



**2015 STATE OF THE JUDICIARY ADDRESS
THE HONORABLE CHIEF JUSTICE HUGH P. THOMPSON
SUPREME COURT OF GEORGIA
February 4, 2015, 11 a.m.
House Chambers, State Capitol**

Lt. Governor Cagle, Speaker Ralston, President Pro Tem Shafer, Speaker Pro Tem Jones, members of the General Assembly, my fellow judges, ladies and gentlemen:

In a courtroom somewhere in Georgia this week, under the adoption laws of this state, a judge will declare a couple the legal parents of the young child they have brought into their family.

In another courtroom, a judge will inform the owner of a small business that she is throwing out the lawsuit which threatened to close the doors of that business forever.

In yet another Georgia courtroom, the parents of an adult son or daughter who was randomly shot and killed will get some closure when the judge announces that he is sentencing their child's killer to spend the rest of his life in prison.

Each day in Georgia, our judges dispense justice. Each day, they study and review the laws of our nation and the laws of our state and apply them impartially to the facts of the case before them. Each day, when they look at the people in their courtroom, they consider that their decisions will change individuals' lives forever.

Today I speak for Georgia's judges in pledging to you that the state of Georgia's judiciary is sound and strong.

It is strong because each day across this state, prosecutors, public defenders, sheriffs and sheriffs' deputies, clerks, probation officers, and more than 1400 Georgia judges go to work, committed to fulfilling the mission of our courts. That mission is to protect individual rights and liberties, to uphold and interpret the rules of law, and to provide a forum for the peaceful resolution of disputes that is fair, impartial, and accessible to all.

As your Chief Justice and head of the judicial branch of government, I am grateful for the opportunity to report to you our achievements of this past year, and the challenges that lie ahead. And I thank you for your ongoing support of the judiciary and the partnership we have forged in our common goal of serving the people of this great state.

Economy and the Courts

After years of a near-crippling recession that threatened the livelihoods of too many Georgians, our economy is improving and the judiciary is beginning to regain its footing.

After years of cutting costs, streamlining our organizations, and implementing furloughs, today we stand on firmer ground in maintaining the courts' ability to fulfill our constitutional duties.

As my predecessors and I have said before, our courts are a bargain for this state.

The entire judicial branch of Georgia operates on less than 1 percent of the total spent by all of our state government. Look at it another way: For every \$100 spent by Georgia's government, only \$.89 goes toward funding Georgia's judiciary. That's not even a full dollar. At the same time, our courts generate \$93 million a year in revenue that is pumped back into the state's budget. What a value for Georgia taxpayers.

Despite our best efforts, however, challenges remain, notably for our probate courts. But with your help and support, we will meet those challenges.

Access to Justice

One such challenge is access to justice. Critical to the success of the judiciary is the public's trust and confidence. Too many hard-working Georgians believe that justice is out of their reach, either because it's too expensive or because of where they live. According to the National Center for Access to Justice, when it comes to access to attorneys, Georgia ranks in the bottom 10 states.

As I said last year, our judges continue to see a growing number of people coming to court with no lawyer and trying to represent themselves, particularly in divorce and other domestic relations cases. Superior Court Judge David Roper from the Augusta Judicial Circuit told me that in his court, 35 percent of litigants in domestic cases now represent themselves. When people are unrepresented in court, often their interests are not championed, judges don't have the information they need to make just decisions, and the courts are burdened in time and resources.

Last year I told you there are six rural counties in Georgia where there are no lawyers and another 20 where there are fewer than five.

Dr. Martin Luther King, Jr. said: "Injustice anywhere is a threat to justice everywhere." We need your help in guaranteeing justice everywhere in Georgia.

This year, under the leadership of Patrise Perkins-Hooker, President of the State Bar of Georgia, and under the sponsorship of Chairman Alex Atwood of Glynn County, legislation is being introduced to encourage private civil attorneys to work in severely underserved rural areas of Georgia. Under this legislation, a small number of law school graduates would receive annual assistance to help pay off their law school debts. In exchange, the attorneys would agree to work five years in those Georgia counties that desperately need legal help. This pilot project is just a small start, ladies and gentlemen. But it is a good start, and we ask for your backing.

