

# IMBALANCED JUSTICE



## PROFESSIONAL DIVERSITY ON THE GEORGIA JUDICIARY

— PEOPLE'S PARITY PROJECT —

## **ABOUT PPP:**

People's Parity Project is a movement of attorneys and law students organizing for a democratized legal system which values people over profits, builds the power of working people, and opposes subordination of any form. Together, we are dismantling a profession that upholds corporate power and building a legal system that is a force for justice and equity. Our work focuses on building power for working people in the civil legal system through organizing, policy innovation, political education, and solidarity.

For more information about this report or the People's Parity Project, please visit:

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## **ABOUT THE AUTHOR:**

Billy Corriher is the state courts manager for PPP and a longtime advocate for fair courts and progressive judges. He worked at the Center for American Progress from 2012 to 2017. Billy has helped fight Republican attempts to pack the courts in his native North Carolina with judges who would limit the rights of workers and voters, and he has worked with progressive courts advocates around the country. He also worked as a freelance journalist whose work appeared in Facing South, Governing, ThinkProgress, and other outlets.

In 2021, Billy released a book titled *Usurpers: How voters stopped the GOP takeover of North Carolina's courts*. He earned his bachelor's degree in political science with a minor in journalism from the University of North Carolina-Chapel Hill and his law degree from Georgia State University.

Since 2021, the Biden administration has taken deliberate steps to increase the professional diversity of the federal judiciary by nominating more judges with experience in legal aid, public defense, and civil rights law. But while significant strides have been made at the federal level, the same cannot be said of Georgia's state courts. At the appellate level, the bench is dominated by former corporate attorneys and prosecutors; very few judges at any level of the Georgia judiciary have experience representing workers or consumers.

State courts hold incredible sway over the lives of Georgia residents. They have jurisdiction over lawsuits filed by workers attempting to avenge their rights and consumers striving to hold corporations accountable, as well as criminal trials that literally determine matters of life and death.

The Georgia Supreme Court hears especially crucial cases. It recently threw out lawsuits from the Sons of Confederate Veterans challenging the removal of monuments to the Confederate slavocracy.<sup>1</sup> The court even played a role in rejecting former President Donald Trump's attempts to overturn the 2020 election results.<sup>2</sup> In 2022, the state Supreme Court overturned a lower court judge's decision to block the state's six-week abortion ban, allowing the state to outlaw abortion before many people even know they're pregnant. And in 2023, the court will rule on a state law that limits the amount of "punitive damages" that juries can award to punish corporate misconduct.



Despite this immense power, little attention has historically been paid to the professional backgrounds of the judges hearing these cases. Anecdotal and empirical evidence reveal that a judge's prior experience, both personal and professional, influences their judicial decisions. In one recent study of employment cases, Professor Joanna Shepherd found that judges with corporate or prosecutorial experience are more likely to side with corporations than are judges who previously represented individuals.<sup>3</sup> And for years, legal analysts have drawn connections between the flood of corporate money into state supreme court elections and the pro-corporate tilt of outcomes in those courts.<sup>4</sup>

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<sup>1</sup> Sons of Confederate Veterans v. Henry Cnty. Bd. of Commissioners, 880 S.E.2d 168 (2022).

<sup>2</sup> Trump v. Raffensperger, No. S21M0561 (2020), available at <https://electioncases.osu.edu/wp-content/uploads/2020/12/Trump-v.-Raffensperger-GA-SC-Order-Dismissing-Petition.pdf>.

<sup>3</sup> Joanna Shepherd, "Jobs, Judges, and Justice: The Relationship Between Professional Diversity and Judicial Decisions" (2021).

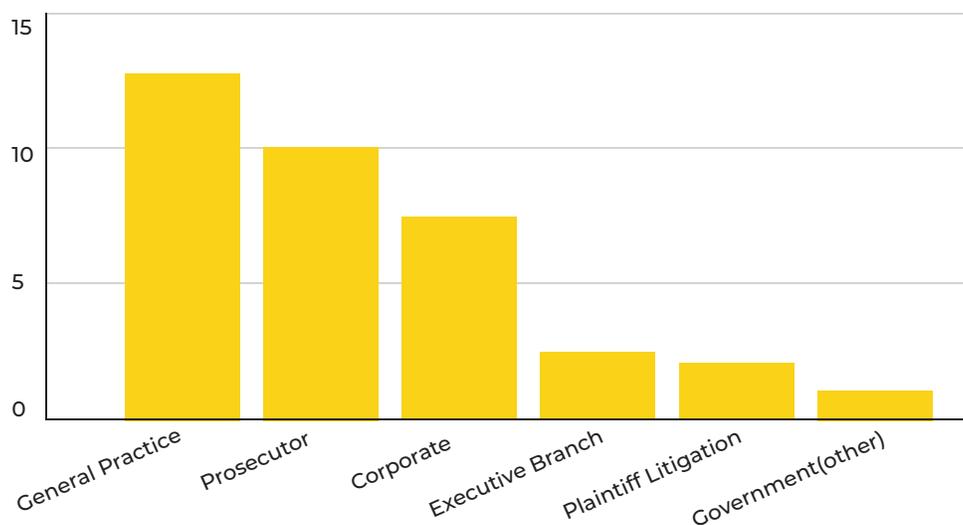
<sup>4</sup> See, e.g., Billy Corriher, "Big Business Taking over State Supreme Courts," Center for American Progress (2012), <https://www.americanprogress.org/article/big-business-taking-over-state-supreme-courts/>

