

IN THE SUPERIOR COURT
OF HALL AND DAWSON COUNTIES
STATE OF GEORGIA

25 FEB 13 PM 1:35

MARK PETTITT, CLERK
SUPERIOR STATE COURT

BY: 

Petitioner,

v.

Respondent.

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Civil Action

File Number _____

DOMESTIC RELATIONS STANDING ORDER FOR NORTHEASTERN JUDICIAL CIRCUIT
(Hall and Dawson Counties)

Pursuant to O.C.G.A. §19-9-1(b) this Standing Order binds the parties in all domestic relations cases, their attorneys, agents, servants, employees, and all other persons acting in concert with the parties. This Standing Order shall apply to all domestic relations cases filed in the Northeastern Judicial Circuit on or after March 1, 2025, and shall be the Standing Order until further order or action by the Judges of this Court. It is ordered that all parties shall be subject to and comply with this Standing Order in its entirety. The terms and conditions hereof may be modified or amended by subsequent order of any Judge of this Court or any Judge sitting in the Court in any individual case.

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RESTRAINING ORDER

- A. Each party is hereby enjoined and restrained from unilaterally causing or permitting the child or children of the parties to be removed from the jurisdiction of the Court without express permission of the Court or written approval of both parties. For purposes of this paragraph, the jurisdiction of the Court shall mean the State of Georgia. This provision shall apply in original custody actions only. This provision shall not apply in any case in which a clear parenting time schedule has been previously entered by a Court of competent jurisdiction. In addition, this provision shall not be construed to prevent a child from traveling out of state for a temporary sojourn, vacation or social or educational experiences, authorized by a party who has legal custody by operation of law or by previous order of a court of competent jurisdiction, provided that travel occurs during the authorizing party's parenting time or by consent of the parties, and the party authorizing travel provides the other party or parties with a written itinerary of travel dates, where the child will be located and an operable phone number at which the child may be reached.
- B. Each party is hereby enjoined and restrained from doing or attempting to do or threatening to do any act which injures, maltreats, vilifies, molests, or harasses the adverse party or the child or children of the parties or the pets of the parties.
- C. Each party is hereby enjoined and restrained from selling, damaging, encumbering, trading, contracting to sell, or otherwise disposing of or removing from the jurisdiction of this Court, without the permission of the Court, any of the property belonging to the parties except in the ordinary course of business or except by an emergency which has been created by the other party to the action. This prohibition shall include changing any legatee or beneficiary designation for wills, retirement accounts, banking accounts, investments, trusts, or other financial accounts.
- D. Each party is hereby enjoined and restrained from disconnecting, transferring, changing or otherwise interrupting the utilities in effect immediately prior to filing of the action. Utilities shall be defined as electricity, gas, water, telephone and cell phone service for the parties and the parties' child or children, basic internet, and basic cable, satellite and/or streaming services.
- E. Each party is hereby enjoined and restrained from canceling or changing auto, health, dental, vision, prescription and/or life insurance for the parties and/or the parties' child or children which is in place at the time of the filing of the action. This shall include changing any beneficiary designation for life insurance policies:

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT

In any contested action for temporary or permanent child support, alimony, equitable division of property, modification of child support or alimony or attorney's fees, each party shall complete, and serve upon the other party or parties a Domestic Relations Financial Affidavit (DRFA), and file a certificate of service of the same with the clerk at least five (5) days before any temporary hearing, final hearing or mediation. Failure to furnish the DRFA as directed in USCR 24.2 may subject the offending party to the penalties of contempt and/or continuance of any scheduled hearing, and, as to mediation, shall authorize the offended party to reschedule mediation; provided that the offended party shall provide notice to reschedule not later than 48 hours prior to the scheduled mediation date. A form DRFA is available at <https://www.nejc.org/familylaw>.

CHILD SUPPORT WORKSHEET(S) AND ADDENDUM

In cases involving child support, each party shall complete a Child Support Worksheet(s) and serve the other party or parties at least five (5) days before any temporary hearing, final hearing or mediation. The Worksheet(s) and Schedules are available at <https://csconlinecalc.georgiacourts.gov>. Failure to timely furnish the Worksheet(s) and Schedules may subject the offending party to the penalties of contempt or continuance. All final judgments and agreements furnished to the Court for approval and/or entry must comply with the drafting mandates of O.C.G.A. §§19-5-12 and 19-6-15, including attaching Child Support Worksheet(s) and either attaching a Child Support Addendum or reciting the language contained in the Child Support Addendum within the body of the agreement or decree. The Child Support Addendum may be found at <https://www.nejc.org/familylaw>.

