

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

26EX 000840

**STANDING CASE MANAGEMENT ORDER
FAMILY DIVISION 2**

READ THIS ENTIRE ORDER, AS YOU ARE BOUND BY ALL ITS PROVISIONS. HOWEVER, IF YOU ARE GOING TO READ ONLY ONE THING (AND THUS ALREADY VIOLATE THE ORDER), READ THIS:

1. Communicate with the Court via e-mail. Always copy the opposing party on those e-mails.
2. Mediation is often the solution. You must mediate before attending your 120-Day Status Conference.
3. E-mail copies of every motion and notice to chambers. Every one. E-filing gets it in the docket, but not into our hands.

The following rules and procedures govern Family Division 2 cases. Absent written permission from the Court, no exceptions to or waivers from the requirements set forth in this Order are allowed. Additionally, all parties are required to comply with the Automatic Domestic Standing Order for the Family Division of the Superior Court of Fulton County and Uniform Superior Court Rule (USCR) 24.

1. CONTACTING THE COURT

When communicating with the Court, parties must do three things *every* time:

- (1) put it in writing (as in e-mail),
- (2) include the case number in the subject line, and

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CHÉ ALEXANDER
Clerk of Superior Court

Fulton County, Georgia



(3) copy the opposing party.

You should direct your e-mail to the appropriate staff member. Do not send an e-mail to one staff member and, if you are displeased with the result, send the same e-mail to another staff member. Such secondary e-mails will be forwarded to the judge. And then you will certainly be displeased with the results.

PROPER CONTACTS

For matters pending before Judge McBurney:	For matters pending before Judicial Officer Kaye:
* Requests for temporary hearings (over 2 hours) * Notices regarding 120-day status conference * Notices regarding final trial * Consolidated pretrial orders * Motions and responses Contact Staff Attorney Monica Niles at monica.niles@fultoncountyga.gov	* Joint compliance certificates * Final consent orders * Requests for temporary hearings (2 hours max) * 30- or 60-day status conferences * Motions and responses to motions * Proposed orders * Notices of discovery disputes * Motions to compel discovery * Post-judgment petitions to modify or for contempt Contact Litigation Manager Deedra Nelson at deedra.nelson@fultoncountyga.gov

2. MANDATORY E-FILING

Electronic filing (e-filing) has been mandatory in Fulton County Superior Court for over a decade now and it remains the rule in this Division. *All* parties, including self-represented litigants, must create an account with eFileGA and add a service contact to your case to ensure consistent service of orders and other notices from the Court. Please visit

<http://www.eFilega.com> for account registration, information, and training. Filing fees will apply for all e-filing transactions unless you have qualified as indigent. **Parties are still required to send courtesy copies of all pleadings and notices to the Court via e-mail.**

All parties filing through PeachCourt (www.peachcourt.com) must also register with eFileGA at <http://www.eFilega.com> to ensure service.

3. ENTRIES OF APPEARANCE

There are no "limited" entries of appearance. If you enter the case as counsel for a party, you are that litigant's full-time, full-service lawyer until you are permitted to withdraw. (See Section 12 below re: withdrawal.)

4. LEAVES OF ABSENCE

Your request for leave is GRANTED if

- (a) the requested leave complies with USCR 16.1,
- (b) the leave does not exceed thirty days,
- (c) the parties have not been given notice that their matter will be scheduled on the Court's calendar during the requested leave period,
- (d) the leave request was e-mailed to the Court, *and*
- (e) the Court does not respond within ten days denying the leave.

Leaves of absence do not relieve parties of the obligation to comply with deadlines for discovery, motions, briefs or other pleadings which may arise during the leave.

A corollary of this rule is that any request for leave that exceeds thirty days and/or which includes any date(s) for which the party already has notice of scheduled court event(s) is **DENIED**.

5. CONFLICTS

All scheduling conflicts must be timely noticed with a conflict letter presented to the Court and opposing parties in compliance with USCR 17.1.

Parties are not excused from appearing unless they have received confirmation from the Court. In the event the matter generating the conflict is resolved prior to the end of the Court's calendar, counsel shall immediately notify the Court to determine whether the Family Division 2 matter will proceed.

Conflict letters for matters occurring before Judicial Officer Kaye must be e-mailed to Deedra Nelson at Deedra.nelson@fultoncountyga.gov and Michelle Hansberry at michelle.hansberry@fultoncountyga.gov with the following subject line: JUDICIAL OFFICER KAYE – CONFLICT LETTER – *CASE NAME – CASE NUMBER*.

Conflict letters for matters occurring before Judge McBurney must be e-mailed to Monica Niles at monica.niles@fultoncountyga.gov and Michelle Hansberry at michelle.hansberry@fultoncountyga.gov with the following subject line: JUDGE McBURNEY – CONFLICT LETTER – *CASE NAME – CASE NUMBER*.

6. SERVICE

Petitioner must e-file proof of service of the initial petition and related filings within ninety days of filing the case or the case shall stand DISMISSED -- absent proof of diligence in attempting service and leave of Court.

