



GREGORY V. SAPP
JUDGE
THE STATE COURT OF CHATHAM COUNTY

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July 29, 2016

Honorable David E. Nahmias
Supreme Court of Georgia
244 Washington Street
Room 672, State Office Annex Building
Atlanta, Georgia 30334

Dear Justice Nahmias,

I write to oppose the Georgia Supreme Court approving Uniform Superior Court Rule 6.8 as proposed by the Council of Superior Court Judges. I am in favor of new rules of evidence to provide greater control and clarity concerning electronically stored information, but I believe that this matter is more properly one for the legislature and beyond the proper and historical role of the judiciary in enacting uniform rules.

As a member of the State Court Judges Council Uniform Rules Committee, I took this same position concerning the proposal to adopt a uniform rule to address the garnishment statute last year and was primarily responsible for drafting the opposition argument on behalf of our council's ad hoc response committee. Therefore, I adopt the same reasoning here. While the intentions are good, and the legislative branch has not been able to produce a new rule that the relevant stakeholders embrace, it is still a matter of legislative enactment. The making of new laws is rarely smooth and streamlined but that is what legislatures do, not judges.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Sapp", written over a horizontal line.

GREGORY V. SAPP
Judge, State Court, Chatham County

xc: Judge Richard Michael Gailey, Jr.