

**IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA**

Plaintiff

v.

Civil Action File No.

Defendant

DOMESTIC RELATIONS STANDING ORDER

Pursuant to O.C.G.A. §19-9-1(b), Uniform Superior Court Rule 24, and the implementing Order of this Court filed on the ____ day of _____, 20____ (minute book ____, page ____) 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. 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.

1.

Restraining Order

- A. Each party is hereby enjoined and restrained from unilaterally causing or permitting the child(ren) 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 experience, 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(ren) of the parties or the pet(s) 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 the filing of the action.

Utilities shall be defined as electricity, gas, water, telephone and cell phone service for the parties and the parties' child(ren), 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(ren) which is in place at the time of the filing of the action. This shall include changing any beneficiary designation for life insurance policies. Further, current insurance cards shall not be withheld from either party.
- F. Each party is hereby enjoined and restrained from changing or deleting any user names and passwords to any accounts related to the parties, or the child(ren) of the parties, or restricting access to either party.

2.

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 and the Court 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, mediation, or final hearing. 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. A form DRFA is available at www.cherokeecountyga.gov/Superior-Court/Domestic-Forms.

3.

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 and the Court at least five (5) days before any temporary hearing, mediation, or final hearing. 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 approve 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 attaching a Child Support Addendum to the proposed Final Judgment and Decree. A form Child Support Addendum may be found at www.cherokeecountyga.gov/Superior-Court/Domestic-Forms.

4.

Parenting Seminar

All parties with minor children in a case involving custody or parenting time shall successfully complete a co-parenting seminar approved by the Court and submit proof of completion to the Court. See U.S.C.R. 24.8.

- 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 www.cherokeecountyga.gov/Court-Administrators-Office/.

- 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 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 Blue Ridge Judicial Circuit Superior Court Judge. A certificate of attendance is valid for three (3) years from the date of attendance. A copy of the 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.

5.

Family Law Workshop

Any self-represented litigant (that is, a plaintiff or defendant who does not have a lawyer), is required to attend the Family Law Workshop (“the Workshop”) within forty-five (45) days of service upon the Defendant.

Any party or parties that become self-represented during a case, is required to attend the Workshop within forty-five (45) days of the order allowing withdrawal of an attorney for said party or parties.

There is no cost to the Workshop. Parties are to sign up to attend through the Office of Court Administration at courtadmin@brjc.net. You may visit the office’s website at <https://www.cherokeega.com/Court-Administrators-Office/> for more information.

If you submit form documents (“check the box” or “fill in the blank”) you obtained somewhere other than the Workshop, you will still be required to attend the Workshop and your original filings may not be approved by the judge assigned to your case.

No Judge shall be prohibited from accepting pleadings filed by or consented to by self-represented litigants if they are deemed by the judge to be in proper form, regardless of the litigant’s attendance at the Family Law Workshop.

Failure to attend the Workshop may result in contempt and/or dismissal of the case.

6.

Alternative Dispute Resolution

Any contested domestic matter filed in Superior Court shall be referred to Alternative Dispute Resolution. Compliance shall not require that the parties reach a settlement. Alternative Dispute Resolution rules can be found at www.cherokeecountyga.gov/Court-Administrators-Office/ADR.

This 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 Mediation Office and deemed unsuitable for mediation. Waivers for mediation may be granted in the Court’s discretion. A Motion to Waive Mediation, 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.

7.
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 www.cherokeecountyga.gov/Superior-Court/Domestic-Forms.

8.
Hearings

- A. Hearings are not automatically scheduled in the Blue Ridge Judicial Circuit. The party desiring a hearing shall submit a Rule Nisi to the Assigned Judge's Office or their designee and shall provide a time estimate for hearing.
- B. Court Reporters are scheduled to appear on any scheduled civil nonjury court date. The party desiring to utilize their services shall make arrangements with the Court Reporter prior to the hearing commencing.
- 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 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. See USCR 24.
 - a. At temporary hearings the party involved and one additional witness for each side may give oral testimony. Additional witness must testify by deposition or affidavit unless otherwise ordered by the Court. Any affidavit shall be served on opposing counsel at least 24 hours prior to hearing.
 - b. Temporary Hearings are limited to one (1) hour per side, unless otherwise directed by the assigned judge.
 - c. Except by leave of court, the minor child(ren) of the parties shall not be permitted to give oral testimony at temporary hearings; such child(ren) will be excluded from the courtroom or other place of hearing.
 - d. Failure to timely supply a Domestic Relations Financial Affidavit, Child Support Worksheet(s) and Parenting Plan, as applicable, may result in the continuance of temporary hearings and sanctions being imposed upon the offending party.
 - e. 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. See also Jewell v. McGinnis, 333 Ga. App. 108 (2015).
- 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 and welfare of a party or a party's child(ren). Any

Patty Baker, Clerk of Superior Court - Cherokee County, GA


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 at which the attorneys and/or the parties shall appear as directed by the Judge. The parties may also request a pretrial hearing.

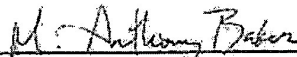
H. Final Hearings

- a. For contested hearings (except cases of contempt and family violence), a final hearing may be specially set only after the parties submit a proposed consolidated domestic relations pretrial order to the judge's chambers. A form for the consolidated domestic relations pretrial order may be found at www.cherokeecountyga.gov/Superior-Court/Domestic-Forms.
- b. 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.
- c. 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. Videoconferencing 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. If a party objects to a videoconference, they may file a motion stating the facts for warranting an in person hearing within 10 days; however, the manner of conducting a hearing shall rest in the sole discretion of the Court.

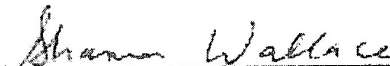
SO ORDERED, this 5th day of March, 2025.



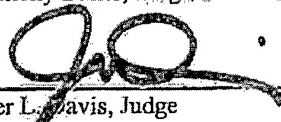
David L. Cannon, Jr., Chief Judge



M. Anthony Baker, Judge



Shannon Wallace, Judge



Jennifer L. Davis, Judge