PARENTING SEMINAR

- A. All parties with minor children in a case involving custody or parenting time shall successfully complete a co-parenting seminar approved by the Court. The Petitioner shall successfully complete the co-parenting seminar within thirty-one (31) days following the filing of the Complaint and the Respondent shall successfully complete the co-parenting seminar within thirty-one (31) days of the date of service of the Complaint on the Respondent. Information on approved co-parenting seminars, dates, locations, and possible fee waivers for indigent parties is available at <https://adr9.org/divorcing-parents-seminar>.
- B. Parties must attend the entire co-parenting seminar in order to receive credit for attendance. Upon successful completion of the co-parenting seminar, each party shall file with the Clerk of Superior Court written verification of his or her completion of the co-parenting seminar.
- C. Parties may substitute any four (4) hour in person co-parenting seminar approved by a Superior Court in the State of Georgia. A Certificate of Attendance is valid for three (3) years from the date of attendance. A copy of a Certificate of Attendance obtained within three (3) years prior to an action must be filed in any subsequent action.
- D. For good cause shown, the Assigned Judge may excuse a party from completing the co-parenting seminar in individual cases. A Motion to Waive Seminar Attendance, stating the reasons therefore must be in writing, filed with the Clerk of Superior Court and a copy delivered to the Judge's office and the opposing party.
- E. Upon failure to complete the co-parenting seminar, the Assigned Judge may take appropriate action, including holding the non-complying party in contempt.

MEDIATION

- A. All parties in contested domestic relations cases in which there is not a written agreement shall participate in mediation prior to the final hearing. Furthermore, the parties shall attend and complete mediation within ninety (90) days of service of the Complaint upon the Respondent, provided, however, that the parties may agree in writing to attend mediation between ninety (90) days and six (6) months after service. If, for any reason, the case is not ripe for mediation within the six months following service, such as a case where the discovery period has been extended, then the parties shall submit a proposed scheduling Order to the Court. The mediation requirement does not apply to cases filed under the Family Violence Act, O.C.G.A. §19-13-1 *et seq.*, or cases which have been screened by the Ninth Judicial Administrative District Office of Dispute Resolution and deemed unsuitable for mediation. Mediation shall not be required in cases seeking a finding of contempt as to only child support or alimony in a Motion for Contempt. Waivers for mediation may be granted in the Court's discretion. A Motion to Waive Mediation Attendance, stating the

reasons therefore must be in writing, filed with the Clerk of Superior Court and a copy delivered to the Judge's office and the opposing party. Mediation referrals shall be submitted through the Ninth Judicial Administrative District Office of Dispute Resolution; provided however, that in cases where both parties are represented by counsel, the parties may select a registered mediator without a referral. Referral Sheets are available at <https://adr9.org/forms>

- B. If a party is represented by counsel but chooses to not have counsel present or available via telephone or teleconference during the mediation, then any written agreement reached at mediation shall be binding upon that party. If a party does not have an attorney of record as of the date of mediation, then that party shall have ten (10) days from the date of mediation to review the written agreement with an attorney of that party's choice. After ten (10) days, the parties shall be bound by the written agreement unless written notice has been sent to opposing counsel or the opposing party within said time period. The right to a ten (10) day revocation period may be waived in writing contained in the mediated agreement if there is a final hearing scheduled within the ten (10) calendar days following mediation. Further, if there is a final hearing scheduled within the ten (10) calendar days following mediation, then the unrepresented party may not revoke the agreement unless written notice of revocation is provided such that it is received not later than 9:00 a.m. one (1) full business day prior to hearing. In the event the parties attend mediation with their attorneys, then the mediation agreement shall be binding at the time an agreement is reached. Upon failure to attend mediation as ordered, the Assigned Judge may take appropriate action, including holding the non-complying party in contempt. This Standing Order shall control over any inconsistent Office of Dispute Resolution instructions.
- C. Prior to the final hearing and as soon as possible after the completion of mediation, the parties, through counsel if represented, shall file notice with the Clerk of Court that the parties have complied with the mediation requirement of this order.

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PARENTING PLAN

Except when a parent seeks emergency relief for family violence, in all cases in which custody of a child is at issue between the parents, each party is required to prepare a proposed Parenting Plan and submit it to the Court and to the opposing party at least five (5) days prior to commencement of any hearing involving custody or parenting time. A form Parenting Plan is available at <https://www.nejc.org/familylaw> or the parties may, through counsel, submit a proposed Parenting Plan in substantial conformity with O.C.G.A. §19-9-1.

