

gwinnettcounty



Probate Court



2013 Business Plan



September
2012

Mission Statement

- The mission of the Probate Court is to:
 - Accept pleadings regarding decedent estates and guardianships of minors and adults
 - Enter and record orders, judgments, and other proceedings related to the same
 - Act as a local custodian of the state's vital records
 - Issue weapons carry licenses as required by law



Our Values

- Quality Service
- Efficiency
- Integrity
- Accountability



Business Continuity

It is the goal of the Probate Court to continue to deliver services to the public that are **efficient** and **effective**.

Budget and space constraints will continue to restrict our staff's ability to be as responsive to the public as in previous years.

Probate Court Staffing Levels

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- 2012 Budgeted Staff - 25
 - 1 Judge
 - 1 Judicial Executive Assistant
 - 1 Chief Clerk
 - 1 Law Clerk
 - 1 Calendar Coordinator
 - 16 Full-time Clerks
 - 4 Part-time Clerks

Estates Division

- Probate of Wills
- Administration of Intestate Estates
- Year's Support
- Adult and Minor Guardianships
- Adult and Minor Conservatorships
- Auditing Fiduciary Accountings



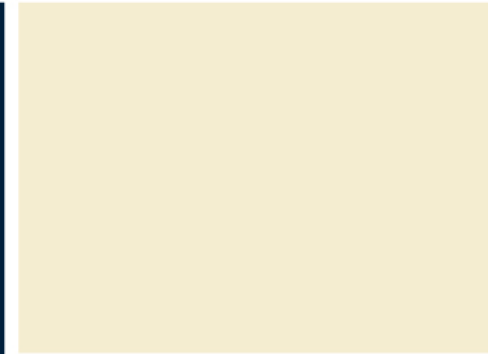
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CITIZENSHIP
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RACE/ETHNIC DESCRIPTION _____



Estates Division

- Involuntary Mental Health Evaluations
- Involuntary Hospitalizations
- Miscellaneous
 - Firework Permits
 - Certificates of Residency
 - Declaring a Person Deceased
 - Determining Heirs at Law



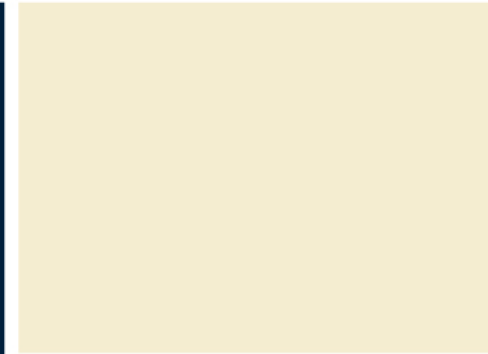
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Vital Records Division

- Marriage Licenses
- Birth Certificates
- Death Certificates
- Weapons Carry Licenses



Volume of Filings


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	January- <u>July 31, 2011</u>	January- <u>July 31, 2012</u>	<u>Increase</u>
<u>Vital Records</u>			
Marriage Licenses	3,001	3,399	13%
Birth Certificates	2,385	3,557	49%
Firearm Licenses	2,966	4,700	58%
Death Certificates	2,373	2,340	(1%)
<u>Estates</u>			
Probate of Wills	488	512	5%
Administrations	176	213	21%
Year's Support	56	62	11%
Adult Guardianship/Conservatorship	65	71	9%
Minor Guardianship/Conservatorship	498	468	(6%)
Judicial Orders	4,184	4,558	9%

Revenue

2009	2010	2011	Projected 2012
\$1,075,972	\$1,321,506	\$1,551,261	\$1,611,000

50 percent increase in revenue from 2009 to 2012
with no staffing increase.

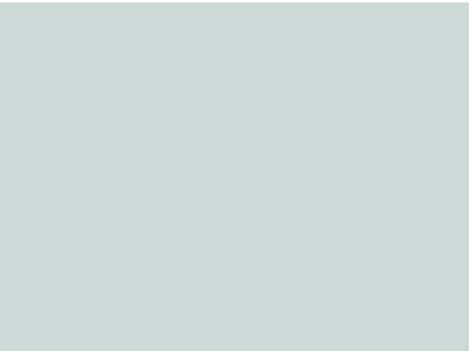


State and Federal Laws have mandated changes to **Firearms Permits** and the issuance of **Georgia Driver's Licenses** have impacted the Probate Court.

In addition, the current economic challenges have contributed to increased fiduciary malfeasance.