Justice Lewis Powell credited Thurgood Marshall’s position as the first Black U.S. Supreme Court Justice as informative because “a member of a previously excluded group can bring insights to the courts that the rest of its members lack.”<sup>5</sup> He also noted that Marshall told them “much that they did not know due to their limited experience.” Justice Byron White noted that Marshall’s experience as a civil rights attorney gave him experience none of the other justices could match, experience that influenced the Supreme Court’s decision-making during Marshall’s tenure on the bench.<sup>6</sup> When demographic or professional diversity is deprioritized in building state courts, the people of Georgia lose out on the opportunity to have this breadth of experience and expertise brought to bear on the most critical legal decisions of the day.

While the progressive movement has often overlooked the value of diverse professional experiences on the state bench, the same cannot be said for pro-corporate and conservative entities. Local and national conservative groups, such as the Federalist Society and the corporate-funded Chamber of Commerce, have gotten their preferred judges onto the bench in Georgia. As a result, everyday people have more trouble finding justice in the courtroom.

With a handful of exceptions, the Georgia judiciary lacks judges with backgrounds in legal aid, civil rights, union representation, consumer advocacy, or public defense. This report looks at the professional background of judges on Georgia’s Supreme Court, Court of Appeals, and Superior Courts. The two appellate courts are mostly composed of former prosecutors and corporate attorneys. Statewide, around half of the judges have experience as prosecutors, and only a handful served as public defenders or legal aid attorneys. See the Results section for more precise figures.

Professional background of Georgia’s appellate judges



<sup>5</sup> Barbara A. Perry, “A ‘Representative’ Supreme Court?: The Impact of Race, Religion, and Gender on Appointments,” 137 (1991).

<sup>6</sup> Ibid.

This lack of professional diversity has a significant impact on what justice looks like in the state. Increasing professional diversity within Georgia's state bench should be a top priority for progressive and reform-oriented advocates and organizations.

## HOW JUDGES REACH THE BENCH

According to the state constitution, Georgia voters choose judges in nonpartisan elections. Once in office, incumbents are almost always reelected, often with no opposition. However, there are some signs this is changing: in local elections in Atlanta and other cities, voters in recent years have elected challengers over longtime incumbents. Many of these races featured Black attorneys.<sup>7</sup>

While Georgia voters ostensibly elect judges, a combination of political maneuvering and strategic retirements means that, in many cases, power to fill open seats on the bench is effectively taken out of the hands of the voters and placed in the hands of the governor. Appellate judges often retire just before the end of their terms, allowing the governor to choose their successors, instead of the voters. These appointees then enter subsequent elections holding incumbent power. This de facto appointment system is key, given that no incumbent justice has ever lost reelection in Georgia.<sup>8</sup>



<sup>7</sup>“Blackmen in races for judge could make history if elected,” Law.com (March 2022), <https://www.law.com/dailyreportonline/2022/03/30/georgia-elections-black-men-in-races-for-judge-could-make-history-if-elected/>.

<sup>8</sup>Ware, Stephen J., Judicial Selection that Fails the Separation of Powers (April 25, 2022). Catholic University Law Review, Vol. 72, 2022, available at: <https://ssrn.com/abstract=4093255>.

Take, for example, the state supreme court. Of the nine current supreme court justices, all but one were appointed by Republican governors; just one initially reached the court by election. This custom of mid-term retirements by Georgia justices is well over a century old.<sup>9</sup>

A recent example of these “strategic retirements” was the 57-year-old Chief Justice David Nahmias, who was set to run for reelection in May 2022. Instead, Nahmias announced in February 2021 that he would resign within months. This allowed Governor Brian Kemp to appoint Justice Andrew Pinson, a former corporate lawyer who won’t have to run for reelection until 2024.<sup>10</sup> Kemp did something similar following a judicial retirement in 2020, and the state supreme court upheld the move.<sup>11</sup>