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CONFLICTS

Attorneys shall attend calendars and be on time. If an attorney has a conflict, the attorney shall notify both the Court and the opposing counsel in accordance with Uniform Superior Court Rule 17.1. Upon completion of the case, calendar call, or hearing creating the conflict, the attorney shall immediately report by telephone to the Court and opposing counsel and shall then report in person to the Court, unless otherwise specifically instructed by the Court. Failure to advise the Court of a conflict or to report as required by this rule may result in an assessment of attorney's fees against the attorney failing to give notice or report and may also result in a finding of contempt.

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HEARINGS

- A. Hearings are not automatically scheduled in the Northeastern Judicial Circuit. The party desiring a hearing shall submit a Rule Nisi to the Assigned Judge's office and shall provide a time estimate for hearing. Prior to scheduling, attorneys shall advise the Court if they anticipate any domestic hearing will take more than three (3) hours to try. Such cases may be specially set for hearing.
- B. Court Reporters are not automatically available in domestic matters. The party desiring a Court Reporter shall secure a Court Reporter for any domestic relations matter for which a party desires takedown, and shall coordinate with the opposing party as to sharing takedown.
- C. Pursuant to O.C.G.A. § 9-11-5, parties are on notice that the failure of a party to file pleadings in an action may be deemed to be a waiver by him or her of all notices, including notices of time and place of trial and entry of judgment, and all subsequent service in the action. However, attorneys are reminded that professionalism considerations and fundamental fairness, may require attorneys, as officers of the court, to make a good faith effort to ensure that all parties to a controversy have a full and fair opportunity to be heard.

D. Temporary Hearings:

1. Scheduling: Each Judge will set temporary hearings in domestic relations cases by Rule Nisi pursuant to judicial assignment.
 2. Failure to timely supply a Domestic Relations Financial Affidavit, Child Support Worksheet(s) and/or Parenting Plan, as applicable, may result in the continuance of temporary hearings and sanctions being imposed upon the offending party.
 3. Witness Affidavits shall be served at least twenty-four (24) hours in advance of the scheduled time for the temporary hearing in a case as provided in the Rule Nisi or Order Scheduling Temporary Hearing.
 4. Service of Witness Affidavits, Financial Affidavit, Child Support Worksheets, and Parenting Plans shall be made by legally recognized service methods, including Statutory Electronic Service.
 5. Pursuant to *Pace v. Pace*, 287 Ga. 899 (2010), parties are hereby on notice that any evidence adduced at any interlocutory hearing in a domestic relations case may be considered by the Court at subsequent hearings in the same case, provided that the same Judge is assigned to said subsequent hearings.
- E. If a party requests a temporary hearing in a modification case, then the party shall file a separate Motion for Temporary Hearing and shall include specific grounds which justify consideration of a temporary change in compliance with the appropriate authority. A Motion for Temporary Hearing is not necessary in an original action. A Motion for Temporary Hearing shall be accompanied by an Affidavit of the requesting party averring facts supporting the Motion.
- F. The Court may grant emergency relief pursuant to O.C.G.A. §9-11-65(e) under limited circumstances which threaten the health or welfare of a party or a party's child or children. Any request for such relief shall be by written motion filed in the action, accompanied by an Affidavit of the requesting party averring facts supporting the motion.
- G. The Court may, in its discretion, schedule pretrial hearings, pretrial conferences, scheduling conferences, or any other conferences at which the attorneys and/or the parties shall appear as directed by the Judge. The parties may also request a pretrial hearing, pretrial conferences, scheduling conferences, or any other conference they deem necessary with the Court.
- H. Final Hearings:
1. The Court may allow, in its discretion, an uncontested final order to be entered upon filing of a Motion for Judgment on the Pleadings, the party's affidavit supporting the Motion for Judgment on the Pleadings, presentation of a Settlement Agreement, Proposed Order or Consent Order, and all attachments (Child Support Worksheet(s), Addendum, and Parenting Plan) in the form prescribed. The Court may, upon review of said Motion for Judgment on the Pleadings, schedule a hearing. Motion for Judgment on the Pleadings shall not be granted absent written Agreement.
 2. All other matters shall be scheduled by Rule Nisi submitted to the Court by the party.
- I. Dawson County Cases: Venue of temporary, pretrial, and final hearings in all Dawson County cases shall be determined by Rule Nisi completed by the Court. This Standing Order shall apply to Dawson County cases. Motions, proposed orders, and requests for hearing in Dawson County cases shall be communicated to the Judges' office in Dawson County.
- J. The Court may, at its discretion, or upon motion of a party, conduct any hearing or any portion of a hearing, via videoconferencing, such as Zoom. Videoconference hearings may be physically facilitated by the Court from any location, and the parties shall be deemed to have waived venue considerations related to conducting the hearing via videoconference. A party may file a Motion to Conduct a Hearing in Person, and shall aver appropriate facts warranting an in-person hearing; however, the manner of conducting a hearing shall rest in the sole discretion of the Court. In the event a hearing is scheduled via videoconference, by 9:00 a.m. a full business day prior to hearing, the parties shall each deliver to the Court a copy of all exhibits by 1) email if the exhibits can be attached to the email in single PDF

