

**BEFORE THE HEARING PANEL
JUDICIAL QUALIFICATIONS COMMISSION
STATE OF GEORGIA**

	)	
	)	Supreme Court Docket No. S26Z1811
<i>In re: Inquiry Concerning</i>	)	
Judge Yolanda C. Parker-Smith	)	JQC Complaint Nos. 2024-1053,
	)	2023-518, and 2026-190
	)	

ANSWER TO FORMAL CHARGES

NOW COMES, Yolanda C. Parker Smith, Judge of the Superior Court of DeKalb County (hereinafter referred to as “Judge Parker-Smith”), by and through undersigned counsel, Gabe Banks, Esq. and hereby files this Answer to the Formal Charges lodged by the Judicial Qualifications Commission (hereinafter referred to as “Commission” or “JQC”), respectfully responding as follows:

PRELIMINARY STATEMENT

Judge Yolanda C. Parker-Smith has devoted more than two decades to public service and the administration of justice. A graduate of the University of Florida, she has served as a prosecutor, spent nearly fifteen years as a public defender, established and led the Parent Attorney Division of the Atlanta Judicial Circuit Public Defender’s Office, and has remained actively involved in civic, professional, and

community organizations. She later brought that experience to the Superior Court bench after being elected by the citizens of DeKalb County in 2020.

Judge Parker-Smith's record of service provides important context for the three categories of allegations now before the Judicial Qualifications Commission. From the outset, Judge Parker-Smith has approached the Commission's inquiry with candor and cooperation. She has acknowledged where she made mistakes, recognized that certain matters should have been handled differently, and expressed both a willingness to accept appropriate corrective action and a commitment to avoid similar conduct in the future.

Concerning the incident involving Attorney G.G., Judge Parker-Smith acknowledges that she failed to follow the required procedure when she ordered him detained without first providing him an adequate opportunity to be heard. Her decision arose against a repeated history of Attorney G.G. failing to appear, appearing late, and failing to file conflict letters when he had competing court obligations. In fact, Attorney G.G. failed to file a conflict letter for this particular day. Judge Parker-Smith recognizes, however, that this history did not excuse her obligation to afford him the process required by law. Significantly, since the August 2024 incident, Attorney G.G. has appeared before Judge Parker-Smith on more than 80 occasions without further complaint, recusal request, or similar incident.

Concerning the comments directed toward an Assistant District Attorney, the underlying incident occurred more than three years ago. Judge Parker-Smith has consistently acknowledged that threatening to jail an ADA over the untimely submission of a Nolle Prosequi (“Nol. Pros.”) order was wrong and should not have occurred. Her comments arose from frustration with a recurring pattern of delayed submissions of Nol. Pros. orders which, in Judge Parker-Smith’s view, interfered with the administration of justice and, at times, resulted in defendants remaining in custody longer than necessary. Nevertheless, she recognizes that such frustration and her concern for the administration of expeditious justice did not justify her remarks. In the years since, no similar allegation has been made by the District Attorney or her staff concerning Judge Parker-Smith’s handling of the hundreds of criminal matters assigned to her courtroom.

Concerning the complaint involving the return of grand jury indictments, this incident arose from Judge Parker-Smith’s longstanding and difficult history with Deputy Croom, including a prior courthouse emergency that caused her to question whether Deputy Croom would adequately protect her safety. Judge Parker-Smith previously raised those concerns with Deputy Croom’s supervisors and requested that she not be required to interact with Deputy Croom in her courtroom. While presiding over grand jury returns for approximately eight (8) weeks without incident, Judge Parker-Smith, on a single occasion, asked that Deputy Croom be replaced such

that she might return the indictments through a Deputy whose presence did not make her feel unsafe. Notably, the indictments were signed later that same day, resulting in no material delay or disruption to the administration of justice.

Viewed collectively, these matters reflect isolated incidents in her 6-year tenure from the bench; they do not reflect a refusal by Judge Parker-Smith to accept responsibility or faithfully perform her judicial duties. She has acknowledged her missteps, provided context without attempting to excuse them, and demonstrated a willingness to learn from the concerns raised by the Commission. Judge Parker-Smith remains committed to carrying out her constitutional responsibilities with courtesy, dignity, and respect for the substantial authority entrusted to her as a Superior Court Judge.

I. JURISDICTION

1.

Judge Parker-Smith admits the allegations in Paragraph 1 of the Formal Charges.

II. FACTS

Complaint No. 2024-1053
Illegal Jailing of Attorney Gerald Griggs

2.

Judge Parker-Smith admits the allegations in Paragraph 2 of the Formal Charges.

3.

Judge Parker-Smith admits the allegations in Paragraph 3 of the Formal Charges.

4.

Judge Parker-Smith admits the allegations in Paragraph 4 of the Formal Charges.

5.

Judge Parker-Smith admits the allegations in Paragraph 5 of the Formal Charges.

6.

Judge Parker-Smith admits the allegations in Paragraph 6 of the Formal Charges.

7.

Judge Parker-Smith admits the allegations in Paragraph 7 of the Formal Charges.

8.

Judge Parker-Smith admits the allegations in Paragraph 8 of the Formal Charges.

9.

Judge Parker-Smith admits the allegations in Paragraph 9 of the Formal Charges.

