

GSCCCA Update

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An update on the activities of the Georgia Superior Court Clerks' Cooperative Authority

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Board welcomes new members

Governor Sonny Perdue recently appointed the following new members to the board of the Georgia Superior Court Clerks' Cooperative Authority: **David James Burge** and **C. Michael Johnson**.

Mr. Burge is a partner with Smith, Gambrell & Russell, LLP in Atlanta. He is chairman of the Real Property Law Section of the State Bar of Georgia. He is chairman of the Atlanta Area Boy Scout Council Risk Management committee and is a scoutmaster for Troop 74. He earned a bachelor's degree from Vanderbilt University and a law degree from the University of North Carolina.



Burge and his wife, Sally, have two children.

Mr. Johnson is a private practice attorney in Eastman. He serves as the treasurer of the Oconee Circuit Bar Association. Johnson served as the chairman of the Eastman-Dodge County Chamber of Commerce and



as the president of the Eastman Lions Club. He earned a bachelor's and a law degree from Mercer University. Johnson and his wife, Julia, have three children.

David Burge (l) and Mike Johnson

Mr. Burge and Mr. Johnson will be sworn in at the Board's next quarterly meeting in July. Congratulations to both! ■

Need Training?

Too busy to drive to a workshop but need training. Take advantage of the Authority's two online training courses: "**Introduction to Indexing Standards**" and "**Fines & Fees Training**." The Authority will soon introduce an online course for notaries public as well as a course for superior court personnel working in the notary public area. Contact Rachel Gittner at 404.327.9058, ext. 1010 for more information.

April board meeting review

The Authority Board of Directors met on April 11 for its quarterly meeting. Following is a summary of the reports and actions.

▪ **General Business** — The minutes of the January 11, 2007, board meeting were approved. Mr. Greg Morgan reviewed the Authority's financials and reported that the Authority's financial health is good.

Mr. Williams presented the 2007-08 Authority budget. After a thorough discussion by the board, the budget was adopted as presented.

▪ **1992 Historical Deed Project** — John Myers and Phil Kobierowski presented a report on the 1992 Historical Deed Project. Mr. Myers reported that 71 counties have submitted all data from 1992. Only 13 of the 71 counties have been paid due to the data being quarantined until data is verified.

Mr. Myers reported on the indexing certification test. The implementation has been slightly delayed because of the necessary staff time spent on reviewing the quarantined 1992 data. The test is being written to current indexing standards. The board discussed a proposal that would mandate that beginning January 1, 2008, indexers must pass the certification test before they can submit data. A motion to adopt the proposal was approved.

▪ **UCC Project** — Mr. Williams gave a report on the UCC project and the number of UCC filings. Mr. Williams reported that the number of filings has remained constant over the last three years.

▪ **Fines and Fees Division** — John Earle presented a financial report on the Fines and Fees Division. He reported that fewer courts are "non-compliant" with reporting and remitting, and that the response rate of non-compliant courts has been good. Mr. Earle reported that the auditing process is going well and that 390 of 393 municipal courts have been reviewed to date.

Mr. Earle also reported on pending legislation that would affect the Fines and Fees Division.

SB 66 provides that non-compliant courts will be assessed a 5% late fee and loss of state funding when money is not remitted within the statutory time frame. SR 246 proposes a study of the Indigent Defense Fund. HB 77 relates to the "red-light camera" fine. The proposed legislation calls for municipalities/counties to keep funds to cover costs plus 25%. The remaining fine money would be remitted to the state general fund.

▪ **2007 Legislative Session** — Mike Holiman presented a report on the 2007 legislative session. SB 139 calls for oversight of the Public Defenders Council to be moved from the judicial branch to the executive branch. SB 14 is the extension for the real estate filing fee. The legislation extends the sunset date to June 30, 2014. HB 386 addresses cross-indexing. It was passed by the House and then amended in the Senate to include SB 14. HB 274 strengthens the residency requirements to become a notary public and has been passed. The legislation requires notary applicants to be legal U.S. residents in order to become a Georgia notary public.

▪ **Board Work Session** — Authority Chairman Tom Lawler provided a review of the board work session conducted April 10, 2007. He noted the positive response to the proposed e-filing project that would allow the electronic filing of many types of documents including UCCs, deeds and court documents.

Mr. Lawler proposed that the Authority fund the first year of operation for the Archive Project for a county when the clerk agrees to participate. The Archive system would allow clerks to back-up any type of data. The proposal meets state requirements to protect data in the event of a disaster. The cost is estimated at \$300,000 to \$400,000. A motion to approve the proposed funding was approved.

A motion to "freeze" the creation of free gsccca.org search accounts until the board establishes a policy on free accounts was also approved. ■

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Authority works on registry

The Georgia Legislature passed the “Georgia Carbon Sequestration Registry Act” in 2004 to provide for a registry to promote offsetting reductions in greenhouse gases by sequestering carbon. SB 356 was funded in 2006 and the Authority is working with the Georgia Forestry Commission (GFC) to create the Registry.