In recent years, the legislature has attempted to strengthen the governor’s authority to appoint prosecutors, potentially laying out a roadmap for how to do the same with judicial vacancies. Lawmakers passed a bill in 2018,<sup>12</sup> after progressive candidates for district attorney emerged, that allowed the governor to postpone prosecutor elections by making interim appointments to fill mid-term vacancies. In July 2019, Deborah Gonzalez announced that she was running against the District Attorney in Clarke County, a progressive area that includes the University of Georgia, on a platform of ending mass incarceration and the death penalty.<sup>13</sup> The incumbent then announced that he would retire at the end of his term. But in February 2020, the same district attorney changed his mind and said he would retire much sooner. This allowed Kemp to fill the seat with an appointee who was not required to run to hold the position until 2022.<sup>14</sup> Fortunately, the Georgia Supreme Court struck down the law. Gonzalez won and became the state’s first Latina prosecutor.<sup>15</sup> While this attempt to remove voters’ power over the legal system failed, it is unlikely to be the last such effort in Georgia.

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<sup>9</sup> Herb Kritzer, “Appointed or Elected: How Justices on Elected State Supreme Courts Are Actually Selected,” *Law & Social Inquiry* (2022), <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/appointed-or-elected-how-justices-on-elected-state-supreme-courts-are-actually-selected/57DEB8858C6022320FE44B237E23B12B>.

<sup>10</sup> Associated Press, “Kemp Appoints Replacement for Departing Chief Justice,” *WABE* (February 2022), <https://www.wabe.org/kemp-appoints-replacement-for-departing-chief-justice/>.

<sup>11</sup> Asher Stockler, “Advocates Decry Georgia Supreme Court’s Decision Allowing Governor to Invalidate Election Results,” *Newsweek* (May 2020), <https://www.newsweek.com/georgia-supreme-court-elections-1504585>.

<sup>12</sup> O.C.G.A. § 45-5-3.2(a).

<sup>13</sup> Billy Corriher, “Georgia Court May Let Governor, Not Voters, Pick A Local District Attorney,” *Georgia Public Broadcasting* (October 2020), <https://www.gpb.org/news/2020/10/06/georgia-court-may-let-governor-not-voters-pick-local-district-attorney>.

<sup>14</sup> *Ibid.*

<sup>15</sup> Suzanne Gamboa, “Deborah Gonzalez makes history as Georgia’s first Hispanic district attorney,” *NBC News* (Dec. 2020), <https://www.nbcnews.com/news/latino/deborah-gonzalez-makes-history-georgia-s-first-hispanic-district-attorney-n1249744>.

In 2016, Republican legislators empowered the governor to pack the state supreme court. Lawmakers added two seats, and the governor filled them with conservative justices. One of the appointees was former corporate lawyer Nels Peterson, who led the Harvard Law chapter of the Federalist Society as a student and then clerked for Judge William Pryor, a right-wing extremist judge on the 11th U.S. Circuit Court of Appeals.<sup>16</sup> The other new justice, Britt Grant, was also a Federalist Society leader and later landed on President Donald Trump's list of potential U.S. Supreme Court nominees.<sup>17</sup> Those two appointments created a new majority of GOP-appointed justices. (Republicans in Arizona did the same thing in 2016, and North Carolina legislators explored the idea several months later.)<sup>18</sup>

For vacancies that arise before the end of a judge's term, governors have total control over the appointment process, unlike states that provide a role for the legislature. Gov. Kemp established a judicial nominating commission appointed entirely by himself. Many other states, by contrast, have "merit selection" commissions whose members are chosen by different branches of government and/or the state bar associations. These commissions assess the qualifications of potential judges and recommend a list of the most qualified, from which the governor must choose. Such systems can ensure that these decisions aren't being made solely by the governor and their ideological allies.

It should be noted that in recent years, there has been more attention paid to the demographic diversity of judicial professionals, and Kemp has increased the number of judges of color appointed to the bench, particularly compared to his two predecessors. Following increasing criticism in the media and years of pressure from groups like Advocacy for Action that support judicial diversity,<sup>19</sup> Kemp expanded his nominating commission from 20 to 35 members in October 2021 in an effort to diversify its membership.

The expanded commission has recommended more diverse candidates. While Kemp initially appointed mostly white men to the bench, that trend has started to change.<sup>20</sup> In December 2022, for example, Kemp appointed two Black women to state court seats, and in 2021 he put Justice Verda Colvin, also a Black woman, on the high court to fill the seat of a retiring Black justice.<sup>21</sup>

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<sup>16</sup> Ian Milhiser, "Republicans are using long-forbidden tactics to chip away at judicial independence," ThinkProgress (Feb. 2018), <https://archive.thinkprogress.org/gop-war-judicial-independence-b4a306122cca/>.

<sup>17</sup> Ibid.

<sup>18</sup> Billy Corriher, "State Court Expansion Is Becoming More Common—Especially When Republicans Are In Charge," Balls & Strikes (Dec. 2021), <https://ballsandstrikes.org/court-reform/state-court-expansion-survey/>.

