STANDING ORDER FOR THE OCMULGEE JUDICIAL CIRCUIT

In an effort to clarify, and where necessary, modify the existing standing orders in this Circuit, the following Standing Order is entered. This standing order affects the following issues:

1. Civil E-Filing;
2. Domestic Relations;
3. Adoptions;
4. Child Support Worksheets;
5. Reasonable Cost of Medical Support for Child Support Services;
6. Court Reporting Fees and Transcripts;
7. Criminal Motions;
8. Criminal Sentence Protocol;
9. Sex Offender Provisions;
10. Appeals from Lower Court;
11. Pauper's Affidavit for Circuit; and
12. Rules for documents in Video-conferencing.

All prior orders in conflict herewith are hereby rescinded.

1. CIVIL E-FILING

The Superior Courts of Ocmulgee Judicial Circuit, sua sponte, hereby order that electronic filing in civil cases in the Superior Courts of Ocmulgee Judicial Circuit shall be mandatory for attorneys and shall be governed by the rules contained herein.

A. Authority

Electronic filing shall be conducted in accordance with Uniform Rules of Superior Court, Rules 36.16 and 36.17, the Statewide Minimum Standards for Electronic Filing, adopted September 25, 2014, by the Judicial Council of Georgia, and the statutory provisions on electronic filing proscribed in the Official Code of Georgia Annotated. Where this Order is, now or in the future, silent or in conflict with any operative law, including but not limited to the Uniform Rules of Superior Court, the Judicial Council's Standards or the Georgia Code, this Order shall be superseded and shall be construed as intended to give full force and effect to the law.

B. Effective Date

This Order applies to new cases filed on and after October I, 2017, as well as any case pending on the effective date of this Order.

C. Designation of Cases Permitted for Electronic Filing

All documents in all civil cases must be electronically filed and electronically served pursuant to this Order and the rules contained herein, except documents filed in connection with adoption proceedings, documents filed under seal or presented to a court in camera or ex parte, documents filed in open court, or documents to which access is otherwise restricted by law or court order. Except as otherwise set out herein, the clerk shall not accept or file any pleadings or documents in paper form except from self-represented individuals.

D. Definitions

For purposes of this Order, the following terms are defined as follows:

1) Case Management System. The Court's official case management and records management system.

2) Clerk's Office. Individually, and collectively, each office of a Superior Court Clerk in the Ocmulgee Judicial Circuit.

3) Court. Individually, and collectively, the Superior Courts of the Ocmulgee Judicial Circuit.

4) Document. Any paper, or electronic file of a document that has been scanned or converted to a graphical or image format (PDF), including but not limited to pleadings, petitions, complaints, motions, memoranda of law, orders or other written papers or instruments; "Documents" shall not include "Non-Conforming Materials."

5) Electronic Filing or E-Filing. The electronic transmission of electronic documents to and from the court via an electronic filing service provider.

6) Electronic Filing Service Provider (EFSP). The system authorized to transmit, retrieve, serve and make available court filings electronically in the Ocmulgee Judicial Circuit. The EFSP for the Ocmulgee Judicial Circuit is PeachCourt (www.peachcourt.com).

7) Electronic Service or E-Service. The electronic notice of service provided by PeachCourt to a set of one or more case parties as defined by the filer. This notice includes the details of the document(s) that were filed and provides the recipient with access to those documents at no additional cost.

8) Manual Filing or Conventional Filing. The process of filing a paper document with a Clerk's Office.

9) Non-Conforming Materials. All non-paper filings, including but not limited to videotapes, x-rays, CDs, audio recordings and tangible objects that cannot be readily converted to paper form or are illegible when scanned.

10) Party. A person appearing in any case or proceeding, whether represented or appearing pro se, or an attorney of record for a party in a case or proceeding.

11) Public Access Terminal ("PAT"). One or more computers provided by the Clerk's Office for use by attorneys or the general public specific to electronic filing, electronic service and electronic access to court records during Clerk's Office's normal hours of operation.

12) Registered User. A party, attorney, or public or other authorized user, including judges, clerks and other court personnel, registered with PeachCourt to file, receive service of, or retrieve documents electronically.

13) Self-Represented Litigant. A person appearing in a court or filing without representation by or the assistance of a licensed attorney.

E. Authorized Users. The following users are authorized to register with PeachCourt:

1) Members of the Georgia Bar and their staff:

2) Pro hac vice attorneys and their staff;

3) Judges and their staff;

4) Clerks of court and their staff;

5) Self-represented litigants and

6) Other public users, including media representatives.

F. Public Access Terminal

1) PATs will be located in the Clerk's Office or any other designated locations at the respective courthouses. PATs will be connected to PeachCourt and the Case Management System.

2) The public may E-File, research. download, view and print electronically filed documents on a PAT.

3) When filing electronically from a PAT, Registered Users shall not be required to pay an E-Filing transaction fee.

G. Self-Represented Litigants

1) Self-Represented Litigants may, but are not required to, E-File.

2) The court shall continue to accept filings from Self-Represented Litigants via paper, whether delivered to the court in person or through means such as the U.S. Mail, overnight delivery, etc.

H. Exceptional or Emergency Circumstances.

1) If exceptional or emergency circumstances prevent an attorney or individual from filing electronically, the person may ask the Clerk to accept the filing on paper.

The Clerk may accept such paper filing if the Clerk determines in his or her discretion that such exceptional or emergency circumstances exist that would prevent the attorney or individual from filing electronically.

2) Exceptional circumstances include the unpreventable unavailability of Internet services available to the person presenting the filing. Exceptional circumstances do not include an inability to file because of a failure to receive the training necessary to access the court's electronic filing system.

I. Manual Paper Filing is Required for Certain Documents

1). Pleadings or documents in an Adoption case;

2) Temporary Protective Orders

3) Pleadings or documents filed under seal

4) Documents to be presented to the Court in camera or ex parte

5) Requests for waiver of fees and related documents

6) Any other document to which access is otherwise restricted by law or court order

J. Document Format

1) The filer of an electronic document shall, to the extent practicable, format the document in accordance with the applicable rules of the Georgia Rules of Civil Procedure governing formatting of paper pleadings and other documents, including page limits.

