

Preview 2010 General Assembly

The 2010 Georgia General Assembly convened on Monday, January 11th. The first week was primarily organizational, with the election of a new Speaker and Speaker Pro Tem, due to the resignations of Speaker Glenn Richardson and Speaker Pro Tem Mark Burkhalter and the annual State of the State address by Governor Perdue, Rep. David Ralston, an attorney from Blue Ridge, and Rep. Jan Jones, Alpharetta, are expected to be elected Speaker and Speaker Pro Tem, respectively. Rep. Edward Lindsey, an attorney from Atlanta, is also assuming a new leadership post as House Majority Whip. These transitions may signal additional changes in House rules and some House committee chairs.

Four key issues have risen to the top of the 2010 legislative agenda: 1) For the last several years, the General Assembly and the Perdue administration have been unable to reach agreement on legislation providing funding resources to address traffic congestion and transportation issues. Transportation funding will again be on the legislative agenda in 2010, and work during the interim indicates there may be an agreement that could pass this session. 2) The federal court's recent decision limiting Atlanta's future access to water from Lake Lanier will require the General Assembly to address water resource and conservation measures. 3) Recent revelations of improper relationships between legislators and lobbyists have created strong support for comprehensive ethics reform. Those reform measures will likely include caps on lobbyist expenditures and greater oversight and transparency of lobbyist activities. 4) And finally, the unprecedented economic downturn has created a free fall in state revenues. The FY 2010 budget adopted last year already exceeds revenue collections, which led Governor Perdue to impose an additional 5% spending reduction last August. Revenue shortfalls continue and another 3%-5% cut in the FY 2010

budget is predicted. Prospects for the FY 2011 budget are grim as well, since substantial federal stimulus funds which were used to soften the blow in 2009 and 2010 will no longer be available for FY 2011.

In terms of legislation affecting lawyers and the judicial branch, none is more critical than the budget. In 2009 the judicial branch budget was cut by 13.3%. The additional 5% cut in the 2010 budget imposed by Governor Perdue and the prospects of another 3%-5% cut threaten the ability of the judicial branch to meet its constitutionally mandated obligations and jeopardizes public safety, the safety and security of Georgia's families, and the stability of Georgia businesses. A number of county governments (including three of the largest, Fulton, Gwinnett and DeKalb) have also announced judicial budget cuts, amplifying the problems and potential problems resulting from state budget cuts. Adequate funding of the judicial branch of government is essential to keeping our courts open and maintaining the rule of law. We will be asking you to communicate with your legislators on this important issue in the weeks to come.

In addition to judicial funding, other issues affecting lawyers expected to be addressed this session include a comprehensive revision of the Trust Code, the organization and governance of the public defender system, and increases to base court filing fees.

Information and status reports on all legislative issues affecting the judicial branch and the practice of law will be available on the State Bar's website <http://www.gabar.org>, and a special section on judicial funding issues is accessible at http://www.gabar.org/news/issues_and_impacts_of_cuts_to_judicial_funding/.

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Please return your reservation as soon as possible, but no later than Friday, January 29, 2010. Registrations may be faxed, mailed, or sent via E-mail. However, your reservations are not guaranteed until payment is received. Any questions may be addressed to Greg Presmane at (770) 391-9100.