The Registry's primary objective is to promote the establishment and protection/conservation of above-ground forests to *mitigate* the effects of harmful emissions worldwide. A second objective is to create a new medium of exchange and *revenue stream* for owners of the sequestered carbon. This is done by creating “carbon credits” based on the amount of carbon sequestered. Such credits can be *sold* to industrial clients who have emission “deficits” because they are producing excessive harmful emissions. Emission violators can “buy” absolution in the form of credits and carbon owners profit from their good work in preserving timberlands.

The registry will document and track the acreage of timberland that owners will agree to preserve. Periodic reinspections will assure that the quantities remain accurate in case of wildfires, storms or other destructive events. Independent inspectors will be used to verify the original registration as well as to reinspect the sequestered timber.

Role of Clerks and GSCCCA:

SB 356 specifies key roles for clerks and the Authority. It anticipates that carbon (timber) owners will register or file a record of their sequestered carbon with the clerk, and that information will be maintained in a central statewide database (the Registry) by the Authority. The Authority is developing and will host the Registry because of its successful experience with public information management. Filing will be by the county or counties in which the timber is located, but the access to register will be through a central Internet site that acts as a virtual “portal” to the county. Applicable Registry information will then be supplied to the county and centrally stored on behalf of the county. The Georgia Forestry Commission has been responsible for developing the content of the Registry and certifying the accuracy of the filing. They have collaborated with the Authority on this effort to take full advantage of the Authority’s experience.

Role of Georgia Forestry Commission:

As noted above, the GFC has been primarily responsible for sequestration Standards, the content of the record, and certification of the accuracy of the filing. The GFC has recently completed consultations to identify the scope and content of the program. When the Registry becomes operational, the GFC staff or their designated representatives will also be the primary interface with timber owners who wish

to participate in the Registry. The GFC staff has met regularly with the Authority to collaborate on the Registry design and needed functionality. The program should be in operation by this summer. ■

2007 Training Workshops for Clerks

June 21	Dalton	UCC, Notary, Protective Orders
June 22	Dalton	UCC, Notary, Protective Orders
July 18	Newnan	Fines & Fees, Indexing Standards
July 19	Newnan	Fines & Fees, Indexing Standards
August 1	Valdosta	Indexing Standards, UCC, Notary
August 2	Valdosta	Indexing Standards, UCC, Notary
August 21	Savannah	UCC, Notary, Protective Orders
August 22	Savannah	UCC, Notary, Protective Orders
September 12	Albany	Protective Orders, Fines & Fees
September 13	Albany	Protective Orders, Fines & Fees
October 3	Gainesville	Indexing Standards, UCC, Notary
October 4	Gainesville	Indexing Standards, UCC, Notary
October 24	Augusta	Protective Orders, Fines & Fees
October 25	Augusta	Protective Orders, Fines & Fees

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Disaster Recovery - Archiving and Restoration Services

Disaster recovery takes many forms but is made much easier if those responsible for public records have a comprehensive plan. The greatest payback from planning comes from taking actions which *prevent* the loss of sensitive or irreplaceable material *before* disaster strikes. Following a recent Disaster Recovery Survey conducted by the Clerks' Council and some recent catastrophic losses of data in clerks' offices, the Authority has prevailed upon its IT services provider, Millennium, to develop and provide an optional, secure, off-site "archiving" system. This protection is for any clerk who wishes to preserve their business continuity and electronic records by archiving them in a secure, remote location. The service will assure that all archived records can be promptly restored in case of a

disastrous loss of data at the county. This program has been created to fill a void in the area of secure archival services for the irreplaceable data stored on local county government servers.

"The service will assure that all archived records can be promptly restored in case of a disastrous loss of data at the county."

The Authority will fund at least the first-year costs for the service. If necessary, future rates will be consistent with the lowest rate of comparable private services and the cost will be based on the number of gigabytes of data to be backed-up. If Authority funding is discontinued in the future, unused "print revenue" may be used to cover the cost of these archiving services. The actual archive process will be managed by dedicated staff who will oversee the setup of the program at the county and the nightly transmits.

The service will be "transparent" and will not affect county IT operations. Most cases will require that a single device be installed at the clerk's server to extract the data on a daily basis and transmit it to the remote data center. This center is also used by the Authority and its features include:

- It is in a highly secure location with no public access.
- Any visitors must be authorized and escorted.
- Heating and cooling systems are redundant to maintain optimum conditions.
- Power is available from multiple power grids and redundant diesel generators to avoid power loss.
- Data transmission lines are redundant for assured 24/365 access.

Clerks participate in the process by defining the electronic records, in addition to real estate, that they wish to have archived. This is accomplished by the completion of a survey form in which the clerk identifies the important

data to be protected. Next the local IT staff or vendor identifies the servers where that data is stored. The equipment is

then programmed to extract, transmit and archive the identified data. Clerks may make future adjustments in the data that is archived by request or by use of the management "dashboard" that they may access via the Internet. Clerks may also log-on and view their dashboard to monitor the back-up schedule and determine that their archived data is current.

This new service is now available and several installs have been completed. Additional technical details will be provided on request. As a requirement to participate, the Clerk's Disaster Plan must be on file with the Council of Superior Court Clerks. There may also be a short waiting period for installations as the service will be provided on a first-come, first-served basis, and each installation will require personal attention from the IT staff. Contact John Myers at 770.653.9736 for additional details. ■

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