2) The filer of an electronic document shall submit the document in the Portable Document Format (PDF). This includes primary documents such as complaints and petitions, supporting documents such as exhibits, and any other documents submitted to the Court through PeachCourt.

3) The filer shall ensure that the resolution of each page of the electronic document is at least 200 dots-per-inch (DPI).

4) The filer shall ensure that the electronic document is not password-protected or encrypted. The filer shall also ensure that the electronic document does not contain embedded files, scripts, tracking tags or executable files.

K. Electronic Signatures of Attorneys and Parties

1) Every document electronically filed or served shall be deemed signed by signatures, where appropriate.

2) Unless an original, sworn or notarized signature is required, the following signatures are acceptable:

a) Handwritten signatures appearing on scanned documents.

b) Conformed signatures.

1) The correct format for the conformed signature of an Attorney is as follows:

/s/ Jane Doe

JANE DOE

Georgia Bar No. 12345

Attorney for Plaintiff Doe & Associates, LLC 678 Main Street

Atlanta, Georgia 30314

Phone: 123-456-7890

Email: jdoe@cxample.com

2) The correct format for the conformed signature of a Non-Attorney is as follows:

/s/ John Smith

JOHN SMITH

123 East Street

Plainville, Georgia I 0292 Phone: 123-456-7890

Email: jsmith@example.com

c) Signatures captured using a digital interface (e.g., signature pad, tablet or stylus).

3) Documents for which an original, sworn or notarized signature is required must include an accurate representation of the original signature(s) of the declarant or notary public.

4) By electronically filing a document, the filer attests that the document and signature(s) are authentic.

L. Filing Date and Time of E-Filed Documents

1) Following a review by the Clerk, accepted documents become an official document of record with the Court and receive an electronic stamp with the date and time at which the document was received by PeachCourt.

2) Following a review by the Clerk, rejected documents do not become an official document of record with the Court and do not receive an electronic stamp.

3) If a document is rejected, PeachCourt will notify the filer via email with the Clerk's reason for rejection.

4) Following the resubmission of a rejected filing and review by the Clerk, accepted documents become an official document of record with the Court and receive an electronic stamp. In the situation of a resubmission, the electronic stamp will reflect the date and time at which the document was resubmitted and received by PeachCourt, not the date and time of the original submission.

5) E-Filing a document does not alter any filing deadlines.

6) The calculation of time for reply under Georgia law is neither expanded nor contracted by this section.

M. Electronic Service. Parties are responsible for electronic service on all other parties in the case, subject to the following rules:

1) All parties shall make service upon other parties of Original Petitions and Original Complaints conventionally (i.e., personal service or other means acceptable by the Civil Practice Act of Georgia). If, during the filing of an Original Petition or Original Complaint through PeachCourt, a party chooses "Sheriff's Service Coordinated by Clerk" as the method of service, PeachCourt shall charge and collect on behalf of the Clerk $0.50 per page for each page contained in the service packet that Clerk prints on the filer's behalf.

2) Except as otherwise set forth in this Order, all parties shall make electronic service upon other parties of subsequent electronic Documents through PeachCourt. PeachCourt shall be the vehicle through which all Parties, or their designated counsel, shall receive all E-Filed and E-Served Documents.

3) The electronic service of an electronic Document through PeachCourt shall be considered as valid and effective service and shall have the legal effect as an original paper document sent via conventional means, U.S. mail and/or hand delivery. Recipients of electronic service shall receive an email notification of service, which contains an electronic image of the served electronic Document or a hyperlink to the electronic image of the served E-Document.

N. Time to Respond or Act

1) E-Service shall be deemed complete when the transmission to PeachCourt is completed as reflected by the authorized date and time appearing on the electronic transmittal. Effective with the commencement date of E-Filing, any period of notice or any right or duty to do any act or make any response within any period or date is prescribed by statute or rule of court, shall be strictly governed by the Georgia Civil Practice Act.

2) For the purpose of computing time to respond to Documents received via E-Service, any Document served on a day or at a time when the Court is not open for business shall be deemed served at the time of next day the Court is open for business.

3) Parties who register with the PeachCourt consent to receive E-Service of Documents, other than service of subpoenas or summons.

4) Any Registered User consents to accept e-mail notifications of a hearing or trial as valid notice required by Uniform Rule of Superior Court Rule 8.3.

5) An electronic service address is presumed valid for a Party if the Party files electronic documents with the court from that address and has not filed and served notice that the address is no longer valid.

O. Copies to the Court. Parties shall email or mail courtesy copies of Motions requiring a hearing or a ruling to the Judge assigned to the case.

P. Access to Court Documents. Each Clerk's Office shall make available for viewing by attorneys, judges and self-represented litigants a copies of electronically filed documents that are not sealed, privileged or otherwise restricted by the Court for access. The Clerk of Court may elect to make electronic documents available online or at the courthouse for the general public in the Clerk's discretion.

Q. Time for filing and Effect of Use of E-File

1) Pursuant to Uniform Superior Court Rule 36.16(D), any pleading filed electronically shall be considered filed when it is received by PeachCourt. Any document filed after 11:59 p.m. EST shall he deemed to have been filed on the next Court day.

2) Pursuant to URSC 36.16(F), "System filing errors," if electronic filing or service is prevented or delayed because of a failure of the electronic filing system, a court will enter appropriate relief such as the allowance of filings nunc pro tunc or the provision of extensions to respond. A filer wishing to seek relief related to a system filing error may do so by filing motion for appropriate relief with the Clerk at the earliest available opportunity.

R. Payment of Filing Fees

1) Registered Users shall pay statutory filing fees for E-Filed Documents electronically to the Court through PeachCourt. Filing fees are due and payable at the time of filing.

2) PeachCourt may charge a fee which shall be a recoverable court cost and include the following:

3) A Transaction fee for electronically filing pleadings or documents in any civil action and the electronic service of pleadings, which shall not exceed $7.00 per transaction,

regardless of how many documents are included with the specific transaction or how many parties shall be served; and

4) A convenience fee for credit card and bank drafting services, which shall not exceed 3.5 percent plus 30¢ per transaction.

a. As used in this subsection, the term "per transaction" means a single upload to PeachCourt for filing: A pleading or document within an individual case; or Multiple pleadings or documents within an individual case so long as they are filed concurrently.