Change in Weapons Carry License Specifications



- Pursuant to 16-11-129(2)(A) and effective January 1, 2012
- Weapons carry licenses must incorporate additional security features including:
 - Multiple colors
 - Holograms
 - Photographs





Change in Weapons Carry License Specifications

- To incorporate these features, the Council of Probate Court Judges contracted with a third party to provide licenses to meet the specifications set forth in the statute
 - The Police and Sheriff's Press (PASP)





Change in Weapons Carry License Specifications

- As a result, the Court installed a computer program and camera equipment linked to the PASP system
- Our clerks:
 - Input license information into Sustain and into the PASP system
 - Receive coordinating file numbers
 - Photograph each applicant
 - Submit the license information electronically to PASP





Change in Weapons Carry License Specifications

- After a determination has been made regarding a licensee's eligibility:
 - A license is printed by PASP
 - Sent to the Court
 - Forwarded to the applicant





Impact of the Real ID Act

- Effective July 1, 2012, resulting from Federal requirements for the Real ID Act, Division of Driver's Services will begin issuing Secure ID Driver's Licenses and ID Cards
- Customers who are renewing or applying for the first time, must visit a DDS in person and present documents proving:
 - Identity
 - Social security number
 - Residential address





Impact of the Real ID Act

- Of the documents required, the Probate Court is custodian of the following:
 - Birth Certificate
 - Death Certificate of a spouse
 - Marriage License
 - Marriage License application
- Since July 1, 2012, the demand for these documents has drastically increased the workload for our Vital Records Clerks



Fiduciary Compliance

- The Probate Court is responsible for overseeing fiduciaries appointed by the Court.
- This means auditing the accounts of many of our estates and all of our conservatorships.
- This year the Court will process approximately 800 fiduciary accountings.

- Our Auditor would be responsible for:
 - New fiduciary orientations
 - Tracking annual due dates
 - Sending reminder notices to fiduciaries
 - Processing returns and financial statements as they are filed
 - Reviewing returns for accuracy
 - Conducting random audits
 - Identifying problems and malfeasance
 - Working and meeting with fiduciaries and attorneys to correct problems
 - Recommending removal of fiduciaries and judgments

Decision Package

#1 Part-time Associate Judge

- HB 495 passed in July, 2010 amended Chapter 9 of Title 15 of the *Official Code of Georgia Annotated*, to provide for the appointment, term, authority, qualifications, training, and limitations of associate probate court judges.
- Judge Clarke will retire at the end of 2012 and our new judge-elect would benefit from an attorney with 7 years minimum experience, as required by law, to provide assistance in signing orders and court hearings.

Decision Package

#2 Full-time Vital Records Clerk

- Additional statutory modifications to the Firearms License requirements
- Current events impact the volume of applications
- Impact of the Federal Real ID requirements
- Increased filings have contributed to our long lines, which require crowd control

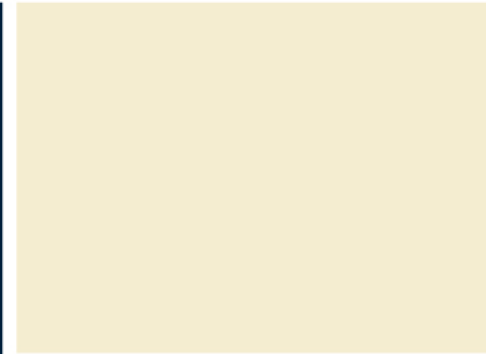
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Decision Package

