

Q&A with Judge William Ray, Superior Court of Gwinnett County

Conducted by Austin Buerlein

John Marshall Law School 3L and Law Clerk for Margaret Gettle Washburn, P.C.

Judge William "Billy" Ray encompasses a true Georgian and has served as an outstanding asset for this state. Ray grew up outside of Macon in Fort Valley, Ga., and attended Beechwood High School in Marshallville, before becoming a triple "Dawg," earning his B.A., M.B.A. and J.D. from the University of Georgia. Son of a hard working farmer, Ray was influenced at an early age by family members who were influential in Georgia politics, including uncles former U.S. Congressman Richard Ray of Perry and Rep. Robert Ray of Fort Valley, who served in the Georgia House of Representatives for 24 years. After practicing as an attorney for local firm Anderson, Davidson & Tate, Ray was elected state senator for the 48th District of Georgia in 1996 for the 1997-98 term.

As a Republican, Ray was a member of the Judiciary Committee, which influences legislation involving the state's criminal justice system and proposed constitutional amendments. He was also a member of the Natural Resources, Transportation, and State and Local Government Committees.

This influential position with the legislative branch (coupled with his prior experience as a practicing litigator) proved to be an excellent segue for his judicial position with the Gwinnett Superior Court, where he was appointed by Gov. Roy Barnes. Judge Ray has been active in this role, and he was a leader in both spearheading and implementing the "Drug Court" program in Gwinnett County, which has boasted extraordinary positive results. In addition to running his busy docket, he currently serves as chairman of the Legislation Committee of the Council of Superior Court judges. Judge Ray is a deacon with his church, married to the former Kelle Chandler, Ph.D., an active father to three boys (ages 7, 9 and 11), among numerous other distinctions and achievements.

Did I mention that he is the youngest judge on the Superior Court bench? (Please note the responses below are not verbatim, but are intended to reflect my notes from our meeting.)

Q: I see you have been active in politics. Did your interest in politics lead you to law school, or did law school lead you to politics?

A: A little bit of both. Having grown up in a family with several politicians and having the opportunity to work in the area at a young age, I have long been interested in politics. However, I've also always known I wanted to be a lawyer. So, I don't think one really followed the other necessarily or came as a surprise. However, growing up in a primarily Democratic household, including uncles and parents, I think I might have surprised my family when I joined the Republican party and was elected to the senate in 1996. However, I think my family members that are Democrats saw eye-to-eye on a majority of issues, and we even helped campaign for each other, as well as were able to effectively utilize each other's positions in politics and positions in our respective political party.

Q: When you were in the Senate, what bills did you actively support?

A: Heidi's Law, HB 826: "WHEREAS, an ignition interlock program has been shown to be effective in reducing both the number of drunk drivers on the highways and the number of fatalities caused by repeat offenders; and WHEREAS, it is fitting to honor the memory of all victims of drunken driving and Heidi Marie Flye, Cathryn Nicole Flye, and Audrey Marie Flye in particular by strengthening the laws requiring the installation and use of ignition interlock devices." SB 292-Gwinnett Co.-Homestead exemption, coun-

ty taxes. A bill to provide for a homestead exemption from certain Gwinnett County ad valorem taxes for county purposes in an amount equal to the amount of the assessed value of that homestead that exceeds the assessed value of that homestead for the taxable year immediately preceding the taxable year in which that exemption is first granted to a resident; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Q: How do you feel your career in the legislative branch as a senator has impacted your career in the judicial branch as a judge?

A: I think I am less likely to stray from what the law says. [The legislative branch] is in charge of making and writing the law. I understand the process of what goes in the formulation and passage of a bill. However, I am currently the chairman of the Legislative Committee of the Council of Superior Court Judges, where I represent Superior Court judges before the General Assembly.

Q: What areas of law did you practice before becoming a judge?

A: About 50 percent of my work was in domestic relations cases, but I also did a good amount of criminal defense and construction law cases. I enjoyed those areas, and think if I were to practice again, those particular areas would be of interest.

Q: What are two main tips you would have for a lawyer appearing in your courtroom?

A: Be respectful to one another. Don't interrupt each other and be cordial. I think in Gwinnett County our lawyers have developed a good rapport with other lawyers in the area, and frequently I see a noticeable difference between a local lawyer and an "Atlanta law firm" lawyer. Some lawyers are constantly objecting to petty things, such as objecting to asking a leading question on direct testimony in a bench trial. Another example is a lawyer objecting to a witness reading from a document tendered into evidence, arguing that "the document speaks for itself." I could have taken 10 minutes to read the thing myself, or had the relevant part read in the record in a much more efficient manner. Tell me the issues up front and exactly what you are asking for; it is easier for me to know what information I am searching for at the onset and I can better filter and concentrate on the relevant evidence.

Q: What areas of law/cases do you find the most difficult to adjudicate?

A: I have recently had a difficult time with a few cases regarding contempt for one party failing to meet his or her child support obligations when the non-paying party alleges they "just can't pay." I hear about how they lost their job and don't have access to any funds to make their support obligations, and it's difficult to know whether or not they are being stubborn and just don't want to put forth the effort, or whether they legitimately just can't pay. Recently I even asked a defendant on the stand what brand his gold watch was, in order to assess his actual financial situation. It was a Pulsar.

Q: From what I gather, you were the judge responsible for the Drug Court. Can you talk about this?

A: Prosecutor Lisa Jones and Court Administrator Phil Boudewins, and myself, among others, initially spearheaded this project, but all the judges on the bench were in favor of implementing this program. To learn about it, we observed and studied other jurisdictions already utilizing it, and we also attended training sessions. This project is intended to offer a structured program that will provide support, stability, and treatment to offenders; not just slap them on the wrist and forget about them until they get arrested and come back to our court again. When someone gets charged with a drug offense, there are two roads available for guilty defendants. If they elect, and are chosen to participate in the drug court program, they are required to stay clean and take advantage of the great treatment and rehabilitative programs available through the county. Not only do they have to frequently submit to drug tests, but also they are required to attend various meetings, including frequent meetings with me in my courtroom. We monitor each person for a minimum of 18 months, and if they are ready to "graduate" from this program, then their case is dismissed. We have been pleased with the results thus far. The national statistics show that there is a 55-60 percent chance that a criminal that has committed a drug crime will prevent some sort of additional drug-related crime within five years of release. However, under our program, we have reduced this figure to 10-15 percent chance that they will commit another drug related crime in that same period.

Q: What is your favorite book or movie?

A: I love *To Kill a Mockingbird*, but the movie *My Cousin Vinny* is my favorite.

I'm definitely making a note now to add that movie to my Netflix queue list. The only remaining question is, do I also have to wear that ruffled tux shirt and red cutaway tuxedo Joe Pesci wears in the movie? FLR