S. Electronic Filing and Service of Orders and Other Papers

The Court may issue, file and serve notices. orders and other documents electronically, subject to the provisions of this Order. An Order or other Court-issued Document bearing the signature of a Judge filed electronically and entered by a Judge, Clerk of Court, Deputy Clerk or Court personnel per the order of a Judge shall have the same force and effect as if the Document contained the handwritten signature of the Judge.

T. Electronic Record

The Clerk of Court is authorized to maintain the original and official case record in electronic format. The Case Management System shall be the official record.

2. DOMESTIC RELATIONS STANDING ORDERS

It shall no longer be a requirement for the parties to attend a transparenting seminar in order to obtain a divorce, and prior orders requiring same are hereby rescinded.

A. STANDING ORDER AND NOTICE:

Pursuant to O.C.G.A. § 19-1-1(b), this Standing Order shall bind the parties in the above- styled action, their agents, servants, employees, and all other persons acting in concert with the parties in all domestic relations cases filed in this Court until and unless this Standing Order is specifically modified or superseded by further order of this Court. The PARTY FILING THE ACTION shall file the order in the case. In cases where service is by acknowledgment, the PARTY FILING THE ACTION shall attach a copy of this order to the original complaint and give or mail a copy of the filed order to the opposing side. The required Order to attach is designated Exhibit A hereto.

1. 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 or which may, upon judicial determination, constitute threats, harassment, or stalking the adverse party or the child or children of the parties or any act which constitutes a violation of other civil or criminal laws of this state.

2. Each party is encouraged to refrain from making derogatory comments regarding any other party in the presence of the minor child or children of any party. Moreover, each party is discouraged from making any statement or taking any action which may unnecessarily place the minor child or children of any party "in the middle" of this divorce action (e.g., having a child deliver messages to another party regarding legal proceedings or sending child support payments to another party by a child, etc.). Each party shall be mindful of the routine of the minor child or children of the parties. No party shall change the day care or school, or the day care or school routine for the minor child or children other than to the extent the separation of the parties or other circumstances absolutely necessitate such a change. Each party is encouraged to continue all regularly scheduled extracurricular activities of the minor child or children.

3. Each party is enjoined and restrained from unilaterally causing or permitting the minor child or children of the parties to be removed from the State of Georgia other than in the ordinary course of family activities, except in the event of an emergency. In non-emergency situations, the parent causing or permitting the minor child or children to leave the state in the ordinary course of a family activity shall convey to the other parent in writing the specific date(s), specific location(s), and contact information (including address(es) and phone number(s)) for the child or children while they are outside the state.

4. Each party is hereby enjoined and restrained from selling, encumbering, trading, contracting to sell, or otherwise disposing of or removing from the State of Georgia any of the property belonging to the parties except in the ordinary course of business or except in an emergency.

5. Each party is hereby enjoined and restrained from making any change to any policy of insurance (health, life, automobile, homeowner's or any other type of insurance) in force of being maintained at the time of the filing of this action without the express written consent of the other party.

6. Each party is hereby advised that failure to follow any provision of this Standing Order unless substantially justified, may result in sanctions or penalties as provided by statute, rule or authority of the Court, including a finding of contempt by the Court; taxation of costs or attorney's fees; and/or the imposition of monetary or other sanctions.

B. STANDARD ORDERS FOR PARENTING:

The following Standard Orders for Parenting shall bind all parties in any domestic case unless other provision is made in the Orders entered in such action. This Standard Order is attached as Exhibit B hereto.

1. Each parent shall always keep the other informed of his/her actual address of residence, mailing address if different, home and work telephone numbers and any changes within twenty-four hours of such change occurring.

2. Should either parent require child care for twenty-four hours or longer when the child is in his/her care, the other parent shall have first option to provide such care.

3. Neither parent shall say or do anything in the presence or hearing of the child that would in any way diminish the child's love or affection for the other parent, and shall not allow others to do so.

4. All former marital, child sharing, court related and financial communications between the parents shall occur at a time when the child is not present or within hearing

range. Communication regarding these issues shall not occur at times of exchanges of the child or during telephone visits with the child.

5. Each parent shall inform the other as soon as possible of all school, sporting, and other special activity notices and cooperate in the child's consistent attendance at such events. Neither parent shall schedule activities during the other parent's scheduled parenting time without the other parent's prior agreement.

6. At least 24 hour notice of schedule change shall be given to the other parent. The parent requesting the change shall be responsible for any additional child care that results from the change.

7. The parties shall have the right to call the minor child on the telephone at any reasonable time, so long as the telephone calls to the child do not become excessive or disrupt the child's normal homework or sleep schedule. Likewise, the child shall have the right to call either parent at all reasonable times. In the event a long distance telephone call is required, the noncustodial parent shall provide a calling card for use by the child to place telephone calls to said parent. All parties will allow the child to have uninterrupted, private conversations with the parent and neither parent shall tape record the child's conversation with the other parent or other person.

In the event that there is a dispute between the parties as to when a telephone call can be made, then calls from the parent shall be twice per week on Tuesday and Thursday evenings between the hours of 7:00 p.m. and 9:00 p.m.

8. Each party shall notify the other party as soon as reasonable of any serious illness or emergency affecting the child while in that party's physical custody.

9. Each party shall have the right to communicate with the child's teachers, coaches, tutors, and other educational providers; doctors, nurses, counselors, psychiatrists, and other health care providers; and to obtain copies of the child's school and medical records. Each party shall have the right to attend all school and extra-curriculum events, religious events of significance, graduation, recitals, award ceremonies, and other such events relating to the child.

C. STANDARD VISITATION:

The following visitation provisions shall apply unless otherwise ordered, and is attached hereto as Exhibit C:

CP = Custodial Parent NC= Non-custodial Parent (Mother or Father should be inserted)

The NC shall have liberal periods of custody. If the parties cannot agree, then the following schedule shall control:

Visitation: The NC shall have visitation with the child every other weekend beginning Friday at 6:00 p.m. until Sunday at 6:00 p.m.

Summer: The NC shall have the child(ren) for two non-consecutive weeks during June or July, uninterrupted by the mother's visitation, provided that by May 1st of each year, the NC gives the CP written notice of when he/she intends to exercise the visitation.

