

**Report of the  
Judicial, District Attorney, and  
Circuit Public Defender  
Compensation Commission**



**December 2015**

**Gus Makris  
Chairman**

**Judicial, District Attorney, and Circuit Public  
Defender Compensation Commission  
Members 2015**

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**Gus Makris – Chairman**

**Johnny Gresham**

**Presiding Justice P. Harris Hines**

**Charlotte Nash**

**Representative Richard Smith**

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**Ex-Officio, Non-voting Members**

**Representative Terry England**

**Senator Jack Hill**

# Judicial, District Attorney, and Circuit Public Defender Compensation Commission

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December 15, 2015

Ryan Teague, Executive Counsel  
Office of Governor Nathan Deal

Ms. Teresa McCartney, Director  
Governor's Office of Planning and Budget

The Honorable Terry England, Chairman  
House Committee on Appropriations

The Honorable Jack Hill, Chairman  
Senate Appropriations Committee

The Honorable Wendell Willard, Chairman  
House Committee on Judiciary

The Honorable Josh McKoon, Chairman  
Senate Judiciary Committee

The Judicial, District Attorney, and Circuit Public Defender Compensation Commission (the "Commission") hereby submits its 2015 report pursuant to O.C.G.A. § 15-22-4.

The final member of the Commission was appointed on November 17. The Commission held its initial meeting on December 2, during which it addressed organizational and planning matters. It also adopted a timeline for 2016 and outlined its strategy to identify its priorities and fulfill its statutory charge, including its obligation to submit a report by December 15, 2016. These and other issues are addressed in the attached report.

Sincerely,



Gus Makris

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# 1 CREATION OF COMMISSION

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The Judicial, District Attorney, and Circuit Public Defender Compensation Commission (the “Commission”) was statutorily created during the 2015 Legislative Session with the passage of HB279 and the subsequent approval of Governor Deal on May 6, 2015. As described in more detail below, the purpose of the Commission is to (i) review issues related to the efficient use of the justice system’s resources and caseload balance, (ii) review all aspects of compensation paid to justices, judges, district attorneys, and circuit public defenders, and (iii) recommend action or proposed legislation the Commission deems necessary or appropriate.

## 2 MEMBERSHIP OF COMMISSION

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The Commission consists of five members.

- The Governor appointed two members, Gus Makris and Johnny Gresham. The law requires that one of the Governor's appointees be a non-lawyer who has experience in executive compensation. Mr. Gresham satisfied those requirements.
- The Chief Justice of the Supreme Court appointed one member, Presiding Justice P. Harris Hines. The law requires that this appointee be a current or retired judge or justice in this state. Justice Hines satisfied that requirement.
- The Lieutenant Governor appointed one member, Charlotte Nash. The law requires that this appointee be a non-lawyer. Ms. Nash satisfied that requirement.
- The Speaker of the House of Representatives appointed one member, Representative Richard Smith. The law requires that this appointee be a non-lawyer. Representative Smith satisfied that requirement.
- The law provides that the chairperson of the Senate Appropriations Committee and the chairperson of the House Committee on Appropriations serve as ex-officio, nonvoting members of the Commission.

Each member of the Commission has been appointed to serve a term of four years or until his or her successor is appointed. The Governor designated Gus Makris to serve as the chairperson of the Commission.

The Commission is attached for administrative purposes only to the Criminal Justice Coordinating Council, which will provide staff to support the work of the Commission.

### 3 CHARGE OF COMMISSION

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The Commission is statutorily charged to:

- To review the conditions, needs, issues, and problems related to the efficient use of resources and caseload balance of the justice system in this state and the compensation paid to justices, judges, district attorneys, and circuit public defenders; issue a report on the same to the executive counsel of the Governor, the Office of Planning and Budget, and the chairpersons of the House Committee on Appropriations, the Senate Appropriations Committee, the House Committee on Judiciary, and the Senate Judiciary Committee; and recommend any action or proposed legislation which the Commission deems necessary or appropriate. Nothing contained in the Commission's report shall be considered to authorize or require a change in any law without action by the General Assembly. The Commission is required to submit its first report on or before December 15, 2015, its second report on or before December 15, 2016, and thereafter at least every two years; and
- To evaluate and consider:
  - Whether the compensation structure of this state is adequate to ensure that the most highly qualified attorneys in this state, drawn from diverse life and professional experiences, are not deterred from serving or continuing to serve in the state judiciary, as district attorneys, and as circuit public defenders and do not become demoralized during service because of compensation levels;
  - The compensation paid as a county supplement to judges, district attorneys, circuit public defenders, and other staff associated with the courts;
  - The caseload demands of judicial officers, prosecuting attorneys, and public defenders and the allocation of such officials, including staffing resources and jurisdictional structure;
  - The skill and experience required of the particular judgeships or attorney positions at issue;
  - The time required of the particular judgeships or attorney positions at issue;
  - The value of compensable service performed by justices and judges, district attorneys, and circuit public defenders as determined by reference to compensation in other states and the federal government;

- The value of comparable service performed in the private sector, including private judging, arbitration, and mediation, based on the responsibility and discretion required in the particular judgeship at issue and the demand for those services in the private sector;
- The compensation of attorneys in the private sector;
- The Consumer Price Index and changes in such index;
- The overall compensation presently received by other public officials and employees; and
- Any other factors that are normally or traditionally taken into consideration in the determination of compensation.



## 4 STRATEGY OF COMMISSION

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The Commission met on December 2 for organizational and planning purposes. The Chairman called the meeting to order, welcomed the Members, and facilitated introductions of Members, staff, and guests before highlighting the Statutory Creation, Membership, and Charge of the Commission. Following robust discussion, the Commission adopted a timeline for 2016 and outlined its strategy for identifying priorities and fulfilling its statutory charge.

The Commission will meet again January 11, 2016. This meeting will provide an opportunity for the Commission to (i) receive presentations from Stakeholders, including the Administrative Office of the Courts, the Council of Superior Court Judges, the Prosecuting Attorney's Council, and the Public Defenders Council, (ii) discuss the Commission's Legislative Charge and establish priorities for 2016, and (iii) appoint committees to begin the process of addressing the Commission's priorities.

# Compensation Commission

## 2015 - 2016 Timeline



	2-Dec	Dec	Jan	Feb	Mar	Apr	May	5-Jun	July	Aug	6-Sep	Oct	8-Nov	Dec
Initial Meeting														
Staff Prepare 2105 Report														
Email Report to Members														
Review and Revise														
Approve Report via Conference														
Submit Report														
Research														
Stakeholder Presentations/ Adoption of Priorities/ Appointment of Committees														
Preparation / Committee Meetings														
Stakeholder / Committee Presentations														
Preparation / Committee Meetings														
Additional Presentations / Establish Direction of Report														
Initial Drafting of Report														
Meet to Approve Content of Report / Provide Direction														
Finalize Report														
Final Report emailed to Members														
Review and Revise														
Meet to Approve Report														
Submit Report														