<sup>19</sup> Cedra Mayfield, "Slideshow: Georgia's Judicial Appointments Skew Heavily White and Male," Daily Report (July 2022), <https://www.law.com/dailyreportonline/2022/07/08/slideshow-georgias-judicial-appointments-skew-heavily-white-and-male/>; Advocacy for Action, "Kemp/Deal/Perdue Judicial Appointments by the Numbers – Race and Gender" (June 2020), <http://advocacyforaction.com/dealperdue-judicial-appointments-by-the-numbers-race-and-gender/>.

<sup>20</sup> Ibid.

<sup>21</sup> "Judicial draft: How Gov. Kemp's 2022 picks for judge stack up against his 2021 roster," Law.com, (January 3, 2023) <https://www.law.com/dailyreportonline/2023/01/03/judicial-draft-how-gov-kemps-2022-picks-for-judge-stack-up-against-his-2021-roster/>.

# CONSERVATIVE GROUPS FOCUSED INTENTLY ON STATE COURTS

While Kemp's current commission is not entirely lacking in racial and ethnic diversity, it is mostly composed of corporate lawyers, former prosecutors, and conservative legal actors. The members include executives at Home Depot and corporate behemoth Georgia Pacific. The commission also includes an advisor to the Atlanta chapter of the Federalist Society. These conservative and pro-corporate entities share many of the same goals when it comes to who sits on the bench: ensuring that judges are on the side of the wealthy and powerful, rather than working people.

The Atlanta chapter of the Federalist Society has helped reshape the Georgia Supreme Court. In 2006, the Federalist Society published a brief warning of the court's "unpredictability." This brief criticized rulings in favor of an injured consumer, a patient harmed by medical malpractice, and the widow of someone killed at an unsafe railroad crossing. It also discussed how the high court expanded privacy rights and the rights of people on death row under the state constitution. Describing these as "activist" decisions, the Federalist Society also mentioned rulings to strike down an anti-sodomy law and bar the use of Bible verses in prosecutors' closing arguments. The brief also warned that the high court could soon strike down a "tort reform" law limiting the amount of money juries could award to injured workers or consumers.

In the same year the brief was published, a group backed by the National Association of Manufacturers spent an unprecedented \$1.3 million on ads attacking an incumbent Georgia Supreme Court justice, who was nevertheless reelected. (Elections since then have been quiet and inexpensive.)

One author of the 2006 brief, Ryan Teague, has served on the governor's judicial nominating commission for years. Kemp also appointed corporate executives and lawyers who advise the 500-member-strong Atlanta chapter of the Federalist Society. It's thus no surprise then that most of the high court justices are affiliated with the group.<sup>25</sup>

The Federalist Society's pipeline in Georgia contributes to the same trends happening in other states: courts are increasingly filled with former prosecutors and corporate lawyers. The conservative judicial advocacy group reinforces the preexisting tendency to draw judicial nominees from the ranks of corporate law firms and district attorneys' offices.

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<sup>22</sup> Press release, Office of Gov. Brian Kemp, "Gov. Kemp Names 35 to Judicial Nominating Commission" (October 27, 2021), <https://gov.georgia.gov/press-releases/2021-10-27/gov-kemp-names-35-judicial-nominating-commission>.

<sup>23</sup> Ibid.

<sup>24</sup> Robert Barker, Holly Pierson, and Ryan Teague, "The predictable unpredictability of the Georgia Supreme Court," Federalist Society (2006), <https://fedsoc.org/commentary/publications/the-predictable-unpredictability-of-the-georgia-supreme-court>.

<sup>25</sup> Billy Corriher, "Governors pack high courts with Federalist Society members," The SUPreme Courts (Nov. 2019), <http://thesupremecourts.org/2019/11/07/governors-pack-high-courts-with-federalist-society-members/>.

Even though Georgia courts have been intentionally stacked against working people, it's not enough for pro-corporate organizations. At the national level, corporate-funded groups that advocate for tort reform have attacked the Georgia Supreme Court for rulings against corporate defendants. These groups include the American Tort Reform Foundation, which is part of a network of groups created decades ago by Big Tobacco, pharmaceutical companies, and other corporations facing massive lawsuits.<sup>26</sup> These groups, which have successfully pushed the unsubstantiated narrative of “frivolous lawsuits” for decades, publish a biannual report on so-called “judicial hellholes” where courts rule for the people suing corporations. In 2022, Georgia was at the top of the list, due to multimillion-dollar “nuclear verdicts.”<sup>27</sup> Among other things, the report criticized the Georgia Supreme Court for declining to “expressly adopt . . . a framework that courts across the country have adopted to protect high-level corporate employees from unnecessarily being deposed.”<sup>28</sup>

The report cited several lawsuits, including one filed by the surviving family of a deceased couple against Ford Motor Company over a defective truck roof that caved in when the truck flipped over. The lawsuit argued that Ford was aware that the roof couldn't support the truck's weight but refused to reinforce the roof. The jury returned a \$1.7 billion verdict, mostly in the form of punitive damages to punish the corporation for knowingly putting consumers at risk.<sup>29</sup> The report noted that the judge in the case was a former plaintiffs' attorney with ties to trial lawyers; it failed to note, as will be discussed below, how unusual it is for a Georgia state court judge to have experience representing plaintiffs, or the fact that an overwhelming number of appellate judges in the state have backgrounds in pro-corporate lawyering.