Christmas: The CP shall have the minor child beginning the day after school recesses for Christmas holidays until December 26th at 9:00 a.m. during even numbered years. The NC shall have the same time for his/her visitation during odd number years. The CP shall have the minor child with him/her from December 26th beginning at 9:00 a.m. until January 2nd at 9:00 a.m. during odd numbered years. The NC shall have the same time during even numbered years.

Thanksgiving: In even-numbered years, the NC shall have the child(ren) from 6:00 p.m. on the day the child(ren) is/are released from school preceding Thanksgiving holiday until the Sunday following Thanksgiving Day at 6:00 p.m. The CP shall have the child during this time period during odd numbered years.

July 4th: The NC shall have the minor child during odd numbered years from July 4 at 9:00 a.m. until July 5 at 10:00 a.m. The CP shall have the minor child for this schedule during even numbered years.

Spring Break: The CP shall have the child during Spring Break from 6:00 p.m. on the day school recesses for Spring Break until 6:00 p.m. on the day before school resumes in odd numbered years. The NC shall have this time period in even numbered years.

Fall Break: The CP shall have the child during Fall Break from 6:00 p.m. on the day school recesses for Fall Break until 6:00 p.m. on the day before school resumes in even numbered years. The NC shall have this time period in odd numbered years.

Mother's Day: The mother shall have the child on the Friday preceding Mother's Day from 6:00 p.m. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Father's Day: The father shall have the child on the Friday preceding Father's Day from 6:00

p.m. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Federal Holidays: If the NC parent has the child for a weekend visitation where a federal holiday falls on a Monday, then the visitation shall include that Monday until 6:00 p.m.

General Considerations: The NC shall have the responsibility of transporting the child for each period of custody. The NC, or other responsible adult with a valid driver's license, shall pick the child up at the CP's residence at the beginning of the visitation and return the child to the CP's residence at the end of the visitation. During the summer visitation, the parent who is beginning his or her custodial period shall be responsible for picking up the child from the other.

3. ADOPTION PROTOCOL

A) In accordance with O.C.G.A. §19-8-14(b), it shall be the responsibility of the Clerk to accept all Petitions for Adoption as filed;

B) After filing, the Clerk shall immediately forward a file-stamped copy of the Petition and all supporting documents to the staff attorney either by electronic means or regular mail for review;

C) Copies of all subsequent motions, amendments, and other pleadings filed in connection with the adoption shall be immediately forwarded by the Clerk to the staff attorney;

D) The Petition will be reviewed by the staff attorney to ensure all statutory requirements have been satisfied, and the attorney of record will be contacted in regards to any required amendments needed;

E) A Home Study Investigation, including GCIC and FBI criminal background checks of each petitioner, will be required unless specifically waived by Motion and Order of the Court;

F) Once all statutory requirements have been satisfied, the Court will issue an Order for Final Hearing and Letter of Approval for Finalization for filing with the Clerk;

G) In compliance with O.C.G.A. § 19-8-16(d), all adoption cases in the Superior Courts of Ocmulgee Judicial Circuit shall have filed as part of the Clerk's record a fingerprint based state and federal criminal history records check of the petitioner(s). The criminal history

reports must be filed with the Clerk of Court prior to an adoption case being scheduled for a final hearing; and

H) In accordance with Superior Court Rule 47, Petitions brought under O.C.G.A. §19-8-4 should be heard in less than fifteen days from receipt of certification that all statutory requirements have been met and said hearing may be heard in any county within the Ocmulgee Judicial Circuit regardless of the county in which the petition was filed.

4. CHILD SUPPORT WORKSHEETS:

All prior Standing Orders regarding Child Support Worksheets are hereby rescinded. The parties and attorneys are reminded to comply with the law regarding same.

5. DEFINING REASONABLE COST OF MEDICAL SUPPORT FOR CHILD SUPPORT SERVICES

Pursuant to Official Code of Georgia annotated§ 19-11-26 wherein the Department of Human Resources, Office of Child Support Services (OCSS), is authorized to determine, as a regular part of its investigation and inquiry, whether medical insurance is available to a Defendant at a reasonable cost in connection with the Obligor's employment or union, family health insurance coverage for minor children costing 5% or less of a Defendant's gross income shall be deemed reasonable.

6. COURT REPORTING FEES AND TRANSCRIPTS

As of January I, 2015, the Judicial Council of Georgia set new policies and fees for Court Reporting Services in Criminal Cases, and clarified what is to be charged in civil cases.

As there are several aspects of these new policies and fees that allow some discretion by the Court, it is the intention of this order to establish how those discretionary matters will be handled in the Ocmulgee Circuit. making sure that it is uniform for all Court Reporters reporting in this circuit.

A. FEES - COURT ATTENDANCE – CIVIL DAILY RATE

1.	LESS THAN 8 HOURS	$190.08
2.	8-9 HOURS	$212.85
3.	MORE THAN 9 HOURS	$225.09

B. FEES – COURT ATTENDANCE – CRIMINAL

1.	LESS THAN 8 HOURS	$200.00
2.	MORE THAN 8 HOURS	$235.00

As the vast majority of Court days in this Circuit are not delineated as a civil or criminal day, but are deemed Motion Days, with both civil and criminal matters able to be heard, this Circuit will

use the Criminal Takedown rate for all days so that all the Court Reporters will be uniform in their billing, with the exception of Civil Trial Weeks, which will be billed at the Civil Daily Rate, unless a criminal matter is heard on that day.

C. PAGE RATES

1. CIVIL AND JUVENILE PAGE RATES

A. ORIGINAL AND 2 COPIES	$3.78
B. COPY RATE	$1.51

2. CRIMINAL

A. LESS THAN OR EQUAL TO 120 DAYS	$6.00
B. MORE THAN 120 DAYS	$5.00
C. NO COPIES WILL BE CHARGED FOR ANY REASON	

It is within the Judge's discretion to allow additional time for the Court Reporter to complete a transcript. Due to our Circuit being an eight county circuit with each Court Reporter being in court a substantial number of days each month, it will be the order of this Circuit that each and every bill will have the following order typed on the bottom of each bill, and will be filed with any transcript submitted to the Clerk after the 120 days.

"For good cause shown, it is the Order of this Court that an extension has been granted for the filing of the transcript{s) shown on this invoice, at the page rate billed, but not to exceed $6.00 per page."

