

Frequently Asked Questions (“FAQs”) for UNIFORM SUPERIOR COURT RULE 43.6

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EFFECTIVE DATE OF USCR 43.6

FAQ # 1 – EFFECTIVE DATE OF USCR 43.6: When was USCR 43.6 effective?

ANSWER: The effective date for USCR 43.6 was February 25, 2021. A copy of the rule is provided on the ICJE website, or you may view all Uniform Rules for Georgia Courts at various online locations, including the Supreme Court of Georgia website.

WHO HAS TO COMPLY WITH USCR 43.6

FAQ # 2 – COMPLIANCE WITH USCR 43.6: I have been appointed as an Assisting Superior Court Judge pursuant to OCGA § 15-1-9.1. Does USCR 43.6 apply to me?

ANSWER: Yes, if you “sit as a superior court judge for more than 15 days during a calendar year, or you handle a final hearing or bench or jury trial as a superior court judge”. This wording is taken verbatim from the text of USCR 43.6.

FAQ # 3 – QUESTIONS ABOUT COMPLIANCE: I am unsure if my particular service triggers the application of the new USCR 43.6 or not, who should I ask?

ANSWER: Contact the Chief Superior Court Judge who appointed you for confirmation of whether or not you have to comply with USCR 43.6.

WHEN – OR HOW OFTEN - TO COMPLY WITH USCR 43.6

FAQ # 4 – ANNUAL COMPLIANCE: Do I have to comply with USCR 43.6 every calendar year that I am appointed as an Assisting Superior Court Judge?

ANSWER: Yes. The text of USCR 43.6 states, in part, that the training must total “...a minimum of 12 hours per calendar year.” Further, USCR 43.6 does not mention any reference to any training hours rolling over from one calendar year to a next, successive, calendar year.

HOW TO COMPLY WITH USCR 43.6

FAQ # 5 – HOW TO COMPLY WITH USCR 43.6: If USCR 43.6 applies to my service, how do I comply with USCR 43.6?

ANSWER: 3 Steps: (A) Contact the Chief Superior Court Judge who appointed you, to confirm what training will suffice; (B) Complete the training; and, (C) Complete the USCR 43.6 Reporting Form and follow the instructions on the form.

FAQ # 6 – AVAILABILITY OF TRAINING: Are taped, on-demand replays available that satisfy the training?

ANSWER: Yes, and they are listed on the document entitled “USCR 43.6 Sample Training Sources” available on the ICJE website.

FAQ # 7 – OTHER TRAINING: Do I have to view the taped, on-demand replays that are available in order to satisfy the training?

ANSWER: No. Any training that is approved by the Chief Superior Court Judge that appointed you will satisfy the requirements of USCR 43.6.

ATTENDANCE AT SUPERIOR COURT JUDGE SEMINARS

FAQ # 8 – ATTENDING LIVE TRAINING WITH SUPERIOR COURT JUDGES: I have been appointed as an Assisting Superior Court Judge pursuant to OCGA § 15-1-9.1. Can I register for and attend the live trainings facilitated for Superior Court Judges?

ANSWER: No, and this decision is the policy of both the Executive Committee and also the Mandatory Continuing Judicial Education Committee of the Council of Superior Court Judges.

COPY OF REPORTING FORM FOR MY RECORDS

FAQ # 9 – COPY OF COMPLETED FORM FOR YOUR RECORDS: I notice that the Reporting Form requires my signature, then the signature of the Chief Superior Court Judge; and, finally the signature of the ICJE staff. Will I be provided a copy of the fully executed form for my records?

ANSWER: Yes. As noted on the Reporting Form, ICJE will email copies of the completed form to you at the email address you provide on the form.

CHECKING YOUR USCR 43.6 TRANSCRIPT STATUS

FAQ # 10 – TRANSCRIPT REPOSITORY: Who maintains a transcript – or proof – that I completed and filed the USCR 43.6 Reporting Form?