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<sup>26</sup> Carl Deal and Joanne Doroshow, “The CALA Files,” Center for Justice & Democracy (2000), <https://centerjd.org/system/files/CALAFiles.pdf>.

<sup>27</sup> American Tort Reform Foundation, “Judicial Hellholes, 2022-2023 - Georgia (Dec. 2022), <https://www.judicialhellholes.org/hellhole/2022-2023/georgia/>.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

The so-called hellholes report, like the 2006 Federalist Society memo, suggests that big business could try even harder to push Georgia's judiciary in a pro-corporate direction. Many of the same corporations that fund the report also donate to groups that spend big in judicial races. It's possible these groups will try to unseat local judges that they perceive as favoring plaintiffs over corporate defendants. It is therefore imperative that organizations committed to the rights of people, not corporations, make the Georgia judiciary a key priority in the coming years.

## UPCOMING APPOINTMENTS

Governor Kemp and his Republican predecessor each appointed four of the nine justices sitting on the Georgia Supreme Court, with two of the former governor's picks resulting from the 2016 court packing bill. Kemp could get even more high court appointments in his second term. In 2024, the terms of four justices will end. Two of them, Chief Justice Michael Boggs and Justice John Ellington, will be more than 60 years old and could retire before then.<sup>30</sup> (Georgia's pension system allows judges to retire at age 60, and if they don't retire by age 70, they lose some retirement benefits.) Allowing Kemp to replace these two justices could impact the ideological balance of the bench, as Ellington was first elected to the court in 2018 and was a Democratic appointee to the Court of Appeals.

Despite the likelihood, based on recent trends, that Kemp will have the opportunity to make these appointments, this is not a foregone conclusion. Georgians still have the opportunity to make their voices heard by calling for Justices Boggs and Ellington to stay until the end of their terms, thereby ensuring their successors are chosen by popular election, not unilateral gubernatorial appointment.

However, should these justices retire and deliver the appointments to Kemp, the governor should intentionally nominate non-corporate attorneys and non-prosecutors to sit on the bench.

## METHODS

This report seeks to understand the legal backgrounds of the judges deciding on the rights and privileges of Georgia residents by analyzing the professional diversity of the state bench. Analysis of the legal backgrounds of state judges reveals overrepresentation of corporate attorneys and criminal prosecutors, particularly relative to legal aid attorneys, public defenders, and union-side attorneys (the latter of whom are entirely unrepresented on the state bench). By understanding the overrepresentation of certain career paths on the state bench, leaders in Georgia can better understand the impact of future judicial elections and nominations on the people's rights under state law and the Georgia constitution.

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<sup>30</sup> Ballotpedia, "Georgia Supreme Court," [https://ballotpedia.org/Georgia\\_Supreme\\_Court](https://ballotpedia.org/Georgia_Supreme_Court).

The names of all judges in the Georgia Supreme Court, Court of Appeals, and Superior Courts as of February 8, 2023 were collected from the Georgia Judicial website ([www.georgiacourts.gov](http://www.georgiacourts.gov)) and the websites of the state's 10 judicial districts. Senior judges were not included in this sample. For Supreme and Appellate Court judges, their biographies published on [gasupreme.us](http://gasupreme.us) and [gaappeals.us](http://gaappeals.us) were used to categorize their professional experience. Because not all circuits in Georgia publish biographies for Superior Court judges, these professional backgrounds were collected from a variety of sources, such as Governor's office press releases, media outlets, court documents, and LinkedIn.

Judges' prior jobs were grouped into the following categories: corporate, criminal prosecution (including Solicitor's Office<sup>31</sup>), general practice, executive branch lawyers, other government roles (including federal or local government attorneys), public defense, plaintiff litigation (on behalf of injured workers or consumers), and legal aid. For judges with experience across multiple categories, the judges were included in counts for each of the categories into which their experiences fit.