3. TAKEDOWN

A. Civil Takedown by Law - Per hour $43.31

Only upon request of the parties.

B. Criminal Takedown Required by Law

1. A takedown charge for any criminal proceeding is no longer allowed.

2. REQUIRED TAKEDOWN:

(I) All proceedings in death penalty cases.

(2) All habeas corpus proceedings.

(3) Felony cases

(a) Guilty pleas.

(b) During trial, all evidence including testimony, objections and rulings, motions and rulings thereon, jury charge, and sentencing.

(c) Motion for new trial hearings.

(4) Guilty pleas in misdemeanor cases.

3. ONLY ON REQUEST:

(1) pretrial motions,

(2) voir dire

(3) opening statements

(4) colloquies

(5) closing arguments

(6) probation revocation hearings

All criminal takedown, while not always required by the Judicial Council's Policies and fees, is required to be taken down in the Ocmulgee Circuit by this Order, unless the Judge determines otherwise at time of takedown.

4. REQUIRED FILING OF TRANSCRIPTS FOR THE OCMULGEE JUDICIAL CIRCUIT

a. Civil Transcripts. Only upon request of the parties. All requests must be in writing.

b. Criminal Transcripts
c. Pleas
d. Stipulated Probation Matters
e. All death penalty cases
f. Non-jury/jury trials resulting in a guilty verdict

Voir dire, opening & closing statements are not typed unless requested by the court or parties. All requests for any criminal transcript must be in writing if it is not required by this order to be typed.

5. DELIVERY OF TRANSCRIPTS

a. Civil Transcripts

All civil transcripts will be delivered to the Clerk of each county by electronic (internet, CD, DVD) or paper means, whichever method is agreed upon by both parties. Transcripts to any parties may be sent by any type of electronic or paper means as is agreeable to both parties.

b. Criminal Transcripts

All criminal transcripts will be delivered to the Clerk of each county by electronic means, either through an internet portal or on CD or DVD. Transcripts to any parties may be sent through email or any type of electronic means agreeable to both parties.

For any matter not discussed in this Order, or any matter which cannot be determined by the Policies and Fees for Court Reporters, the fees charged will be those fees that were in effect prior to January 1, 2015.

This Order in no way overrules any policy or fee as set forth in the Judicial Council of Georgia Policies and Fees for Court Reporters, but is only to clarify and determine all those matters which can be Ordered at the discretion of the Court for the Ocmulgee Circuit Court Reporters.

7. STANDING ORDER ON CRIMINAL MOTIONS.

A. The parties shall make and file all pretrial motions, demurrers, and special pleas within ten (10) days after arraignment, unless a judge by order extends the time therefor prior to trial. The parties shall give and file all notices at least twenty (20) days before the first day of the trial week unless prior to the said first day of the trial week a judge by order shortens or lengthens the said time or continues the case for the said trial week.

B. Counsel and pro se Defendants may obtain the scheduled dates for motion days from the Clerk of Superior Court for the county where the motion shall be filed, but the party filing the motion (and not the Clerk) is responsible for ensuring that the Motion is timely heard.

C. The purpose of this order is to provide for the filing of motions and the setting of the time for their hearing according to the above-stated statute and Uniform Superior Court Rule. In order in these trying times for the Court to use most efficiently the resource of jurors, both in their expense and the demand on their valuable time, one paramount goal of this order is that pretrial motions filed in a criminal case should be set for a hearing on a regularly scheduled motion day not less than ten (10) days before the first day of the trial week. Unless the Court finds that a motion has been made as a result of a truly reasonably unanticipated emergency, the Court shall deem untimely, abandoned, and/or waived any pretrial motions not set for hearing and heard in the prescribed time; in such event, the Court shall not consider the said motion. It is the sole duty of the party filing any pretrial motion to insure that the motion is

heard during the prescribed time or that prior to the said first day of the trial week the party has a written order by a judge approving any above stated variation therefrom.

D. Please note that, under the terms of this order, unless an above-stated, specific exception applies, pretrial motions, including, without exception, motions in limine, shall not be set for hearing on a criminal plea day or the first day of the trial calendar.

E. In any case assigned to a specific judge of the Ocmulgee Judicial Circuit, the assigned judge may provide for any exemptions or variations from this order that the judge finds necessary or desirable in that case, but all parties should consider themselves bound by this order until the assigned judge provides otherwise.

8. CRIMINAL SENTENCING PROTOCOLS.

In Criminal Sentences (felony or misdemeanor) where an Addendum to Sentence Sheet Reflecting Surcharges, Add-ons, and Fees Required By Law form (herein after referred to as Addendum) is applicable, the Addendum shall not be handwritten. The Addendum shall be filled out and/or calculated with the offense, offense type and offense date on Tracker or Courttrax or other similar program, complete with all the relevant information pertaining to each particular case.

The Addendum will not require a signature by the Ocmulgee Superior Court Judges; but rather will be used by the Probation Officers for review with the defendant. The Addendum shall have this statement, "This is an estimated amount and may be changed by the Clerk of Superior Court based on applicable surcharges, add-ons and fees pursuant to what is required by law". This statement may be added to the actual form or affixed by means of a stamp. This statement is to be signed by the Probation Officer and the defendant at the time of review. The Addendum shall then be filed with the Clerk of that respective court. If changes are made to the Addendum, the Clerk of Superior Court shall provide an updated Addendum to the respective Probation Office.

9. SEX OFFENDER PROBATION.

This Circuit has made its determination that sexual offenders pose a threat to society, victims, or a class of potential victims. Therefore, all sex offenders receiving all or a portion of their sentences to be served on probation shall remain on active, supervised probation, and not be placed into inactive or administrative status unless such status is specifically ordered by a Superior Court Judge of the Circuit.

10. APPEALS FROM LOWER COURTS.

A. All appeals from lower courts shall immediately be assigned according to the Civil Case Assignment System.

B. Should the parties desire a jury trial and file an appropriate demand in the time required by law, the case shall be placed on the next available jury trial calendar for trial.

11. PAUPER'S AFFIDAVIT

In the event a party is desirous of having the Court consider a pauper's affidavit to dispense with the necessity of paying costs in an action, the Pauper's Affidavit, promulgated by the Court, and attached hereto as Exhibit D must be filed.