attachment to a single email, or 2) hard copies delivered in person to the Judge's office in the appropriate county. At the time documents are delivered to the Court, they shall also be served upon the opposing party. While parties may serve the opposing party with documents via web-based services, rather than in person, parties should be aware that servers in the Courthouse generally do not allow access to USB drives, or web-based services such as Google Docs or Drop Box.

- K. All exhibits, including those furnished for videoconference hearings, shall be labelled prior to hearing on the top of the first page of the exhibit, and if furnished electronically, the party and exhibit number(s) shall be included in the name of the document. If a Court Reporter is not present, the parties are on notice that exhibits shall be retrieved no later than thirty (30) days following the filing date of an Order relating to the hearing in question. If exhibits are not retrieved within thirty (30) days following the filing date of an order, then the Court, at its discretion, will securely destroy any exhibits in its possession.
- L. If a party desires to use courtroom technology for evidence presentation, the party shall arrange with Court Information Services for instruction on how to use equipment in the Courtroom.

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ORDERS

- A. When any Consent Order is submitted to the Court, it should be signed by the attorney who prepared the Order and opposing counsel or by a *pro se* party. For non-consent Orders, unless otherwise ordered by the Court, the attorney preparing the Order, as directed by the Court, shall submit the Order to opposing counsel within ten (10) business days of the hearing, as measured by the postmark date or date of transmittal email. The receiving attorney shall review and respond to the Order within ten (10) business days of the transmittal date or shall make a reasonable response to the proposed Order within said time (i.e. the responding attorney has proposed changes; the responding attorney has requested a transcript of the ruling and has not received it; the responding attorney is on vacation; etc.). If the responding attorney does not respond within ten (10) business days, then the Order prepared by the preparing attorney shall be submitted to the Court with a copy of the written communication to opposing counsel indicating that opposing counsel has had ten (10) business days to review the Order. If the preparing attorney does not prepare the Order within the required time, the receiving party may prepare the Order under the same guidelines, after making a good faith attempt to make telephone or other contact with the other attorney.
- B. All Judges shall make every effort to issue rulings within thirty (30) days of the close of the evidence or within thirty (30) days of receipt of any written briefs, whichever is later.
- C. All final Child Support Orders must be in conformity with O.C.G.A. §§19-5-12 and 19-6-15, including both Child Support Worksheet(s) and either a Child Support Addendum, or inclusion of the language recited in the Addendum. An Income Withholding Order shall be required in every case involving the payment of child support unless the Child Support Order includes findings that it is in the best interest of the child(ren) not to require an Income Withholding Order. If an immediate Income Withholding Order is not entered, the Child Support Order shall include a statement that pursuant to O.C.G.A. §19-6-32 and 33, the recipient of child support has the right to enforce payment of child support by Income Deduction Order upon a delinquency in an amount equal to one month's support.

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DESIGNATED JUDGES

The Court may, at its discretion, request the assistance of a Designated Judge. The Court will endeavor to notify the attorneys of record in advance of the hearing when a Judge other than the Assigned Judge will be presiding. While parties may request rescheduling of a matter, either temporary or final, the assignment of a Designated Judge, in and of itself, will not automatically trigger the granting of such a request. Any request for continuance shall be in the sole discretion of the Assigned Judge.

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APPOINTMENT OF GUARDIAN AD LITEM

On its own motion, the Court may appoint a Guardian Ad Litem, or a party may make a motion for the appointment of a Guardian Ad Litem. All requests for appointment of a Guardian Ad Litem shall be in accordance with Superior Court Uniform Rules.