## RESULTS

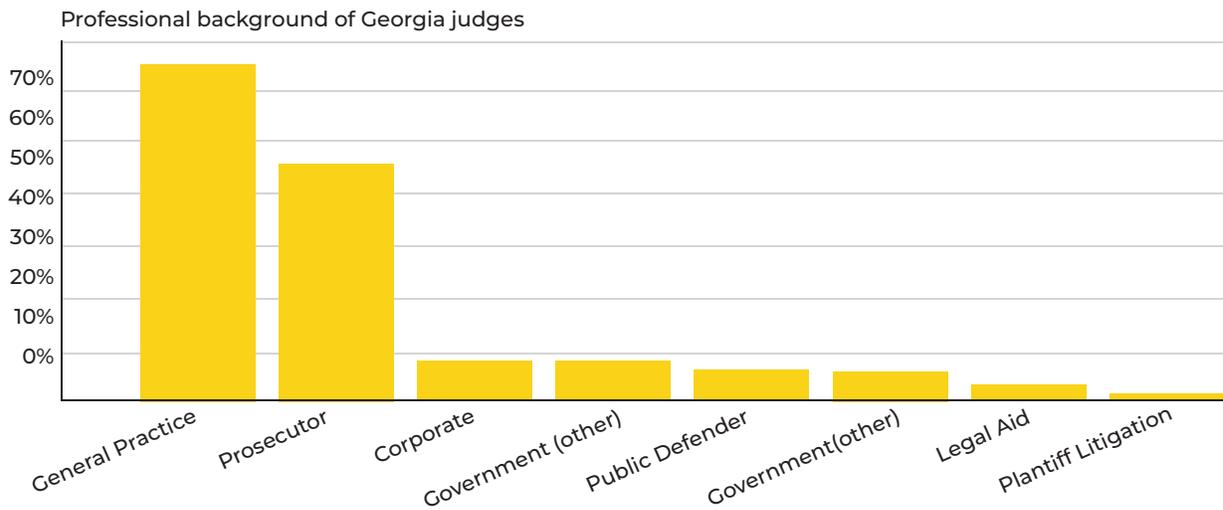
Using this method, the backgrounds of all 232 sitting, non-senior judges were collected and categorized. On the Georgia Supreme Court, the disparities are stark. A majority of the justices have a background in criminal prosecution, and five of the nine justices have defended corporations. The justices have significant experience representing the interests of a corporation or the state, but none have experience representing individuals as a public defender or legal aid attorney. However, it should be noted that Justice Colvin, the court's newest member and an ex-prosecutor, also worked at a civil rights firm in North Carolina as a young lawyer.

The disparities continue on the Court of Appeals. Of the 15 judges, only one has experience as a civil rights attorney. Thirty-three percent are former prosecutors, 26 percent have a corporate background, and 73 percent have a general practice background. There are no public defenders or union-side attorneys on the court. On both appellate courts, most of the judges are white men. And the vast majority were appointed before being elected.

Aggregating the professional experience of the 189 Superior Court judges, similar trends were found, with 47 percent having a background in criminal prosecution. Only four percent have experience as legal aid attorneys or public defenders. The same percentage worked at law firms specializing in bringing lawsuits on behalf of injured workers or consumers. A clear majority, 63 percent, have experience working at law firms with a general practice, which can include criminal defense, family law, or bankruptcy.

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<sup>31</sup> Note: in Georgia, the Solicitor General handles criminal misdemeanors.



The homogeneity of Georgia’s judiciary is troubling for many reasons. Citizens turn to the courts for justice, but most of the judges hearing their cases have little experience representing real people. Those who find themselves in court have a slim chance of actually appearing before a judge who has spent their career defending indigent criminal defendants or fighting for justice for workers and consumers. Lady justice is supposed to balance her scales, but when the judiciary is dominated by former prosecutors and corporate lawyers, people can’t help but wonder if the scales of justices are out of balance.

## CONCLUSION

Despite the impact that professional backgrounds have on judicial decisions, little attention has been paid to the professional diversity of the Georgia bench. This report shows that, similar to the federal bench, judges with corporate and prosecutorial backgrounds make up a majority of the state’s appellate judges. Such judges have been shown to generate more negative outcomes for individuals facing off against corporate or state interests.<sup>32</sup>

To ensure the Georgia bench can better serve people in need of justice, there must be a deliberate effort to identify, appoint, and elect qualified judges from public interest backgrounds and to improve the pipeline of attorneys entering these fields.

While Kemp’s nominating commissions have been dominated by lawyers who’ve represented powerful institutions, either corporations or the state itself, it does not have to be that way. A distinct counterexample can be seen in the federal nominating commission established by Senators Jon Ossoff and Raphael Warnock, which has recommended the nomination of lawyers like Sarah Geraghty, now a judge on the Northern District of Georgia and a former civil and human rights lawyer, and Nancy Abudu, a nominee for the Eleventh Circuit Court of Appeals who has spent her career defending voting rights and abortion access. The senators’ commission includes many civil rights lawyers and advocates from groups like the ACLU and the Southern Center for Human Rights. The commission also includes attorneys who represent injured workers and consumers. Further, 12 of the 16 members are people of color, including the leader of an organization dedicated to diversifying the judiciary.