12. VIDEO-CONFERENCING DOCUMENT RULES:

In order to ensure that proper notice and paperwork is sent out and reviewed well in advance of the morning of court for video-conference hearings, it is necessary to put protocols in place to make court more efficient and uniform in each county of the Circuit.

A. The deadline to add cases to a court calendar and submit all necessary paperwork will be 12:00 p.m. two business days prior to the court day unless an earlier deadline has been established by the Clerk. For example, Baldwin County motions days are on Fridays, so the deadline to add a case to the calendar and submit all necessary paperwork will be Wednesday at 12:00 p.m. The Clerk must be notified of the cases that are to be placed on the calendar, and the Clerk and Judge's office must receive all necessary paperwork by this deadline.

B. For criminal cases, the judges do not have online access to the Clerk's files in every county in the circuit, so the Judge's office will need copies of the indictment/accusation, sentence, motions, bond order, probation petition, probation orders, etc. These documents should be sent in PDF format, and those that need signing prior to the judge signing should be sent with all appropriate signatures.

C. In civil cases, the judges have online access to most of the Clerk's files; however, the Judge's office will need any proposed orders in uncontested cases. These orders should be sent in PDF format as well. There are times that the judge may request the proposed order be sent in Word format also if changes need to be made.

D. In contested cases where exhibits will be introduced into evidence during a hearing, those exhibits must be forwarded to opposing counsel and the Judge's office by the same deadline.

E. If the deadline is not met, the case will not be placed on the calendar for that court day. If counsel would like to add a case after the deadline due to urgent circumstances, a request must be sent to the presiding judge with an explanation as to why an exception should be made. The judge will then decide whether the case will be added to the calendar.

SO ORDERED, this 19th day of March, 2021.

BRENDA H. TRAMMELL
CHIEF JUDGE, SUPERIOR COURT
OCMULGEE JUDICIAL CIRCUIT

ALISON T. BURLESON
JUDGE, SUPERIOR COURT
OCMULGEE JUDICIAL CIRCUIT

AMANDA S. PETTY
JUDGE, SUPERIOR COURT
OCMULGEE JUDICIAL CIRCUIT

TERRY N. MASSEY
JUDGE, SUPERIOR COURT
OCMULGEE JUDICIAL CIRCUIT

STEPHEN A. BRADLEY
JUDGE, SUPERIOR COURT
OCMULGEE JUDICIAL CIRCUIT

IN THE SUPERIOR COURT OF _____ COUNTY
OCMULGEE JUDICIAL CIRCUIT
STATE OF GEORGIA

_____, Plaintiff/Petitioner	*	
v.	*	CIVIL ACTION NO. _____
_____, Defendant/Respondent.	*	

DOMESTIC RELATIONS STANDING ORDER AND NOTICE REQUIREMENT

Pursuant to O.C.G.A. § 19-1-1(b), this Standing Order shall bind the parties in the above-styled action, their agents, servants, employees, and all other persons acting in concert with the parties in all domestic relations cases filed in this Court until and unless this Standing Order is specifically modified or superseded by further order of this Court. The **PARTY FILING THE ACTION** shall complete the above required information by inserting the names of the parties and the case number and shall file the order in the case. In cases where service is by acknowledgment, the **PARTY FILING THE ACTION** shall attach a copy of this order to the original complaint and give or mail a copy of the filed order to the opposing side.

1.

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 or which may, upon judicial determination, constitute threats, harassment, or stalking the adverse party or the child or children of the parties or any act which constitutes a violation of other civil or criminal laws of this state.

2.

Each party is encouraged to refrain from making derogatory comments regarding any other party in the presence of the minor child or children of any party. Moreover, each party is discouraged from making any statement or taking any action which may unnecessarily place the minor child or children of any party "in the middle" of this divorce action (e.g., having a child deliver messages to another party regarding legal proceedings or sending child support payments to another party by a child, etc.). Each party shall be mindful of the routine of the minor child or children of the parties. No party shall change the day care or school, or the day care or school routine for the minor child or children other than to the extent the separation of the parties or other circumstances absolutely necessitate such a change. Each party is encouraged to continue all regularly scheduled extracurricular activities of the minor child or children.

3.

Each party is enjoined and restrained from unilaterally causing or permitting the minor child or children of the parties to be removed from the State of Georgia other than in the ordinary course of family activities, except in the event of an emergency. In non-emergency situations, the parent causing or permitting the minor child or children to leave the state in the ordinary course of a family activity shall convey to the other parent in writing the specific date(s), specific location(s), and contact information (including address(es) and phone number(s)) for the child or children while they are outside the state.

4.

Each party is hereby enjoined and restrained from selling, encumbering, trading, contracting to sell, or otherwise disposing of or removing from the State of Georgia any of the property belonging to the parties except in the ordinary course of business or except in an emergency.

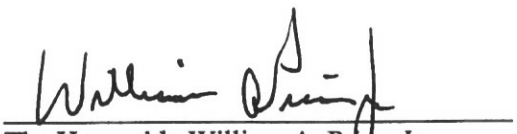
5.

Each party is herby enjoined and restrained from making any change to any policy of insurance (health, life, automobile, homeowner's or any other type of insurance) in force of being maintained at the time of the filing of this action without the express written consent of the other party.

6.

Each party is hereby advised that failure to follow any provision of this Standing Order unless substantially justified, may result in sanctions or penalties as provided by statute, rule or authority of the Court, including a finding of contempt by the Court; taxation of costs or attorney's fees; and/or the imposition of monetary or other sanctions.

SO ORDERED, this 24th **day of** March, **20**17.



The Honorable William A. Prior, Jr.
Chief Judge, Ocmulgee Judicial Circuit

STANDARD ORDERS FOR PARENTING

1. Each parent shall always keep the other informed of his/her actual address of residence, mailing address if different, home and work telephone numbers and any changes within twenty-four hours of such change occurring.

2. Should either parent require child care for twenty-four hours or longer when the child is in his/her care, the other parent shall have first option to provide such care.

3. Neither parent shall say or do anything in the presence or hearing of the child that would in any way diminish the child's love or affection for the other parent, and shall not allow others to do so.

4. All former marital, child sharing, court related and financial communications between the parents shall occur at a time when the child is not present or within hearing range. Communication regarding these issues shall not occur at times of exchanges of the child or during telephone visits with the child.

