

**MINUTES OF BOC WORK SESSION
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 9, 2021
1:30 PM**

The Work Session of the Cobb County Board of Commissioners was held on Tuesday, November 9, 2021 at 1:30 p.m. in the second-floor public meeting room at 100 Cherokee Street, Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 1:32 p.m.

PRESENTATIONS

1. **To present departmental and agency presentations for the FY2023-2024 Biennial Budget cycle.**

Brendan Murphy, Chief Magistrate Judge, provided the FY2023-2024 Biennial Budget cycle presentation for the Magistrate Court.

A copy of the information presented is attached and made a part of these minutes.

ADJOURNMENT

The meeting was adjourned at 2:32 p.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

Magistrate Court

FY23-FY24 Budget Presentation



Judge Brendan F. Murphy,
Chief Magistrate of Cobb County

1



2

- 
- ▶ Mission
 - ▶ Challenges & Opportunities
 - ▶ FY23-FY24: Protecting & Advancing the Mission

3

Mission



- ✓ The People's Court serves our community 24/7 as a "court of first impression" and a "court of last resort" for a wide variety of high volume criminal and civil matters.
- ✓ We strive to provide a meaningful day in court where people are heard efficiently, welcomed warmly, and treated fairly with courtesy, dignity, and respect.
- ✓ We work to increase access to justice through #thebest "customer" service and innovation to ensure the court system serves as a true justice system.

4



5

Magistrate Court Team

- ▶ One Team of 75+ people with one County-funded budget
 - ▶ Court Administration + Clerk of Court
 - ▶ O.C.G.A. §§ 15-10-5 and 15-10-106
- ▶ Administrative: 8%
- ▶ Clerk's Office: 52%
- ▶ Judicial: 24%
- ▶ Pretrial: 15%
- ▶ Temporary: +7
 - ▶ Rental Assistance, Mediation, Backlog

Other Assistance

- ▶ Bailiffs - provided by the Sheriff's Office
- ▶ Mediators - provided through ADR funds



6

Award-winning

Statewide “Workhorse”



Commitment to Legal Aid



Jimmy Berry Champion of Justice & Liberty Bell Award



7

Judicial Service



- ▶ Hon. Brendan F. Murphy, Chief
- ▶ Hon. Michael McLaughlin
- ▶ Hon. Sonja N. Brown

- ▶ Hon. Annamarie Baltz
- ▶ Hon. Alyssa Blanchard
- ▶ Hon. Rita Cherry
- ▶ Hon. Charles Chesbro
- ▶ Hon. Toqeer Chouhan
- ▶ Hon. Louis Feingold
- ▶ Hon. Don Hicks
- ▶ Hon. Jennifer Inmon

- ▶ Hon. Quinn M. Kasper
- ▶ Hon. Jonathan Marigliano - Senior
- ▶ Hon. Janné Y. McKamey
- ▶ Hon. Amanda Perez
- ▶ Hon. Tabitha Ponder
- ▶ Hon. John Strauss
- ▶ Hon. Lee Tollison
- ▶ Hon. Timothy Wolfe - Senior

8



9

Magistrate Court of Cobb County Structure

- ▶ Administration
- ▶ Clerk's Office
 - ▶ Civil Division
 - ▶ Mediation
 - ▶ Warrant Division
 - ▶ Criminal Division
 - ▶ Accounting Division
 - ▶ Rental Assistance Division
- ▶ Pretrial Services









10

Civil Division

- ▶ Largest Division
 - ▶ Caseload significantly increased after a statewide filing fee increase in 2010
- ▶ Small Claims
 - ▶ < \$15,000
 - ▶ No powers of equity
- ▶ Dispossessory/Landlord-Tenant/Evictions
- ▶ Garnishments
- ▶ Abandoned Motor Vehicles, Personal Property Foreclosures
- ▶ Call Center: 1 new call every-other-minute for 9 hours/day (not including Warrants and Windows)

MEDIATION

- ▶ Lay mediators available to assist in resolving cases.

11

Warrant Division

- ▶ Operates 24 hours a day, 365 days a year
- ▶ LEO Arrest Warrants & Search Warrants
 - ▶ EWI
- ▶ Private Warrant Applications
- ▶ Good Behavior Bonds
- ▶ First Appearance Hearings
 - ▶ 8:00 a.m. and 8:00 p.m.
 - ▶ Video conferencing (Safety and cost)
- ▶ Bad Check Program
- ▶ No cost Wedding Ceremonies
 - ▶ Mon. - Fri. at 6:00 p.m.
 - ▶ Weekends and Holidays at Noon and 6:00 p.m.