ANSWER: ICJE is the official repository for USCR 43.6 Reporting Forms. The ICJE staff maintains a spreadsheet showing who has filed USCR 43.6 Reporting Forms each calendar year. Contact **Mr. Thomas Erwin** at terwin21@uga.edu for confirmation that you are listed on the spreadsheet.

FAQ # 11 – ERROR OR OMISSION ON TRANSCRIPT: There is an error or an omission regarding my USCR 43.6 transcript, who do I contact?

ANSWER: Please contact Mr. Thomas Erwin at terwin21@uga.edu .

USCR 43.6 TRAINING & C-J-E CREDIT

FAQ # 12 – USCR 43.6 & C-J-E CREDIT: Will the CJE training I am already required to obtain in my capacity as a State or Juvenile or Probate or Magistrate or Municipal Judge automatically count towards the Superior Court-specific training I am required to obtain, in order to satisfy USCR 43.6?

ANSWER: No. This issue is specifically addressed in the wording of USCR 43.6: “**This [Superior Court-specific] training requirement is in addition to any other mandatory continuing education requirement the judge may have from his or her respective court**”.

FAQ # 13 – (REVERSE OF FAQ # 11) - USCR 43.6 & C-J-E CREDIT: Will the Superior Court-specific training I am required to obtain, in order to satisfy USCR 43.6, automatically count towards the CJE training I am required to obtain in my capacity as a State or Juvenile or Probate or Magistrate or Municipal Judge?

ANSWER: This decision is up to the educational apparatus for the respective class of court where you serve as a Judge, and different classes of courts handle this issue differently. Please contact the Chair of the Educational Apparatus Committee (i.e. the Committee that handles CJE accreditation issues) for your respective class of court. You can find the contact information on the website and/or list serv maintained for your respective class of court.

USCR 43.6 TRAINING & C-L-E CREDIT

FAQ # 14 – TRAINING FOR USCR 43.6 & C-L-E CREDIT: Will training that satisfies USCR 43.6 also count toward the C-L-E requirements I have as a member of the State Bar of Georgia?

ANSWER: Its possible, but it is not automatic and it is your responsibility to proactively request it. Contact the State Bar of Georgia CLE Department at 404.527.8710 or cle@gabar.org for information, forms, and applicable CLE reporting fees. **ICJE does not handle C-L-E accreditation requests for USCR 43.6 training.**

FOR MORE INFORMATION

FAQ # 15 – FOR MORE INFORMATION: I have a question that has not been answered, who can I contact?

ANSWER: It depends upon the question. (1) Application of the Rule: As noted in these FAQs, for other questions about the application of the new Rule, please contact the Chief Superior Court Judge of your Circuit. (2) CJE Credit: For questions about CJE credit, contact the Educational Apparatus of your class of court. (3) CLE Credit: For questions about CLE credit, contact the State Bar of Georgia CLE Department; (4) (1) Transcripts: For questions about the USCR 43.6 reporting form or transcript of your USCR 43.6 reporting forms maintained by ICJE, you may contact Mr. Thomas Erwin via email at terwin21@uga.edu .

ADDITIONAL QUESTIONS

(As Received From ICJE Constituents And/Or Judicial Branch Employees)

FAQ # 16 – JUDGES SERVING IN MULTIPLE CIRCUITS: (Submitted by a District Court Administrator) Several of our Assisting Superior Court Judges work in multiple circuits. What Chief Judge should sign their 43.6 Reporting Form?

ANSWER: (Submitted By CSCJ MCJE Committee) Any Chief Superior Court Judge can execute a 43.6 Reporting Form. Although it may be more convenient for an Assisting Superior Court Judges to approach the Chief Superior Court Judge for the circuit they work in most frequently, they may approach any Chief Superior Court Judge for purposes of executing the 43.6 Reporting Form.

FAQ # 17 – JUDGES SERVING IN MULTIPLE CIRCUITS: (Submitted by a District Court Administrator) Several of our Assisting Superior Court Judges work in multiple circuits. Do they have to get a 43.6 Reporting Form signed by each Chief Superior Court Judge in each circuit where they may work?

ANSWER: (Submitted By CSCJ MCJE Committee) No.

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