5. Each parent shall inform the other as soon as possible of all school, sporting, and other special activity notices and cooperate in the child's consistent attendance at such events. Neither parent shall schedule activities during the other parent's scheduled parenting time without the other parent's prior agreement.

6. At least 24-hour notice of schedule change shall be given to the other parent. The parent requesting the change shall be responsible for any additional child care that results from the change.

7. The parties shall have the right to call the minor child on the telephone at any reasonable time, so long as the telephone calls to the child do not become excessive or disrupt the child's normal homework or sleep schedule. Likewise, the child shall have the right to call either parent at all reasonable times. In the event a long distance telephone call is required, the noncustodial parent shall provide a calling card for use by the child to place telephone calls to said parent. All parties will allow the child to have uninterrupted, private conversations with the parent and neither parent shall tape record the child's conversation with the other parent or other person.

In the event that there is a dispute between the parties as to when a telephone call can be made, then calls from the parent shall be twice per week on Tuesday and Thursday evenings between the hours of 7:00 p.m. and 9:00 p.m.

8. Each party shall notify the other party as soon as reasonable of any serious illness or emergency affecting the child while in that party's physical custody.

9. Each party shall have the right to communicate with the child's teachers, coaches, tutors, and other educational providers; doctors, nurses, counselors, psychiatrists, and other health care providers; and to obtain copies of the child's school and medical records. Each party shall have the right to attend all school and extra-curriculum events, religious events of significance, graduation, recitals, award ceremonies, and other such events relating to the child.

VISITATION

CP = Custodial Parent

NC= Non-custodial Parent

(Mother or Father should be inserted)

The NC shall have liberal periods of custody. If the parties cannot agree, then the following schedule shall control:

Visitation: The NC shall have visitation with the child every other weekend beginning Friday at 6:00 p.m. until Sunday at 6:00 p.m.

Summer: The NC shall have the child(ren) for two non-consecutive weeks during June or July, uninterrupted by the mother's visitation, provided that by May 1st of each year, the NC gives the CP written notice of when he/she intends to exercise the visitation.

Christmas: The CP shall have the minor child beginning the day after school recesses for Christmas holidays until December 26th at 9:00 a.m. during even numbered years. The NC shall have the same time for his/her visitation during odd number years. The CP shall have the minor child with him/her from December 26th beginning at 9:00 a.m. until January 2nd at 9:00 a.m. during odd numbered years. The NC shall have the same time during even numbered years.

Thanksgiving: In even-numbered years, the NC shall have the child(ren) from 6:00 p.m. on the day the child(ren) is/are released from school preceding Thanksgiving holiday until the Sunday following Thanksgiving Day at 6:00 p.m. The CP shall have the child during this time period during odd numbered years.

July 4th: The NC shall have the minor child during odd numbered years from July 4 at 9:00 a.m. until July 5 at 10:00 a.m. The CP shall have the minor child for this schedule during even numbered years.

Spring Break: The CP shall have the child during Spring Break from 6:00 p.m. on the day school recesses for Spring Break until 6:00 p.m. on the day before school resumes in odd numbered years. The NC shall have this time period in even numbered years.

Fall Break: The CP shall have the child during Fall Break from 6:00 p.m. on the day school recesses for Fall Break until 6:00 p.m. on the day before school resumes in even numbered years. The NC shall have this time period in odd numbered years.

Mother's Day: The mother shall have the child on the Friday preceding Mother's Day from 6:00 p.m. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Father's Day: The father shall have the child on the Friday preceding Father's Day from 6:00 p.n. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Federal Holidays: If the NC parent has the child for a weekend visitation where a federal holiday falls on a Monday, then the visitation shall include that Monday until 6:00 p.m.

General Considerations: The NC shall have the responsibility of transporting the child for each period of custody. The NC, or other responsible adult with a valid driver's license, shall pick the child up at the CP's residence at the beginning of the visitation and return the child to the CP's residence at the end of the visitation. During the summer visitation, the parent who is beginning his or her custodial period shall be responsible for picking up the child from the other parent's residence.

Requirements for Poverty Affidavits

The following is required prior to presentment to a Judge.

Please review:

- ☐ Is your Poverty Affidavit completely filled out?

- ☐ Is it notarized? If not, please have it notarized.

- ☐ Have you attached supporting documents?
  - Monthly Bills (cable, phone, electric, gas, credit card statement, bank account statement)
  - Pay Stubs
  - Proof of Unemployment
  - Disability
  - Bank statements, debit card statements, etc.

- ☐ If you do not have any bills, or your income is $0.00 please include supporting documents to show where you are living and who is providing your support.

- ☐ If a superior court case, have you attached a copy of your filing (Motion for temporary restraining order, name change, legitimation, etc.)?

STATE OF GEORGIA

_____ COUNTY

☐ Juvenile Court ☐ Superior Court

_____

Petitioner/Plaintiff,
Child(ren)'s Initials if Juvenile case

Civil Action/File No. _____

v.

_____

Respondent/Defendant.

AFFIDAVIT OF INDINGENCY

I am the ☐ Plaintiff/Petitioner (party bringing suit) ☐ Defendant/Respondent (party responding to suit) ☐ Mother/Father/Guardian. I am submitting this Affidavit of Indigency to ask that my court filing fees and costs be waived or for the appointment of an attorney. I understand that the information I provide will be used by the Court to determine my eligibility to proceed without paying fees or costs. **I further understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides that a person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, s/he knowingly and willfully makes a false statement material to the issue or point in question. A person convicted of the offense of perjury shall be punished by a fine of not more than a person convicted of the offense of perjury shall be punished by a fine of not more than $1,000 or by imprisonment for not less than one nor more than ten years, or both. O.C.G.A. §16-10-70.**

A. IDENTIFYING INFORMATION

Name: _____

Address: _____

Phone: _____ Year of Birth: _____

☐ Single ☐ Married

B. DEPENDENTS

1. How many people, not including yourself, do you financially support? _____

   List any dependents below.