Specialty Courts

Another challenge that we continue to address is the need for alternatives to prison for non-violent offenders. Thanks to Governor Deal, Lt. Governor Cagle, Speaker Ralston and so many of you here, Georgia remains at the forefront as a model for criminal justice reform. One

of the crowning achievements is the growth in specialty courts, also known as accountability courts or problem-solving courts.

Georgia's drug, DUI, mental health, and other specialty courts save taxpayer dollars by avoiding the expense of incarceration. Most importantly, however, they help keep the public safe.

Last year, more than 5100 Georgians participated in the specialty courts, which now number 116 across the state. Georgia's specialty courts are yet another bargain for Georgia.

The success of these courts is told in the individual stories. Chief Judge Brenda Weaver of the Appalachian Judicial Circuit recently told me of a man she came to know who had been abusing drugs and alcohol since he was 13 years old. He had been in and out of prison for 22 years. But last April – at the age of 55 – this man graduated from Judge Weaver's drug court. After years of addiction and incarceration, today he has a fulltime job, pays taxes, and is a contributing member of his community.

I have heard similar stories from so many judges.

In Georgia today, we have seven Veterans Courts, with another six on the drawing board. Our veterans, who have sacrificed everything for our freedom and our system of justice, too often return from combat with brain injuries, post-traumatic stress disorder, mental health problems, and drug and alcohol dependencies – all of which can lead them into the criminal justice system.

Last month, I had the honor of attending Veterans Court in Cobb County, at the invitation of Superior Court Judge Reuben Green. Cobb County has more veterans than any other county in our state. Every Friday, Judge Green, who served as a United States Marine, presides over the court. Let me tell you what I saw:

I saw a team of professionals who met with Judge Green for an hour before court to discuss each veteran who would appear before the judge that morning. I saw those professionals' dedication to keeping these veterans out of jail, by helping them get the treatment they need, and by helping them find jobs and housing.

I then moved into Judge Green's courtroom where I saw him use the knowledge he had of each participant to praise them, to encourage them, or to sanction them if needed.

One of the beauties of Veterans Courts is that all the participants receive veterans' benefits, which means that much of their treatment is funded by federal tax dollars, instead of state or county funds.

Also unique is something else I saw first-hand. As each veteran approached the bench in Judge Green's courtroom, he or she was accompanied by a "mentor" – one of 25 veterans who have volunteered to be paired with a court participant and stand behind and alongside these men and women to give them every chance to succeed.

Judge Green calls these mentors the real heroes, and he is always looking for more volunteers. As Judge Green said, we owe these young men and women whom we sent off to war a second chance and the treatment they need for the issues caused by their service to our country.

Ladies and Gentlemen, I am proud to introduce to you Judge Reuben Green.

I am also proud to introduce to you some of the United States veterans – the heroes – who volunteer in Judge Green's Veterans Court.

Growth and Future

Looking ahead to the future, our courts – like all of government – must be prepared for the growth in our population. For the first time, Georgia’s population has surpassed 10 million. We are now the eighth most populous state, just behind Ohio.

Like other states, Georgia is experiencing a growth in our elderly population. I believe this is one of the greatest challenges our courts face, particularly our probate courts, who lack the staff and resources they need to deal with more and more seniors who have no family to support them.

In Bibb County, Judge Sarah Harris of the probate court reports her belief that the increase in the number of homeless people who come before her is directly tied to our growing elderly population.

Senior Judge William Self of Macon worries about the significant increase he is seeing in the abuse, neglect, and exploitation of the elderly. In a letter to me, he wrote: “Our probate courts are going to be overwhelmed and ill-equipped, in both judicial and clerical resources.”

In another letter, the president of the Council of Probate Court Judges – Judge Chase Daughtrey of Cook County – said he wants members of the General Assembly to understand the often urgent and tragic human cases probate judges face daily. He wrote: “We watch the elderly man transition from independence to a ward of the state with no family or friends to care for him during his final days on this earth. With that, our hearts ache and cry for the greatest generation.”

Members of the General Assembly, going forward, our probate judges will need your help and your support.

At the Supreme Court of Georgia – the highest court in our state – the number of appeals filed to date is nearly 40 percent higher this year over last. Although we are rebuilding with your help, we continue to have fewer staff than we did more than a decade ago.

