

(3 hours): This course will examine the interaction between the Superior Court Clerk and county government officials. The key issues relating to the operation of county government about which Superior Court Clerks should be informed will be discussed. In addition, the basic administrative responsibilities of the Superior Court Clerk such as submitting a budget, bonds, purchasing and contracts will be explored. Class will include a discussion of the governmental framework that exists between the Superior Court Clerks, county commissioners, and the other county officials including the constitutional officers. Issues relating to personal liability and immunity as public officials will be covered.

CERTIFIED ANNUAL UPDATE (6 hours each)

New Technology/New Legislation: The Certified Annual Update course will provide an annual legislative/case law update as well as updates on new technologies.

PLEASE NOTE:

- All classes are limited to 60 participants each.
- From time to time, it may be necessary to change or amend the content of courses. This determination will be made by the Institute of Government in consultation with the Superior Court Clerks' Training Council. Credit will be awarded for all classes taken even if course descriptions are later changed or amended.

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