Name	Age	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. INCOME

1. What is your monthly household income (the combined monthly income of every adult in your household)? _____

2. Are you employed? ☐ Yes ☐ No

   If "No", when did you last work? _____

   If "Yes", give the name and address of your employer: _____

   _____

   I am paid ☐ Weekly ☐ Bi-Weekly ☐ Monthly *(check box that applies)*

3. My income comes from the following sources: [*check all that apply*]

☐ Earnings from my job
☐ Earnings from business/self-employment
☐ Other work
☐ Social Security
☐ Disability Insurance or Workers Compensation
☐ Unemployment benefits
☐ Pension, annuities or Retirement Benefits
☐ Other income or payments regularly received
☐ Child Support
☐ TANF
☐ Alimony
☐ SSI
☐ VA benefits
☐ Gifts or inheritances
☐ Life insurance payments
☐ Any other sources

List amount(s) received from these sources:

Source	Monthly Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4. Supporting Documentation

    a. If you have income from an employer, please provide a copy of your most recent pay stub (a document given to employees with each paycheck showing the amount of money the employee earned and the amount that was removed for taxes, insurance costs etc.)

    b. If you checked any of the other boxes above as a source of income, please provide supporting documentation for that income as well (copies of benefit check, etc.).

    c. Please provide any other documents relating to and/or supporting your inability to pay court costs.

D. ASSETS

1. How much money do you currently have on hand, including your checking and savings accounts?

    a. Current amount in checking account $_____

    b. Current amount in savings account $_____

    c. Current amount in any other account (*i.e.*, money market, CD, etc.) $_____

2. Do you have cash on hand that is not in an account? ☐ Yes ☐ No

    a. If yes, how much? _____

3. Do you own any stocks or bonds? ☐ Yes ☐ No

    a. If yes, list and describe

_____

_____

4. Do you own or lease a motor vehicle? ☐ Yes ☐ No

    a. If yes, provide year make, and model:

Year	Make	Model
_____	_____	_____
_____	_____	_____

5. Do you own a home or other real estate? ☐ Yes ☐ No

    a. If yes, list below:

Description	Value	Amount Owed (Mortgage)
_____	_____	_____
_____	_____	_____
_____	_____	_____

E. EXPENSES

1. I pay the following bills each month:

Rent/Mortgage $_____	Cell Phone $_____	Groceries $_____
Doctor/Hospital $_____	Loans $_____	Credit Cards $_____
Car Payment $ _____	Alimony $_____	Child Support $_____
Cable/Sat TV $_____	Attorneys $_____	Utilities $_____
Other Debts $_____	Insurance $_____	Child Care $_____

2. Please provide supporting documentation of the above listed bills for the court to consider.

F. OTHER INFORMATION – SPECIAL FINANCIAL CIRCUMSTANCES

Are there other circumstances which make it impossible for you to pay the costs of this action that are not explained above (*e.g.*, disability, illness, etc.)? ☐ Yes ☐ No

If yes, use the space below to explain. Include any facts which will help the Court to determine whether you can afford to pay the required fees.

_____

_____

☐ I had or have a pending bankruptcy. The court case number and year of my bankruptcy is

_____

☐ Other relevant financial information you would like the Court to consider:

_____

_____

_____

_____

_____

G. OTHER PENDING CASES

1. Do you have any other pending cases? ☐ Yes ☐ No

    a. If yes, list below:

Case Number	Type of Case	Status of Case
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. If you checked "Yes" to Question 1 above, did you file an Affidavit of Indigency in the pending case(s)? ☐ Yes ☐ No

c. If yes, state the outcome of the Affidavit(s) of Indigency.

_____
_____
_____

2. Other than any Affidavits of Indigency listed above, have you applied for indigent status in the past year? ☐ Yes ☐ No

a. If yes, was it granted or denied?

_____
_____

Please explain the details.

_____
_____
_____

I, _____, do sear or affirm under penalty of law that the statements contained in this Affidavit are true. I further attest that I am the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☐ Mother/Father/Guardian (*circle one*) in this action and that I personally provided the contents of this Affidavit of Indigency. I have read the summary of the perjury statute set forth above and am aware of the penalties for giving any false information on this form.

Signature of Affiant _____ Date_____
(Sign your name in front of a Notary)

Sworn to and subscribed to me, this
_____ day of _____, 20_____.

_____
NOTARY PUBLIC
My Commission Expires _____.
(Notary Seal)

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

_____,	*	
Plaintiff/Petitioner,	*	
Child(ren)'s Initials	*	Civil Action File No/
	*	Juvenile Case No. _____
v.	*	
	*	
_____,	*	
Defendant/Respondent.	*	

ORDER ON AFFIDAVIT OF INDIGENCY

The ☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☐ Mother/Father/Guardian (*circle one*) has presented an *Affidavit of Indigency* to the Court. Pursuant to O.C.G.A. § 9-15-2(d), the Court has reviewed the *Affidavit of Indigency* and the other initial pleadings including _____.

☐ **Affidavit Approved (Indigent)** – It appears to the Court that the affiant is unable to pay the Court filing fees in this action. Therefore, the affiant's pleadings shall be filed, and the affiant shall be relieved from paying the filing fee, sheriff's /marshal's service fee, and other required court costs until a final order/judgment is entered or the case is dismissed.

☐ **Affidavit Not Approved (Not indigent)** – It appears to the Court that the affiant has not demonstrated that the affiant is unable to pay the filing fee and associated costs of this action. Therefore, the affiant shall not be relieved from paying the filing fee, sheriff's/marshal's service fee, or other required court costs.

☐ **Affidavit Approved (Juvenile Court)** – It appears to the Court that the affiant is entitled to legal counsel and is unable to retain counsel on his/her own. Therefore, the affiant shall have an attorney appointed to represent him/her until the case is complete.

☐ **Affidavit Not Approved (Juvenile Court)** – It appears to the Court that the affiant is not indigent and is able to retain counsel on his/her own.

☐ **Affidavit Not Approved (No justiciable issue)** – It appears to the Court that the pleading filed by the affiant shows on its face such a complete absence of any justiciable issue of law or fact that it cannot reasonably be believed that the Court could grant any relief against any party named in the pleading. It is hereby **ORDERED** that the affiant's request to file the pleading is hereby **DENIED.**

SO ORDERED, this _____ day of_____, 20_____.

_____
Judge
_____ County _____ Court

The duration of the Order terminates upon issuance of a Final Order or a dismissal of the action.