

Cynthia Wright interviewed by Bob Short
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BOB SHORT: I'm Bob Short, and this is Reflections on Georgia Politics, sponsored by Young Harris College and the Richard B. Russell Library at the University of Georgia. Our guest

is the honorable Cynthia Wright, former legal council to Governors' George Busbee and Zell Miller, and currently chief judge of the Fulton County Superior Court. Welcome, Judge Wright.

CYNTHIA WRIGHT: Thank you.

SHORT: From Tallahassee, the capitol of Florida, to Atlanta, the capitol of Georgia. Tell us about that journey.

WRIGHT: It's a pretty amazing journey for me, because I came from an academic background in Tallahassee. My father was a professor there, just retired about a year or so ago. He was approximately 89. And my mother became a librarian in Macon, Georgia, and she worked a full career in Macon. And I went to Wesleyan College in Macon, and then I went up to the University of Georgia Law School. And I'd always been interested in politics as a child. I remember my father and I would have conversations about if he wasn't a professor. He was a musician, he was a pianist, so he was a performer. And he said, "I would have been in politics. And probably performers would have been good in politics." But as a kid, I was just kind of a nerdy kid who loved politics. I'd watch the conventions on TV back then, I'd read the *TIME Magazines*, and when I went to law school I knew I wanted to be in public service, be in some sort of political capacity. And to me, the miraculous part of the journey is that a kid coming from kind of nowhere -- from Tallahassee, Florida with no connections in the state of Georgia, you know, became a chief council to Governor Miller. It was an amazing journey for me, personally.

SHORT: You interned for Senator Nunn.

WRIGHT: That's right.

SHORT: In Washington.

WRIGHT: That's right.

SHORT: Was that a culture shock?

WRIGHT: I wouldn't say it was a culture shock. It was quite an interesting time. Things were really kind of dead in the Capitol that year in Washington, D.C. I was there for a semester of law school and it was -- I'm trying to remember, I guess it was 1976, and the presidential election was going on. And so, Sam Nunn released his interns to go work on Jimmy Carter's campaign, and I had actually while I was in law school, I took a week off or so from law school and went up and worked in the peanut brigade in New Hampshire going through all these huge drifts of snow, soliciting votes, using the line, "Hi, I'm from Georgia, and I came all the way to ask you to vote for Jimmy Carter." So, I had had that experience in New Hampshire, and then I had the experience in Delaware through Sam Nunn's office.

SHORT: Upon graduating from law school, you first served in the Carl Vinson Institute of Government in Athens. What did you do there?

WRIGHT: I worked with Devereaux Weeks, and I worked on an article that got

published about property taxes. And it wasn't very exciting stuff, but you know, it is kind of the foundation of what keeps government going, so it gave me some insight on what government needs to do to run and how it actually runs. And I really didn't work there very long, because I met a lobbyist actually, and somebody that worked in Legislative council that said that Governor Busbee was looking for an assistant council. So, I thought, "Well, I'll apply." And I did and I got hired. Charlie Tidwell was the Executive council and he hired me.

SHORT: What's it like being an attorney representing the governor?

WRIGHT: It's a very unique role, obviously. You're not the attorney general, so you're not the attorney for the state. Sometimes you can even be in a somewhat adversarial position with the attorney general's office. Your client is the governor and the governor's office, really. Not so much the office itself, but you know, you're working with his employees and, you know, it's exciting. You did a little bit of everything. I worked as a liaison to a lot of state agencies, especially Corrections, State Board of Pardons and Paroles, mostly the law enforcement-type agencies. And I drafted the Legislative packages for Governor Miller, who had thousands upon thousands of good ideas for running state government. And our Legislative packages were 60, 70 bills long.

SHORT: What happened after you left the office of Miller/Busbee?

WRIGHT: After Governor Busbee, actually, I went to work in Governor Sanders' law firm, which is now Troutman & Sanders, and I worked there for a while. You know, it was a great law firm. It was a great learning experience. But at the time I just wasn't quite ready for a big law firm, and really it wasn't nearly as exciting as being in government. So after that, I left for a while and went into my own private practice. But then Hank Huckaby called me up and asked me if I would come to work for what was then the Georgia Residential Finance Authority. And I became their chief council.

SHORT: What do you remember about the Busbee administration?

