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2/24/23

STATE COURT OF GWINNETT COUNTY

JUDGE ERICA K. DOVE - DIVISION V - COURTROOM 2F

ONE WEEK CIVIL JURY TRIAL CALENDAR BEGINNING FEBRUARY 27, 2023

The above term of Gwinnett State Court will convene Monday, February 27, 2023, for disposition of Civil Cases hereinafter listed. The cases will be called and tried in the order listed. **ALL ATTORNEYS WITH CASES ON THIS CALENDAR ARE REQUIRED TO MAKE AN E-MAIL ANNOUNCEMENT TO KIANA EVANS kiana.evans@gwinnettcounty.com ON OR BEFORE WEDNESDAY, FEBRUARY 22, 2023, BY 5:00 PM. FAILURE TO FOLLOW THESE INSTRUCTIONS WILL SUBJECT YOUR CASE TO BEING CALLED IN ON MONDAY, FEBRUARY 27, 2023, FOR A STATUS CALENDAR CALL. E-mail announcements shall include the following:**

1. Case Number;
2. Plaintiff/Defendant reporting;
3. Estimated length of trial and estimated number of witnesses;
4. If court reporter is needed;
5. Name and telephone number of attorney(s) trying the case;
6. If language interpreter is needed;
7. If parties or witnesses are out of state;
8. If parties request a 6 or 12 person jury.

CONTINUANCES:

Pursuant to Rule 8.5 of the Uniform Superior Court Rules, continuances WILL NOT BE GRANTED MERELY BY AGREEMENT OF COUNSEL OR BY TELEPHONE. This Court requires that all motions for continuance must be submitted, in pleading form, and must be received by the Court at least ten (10) days prior to the call of the calendar. If mailed, send to address listed below. Requests shall contain at least the following information: Reason for requesting the continuance; if opposing counsel or party agrees to continuance; if continuances have previously been granted, to which party and for what reason; and an Order for Judge Dove's signature in the event the request is granted. It is the responsibility of the requesting party to ascertain if a continuance has been granted and to notify all parties.


APPEARANCE OF COUNSEL:

Counsel and/or self-represented litigants are directed to call (770) 822-8688 after 5:00 p.m. on Friday before the week of Jury trials for a list of the cases to appear on the following Monday. Parties in all other actions on the calendar are expected to be ready for trial. There will be a recording daily after 5:00 p.m. for the cases which need to appear the following day. Each attorney/ party will need to contact (770) 822-8688 daily after 5:00 p.m. for an update.

DISMISSALS AND SETTLEMENTS:

It is required by this Court that any dismissal or settlement announcement be submitted to the clerk and a copy forwarded to Kiana Evans at kiana.evans@gwinnettcounty.com, within ten (10) days from the call of the calendar or the terms of such agreement shall be dictated to the court reporter and made a part of the record, or the case may be DISMISSED FOR WANT OF PROSECUTION

THIS CALENDAR APPROVED AND ORDERED PUBLISHED, this 24th day of February, 2023.



Erica K. Dove, Judge
State Court of Gwinnett County

FOR ASSISTANCE OR TO ORDER AN INTERPRETER, PLEASE CONTACT:

**KIANA EVANS, JUDICIAL ASSISTANT
75 LANGLEY DRIVE, LAWRENCEVILLE, GEORGIA 30046
KIANA.EVANS@GWINNETTCOUNTY.COM**

Office: (770) 822-8554 Fax: (770) 822-8645 Trial Info. Line: (770) 822-8688

DEFINITIONS

❖ Mediation

Mediation is a consensual process in which a neutral third party (the mediator) assists parties in a dispute in reaching their own resolution. Cases with underlying disputes, personal relationships, and emotional issues are good candidates for mediation. The mediator has no authority to make a decision or impose settlement. There is no formal evaluation by the mediator. The mediator helps facilitate communication, promote understanding, focus the parties on their interests, and seek creative problem-solving to enable the parties to reach their own agreement. The mediator may offer suggestions and help parties develop options; however, the parties retain the ultimate decision-making power.