JURY DEMAND

In the event either party files a Demand for Jury Trial, then the parties and their attorneys shall prepare a formal Pretrial Order and shall attend any scheduled pretrial conference to review said Pretrial Order. The case shall be placed on the next available jury trial calendar. Attorneys and parties should be aware that domestic cases may be placed to the front of trial calendars to expedite trial. Once a Demand for Jury Trial is filed, the Demand for Jury Trial may not be withdrawn except by written consent of both parties and approval of the Court.

ASSIGNMENT OF JUDGES

In modification actions and contempt actions relating to a prior Order or Decree entered in this Circuit, assignment of such case shall be made to the same division which heard the prior action in this circuit.

LOCAL PRACTICES IN ADOPTION CASES

- A. Pursuant to O.C.G.A. §19-8-14(b), the Clerk of Superior Court shall accept a Petition for Adoption for filing if the proper filing fee is tendered with the Petition for Adoption. The party filing the action shall provide a copy of the Petition for Adoption, all attachments, and any subsequently filed amendments or other documents necessary for statutory compliance to the Assigned Judge at the time of filing.
- B. Following filing of the Petition for Adoption, the Court will review the Petition for Adoption and notify the party filing the action of any deficiencies which must be cured prior to hearing.
- C. At such time as the Petition for Adoption is in conformity with statutory authority, the case will be scheduled for hearing.
- D. Timely Home Studies are required in all adoptions filed pursuant to O.C.G.A. §§19-8-4 and 19-8-5. In adoptions filed pursuant to O.C.G.A. §§19-8-6 and 19-8-7, the requirement for Court Investigation may be waived, provided however, that if a party seeks to terminate parental rights, a Court Investigation shall be required.

CIVIL INITIATION AND CIVIL DISPOSITION FORMS

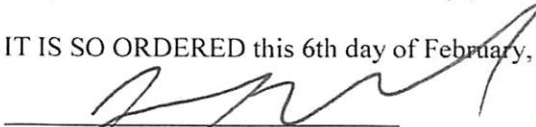
In accordance with Uniform Superior Court Rule 39, the parties shall file appropriate Civil Initiation Form and Civil Disposition Forms.

SERVICE OF DOMESTIC RELATIONS STANDING ORDER


At the time of filing of any Petition or Complaint for relief in a domestic relations matter, except an adoption action, the Petitioner shall file Certificate of Service or Inclusion, which attaches this Standing Order as an exhibit. The Clerk of Superior Court shall reject any initial filing in a domestic relations matter which does not contain both the Certificate of Service and this Order as an exhibit.

All parties are ordered to read and comply with this Standing Order.

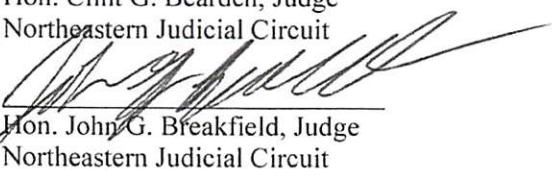
IT IS SO ORDERED this 6th day of February, 2025.



Hon. Jason J. Deal, Chief Judge
Northeastern Judicial Circuit



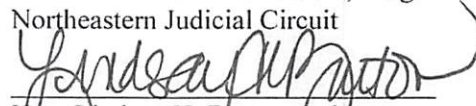
Hon. Clint G. Bearden, Judge
Northeastern Judicial Circuit



Hon. John G. Breakfield, Judge
Northeastern Judicial Circuit



Hon. Bonnie Chessher Oliver, Judge
Northeastern Judicial Circuit



Hon. Lindsay H. Burton, Judge
Northeastern Judicial Circuit

IN THE SUPERIOR COURT
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_____,
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Civil Action

File Number _____

CERTIFICATE OF SERVICE OR INCLUSION

This is to certify:

That I have served a copy of the DOMESTIC RELATIONS ACTION STANDING ORDER, attached hereto, upon the Respondent in the following manner (initial one):

- _____ a) by placing a copy in the United States Postal Service, with postage prepaid;
- _____ b) personal service as verified by Acknowledgment of Service.
- _____ c) by hand delivering a copy at the following address:

OR

_____ That I have included a copy of the Domestic Relations Standing Order along with the copy of the Petition for Divorce to be served with process.

This _____ day of _____, 2025.

(Attorney for) Petitioner

Print name: _____

Address: _____

Phone: _____

Email Address: _____