To obtain an order for service by publication, Petitioner must e-file a motion for service by publication and an affidavit of diligent search (which includes proof of attempted service at Respondent's last known address) within sixty days of filing the case. In other words, do not wait until Day 89 to seek authorization to serve by publication!

If a service by publication is authorized, Petitioner must publish notice in the County's legal organ within thirty days of entry of the Order for Service by Publication and must file with the Clerk's office an affidavit of publication from the legal organ within sixty days of entry of the Order or the case shall stand DISMISSED.

7. DISCOVERY

Discovery is not a game of hide and seek. Certain things must be disclosed and many things should be disclosed. If you are asked to provide it, chances are you should. Parties who obstruct discovery will regret their actions in the end.

7.1 **Mandatory Discovery**

Pursuant to Fulton County Superior Court Family Division ("FD") Rule 4000-6.3.2, by the 30-Day Status Conference each party must provide his or her financial affidavit, child support worksheet and schedules, answers to interrogatories, and responses to Required Documents to be Produced.

7.2 **Discovery Deadline**

Parties may seek additional discovery as provided by the Civil Practice Act and FD Rule 4000-6.3.2. The period within which the Parties can compel additional discovery shall end **six months from the date a response to the petition was filed or is due** (whichever comes first). All discovery requests must be served early enough that responses thereto are due on or before the last day of the discovery period.

Requests to extend this discovery period should provide case-specific reasons for an extension (and those reasons should not include "We've been really busy working on other cases").

7.3 **Expert Discovery**

Expert disclosures must include the expert's area of expertise, his/her qualifications, and a summary of each opinion and its factual basis. Disclosures must be made no later than 30 days prior to the end of discovery.

7.4 Discovery Disputes

Discovery disputes should not be allowed to fester. If a USCR 6.4 letter does not dislodge the allegedly withheld materials, the aggrieved party should notify the Court promptly of the dispute. This is done by e-filing a Notice of Discovery Dispute pursuant to FD Rule 4000-6.1.2 and e-mailing a courtesy copy to the Litigation Manager. The Court will then decide if a teleconference or an in-person hearing is the appropriate next step to resolve the dispute.

Time is of the essence! Notices of discovery dispute that are filed more than 60 days after the sought-after materials were requested may be denied as stale.

8. MOTIONS AND OTHER PLEADINGS

8.1 Format

Motions, responses, and other pleadings should be double-spaced (unlike this Order), in the font of your choice but the font size of the Court's choice (12-point or larger), and no longer than twenty-five pages. If you feel compelled to write more than twenty-five pages, please obtain permission from the Court before filing your document, as it may be stricken from the record if not cleared in advance.

8.2 Courtesy Copies (yes!)

Courtesy copies of *every* motion and response must be e-mailed to the Court via the proper contact identified in Section 1 above. Failure to do so will delay consideration of your motion (or response) and could result in denial of the requested relief due to the passage of time occasioned by your failure to alert the Court to your emergency.

8.3 Replies (no!)

No replies or sur-replies should be filed absent prior permission of the Court.

8.4 Motions to Enforce Settlement Agreements

Motions to enforce settlement agreements must be filed as soon as the need becomes apparent and in no event later than the due date for any proposed final orders. Evidence the Court will need to rule on such motions -- such as signed settlement agreements, e-mails between counsel, etc. -- should be submitted along with the motions (or responses). Note that such evidentiary submissions require affidavits authenticating the documents for the Court to consider them as evidence.

8.5 Motions for Attorney's Fees

All motions for attorney's fees shall cite to all relevant statutes or other provisions of law authorizing the request. Such motions shall also set forth the requisite factors and considerations the Court must assess, as well as identify the findings and conclusions required by law. Absent such detail, attorney's fee requests may be denied.

9. SCHEDULING

9.1 Status Conferences

Every case will have mandatory 30-, 60-, and 120-Day Status Conferences, unless otherwise ordered. The parties -- and not just their lawyers -- must appear unless excused. All status conferences will be conducted via Zoom unless otherwise directed.

Judicial Officer Kaye will conduct the 30- and 60-Day Status Conferences. Parties may opt out of these conferences if there are no motions outstanding and the parties comply with FD Rule 4000-3.2.5. The Court will consider joint-compliance certificates if they are e-filed at least three days before the hearing and e-mailed to Deedra Nelson at Deedra.nelson@fultoncountyga.gov. Joint-compliance certificates filed after that deadline will be considered on a discretionary basis.

As explained in Section 7.1, parties must exchange mandatory discovery at or before the 30-Day Status Conference. **Parties are**

required to submit proposed child support worksheets, child support addenda, and parenting plans at the 30-Day Status Conference.