12



13

Criminal Division

Probable
Cause & Bond
Hearings

County
Ordinance
Calendars

"No Bond"
Hearings

Vertical
Prosecution

14

14

Accounting Division

Accepts all Filing Fees

Accepts Fines/Payments

Processes Garnishment cases

Reconciles & Transmits Receivables to the County's General Fund or other Statutory Accounts

15

15

Rental Assistance Division

Emergency Rental Assistance Program



- ▶ \$22.8 million federal Emergency Rental Assistance Program
- ▶ Federally-funded temporary staff
- ▶ Non-profits on-site
- ▶ Brings landlords, tenants, and rental assistance providers together
- ▶ Eviction Diversion Program
- ▶ www.cobbcounty.org/ERA

16

16

Pretrial Services

- ▶ Provides pre-conviction supervision for some Defendants released on bond as ordered by a judge.
- ▶ In-person meetings
- ▶ Telephone call-ins
- ▶ Drug testing
- ▶ Bond Revocation Hearings
- ▶ Standard Bond Conditions Include:
 - ▶ Not violating any criminal laws
 - ▶ No contact with the alleged victim
 - ▶ Not using or possessing illegal drugs or alcohol
 - ▶ Being subject to random alcohol or drug screens
 - ▶ Ankle-Monitoring



17

17

Assisting Superior Court O.C.G.A. § 15-1-9.1

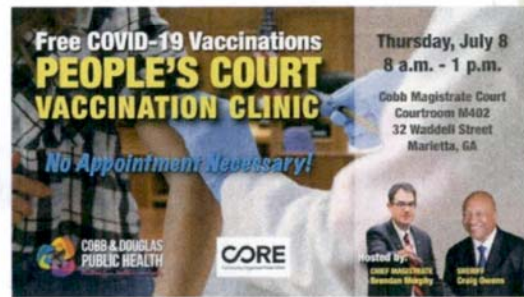
- ▶ Temporary Protective Order Hearings: ~ 8 days/month
 - ▶ TPO Office
 - ▶ TPO Compliance
- ▶ Marietta/Cobb/Smyrna Narcotics Task Force Court (MCS Court): 7-12 days/month, including Jury Trials
- ▶ “No Bond” Calendar: 1 day/week
- ▶ Bond Revocations: 2 days/month
- ▶ Early Intervention Court Pilot: 4 days/month
- ▶ Superior Court Only Warrants: As needed
- ▶ Pretrial Services

18

18

Added Value

- ▶ Second Chance Event & Desk
- ▶ TPO Compliance Court
- ▶ Nationally recognized model
 - ▶ On-site Rental Assistance
 - ▶ On-site Legal Assistance
 - ▶ Community Filing Event
- ▶ People's Court Vaccination Clinic
- ▶ 2020 Census Kiosk
- ▶ Early Intervention Court Pilot
- ▶ CMCJ President; A2J Staff Attorney
- ▶ COVID-19 Judicial Task Force



19



20

JUDGES CALENDAR				
August 2021				
August 2021 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 September 2021 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31				
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Aug 2 10:00 - 11:00 Criminal Appointments (Browne) 10:00 - 11:00 Peace (Browne) 10:00 - 11:00 Criminal Appointments (Browne) 10:00 - 11:00 Criminal Appointments (Browne)	3 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	4 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	5 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	6 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)
9 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	10 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	11 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	12 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	13 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)
16 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	17 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	18 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	19 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	20 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)
23 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	24 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	25 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	26 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	27 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)
30 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	31 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	Sep 1 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	2 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)	3 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne) 10:00 - 11:00 No Bond (Browne)

Caseload 2018 / 2019	
▶ Civil Cases: 40,256* ▶ Warrants Issued: 12,104 ▶ Felony: 6,389* ▶ Misdemeanor: 5,717* ▶ Search Warrants: 1,460 ▶ Ordinance Violations: 4,229* ▶ Criminal Hearings: 14,154** ▶ Pretrial Cases: 2,697**	▶ Civil Cases: 42,604* ▶ Warrants Issued: 12,831 ▶ Felony: 6,208* ▶ Misdemeanor: 6,623* ▶ Search Warrants: 1,408 ▶ Ordinance Violations: 5,138* ▶ Criminal Hearings: 14,992** ▶ Pretrial Cases: 2,135**
*TOTAL CASES: 56,591 **Hearings/Cases Arise out of Criminal Warrants Issued	*TOTAL CASES: 60,573 **Hearings/Cases Arise out of Criminal Warrants Issued

