

**IN THE SUPERIOR COURT OF FORSYTH COUNTY  
STATE OF GEORGIA**

**INTERNAL OPERATING PROCEDURE 02-06**

**IN RE: DOMESTIC RELATIONS ACTION STANDING ORDER**

**IMPLEMENTING ORDER**

Pursuant to O.C.G.A. § 19-1-1(b) and O.C.G.A. § 9-11-65(e), the Court hereby orders that the attached “Domestic Relations Action Standing Order” shall apply to all domestic relations actions, as defined in O.C.G.A. § 19-1-1(a), upon filing. The Clerk of Court shall complete the standing order by inserting the names of the parties and the case number, and shall file the order with the case.

When domestic relations actions are filed requiring service by the sheriff or by publication, the Clerk shall attach copies of the filed standing order to the original and service copies of the action and give or mail a copy of the filed standing order to the attorney or person filing the action.

When domestic relations actions are filed with an acknowledgment of service, the Clerk shall attach a copy of the filed standing order to the original complaint and give or mail two copies of the filed standing order to the attorney or person filing the action, with instructions that he or she is responsible for serving the defendant with a copy of the order.

This Order shall apply to all domestic relations actions filed on or after March 26, 2002 and shall supersede Internal Operating Procedure 99-7.

SO ORDERED, this 26 day of March, 2002.

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Richard S. Gault, Chief Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

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Jeffrey S. Bagley, Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

**IN THE SUPERIOR COURT OF FORSYTH COUNTY  
STATE OF GEORGIA**

|                      |   |                |
|----------------------|---|----------------|
| _____ ,              | ) |                |
| Plaintiff/Petitioner | ) |                |
|                      | ) | CIVIL ACTION   |
| v.                   | ) | FILE NO. _____ |
|                      | ) |                |
| _____ ,              | ) |                |
| Defendant/Respondent | ) |                |

**DOMESTIC RELATIONS ACTION**  
**STANDING ORDER**

1.

Pursuant to O.C.G.A. § 19-1-1(b) and the attached implementing order of the Court filed on the \_\_\_\_ day of March, 2002 (minute \_\_\_\_\_, page \_\_\_\_\_), this Standing Order binds the parties in the above-styled action, their agents, servants, employees, and all other persons acting in concert with such parties.

2.

Each party is hereby enjoined and restrained from unilaterally causing or permitting the minor child(ren) of the parties to be removed from the jurisdiction of this Court without permission of the Court, except in an emergency affecting the health, safety, or welfare of the child(ren) which has been created by the other party to the action. In cases in which a prior custody award has been issued by a court of competent jurisdiction, the minor child shall remain in the custody of the party to whom custody has been awarded until such time as a temporary hearing is held. In the absence of a prior order, the minor child shall remain in the custody of the party with whom he/she resides at the time of the filing of this action until a temporary hearing is scheduled on the issue of custody unless the party with whom the children are residing has been charged with a criminal offense relating to any act of family violence, in which event the alleged victim of family violence shall be entitled to have custody until a temporary hearing is conducted. The parties are directed to comply with Internal Operating Procedure 98-5 which requires all contested custody cases to participate in mediation prior to a temporary/final hearing on custody. In cases of an emergency affecting the health, safety, or welfare of the minor child(ren), the parties are directed to contact the Court to request an emergency hearing pursuant to Internal Operating Procedure 99-7.

3.

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(ren) of the parties or any act which constitutes a violation of other civil or criminal laws of this state.

4.

Each party is hereby enjoined and restrained from selling, 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 in an emergency which has been created by the other party to the action.

5.

Parties to domestic relations actions involving minor children are required by Internal Operating Procedure 98-7 to attend a seminar for divorcing parents within 31 days of service of the original complaint upon the defendant. Failure to complete the seminar in a timely manner may subject the party to contempt or other sanctions, may delay any temporary hearings or mediation sessions, and may delay the granting of a final decree of divorce.

6.

Parties are to complete and file a domestic relations financial affidavit, as required by Uniform Superior Court Rule 24.2. That is, parties shall make and serve a financial affidavit at the same time that the notice of any temporary hearing is served and the opposing party shall serve his or her affidavit at least five (5) days prior to the temporary hearing. If the parties are ordered to mediation, the affidavits shall be completed and served at least five (5) days prior to mediation. If no temporary hearing or mediation is scheduled, then the parties shall complete and serve the financial affidavits at least ten (10) days before final hearing. Failure of any party to furnish the affidavit, in the discretion of the court, may subject the offending party to the penalties of contempt and result in continuance of the hearing until such time as the required affidavit is furnished.

7.

Parties in cases involving contested custody are required pursuant to Internal Operating Procedure 98-5 to attend mediation prior to any hearing on the matter except for emergencies.

8.

This Standing Order shall supersede the version previously utilized by this Court pursuant Internal Operating Procedure 99-7.

SO ORDERED, this 26 day of March, 2002.

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Richard S. Gault, Chief Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

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Jeffrey S. Bagley, Judge  
Forsyth County Superior Court  
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