WRIGHT: You know, one of the things I remember most is that Governor Busbee loved his gadgets, and he would go on these trade mission trips to Japan and he'd always come back with a new camera or a new gadget. And one day, I was sitting in Charlie Tidwell's office and we get the call from Governor Busbee, and he's so excited. And he says, "Guess where I'm calling from?" And of course we said, "We don't know." And he said, "I'm calling you from the Varsity. I've got this new thing that they call a mobile phone." And of course, mobile phones were about the size of almost a trunk back then. But he had it, and he was excited to use it. And that was the first experience I ever had on what has now become something that's almost an appendage to most people.

SHORT: When did you first meet Governor Zell Miller?

WRIGHT: Well, I met him when I was in Governor Busbee's office, of course, because he was the lieutenant governor for so long. I don't really remember interacting with him that much, because that probably would have been the job of Charlie Tidwell. When I really got to

meet him was when I interviewed with him for this position of executive council that Hank Huckaby had recommended me for.

SHORT: Well, as his legal aid, you spent a lot of time with Governor Miller. When some people who know him well speak of him, they use words like stubborn, feisty, courageous, tough. If you could use one word to describe Zell Miller, what would it be?

WRIGHT: He's my hero. But I agree with all those other terms. And strangely enough, I think he's used exactly those terms describing me.

SHORT: I know for a fact that he thinks you're a great person. The signature plank in his platform when he ran for governor in 1990 was a lottery for education. You authored that legislation and the Constitutional amendment.

WRIGHT: Correct.

SHORT: Tell us all about the lottery and how it got started.

WRIGHT: Well, there was so much going on back then. I mean, obviously, that was the biggest deal to our office. And as for my recollection, I flew up to Kentucky and talked to the folks in Kentucky, and we patterned our lottery based on Kentucky and Florida. We even got the executive director from Florida to come up and run Georgia's lottery after we passed the Constitutional amendment. We wanted it to be run like a business. We wanted the revenues to go for the purposes that the governor wanted them to go to, which of course was pre-K and the HOPE Scholarship. We wanted to make sure that it was directed only to allow government-sponsored lotteries, and not open it up to casino gambling and things of that nature. So those were our three primary objectives.

SHORT: As I recall, there were three steps in that process. One was passage of the enabling legislation by the General Assembly. Then, passing an amendment to the Constitution authorizing the lottery. And finally, having it signed into law by the governor. How long did that take?

WRIGHT: Well, the constitutional amendment was not enacted -- I don't believe -- until 1992. It's my recollection that we rolled those two bills out -- one would be a resolution of the Constitutional amendment, and we rolled it out as House Resolution Number Seven. And then we rolled the other one out as House Bill Number Seven. And we worked with Speaker Murphy to kind of get the numbers that we wanted, because we wanted to roll a pair of lucky sevens.

And we worked hard on that bill, perfecting it in the House. The thing I most actually remember about that was Thurbert Baker was one of our floor leaders at the time. And he was the one that was charged with explaining this bill. And he got special permission for me to sit out on the floor of the House of Representatives while he was at the podium, so that I could correct him or help him out if he made any technical errors in the bill. But he didn't. He didn't need my help. But it was exciting to be on the floor. And you know, I remember we spent a whole lot of time counting the votes, making sure that we had commitments for the appropriate number to pass the resolution and to pass the bill. And then, after we did our part, then the governor and the

people that were far more political than I had to sell it to the public. I'm sure they had one of the hardest jobs of all.

SHORT: It's not easy to pass a resolution asking for a Constitutional amendment. That's what? Two-thirds of the majority?

WRIGHT: Right.

SHORT: One hundred and twenty votes in the House of Representatives when Speaker Murphy had opposed the lottery for so long? I bet that was extremely difficult.

WRIGHT: Well I think, probably, the governor had a lot of talks with the Speaker, many more talks than I did.

SHORT: Whose idea was it to set the agency up as a corporation?

WRIGHT: That was really my idea, because I had come from that sort of background -- from the Georgia Residential Finance Authority -- that was really a public corporation. And again, they had done that similarly, as I recall, in Kentucky and Florida. So, there was some precedent there. It always helps when you're trying to sell a bill to point to another state, unless of course it's California. But if you point to a Southern state and say, "You know, they have something like this operating in their state and it's working well," then that generally helps with passage. So, we thought that Kentucky and Florida would be probably pretty good first cousins to us to help us establish our program.

SHORT: At the time we passed the lottery in Georgia, we had the benefit of customers from several surrounding states that did not have lotteries at the time.

WRIGHT: That's right.

SHORT: Since that time, all of the states around our state have adopted some sort of a lottery. And yet, our receipts continue to grow. How do you account for that?