Moving the Magistrate Court Forward

Challenges

- ▶ Employee retention - 33% turnover
- ▶ Competitive Pay
 - ▶ < \$15/hour
 - ▶ Judges = ~\$46/hour
- ▶ COVID-19
 - ▶ All backlogged cases scheduled
 - ▶ Continuing scheduling challenge
- ▶ Technology Assistance
- ▶ Increasing caseload
 - ▶ Growth, accessibility, emphasis

Opportunities

- ▶ Maintain excellent customer service and judicial service through training
- ▶ Nationally-accredited and technology-fueled Pretrial Services
- ▶ Early Intervention Court Pilot
- ▶ Increased access to justice through community engagement and innovation
- ▶ Converting temporary emergency rental assistance into voluntary Eviction Diversion Accountability Court

23

23

Magistrate General Fund Budget

	Adopted 2021	Adopted 2022	Proposed 2023	Proposed 2024
Personnel	\$4,877,678	\$4,853,636	\$ 5,956,233	\$5,956,233
Operating	\$89,689	\$89,689	\$149,967	\$ 138,403
Capital	\$ -	\$ -	\$	\$
Total	\$4,967,367	\$4,943,325	\$6,106,200	\$6,094,636
Increase (Decrease)		(\$24,042)	\$1,162,875	(\$11,564)
% Change		-.48%	23.52%	-0.19%

24

COBB COUNTY

24

Magistrate
General Fund
Operating Budget

	Adopted 2021	Adopted 2022	Proposed 2023	Proposed 2024
Operating	\$89,689	\$89,689	\$149,967	\$138,403
Increase (Decrease)	(\$13,950)	\$-	\$60,278	(\$11,564)
% Change	-15%	0%	67.21%	-7.71%

Cobb County

25

25

Magistrate
General Fund
Personnel Budget

	Adopted 2021	Adopted 2022	Proposed 2023	Proposed 2024
Personnel	\$4,877,678	\$4,853,636	\$ 5,956,233	\$5,956,233
Increase (Decrease)		(24,042)	\$1,102,597	\$-
% Change		-.49%	22.72%	0%
New Positions		0	11	0

COBB COUNTY

26

26

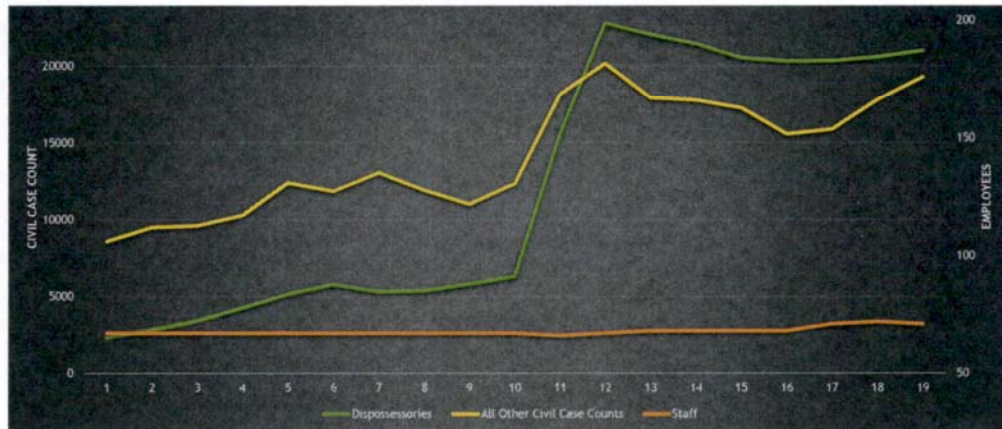
Fiscal Year 2023 Detailed Personnel Request		
New Positions	Cost	Justification
Court Support Manager (Grade 23) – 2 Positions	\$212,142	Court Support Manager positions, each managing half of the Clerk's Office, will ensure that critical, hands-on, day-to-day leadership of the Clerk's Office will be maintained.
Court Support Supervisor– 1 Position	\$92,438	Recreating stand-alone Mediation Coordinator position; to be funded from Alternative Dispute Resolution (ADR) funds, not the General Fund.
Magistrate Judge	\$229,166	Full-time Magistrate Judge to efficiently handle landlord/tenant, ordinance, criminal, and other matters in lieu of ever-increasing (and not fully funded) part-time judge hours.
Judicial Administrative Specialist (Grade 15)	\$77,668	Currently, two Judicial Administrative Specialists support (3) full-time judges and the Court Administrator. An additional Specialist will greatly improve support.
Judicial Administrative Tech IV (Grade 13) – 1 Position	\$73,124	Lead Clerk for the Criminal Division will perform critical in and out of court functions to ensure timely hearings for the accused even as caseload increases and duties expand.
Judicial Administrative Tech III (Grade 10) – 3 Positions	\$198,921	JATIII(1) assigned to Warrant Division. Greatly increases efficiency as a Criminal Division JATIII will no longer have to accompany a Warrant Division JATII for hearings. JATIII(2) assigned to Clerk's Office to maintain and improve customer service including answering telephone calls, providing in-person customer service, efficiently initiating new cases, and accepting e-filings.
Pretrial Officer II (Grade 16) – 2 Positions	\$159,880	Pretrial Officer II to be assigned to the jail in order to ensure efficient consideration of bond for the accused. Additional Pretrial Officer II to provide key leadership for all Pretrial duties and assist in reducing increasing caseloads, including newly-created Temporary Protective Order (TPO) Compliance Calendar.
Total – Salaries (6012) 11 Positions	\$1,043,339	