Judge McBurney will typically conduct the 120-Day Status Conferences, but Judicial Officer Kaye may stand in under certain circumstances. **Parties may not opt out of 120-Day Status Conferences. Additionally, parties must have mediated their case prior to attending the 120-Day Status Conference.**

9.2 Mediation

Speaking of mediation, it is the standing order of this Court that *all* litigants must participate in mediation **no later than 120 days after service of the petition**. To do this, the parties should contact Fulton County's Office of Alternative Dispute Resolution via e-mail at sca.adrstaff@fultoncountyga.gov to schedule a mediation session or a judicially hosted settlement conference. Alternatively, the parties may arrange for mediation with a private mediator of their choice.

9.3 Temporary Hearings

Requests for temporary hearings must set out the specific issue(s) to be determined at the hearing, the time needed, as well as the date(s) of any other already scheduled hearings and/or status conferences.

Pursuant to USCR 24.2, parties are to exchange updated financial affidavits and/or child support worksheets five days prior to any temporary hearing. Pursuant to USCR 24.5, any affidavit in lieu of testimony is to be served on the opposing party at least 24 hours prior to a hearing. **Copies of any such documents should also be provided to the Court at the same time they are provided to the opposing party.**

***Pace* notice:** All parties are hereby given notice that the Court may consider evidence presented at a temporary hearing when making any final custody determination. *Pace v. Pace*, 287 Ga. 899 (2010).

9.4 Trials

All trials will be specially set, with dates determined at the 120-Day Status Conference. If the parties reach a settlement agreement or otherwise resolve the case prior to trial, they should immediately notify the Court so that your special setting can perhaps become someone else's.

Consolidated pretrial orders are required in every case; they are due **one week prior to trial** and should be delivered via e-mail to Monica Niles at monica.niles@fultoncountyga.gov for trials before Judge McBurney and to Deedra Nelson at deedra.nelson@fultoncountyga.gov for trials before Judicial Officer Kaye.

Pursuant to USCR 24.2, if the case involves minor children, the parties must (1) exchange, (2) e-mail to the Court, and (3) e-file an updated domestic relations financial affidavit, a proposed child support worksheet, proposed child support addendum and proposed parenting plan **one week prior to trial**.

The parties shall confer on trial exhibits and stipulate to admissibility absent a good faith basis to object. **Parties must deliver physical copies of all trial exhibits to the Court one day before trial.**

9.5 Take Down/Court Reporters

The Court does not supply a court reporter for trials unless the litigant seeking take down is self-represented, has previously been determined to be indigent, and has requested a court reporter at least one week before trial. Failure to secure a court reporter will generally not be sufficient grounds for a continuance. Electing not to take down trial proceedings typically limits a party's ability to mount a successful appeal of any adverse judgments.

10. GUARDIANS AD LITEM

10.1 Appointment

Requests for appointment of a Guardian *ad Litem* ("GAL") must be made sufficiently early that the best interests of the children are protected and delay is avoided and **in no case later than 60 days after service of the petition** absent good cause shown.

10.2 GAL Report

If a GAL has been appointed and the parties desire a written GAL report and recommendation ("Report"), they must notify the GAL of this request **no later than 45 days prior to the relevant hearing date or trial date**. If both parties request a Report, the fees shall be split evenly, including the retainer to prepare the Report. If a Report is requested, the GAL shall submit the Report to the parties and the Court **no later than one week prior to the relevant hearing or trial**. Should the Court order a Report, the GAL fees shall be split evenly unless the Court orders otherwise.

11. POST-JUDGMENT MATTERS

Post-judgment matters, including petitions/notices for contempt, will typically be handled by Judicial Officer Kaye. Courtesy copies of all post-judgment pleadings should be e-mailed to Deedra Nelson at deedra.nelson@fultoncountyga.gov.

12. PETITIONS TO WITHDRAW AS COUNSEL

Petitions to withdraw as counsel must comply with USCR 4.3; failure to do so will result in the petition being denied. Any petition granted will not be effective until the attorney registers his/her client for eFileGA with a service contact added.

13. AI

The use of AI in legal practice remains a matter of personal choice. Humans are still in charge -- for now. You are free to rely on AI in drafting your pleadings and preparing your work product; you do not need to disclose your reliance on AI in your filings. Just know that the name at the

bottom of the pleading is yours and not Sam Altman's or Sundar Pichai's. If there are bad cites, misleading quotes, or other errors or omissions, those will be attributed to you and not to your AI tool (or your junior associate). ChatGPT and Claude will not be found in contempt or referred to the State Bar; you will.

14. SANCTIONS

It should go without saying, but here it is: failure to adhere to the Uniform Rules, the Civil Practice Act, the FD Rules, and the Court's Orders may result in sanctions. There are good reasons for these rules and orders! In particular, failure to comply with the terms of *this* Order (or of any other court order) -- including the deadlines set out in this or any other Order -- may result in the exclusion of evidence, exclusion of witnesses, striking of pleadings, entry of final disposition, and charging of fines, attorney's fees, and/or costs against the offending party.

SO ORDERED this 13th day of July 2026.


Judge Robert C.I. McBurney
Superior Court of Fulton County
Atlanta Judicial Circuit