WRIGHT: I don't know. I don't run the lottery now. I just set it up, and I think I did a pretty good job of setting it up. I think the governor did a great job of getting it passed and coming up with the idea. A couple years ago, Governor Miller actually asked me to work with the governor of Alabama and give them the benefit of some of our experience when they were looking at a lottery. So, I guess that Governor Miller was pretty certain that no matter what they did in Alabama, Georgia would still reign supreme.

SHORT: I read recently where three states -- and I can name them for you, I think -- Michigan, Illinois, and Indiana -- are considering selling or leasing their lotteries and having them managed by outside interests. Is that a good idea?

WRIGHT: That wasn't an idea we pursued, and one of the reasons we did not is we wanted it to have kind of the integrity of the government and not get it mixed up. You know, you

can get in some trouble when you start privatizing a lot of things. And we wanted it to run independently, but we wanted it to have some sort of oversight. And it did. It had some legislative oversight, and had some Executive branch oversight, but it still ran independently. You know, privatization is a big issue in a lot of states right now for different things. They use it for corrections in some correctional facilities. And it's worked some places, some places it hasn't worked very well. I don't know how it would work in Indiana and -- did you say Illinois?

SHORT: Illinois.

WRIGHT: Yeah, well, I'd be concerned in Illinois, especially if it's in Chicago.

SHORT: Georgia's one of five states, I believe, that uses lottery funds specifically for education and college scholarships. At what point was it decided that the proceeds would go toward education and not into the general fund?

WRIGHT: Well, that was one of the things that the governor insisted upon, that these funds not be diluted. He had done a study, he was very much in favor of pre-K, he knew the great educational impact that pre-K had on children, and our children were lagging behind in all of the educational statistics. So, he thought that that would assist us in getting the kids grades up. And also assist some of the lower-income families by having their children go to pre-K -- free pre-K. And he believed that any child that worked hard deserved to have a good college education. So, he insisted that those funds be set aside and not be raided by the general treasury.

SHORT: Let's talk about his HOPE Scholarships. He says today that that is his greatest accomplishment while he was governor, although he had many more. How did the HOPE Scholarship originate?

WRIGHT: So far as I know, it originated in Zell Miller's head. He told me what he wanted to do. He told me to set it up, and we set it up that way. Again, I mean, knowing where Governor Miller came from, and knowing that he had a connection to education, I think that making sure that anybody that wants to go to college can go to college so long as they work hard. He's a big believer in working hard.

SHORT: And pre-K?

WRIGHT: Same thing. He believed that that was the foundation of a strong education for any child.

SHORT: You mentioned that you authored and worked on seventy bills a year for the administration. Let's talk for a minute about some of them. What are some of the bills you remember that were sponsored by the Miller administration?

WRIGHT: We had so many every year, it was really pretty incredible. We always had a big Legislative package. I always knew I'd be working from November until the first of January, and we were always pretty secretive about what our package would be. We did not roll them out in advance. That's why he had me draft the legislation and not send it up to legislative council.

Some of the bills that we worked on that I recall specifically were the two strikes and you're out - really get tough on crime bills. Some of the mandatory sentencing bills -- those sorts of bills.

SHORT: You served with him through his first term. Were you surprised when he offered for a second term after having promised to serve only one?

WRIGHT: Well, I was surprised, but not disappointed. I was happy for the state.

SHORT: And at that point, you left the administration and became a judge.

WRIGHT: That's right.

SHORT: Appointed to the state court of Fulton County.

WRIGHT: Governor Miller appointed me to the state court.

SHORT: Now, tell us the difference between being a state court judge and a superior court judge.

WRIGHT: Well, state court is a court of limited jurisdiction, even though it sounds like it is a court of very broad jurisdiction. The state courts are really county courts. In Fulton County, it's not limited by any jurisdictional amount and really gets a lot of the big civil cases, like medical malpractice cases, those big asbestos cases, those sorts of things. The same sorts of cases that the superior court also gets. The superior court has exclusive jurisdiction in several areas, such as in family law, divorce, custody cases, injunctive relief, things of that nature. So, the superior court has broader jurisdiction, and of course we get all the felonies. And unfortunately, we get a lot of felonies in Fulton County. Lots.

SHORT: What does the chief judge do?

WRIGHT: Well, the chief judge is kind of the first among equals. Really there's no set role for the chief judge. I've been elected by my colleagues to serve, and we're the liaison to the press, we're the liaison to the county commission, we're the liaison to our court administrative branch, which is growing larger as we grow ever larger. We'll have twenty judges come this summer. So, we're getting to be a pretty big organization. So, somebody kind of has to try to control us, but we're also all elected independently. So you know, it's kind of hard to tell an independently-elected constitutional officer what to do. You lead by consensus.