27

Fiscal Year 2023 Detailed Personnel Request		
Personnel Changes	Cost	Justification
Reclass JAT II to JAT III	\$2,758.73	Reclass to previous classification. Recognizes complexity of work this clerk performs in support of the Pretrial Services Division.
Reclass PT JAT I to FT JAT II	\$1,435.26	Reclass part-time JATI to full-time JATII to efficiently handle increased caseload and duties in the Criminal Division.
Total Full-time and Part-time Reclass	\$4,193.99	

28

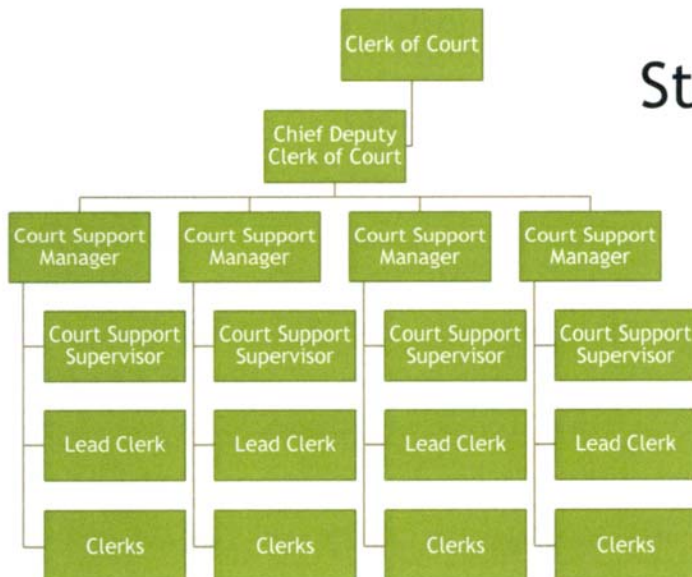
In 10 years, cases increased 2x and 4x while staffing remained flat.