Please know that we appreciate your support in giving us the building facilities, personnel and resources we need to handle the people’s problems and the people’s business.

I said last year that our state-paid judges deserve a raise. I say it again this year.

We have not received a base pay raise for more than 15 years. For the sake of attracting and retaining the highest-qualified judges at all levels – both trial and appellate – we must be properly compensated based on a pay scale that makes sense.

As we prepare for the future, we share with the governor and all of you our pride in Georgia being named the best place to do business. To maintain that position, our courts must be ready and able to quickly resolve business disputes.

One of our great success stories is the Business Court created in Fulton County under the leadership of Judge John Goger, and which may soon be replicated in Gwinnett and Cobb counties. That court provides prompt resolution of complex commercial litigation by a panel of experienced judges. Going forward, we would like to see more of these courts in our state.

Georgia is now home to more than 3600 foreign businesses from more than 60 countries. In the last decade, foreign companies accounted for 20 percent of metropolitan Atlanta’s new business activity. With the growing globalization of business, Georgia has become a nationally recognized leader in the international legal market through the adoption of rules that make this state more attractive to foreign lawyers.

I am also proud of Georgia’s Alternative Dispute Resolution system. Its purpose is to help people resolve their disputes in less time and for less money by not having to go to court.

Each year, 70 percent of the cases that go through the Alternative Dispute Resolution process are settled, and that results in nearly 25,000 fewer civil cases in our courts.

As the gateway to justice, our courtrooms are the epitome of democracy. But as our population grows, we are also growing more diverse. Our judges must reflect our population. The perception of justice is almost as important as justice itself.

Last month, our state reached two important milestones. On January 7th, Judge Dean Bucci of the Paulding Judicial Circuit was sworn in as the first Hispanic superior court judge. The following week, I had the honor of presiding over the ceremonial swearing in of Judge Meng Lim of the Tallapoosa Judicial Circuit.

It was indeed an historic occasion for our state, not only because Judge Lim is Georgia's first Asian American superior court judge, but also because of the extraordinary story of how he got here.

Judge Lim didn't grow up with a childhood like yours and mine. He was born in Cambodia, just before the takeover by the Khmer Rouge. He was taken from his mother when he was 4 years old, and placed in a camp with other young children. For four years, from sunup until sundown, he and the other children were marched to the rice fields where they worked all day pulling weeds. They had no toys, no medicine, no education, and no parents.

After the Vietnamese liberated Cambodia, the Lim family was reunited and relocated as refugees to rural Bremen, Georgia. They spoke little English, but Meng, who was 9 years old, learned the language quickly and became his parents' interpreter. The community embraced the Lim family. The Baptist Church of Bremen provided a house for them and hired his parents as custodians. His teachers took him after school and on weekends to Walmart to introduce him to things he had never seen and words he had never heard. People anonymously contributed money so he could go on trips with the other school children.

Meng Lim would go on to graduate as valedictorian of his class from Bremen High School and win scholarships to Emory University and the Mercer School of Law. He eventually worked in the law firm of the late great Speaker of this House, Thomas B. Murphy. But after 15 years practicing law, Meng Lim decided he could give back more to his community as a judge. From his early childhood in a country where there was no system of justice, he developed a passion for ensuring that all people who would enter his courtroom would be guaranteed justice.

So last year, Meng Lim ran for an open seat in the Tallapoosa Judicial Circuit, and once again the community he had come to love embraced him and elected him as their judge.

Ladies and Gentlemen, please join me in thanking Judge Lim and his parents, Se and Anh Lim.

Judge Lim and the other judges I have mentioned here today represent our state's future. They represent the many judges who embody the values Georgians hold dear – humility, integrity, hard work, courage, resiliency, love of country and love of community.

Georgians deserve judges of this high caliber. Georgians deserve a diverse judiciary made up of the best legal minds that instill confidence in our judicial system. And they deserve a justice system that ensures fair and prompt access to our courts for all Georgians.

Thank you to all our judges. Thank all of you in the General Assembly for your support of the judiciary. Thank you for having me here today. And may God bless you and the great state of Georgia.