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Maureen Cahill

University of Georgia, mcahill@uga.edu

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Everything Georgia

Maureen Cahill, J.D., M.L.I.S.

Student Services Librarian

University of Georgia Law Library

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Introduction

Primary law (case decisions, statutes, regulations); forms; pathways through the bureaucracy; corporate, financial, criminal justice and licensing information—lots of this is (mostly) freely available on the Web. In Georgia, government and university sites provide most of this valuable information, with government sites usually offering current data and universities filling in important historical material.

Primary Law

There are several freely-available options for tracking down Georgia primary law on the Internet. The following websites allow you to access nearly all Georgia primary law, at every level of government. None of these resources fully replace the use of Westlaw or Lexis because they do not provide editorial enhancement, full annotations to codes, human vetted citators or secondary sources. Still, when you simply require the text of an opinion, code section or regulation, free sources can satisfy your need.

Current Law

1. Fastcase

<http://fastcase.com/>

Fastcase is not technically a free legal resource, but is freely available to members of the State Bar of Georgia. Information on *Fastcase* and how to access it is available under ‘Attorney Resources’ on the State Bar’s website (<http://www.gabar.org/>). *Fastcase*’s libraries contain primary law from all 50 states, as well as federal coverage going back to 1 U.S. 1, 1 F.2d 1, 1 F.Supp. 1, and 1 B.R. 1. The *Fastcase* collection includes

cases, statutes, regulations, court rules, and constitutions. Fastcase also provides access to an archive of the Georgia Bar Journal, select Georgia Law Reviews, and administrative decisions from several Federal agencies. This CLE course includes a session on using Fastcase.

2. Georgia Code

<http://www.lexisnexis.com/hottopics/gacode/>

Lexis provides an unannotated version of the Georgia Code on the Web. Each Title of the code appears on the first screen and is expandable to show Chapters, which in turn are also expandable to show individual sections. The default search from the first screen is of the table of contents (Titles) only, but you may select full text search. Although the search function is very powerful, it still helps to limit your search to individual Titles or Chapters.

3. Georgia Cases

Both the Supreme Court and the Court of Appeals make *some* of their opinions available at their respective web sites. From the Supreme Court's home page: (<http://www.gasupreme.us>), the Opinions tab in the black bar at the top of the page lets you choose to access opinions by year from 2011 to the current year. Adding opinions to this service usually takes about two weeks. The Court of Appeals makes its real time docket available from its home page: (<http://www.gaappeals.us>). You may search the docket by party name using the search box on the docket system page, or by date by choosing the Opinion/Order Search by Date link near the end of the first paragraph

describing the system. All docket information is available for cases beginning in 1999, the full text of opinions from 2007.

Don't forget that both Google Scholar (google it! there's not a link anymore) and the Public Library of Law (<http://plol.org>) are quick, easy sources of case law. They both allow searching of Georgia cases going back to 1997.

4. Georgia Regulations

<http://rules.sos.state.ga.us/cgi-bin/page.cgi>

Current Georgia regulations are still posted at the Secretary of State's web site. The search functionality has improved. In addition to being able to limit a search to a single Chapter, you can now follow the *More Search Options* link to the right of the search box and construct simple Boolean searches.

Several agencies make their *proposed* regulations available on their web sites, most notably the State Accounting Office (which includes the State Board of Accountancy) <http://sao.georgia.gov/> (Choose *State Board of Accountancy* from the top bar), the Department of Banking and Finance <http://dbf.georgia.gov/> (Choose *Laws and Regulations* from the top bar, then *DBF Regulations*. The proposed regulations are at the bottom of the page.) , the Environmental Protection Division <<http://epd.georgia.gov/>>, the Department of Revenue <<https://etax.dor.ga.gov/>> (On the front page, choose *Tax Laws, Rules and Regulations*, then *Georgia Department of Revenue Rules, Regulations and Other Guidance*) and the State Charter Schools Commission <<http://scsc.georgia.gov/>> (Choose *About the SCSC* from the top bar, then *Rules and Regulations*. Proposed rulemaking is linked from the box on the left.) You

can easily find these and other agency web sites by going to <http://georgia.gov> and choosing the *Agencies* link in the top bar.