29

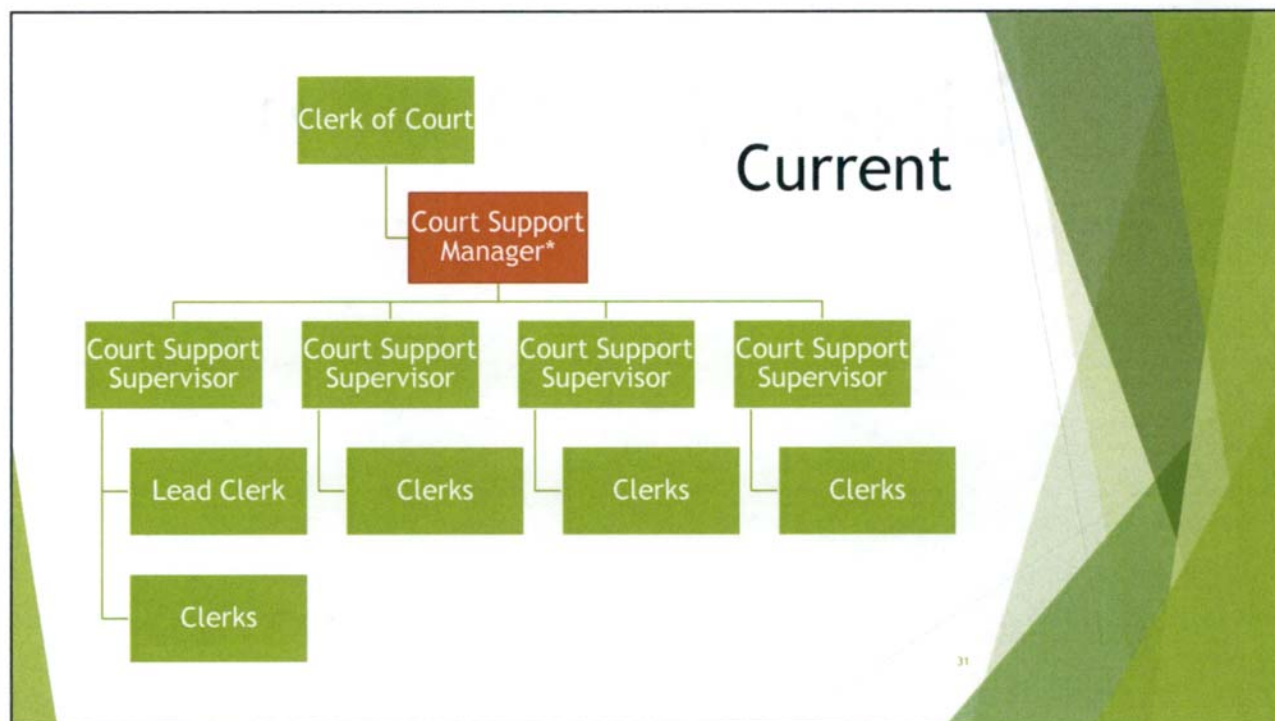
29

Standard

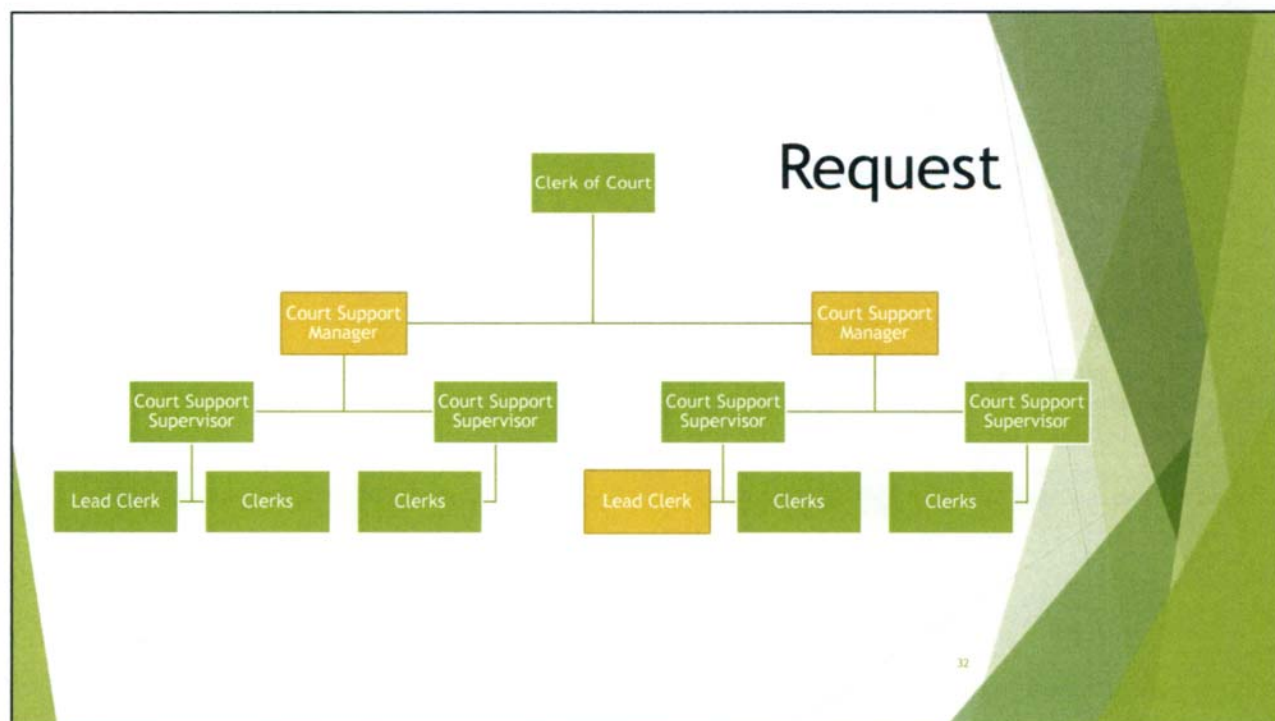


30

30



31



32



Full-time Magistrates in Metro Atlanta

▶ County	Judges	Population	Judges/Population
▶ Fulton	8	1,066,710	1/133,338
▶ DeKalb	4	764,382	1/191,095
▶ Clayton	5	297,595	1/59,519
▶ Spalding	4	67,306	1/16,826
▶ Cobb	3	766,149	1/255,383

33

33

THANK YOU!



34

34