10.

Judge Parker-Smith admits the allegations in Paragraph 10 of the Formal Charges.

11.

Judge Parker-Smith admits the allegations in Paragraph 11 of the Formal Charges.

12.

Judge Parker-Smith denies that she looked confused but admits the remaining allegations in Paragraph 12 of the Formal Charges.

13.

Judge Parker-Smith admits the allegations in Paragraph 13 of the Formal Charges.

14.

Judge Parker-Smith admits the allegations in Paragraph 14 of the Formal Charges.

Complaint No. 2023-518
Threatening to Jail District Attorney and Staff

15.

Judge Parker-Smith admits the allegations in Paragraph 15 of the Formal Charges.

16.

Judge Parker-Smith admits the allegations in Paragraph 16 of the Formal Charges.

17.

Judge Parker-Smith admits the allegations in Paragraph 17 of the Formal Charges.

18.

Judge Parker-Smith admits the allegations in Paragraph 18 of the Formal Charges.

19.

Judge Parker-Smith admits the allegations in Paragraph 19 of the Formal Charges.

20.

Judge Parker-Smith admits the allegations in Paragraph 20 of the Formal Charges.

21.

Judge Parker-Smith admits the allegations in Paragraph 21 of the Formal Charges.

22.

Judge Parker-Smith admits the allegations in Paragraph 22 of the Formal Charges.

23.

Judge Parker-Smith admits the allegations in Paragraph 23 of the Formal Charges.

24.

Judge Parker-Smith admits the allegations in Paragraph 24 of the Formal Charges.

25.

Judge Parker-Smith admits the allegations in Paragraph 25 of the Formal Charges.

26.

Judge Parker-Smith admits the allegations in Paragraph 26 of the Formal Charges.

27.

Judge Parker-Smith admits the allegations in Paragraph 27 of the Formal Charges.

28.

Judge Parker-Smith admits the allegations in Paragraph 28 of the Formal Charges.

Complaint No. 2026-190
Refusal to Return Indictments in Open Court

29.

Judge Parker-Smith admits the allegations in Paragraph 29 of the Formal Charges.

30.

Judge Parker-Smith admits the allegations in Paragraph 30 of the Formal Charges.

31.

Judge Parker-Smith admits the allegations in Paragraph 31 of the Formal Charges.

32.

Judge Parker-Smith admits the allegations in Paragraph 32 of the Formal Charges.

33.

Judge Parker-Smith admits the allegations in Paragraph 33 of the Formal Charges.

III. VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT

Complaint No. 2024-1053
Illegal Jailing of Attorney Gerald Griggs

34.

COUNT 1

Judge Parker-Smith admits the allegations in Paragraph 34 of the Formal Charges.

35.

COUNT 2

Judge Parker-Smith denies the allegations in Paragraph 35 of the Formal Charges.

36.

COUNT 3

Judge Parker-Smith denies the allegations in Paragraph 36 of the Formal Charges.

Complaint No. 2023-518 & 2026-190
*Threatening to Jail District Attorney and Staff and
Refusal to Return Indictments in Open Court*

37.

COUNT 4

Judge Parker-Smith denies the allegations in Paragraph 37 of the Formal Charges.

38.

COUNT 5

Judge Parker-Smith admits the allegations in Paragraph 38 of the Formal Charges as to ADAs E.L. and S.O. but denies the allegations in Paragraph 38 of the Formal Charges as to “various DeKalb County Sheriff’s Office personnel.”

39.

COUNT 6

Judge Parker-Smith admits the allegations in Paragraph 39 of the Formal Charges.

40.

COUNT 7

Judge Parker-Smith admits the allegations in Paragraph 40 of the Formal Charges.

41.

COUNT 8

Judge Parker-Smith denies the allegations of Paragraph 41 of the Formal Charges.

42.

IV. CONCLUSION

Judge Parker-Smith admits the allegations of the first sentence of Paragraph 42 (IV. Conclusion) but denies that she acted in bad faith and/or that her conduct constituted “willful misconduct.” While Judge Parker-Smith concedes that discipline is warranted, when all of the facts and circumstances are placed in the appropriate context, she respectfully rejects the Commission’s offer to resolve this matter with a 90-day unpaid suspension through a Discipline by Consent pursuant to JQC Rule 23. Instead, Judge Parker-Smith believes that a public reprimand with instruction would be an appropriate sanction in this matter because it would: (1) reflect accountability without disproportionate punishment, (2) be consistent with sanctions imposed in materially more aggravated cases; (3) directly address the

concerns raised by the three JQC complaints contained in the Formal Charges; and
(4) recognize Judge Parker-Smith's early acknowledgment of her mistakes and her
commitment to becoming a more patient, careful, and effective jurist.

Respectfully submitted this the 19TH day of August, 2026.

BANKS WEAVER LLC

/s/ Gabe Banks

Gabe Banks

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CERTIFICATE OF SERVICE

This is to certify that I have on this day served a true and correct copy of the **ANSWER TO FORMAL CHARGES** upon all parties or counsel of record via the United States Postal Service with sufficient postage, the Court's electronic e-filing system, email, and/or hand delivery.

Executed this the 19TH day of August, 2026.

BANKS WEAVER LLC

/s/ Gabe Banks

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