5. Attorney General Opinions

a. Current and Recent Opinions

<http://law.ga.gov/opinions>

The Attorney General's office posts opinions, both formal and informal going back to mid 1992.

b. Historic Opinions

<http://dlg.galileo.usg.edu/>

You can access the remaining Attorney General opinions in the Digital Library of Georgia. From the page above, select *Government and Politics*, then *Georgia Government Publications*, then *State Agencies, Attorney General, Annual Reports*.

6. County and Municipal Codes: Municode

<http://www.municode.com/>

Municode provides access to over 2,700 local codes from all around the country. The coverage of Georgia county and municipal codes is particularly strong. One can browse and search one code at a time for free under their 'Code Library' from the link in the navigation bar or from the button on the homepage. The codes are now also available in a mobile platform version in addition to the desktop browser version. The codes are only as current as the most recent update from the local government, however,

the last updated date is clearly marked in the banner information for each code. Under the 'Online Services' link in the navigation bar, Municode also makes available free annual "State Law Pamphlets" for 15 states, including Georgia and Florida, highlighting important changes that have occurred to these state codes. Municode is the oldest and largest codifier in the country and has demonstrated a strong commitment to making these ordinances freely available on the Internet.

Historic Primary Law

1. Digital Library of Georgia (DLG)

<http://dlg.galileo.usg.edu/>

Based at the University of Georgia Libraries, the Digital Library of Georgia is an initiative of GALILEO, the state's virtual library. Under the topic 'Government & Politics,' are databases that contain Georgia primary law. These databases are particularly valuable because they provide the only online access to many years of older Georgia law.

a. Historic Georgia Codes Collection

<http://www.archive.org/details/ugalaw>

Made available by the University of Georgia School of Law Alexander Campbell King Law Library, this collection offers access to historic Georgia codes beginning with the 1799 Watkins Digest of Statutes through the first publication of the 1933 code.

b. Georgia Legislative Documents

<http://www.galileo.usg.edu/express?link=zlg1>

This database contains fully searchable versions of the *Georgia General Assembly's Acts and Resolutions* from 1799-1999. You may search by keyword or subject, and limit that search by specified fields and by date. In addition, the Year/Page Search allows you to bring up a specific Act, by citation.

c. Georgia Government Publications

<http://dlg.galileo.usg.edu/ggp/>

A specific portion of the Government Publications area of the DLG contains the *Georgia General Assembly's Acts and Resolutions, 2000 – 2012*. You can navigate to the Acts by starting at this address and searching for *acts and resolutions* and choosing *title* as the field to search.

2. Georgia General Assembly

<http://www.legis.ga.gov/Legislation/en-US/SignedByGov.aspx>

The General Assembly also posts several years of the Acts and Resolutions (2001 – current). You can navigate to this posting from the General Assembly's home page (www.legis.ga.gov). Choose *Legislation* from the top bar, then *Signed by Governor* from the box on the left. The acts here are organized by legislative session and then listed by bill number.

It is also possible to track bills through the legislative session. Choose *Legislation* from the top bar of the General Assembly's home page, and you get a quick summary of the steps in consideration of a bill, with links on the left side of the page to lists of legislation that reaches the various stages—which include the full text of the bill at that stage.

Forms

Several levels of the Georgia judiciary make specific forms freely available. These collections are most helpful in areas such as probate and juvenile practice, where standard forms have been approved.

In addition, many state agencies also provide forms for a variety of purposes, particularly permit and licensing applications, and mandated record keeping, reporting and disclosures.