<sup>32</sup> Shepherd, “Jobs, Judges, and Justice.”

Having a demographically and professionally diverse nominating commission results in the selection of demographically and professionally diverse judges. Advocates should make it a high priority to call on Kemp to increase the professional diversity of his nominating commission. This could help balance a judiciary that's now tilted in favor of powerful corporations.

Though the governor dominates judicial selection for appellate courts, local judicial races are sometimes competitive. Progressives can get engaged in judicial races, recruit candidates, and help get them on the bench.

By committing to electing and, when necessary, appointing more judges with public interest backgrounds and providing increased opportunities for public interest-minded law students to pursue clerkships and other opportunities, this disparity could be addressed. This could benefit workers, consumers, and those facing the possibility of jail time.

Progress is possible. Georgia has recently made significant improvements in balancing the demographic composition of the judiciary through the work of local non-profits like Advocacy for Action (AFA), which educates the public on judicial diversity and helps candidates of color raise campaign funds. AFA has pointed out the tendency of the last few Republican governors to choose mostly white judges, leading to a decline in the number of Black judges, even though Georgia will soon become a "majority minority" state.<sup>33</sup> They're now getting results, with even Governor Kemp showing a new commitment to appointing demographically diverse judges and justices to the bench.

Advocates should also pursue a campaign to ensure that Georgia's judiciary includes lawyers who have represented workers, consumers, or ordinary Georgians caught up in the justice system. For a truly representative bench that will protect the interests of all who appear before them, both voters and the governor must commit to ensuring professional diversity. Georgia workers deserve a fair judiciary.

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<sup>33</sup> Advocacy for Action, "Judicial appointments by the numbers."

# APPENDIX

Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
<b>Supreme Court</b>								
Andrew Pinson	x	x						
Carla McMillian		x						
Charlie Bethel			x					
John Ellington			x					
Michael Boggs		x	x					
Nels Peterson	x	x		x				
Sarah Warren	x	x						
Shawn Ellen LaGrua	x							
Verda Colvin	x		x					x
<b>Court of Appeals</b>								
Brian Rickman	x							
Anne Barnes			x					
Chris McFadden			x					
Stephen Dillard		x						
Yvette Miller	x	x						
Sara Doyle			x					
Elizabeth Gobeil		x	x		x			
D. Todd Markle			x	x				
Ken Hodges	x		x					
E. Trenton Brown III			x					
Trea Pipkin	x							
Amanda Mercier	x		x					
Ben Land			x					
Herbert Phipps								x
<b>Superior Courts</b>								
A. Gregory Poole			x		x			
Aaron B. Mason	x							
Alison T. Burleson	x							
Amanda Heath	x		x					

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Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
Amanda S. Petty			x					
Andrew Roper								x
Andy Spivey								x
Angela Brown	x	x	x					
Angela Duncan			x					
Ann Harris	x							
Asha Jackson		x	x					
Ashley Wright	x							
Beau McClain	x							
Belinda Edwards			x		x			
Ben Miller, Jr.	x		x					
Benjamin Coker	x		x					
Benjamin Karpf			x					
Bert Guy			x					
Bill Reinhardt			x					
Bobby G. Peters			x					
Bobby Reeves				x	x			
Bonnie Chessher Oliver			x					
Brenda Holbert Trammell			x					
Brenda S. Weaver			x					
Brian Amero	x		x					
Brian House			x					
Brian McDaniel	x							
Bryan Johnson			x					
Buck Levins	x		x					
C. Michael Johnson		x	x					
Chan Caudell			x					
Charles Rose			x					
Cheveda McCamy	x							
Chris Phelps			x		x			
Chuck Eaton					x			
Clayton A. Tomlinson	x							
Clint Bearden			x					
Connie Williford Marsh			x					

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Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
Amanda S. Petty			x					
Andrew Roper								x
Andy Spivey								x
Angela Brown	x	x	x					
Angela Duncan			x					
Ann Harris	x							
Asha Jackson		x	x					
Ashley Wright	x							
Beau McClain	x							
Belinda Edwards			x		x			
Ben Miller, Jr.	x		x					
Benjamin Coker	x		x					
Benjamin Karpf			x					
Bert Guy			x					
Bill Reinhardt			x					
Bobby G. Peters			x					
Bobby Reeves				x	x			
Bonnie Chessher Oliver			x					
Brenda Holbert Trammell			x					
Brenda S. Weaver			x					
Brian Amero	x		x					
Brian House			x					
Brian McDaniel	x							
Bryan Johnson			x					
Buck Levins	x		x					
C. Michael Johnson		x	x					
Chan Caudell			x					
Charles Rose			x					
Cheveda McCamy	x							
Chris Phelps			x		x			
Chuck Eaton					x			
Clayton A. Tomlinson	x							
Clint Bearden			x					
Connie Williford Marsh			x					