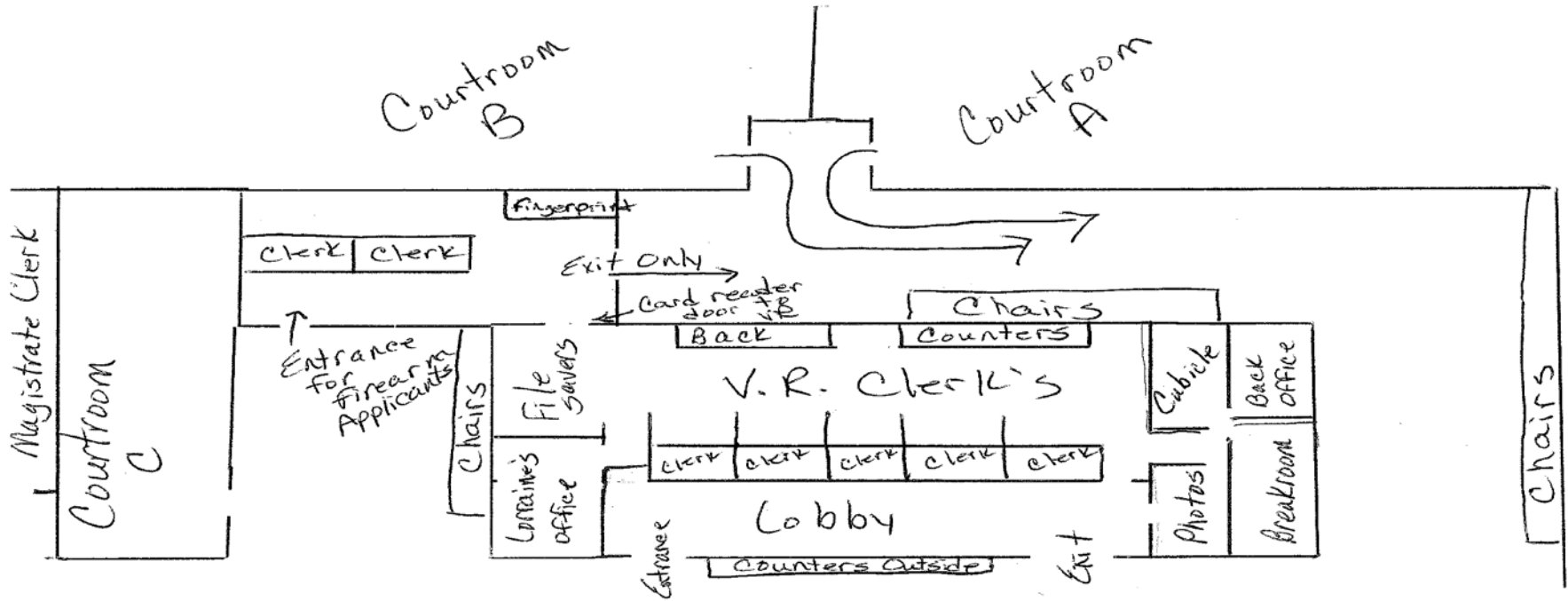
#3 Auditor

- Increase in the number of Annual Returns filed
- Implications of a struggling economy on Conservator malfeasance
- Importance of protecting the rights of our children and elderly
- Training and orientation as a prevention tool to reduce malfeasance and citations for hearings
- Easing the transition for the Judge-elect

#4 Firearm Fingerprinting Station/Room

- One location vs. two for completing the application process
- Relieve the additional duties of the Permits Unit as it processes other fingerprinting concerns
- Probate Court would not have to purchase any equipment as the Chief of Police has offered one of their machines
- The new Station would require the hiring of two full-time clerks to fingerprint all applicants
- A revenue increase of \$5 per applicant for the Probate Court

Current Layout



Main GJAC Corridor

clerk of Courts



Decision Package

#5 Full-time Associate Judge (Authorized by HB 495)

- 7,690 Judicial Orders signed annually (excluding marriage licenses and firearms licenses)
- 150 Orders per week, over 30 per day
- Multiple hearings per day (scheduled and emergency)
- Salary commensurate with 7 years legal experience-same qualifications as the Judge
- Provides support and relief for the Judge



#6 Part-time Estate and Vital Records Clerk

- Vital Records Division
 - Vital Records needs an additional person to assist with customers, both in person and via the mail and telephone.
 - All current part-time and full-time staff are not able to keep up with the traffic that comes through this office.
 - As already explained, the new mandates for the weapons carry permit and the Georgia driver's license have increased the workload for the Vital Records Division.

- Estates Division
 - The Estates Division needs a part-time person to offer support for the receptionist, front counter intake clerks, provide support for the processing clerks, and assist with scanning and indexing.

Marriage, birth (prior to 2007), death, and sealed estate records are currently being added electronically as time permits. Additional part-time staff will allow the two divisions to preserve these records more efficiently.

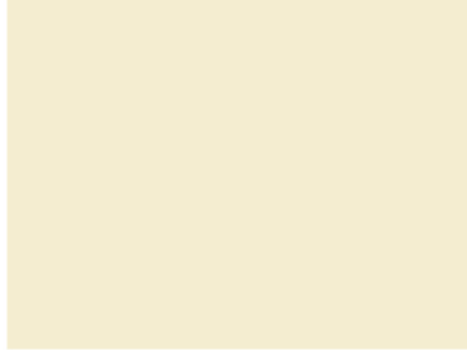
2013 Decision Package Recap

- Part-time Associate Judge \$ 57,850
- Full-time Vital Records Clerk \$ 34,937
- Auditor \$ 41,869
 - Increase current salary by \$14,319
- Firearm Fingerprinting Station \$ 94,771
 - Includes 2 clerks, benefits, and construction of the new station
- Full-time Associate Judge \$130,542
 - Includes salary, benefits, and office set-up
- Two Part-time Clerks \$ 44,783

In closing

Please keep in mind, the last time our Court was approved for a full-time position in our budget was in 2007.

In 2010, the Probate Court was required to give up one of our full-time positions as part of a buy-out package for a retiree.



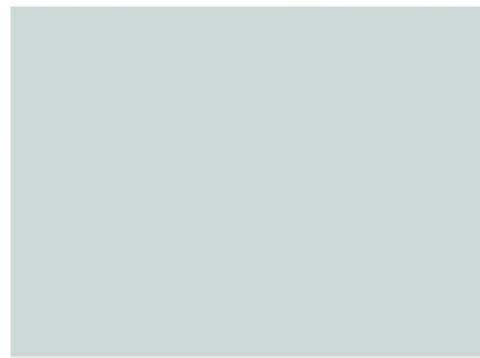
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Questions?



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