Forms for (and from) the Courts

1. Administrative Office of the Courts

<http://www.georgiacourts.org/index.php/court-forms>

From this page you can link to forms for the Superior, Probate, Juvenile and Magistrate courts. The Superior Court forms are simply final disposition sheets for criminal cases. However, the site links out to the Probate, Juvenile and Magistrate Court Councils for the forms made available by each of these entities. These include all of the uniform juvenile court forms, standard probate forms, and a variety of magistrate court forms. In every instance the forms exist in formats that can be filled in online.

2. Georgia Superior Court Clerks' Cooperative Authority

<https://www.gsccca.org/file/civil-reporting-forms>

The Superior Court Clerks' Cooperative Authority provides fillable forms for case initiation and disposition, both the general civil forms and the domestic relations forms. In addition, if you need to provide copies of the protective order in domestic violence cases, this site has fillable forms for each of the possible orders.

3. Council of Juvenile Court Judges of Georgia

<http://w2.georgiacourts.org/cjcj/>

From the Council's home page, navigate to the uniform juvenile court forms by choosing the *Publications* tab at the top of the page, and then clicking on the *Uniform Forms* link.

4. Georgia Probate Courts

<https://www.gaprobate.org/>

From this page, navigate to the full list of Probate Court Standard Forms by choosing the tab at the right end of the top bar. The main form page links to the forms in fillable PDF format, but you can choose either WordPerfect or Word format from the box on the right side of the page.

5. Council of Magistrate Court Judges

http://www.georgiacourts.org/councils/magistrate/forms_interviews.html

The approved Magistrate Court civil forms are all available in fillable PDF format on this page. Many of them are accompanied by ‘interviews’—a series of questions that should enable most pro se litigants to complete the form properly.

Agencies with Useful Forms

1. State Accounting Office

<http://sao.georgia.gov/forms-download>

The State Accounting Office provides all of the forms related to obtaining, renewing or re-instating public accounting licenses (both for individuals and for firms).

2. Office of State Administrative Hearings

<http://www.osah.ga.gov/court-forms.html>

OSAH does not provide many forms, just the very basic—motions to Dismiss and for Leave of Absence, Proof of Service and Entry of Appearance.

3. Georgia Department of Agriculture

<http://www.agr.georgia.gov/Forms.aspx>

The Department of Agriculture offers forms for permit applications, mandated record keeping and licensure. Most of these affect keepers or transporters of livestock and farmers seeking organic certifications.

4. Department of Banking and Finance

<http://dbf.georgia.gov/>

The Department of Banking and Finance makes forms available for each of the types of business it oversees—Banks, Credit Unions, Mortgage Entities and Money Service Businesses. Most of these are applications for licenses, permission to expand or relocate, and merger and acquisition approvals. In the case of its banking and credit union forms, the department also puts its full applications manual online.

5. Department of Behavioral Health and Developmental Disabilities

<http://dbhdd.georgia.gov/>

If you follow the *Provider Information* tab, the department offers detailed instructions for qualification and licensing of service providers, and all of the necessary forms.

6. Criminal Justice Coordinating Council

<http://cjcc.georgia.gov/forms-publications>

Every form related to crime victim compensation is available at this portion of the Council's web site.

7. Commission on Dispute Resolution

<http://www.godr.org/>

If you choose *Forms and Applications* from the navigation bar on the left side of this page, you will find the application forms to become a certified neutral or approved

trainer, the juvenile court mediation forms and a variety of other forms related to alternative dispute resolution.

8. Environmental Protection Division

<http://epd.georgia.gov/forms-applications-and-publications>

EPD makes virtually all of its forms available on the web. Most are related to permits and mandated reporting.

9. Department of Labor

<http://www.dol.state.ga.us/em/>

At its employer portal, the Department of Labor offers all of the forms employers must complete with regard to unemployment insurance.

10. Department of Revenue

<https://etax.dor.ga.gov/>

From the *Forms* tab, you may access all of the dozens of forms that the taxing agency uses. When you mouse over the tab, you get a menu of the various types of taxes collected by the department. Choosing the appropriate item, gives you all of the related forms.