SHORT: So, as a superior court judge, you are elected.

WRIGHT: Correct.

SHORT: And is that just locally or state-wide?

WRIGHT: Well, superior court judges are elected circuit-wide. Fulton County is such a big county that we only have one county that we run in. But it's a big county to run in, because it

goes all the way from Alpharetta, almost Cumming, all the way down to Fairburn, and then it's a very diverse county. And of course, there's some talk that the top portion of the county -- North Fulton County -- may become it's own county. If that happens, it won't affect us as much in the superior court, because then we'd be a two-county circuit. But it might have an impact on some of our state court judges.

SHORT: Let me use a hypothetical -- suppose I were arrested for breaking the law, and called into court. What would be the process?

WRIGHT: Well, you would make your first appearance. You would be appointed a council. If you couldn't afford council, you'd be given a bond hearing. Depending on the nature of the crime, you might be granted bond. If you could afford bond, you might be -- if you were a candidate for some sort of pre-trial release where they might ankle-monitor you and keep tabs on you, allow you to go back to your family or to your jobs, so your family doesn't go into crisis. Then we have a really good pre-trial program. When the case finally gets to court, you would be tried and a jury would decide -- generally a jury would decide if you were guilty or not guilty. In your case, I'm sure you'd be found guilty.

SHORT: I'm afraid you're probably right. Well, what's ahead for Judge Wright? Do you aspire to hold higher office or maybe a seat on one of Georgia's Appellate Courts?

WRIGHT: I am very, very happy where I am. Judge Wright is getting pretty old, old in the tooth. So, one of these days I'm looking forward to retiring and pursuing some other dreams of mine. But this opportunity to serve in the judiciary has just been incredible. And truly, I owe it all to Governor Miller, and so many judges across the state owe it to Governor Miller.

One of the things that I think people don't really talk about too much with respect to Governor Miller is what a huge impact he made on the judicial branch. When we came in there was a lawsuit pending, and so all the elections had stopped. In fact, we tried -- one of our unsuccessful efforts was that we tried to institute retention elections for judges that were in Georgia -- along the lines of what Missouri does. But what he offered to the state was that he really made a commitment to putting women and minorities on the bench, so he made a huge effort that was successful in diversification of the bench. And it's so very important, I think, for your citizens when they come in front of a judge, to know that that judge is reflective of the society that they are a part of. And I think it's important for the judges always to remember that we are a part of society and not apart from it too.

SHORT: Do you think the Missouri plan is a good plan?

WRIGHT: I thought so at the time. As a sitting judge now, I would probably prefer to run against an actual person as opposed to -- a lot of times interest groups get behind those -- and so, interest groups can defeat a good sitting judge. There are benefits and detriments to open elections, retention elections, appointment only, you know, there's really no one good way to staff a judiciary in my opinion. I would like to see longer terms for trial court judges. They're talking about having some potential limits on campaign contributions. They're throwing around a lot of ideas on how to ensure that the jurists not only in this state but across the nation judge rightly according to law, and not according to favor.

SHORT: Well, you faced the electorate -- what? -- three times.

WRIGHT: More. Let's see -- state court, I was on the ballot unopposed, but then I got appointed, so that really probably didn't count. Superior court would have been '98, '02, '06, and this year.

SHORT: But all of that without opposition?

WRIGHT: Up to this point. Let's knock on wood here.

SHORT: If you could change the judicial system in Georgia, what would you do?

WRIGHT: I think that there are efficiencies that could be accomplished working with other circuits, working with state courts, and superior courts working together. There's a funding issue, because superior court judges are funded by the state, often supplemented by the county. State court judges are funded by the county. There are probably some efficiencies of scale that we could accomplish if we all had one funding source. But that's not the case right now. We're not a unified judiciary. And I don't know that we ever will be.

SHORT: Well, as you look back over your career, is there anything you would have done differently?

WRIGHT: If I could have mapped out my career and really thought, "I'm going to do this, and a will lead to b, b will lead to c, c will lead to d," I couldn't have mapped anything nearly as good as what happened to me. I just feel like a kid moving to Georgia from Florida, having really no ties in Georgia. Georgia's been a very, very good state to me, and I only hope that I have given back to this state as much as it has given to me.

SHORT: Well, your career is by no means over. And so, I'm sure we'll continue to hear great things about you for years to come.

WRIGHT: Well, it's a pleasure to be here with you today. Thank you for asking me to participate in this.

SHORT: You've been a delight.

WRIGHT: Thank you.