# APPENDIX

Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
Courtney Johnson	x							
Craig Earnest	x							
Craig L. Schwall			x					
Currie Mingledorff			x		x			
Cynthia Adams			x					
D. Scott Smith	x							
D. Vic Reynolds	x							
Daniel J. Craig	x							
Danielle P. Roberts			x					
David Dickinson	x		x					
David Lyles	x							
David Mincey			x		x			
Deah Warren	x							
Dean C. Bucci			x					
Deborah Fluker	x		x					
Denise D. Fachini	x							
Denise Marshall							x	
Dennis T. Blackmon	x					x		
Don Thompson			x					
Donald W. Gillis			x					
Dustin Hightower	x		x					
Dwayne H. Gillis			x					
Edward D. Lukemire	x							
Ellen McElyea			x					
Emily Richardson	x							
Emory Palmer			x					
Eric Dunaway	x							
Eric W. Norris			x					
F. Gates Peed	x		x					
G.E. Bo Adams			x					
George Hutchinson	x							
Geronda Carter	x		x		x			
Glen Cheney			x					
Greg Voyles			x					

# APPENDIX

Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
Gregory A. Adams	x							
H. Patrick Haggard			x					
Harold A. Hinesley			x					
Harvey Wasserman			x			x		
Heather Hendricks Lanier	x							
Henry L. Balkcom, IV		x						
Henry M. Newkirk	x							
Henry R. Thompson	x		x					
Holly Veal	x		x			x		
Harold Kaufold			x					
Howard Z. Simms	x							
James G. Blanchard, Jr.					x			
James Jim Prine	x							
James Kelly Brooks			x					
Jane Barwick			x					
Jason J. Deal	x		x					
Jason Marbutt	x							
Jay Stewart	x							
Jeffery Monroe			x					
Jeffrey Foster	x		x					
Jeffrey Kight			x					
Jeffrey S. Bagley			x					
Jeffery S. Malcolm								x
Jeffrey Watkins			x					
Jesse Stone			x					
Jewel Scott			x					
Jim Wilbanks			x					
Jimmie Brown								x
John E. Morse Jr.	x							
John E. Niedrach			x					
John Flythe	x		x					
John M. Ott	x							
John T. Martin								x
John T. Simpson			x		x			

# APPENDIX

Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
John Worcester	x		x					
Jon F. Helton	x				x			
Joseph H. Booth			x					
Joy Parks			x					
Judson Green			x					
Julie Jacobs	x							
Karen Beyers			x					
Katherine K. Lumsden	x							
Kathlene F. Gosselin			x					
Kay Wetherington	x		x					
Kellie Hill	x		x					
Kelly Lee Ellerbe		x						
Kendall Wynne	x		x					
Kevin Farmer	x					x		
Kimberly Childs		x						
Kimberly M. Esmond Adams	x	x						
Kristina Cook Graham			x					
LaTisha Dear Jackson	x		x					
Lawton E. Stephens	x		x					
Layla Zon	x							
Lindsay Burton	x							
Lisa Colbert		x			x			
Lisa Lott	x					x		
Lovett Bennett Jr.			x					
M. Anthony Baker			x					
M. Cindy Morris	x		x					
Mark Anthony Scott			x					
Mark Murphy					x			x
Mary Beth Priest			x					
Maureen Gottfried	x							
Melanie Cross			x	x				
Melynee Leftridge Harris	x		x					
Michael Muldrew	x							
Nancy Bills	x		x					

# APPENDIX

Name	Prosecutor	Corporate	General practice	Executive branch	Government (other)	Public defender	Legal Aid	Plaintiff litigation
Nick Primm	x		x					
Nina Markette Baker	x		x					
Paige Whitaker	x							
Pandora Palmer			x					
Penny Haas Freeseemann			x					
Philip C. Smith	x		x					
Philip T. Raymond III			x					
R. Rucker Smith	x		x					
R. Timothy Hamil			x					
Rachel Krause		x						
Rachelle Carnesale	x				x			
Raymond George	x							
Rhonda Kreuziger	x		x					
Richard Dick Perryman	x		x					
Richard M. Cowart			x					
Robert F. Mumford	x							
Robert Flournoy, III			x					
Robert L. Russell, III			x					
Robert Leonard			x					
Robert Mack			x					
Robert McBurney	x							
Robert W. Chasteen Jr.			x					
Roger Lane								x
Ron Mullins			x					
Ronald Keith Thompson			x			x		
Ronnie K. Batchelor			x					
Rosemary Greene	x							
Russell W. Smith			x					
Scott Ballard	x		x					
Scott Minter	x							
Shana Rooks Malone			x					
Shermela Williams	x		x					
Sheryl Jolly	x							
Shondeana Crews-Morris	x							
Sonja Brown	x		x					
	109	20	145	4	18	9	2	9



**PEOPLE'S PARITY PROJECT**