11. Tax Tribunal

<http://gataxtribunal.georgia.gov/documents>

The Tax Tribunal makes available all of the basic forms required to contest a decision of the Department of Revenue—petition, election of venue, subpoena, and taxpayer ID declaration.

12. State Board of Workers' Compensation

<http://sbwc.georgia.gov/board-forms>

The Board makes all of its forms available on the web. However, they are not fillable forms.

Pathways Through the Bureaucracy

Most Georgia agency web sites have been fully redesigned in the past few years with a view to making them more consumer friendly. Sometimes this means that it is actually more difficult for professionals to find needed information on the site. However, in many instances, the effort to communicate directly with the citizenry through the web has provided detailed descriptions of the agencies' operations (as they affect folks living and doing business in Georgia) in clear language. Here is a list of a few agency web sites that include reasonable explanations of how to comply with agency rules or obtain required permits or licenses from the agency. This may especially useful when you have clients who ask you about navigating the state bureaucracy in areas with which you are not familiar.

1. ADA Coordinators Office

<http://ada.georgia.gov/>

Though the ADA Coordinators Office exists primarily to assist state facilities and programs in compliance with the ADA, the office's web site offers links to a wealth of resources that explain disability issues.

2. Department of Agriculture

<http://www.agr.georgia.gov/>

If you follow the links from the drop down menu on the *Divisions* tab, you can navigate to guidelines, instructions and explanations covering many of the activities that the department oversees.

3. Department of Banking and Finance

<http://dbf.georgia.gov/>

The department posts memos, guidance papers and policy statements about virtually all of the rules that it promulgates and enforces.

4. Department of Corrections

<http://www.dcor.state.ga.us/>

The inmate handbook (rules, policies and guidance for individuals in custody) and detailed instructions for families about packages, mail, visitation and the like are all available on the department's web site.

5. Commission on Dispute Resolution

<http://www.godr.org/>

The commission does a good job of explaining the purpose and process of mediation both through written guidance and videos. The web site is a great place to refer a client whose case must first go to mediation.

6. Environmental Protection Division

<http://epd.georgia.gov/>

The EPD makes scientific reports and compliance documents readily available on the web.

7. Commission on Equal Opportunity

<http://gceo.state.ga.us/>

Under the *Complaints* tab, the commission offers a detailed description of when and how to file a complaint, and outlines the intake and processing activities that follow.

8. Department of Labor

<http://www.dol.state.ga.us/>

In the *Employers* section of the web site, the Labor Department organizes the site around *Let Us Help You*, and posts dozens of descriptions of how to comply with various labor laws and policies.

9. Board of Pardons and Paroles

<http://pap.georgia.gov/>

The Parole Board web site includes a full description of parole eligibility and guidelines, as well as of the process it undertakes to make parole determinations. It also offers a full explanation of pardons and restorations of rights.

10. Department of Revenue

<http://dor.georgia.gov/>

The recently upgraded site for the Department of Revenue includes individual and generalized guidance to assist taxpayers in complying with Georgia's tax laws, motor vehicle tag and title laws, and regulatory and licensing requirements. This guidance is in the form of Letter Rulings, Regulations, and Policy Bulletins.

Necessary (and/or interesting) Information

1. Georgia Government Portal

<http://georgia.gov/>

Georgia.gov provides links to all Georgia agency and board web sites from the *Agencies* tab in the clay colored bar at the top of the page; and to all those for county and local governments from *Cities and Counties*. The *Popular Topics* tab leads to descriptions in plain English of how to accomplish a wide variety of tasks through various state agencies.

2. Administrative Law Report

<http://administrativelawreport.com/>

The Administrative Law Report is a newsletter produced by staff and judges of the Office of State Administrative Hearings which provides summaries of its administrative rulings. You can browse an archive of issues by date or call up stories about cases on specific issues, such as Banking and Finance, Environmental Law, Insurance, Juvenile Justice, Outdoor Advertising, Real Estate, Vocational Rehabilitation or Wrecker Services.

3. Georgia Felon Search

<http://gta.georgia.gov/georgia-felon-search>

Georgia Felon Search is a service of the Georgia Technology Authority, which allows you (for a nominal fee) to search the Georgia Crime Information Center database to discover if an individual has been convicted of a felony in Georgia.

4. Case Law Update

<http://www.pacga.org/site/content/40>

The Case Law Update is one of three useful newsletters that the Prosecuting Attorneys' Council publishes on its web site. The Update provides summaries of recent Georgia appellate decisions in criminal cases. The archive of issues is searchable. The Council's web site also features the Georgia Family Violence Newsletter (which "addresses a variety of matters affecting prosecution of domestic violence and sexual assault related cases. Upcoming issues will provide information on a variety of matters, such as case law updates; new strategies being used by defense attorneys; and other relevant matters."); and Georgia Traffic Prosecutor (which "highlights issues of

importance to prosecutors involved in traffic safety prosecutions, including impaired driving and homicide by vehicle”)

5. Georgia Public Notices

<http://georgiapublicnotice.com/>

Georgia Public Notice is a service made possible by the newspapers of Georgia. The website offers a searchable compilation of public notices published in newspapers throughout the state. Its advanced search form allows you to build simple Boolean queries (and, or, not, phrases), as well as filter by county or publication and date. In addition to the free website, there is a subscription service called *Smart Search*. Using *Smart Search* you can use multiple keywords, save your search criteria to use over and over, save individual Public Notices in a queue and print multiple Public Notices simultaneously. In addition, you can opt to receive automatic search results daily by email.

6. Open Georgia

<http://www.open.ga.gov/>

Open Georgia is a gateway for obtaining information and key documents about how the State of Georgia spends tax dollars and other revenues to provide services to Georgians. The information maintained on this site comes from various state agencies and is updated annually. It includes salaries and travel reimbursements paid to state workers and local school board employees, professional services expenditures made by

state organizations, performance reviews of state programs, SPLOST reports from around the state, and a variety of state budget reports.

7. Georgia Secretary of State

sos.ga.gov

Before you visit the Secretary of State’s website, make sure that you are using a browser other than Internet Explorer—the site works poorly with the latest version of IE. The *Corporations* section of the site requires registration, and then allows filing and searching of corporate entity documents, and trade and service marks. The *Licensing* section accepts applications for professional licenses, and provides forms for filing complaints against license holders. From this section of the site you can also search for business, facility and individual license holders. Finally, the *Securities* section of the site contains a description of the requirements for seeking to register with the Commissioner as a broker/dealer, investment adviser, broker/dealer agent, or investment adviser representative, all requisite forms to register a security with the Commissioner, a search function to obtain information about investment professionals registered as broker/dealers, investment advisers, broker/dealer agents, or investment adviser representatives, and forms to file a detailed securities-related complaint.

8. Georgia Superior Court Clerks’ Cooperative Authority

<https://www.gsccca.org/>

The website of the Georgia Superior Court Clerks’ Cooperative Authority makes UCC, real estate and lien filings from each of the 159 counties in the state available

online. Searching these combined records online requires setting up (and paying for) an account with the GSCCCA. A continuing, single user, unlimited search Regular account is \$11.95 per month. The Authority also offers a single use account (\$5.00 for four consecutive hours). Printing documents necessitates further payment (\$0.50 per page).

Conclusion

Some of these websites are quite familiar to most lawyers. Others you may have never stumbled across or known to seek out. A few you might use frequently, and many you will never need. I hope that this collection of descriptions will encourage you to *expect* to find useful information about Georgia law and regulatory activity on the web, so that when you do need information of this sort your reflex will be to search for it online.