❖ Arbitration

The primary goals of arbitration are to speed up the resolution of cases, reduce litigation costs to the parties and to the court, and provide attention to cases that otherwise would settle with little or no involvement of the court. Attorneys, or *pro se* litigants, present documentary evidence, testimony, and legal arguments in a hearing, before a neutral, third party fact-finder. The arbitration may be conducted with one fact-finder in which case the arbitrator must be an attorney with at least five years experience or a panel of arbitrators may be used from different areas of expertise (with the lead arbitrator being an attorney). In non-binding arbitration, the arbitrator(s) renders a decision which becomes the order of the court unless appealed within a specified number of days, in which case a trial *de novo* is granted. The parties may stipulate in advance to binding arbitration, in which case the award is immediately converted to a judgment.

❖ Case Evaluation

Case evaluation provides the parties with a confidential, non-binding evaluation of their case by an impartial, experienced attorney. The neutral reviews the case with the litigants and their attorneys and gives advice on the strengths and weaknesses of their case and the likely outcome at trial. The case evaluator may help parties convey additional information to each other, develop a discovery plan, and narrow the issues in dispute. Often the neutral assists in facilitating the resolution of the case or in developing a settlement plan.

Mediation and Case Evaluation sessions and related materials are confidential. No information will be provided to the Court, other than the fact that a case has settled or a follow-up session is needed.

STANDING ORDER ON JURY TRIAL CONDUCT AND READINESS
STATE COURT DIVISION 5, JUDGE ERICA K. DOVE

1. On or before 3 business days before trial counsel for the parties shall submit a consolidated civil pre-trial order in all respects pursuant to U.S.C.R. 7.2. Counsel for Plaintiff shall prepare the consolidated pre-trial order. Other counsel must have their portion of the consolidated pre-trial order submitted to the counsel preparing the consolidated order 5 business days before trial. If applicable, the parties shall state the issues to be decided by the jury in the form of proposed interrogatories for a special verdict form.

2. Counsel and parties are ordered and directed to discuss all objections to depositions including but not limited to objections to questions, motions in limine concerning said deposition or motions to strike all or part of said deposition. Parties are then required to report to the Court in writing any objections, motions, etc. concerning said deposition, at least 8 business days prior to the actual trial date. Said objections, motions, etc. shall be made in the following order:

- A. The objected to question or motion will be set out in full;
- B. The objected to response shall be reproduced in full;
- C. The objection to said question or the motion concerning said deposition or response shall be set out in full with all appropriate argument.
- D. The proponent of said question or the opponent of said motion shall be allowed to respond to said objection provided said response is received by the court within 3 business days prior to trial. The Court will NOT rule on any deposition objections made for the first time on the day of trial regardless of when the deposition was taken. Any objections not received by the court on the above specified date will be considered waived.

Paragraph 2 of this Order applies to all depositions which might be used at trial taken prior to the actual trial of this case.

3. All exhibits must be pre-marked and listed on an exhibit list. Copies of all exhibits and a copy of the list of exhibits are to be made for each opposing counsel. A copy of all exhibits and a copy of the list of exhibits are to be made for the court. All copies and lists of exhibits are to be exchanged prior to trial and copies submitted to the court at the time Request to Charge are submitted.

4. Stipulations must be reduced to writing and submitted to the Court prior to trial.

5. Requests to Charge should be submitted in two forms: A) hard copy for the record and B) an electronic copy for the Court (e-mail: dan.whitworth@gwinnettcourt.com) prior to the beginning of trial.

6. Voir dire questions shall be limited in accordance with Uniform Superior Rule 10.1. Hypothetical questions are not allowed nor are questions regarding matters of law or questions calling for the potential juror to state how he/she would act in contingent situations.

7. Opening statements shall be limited to a brief, non-argumentative outline of what the attorney expects the evidence to show.

8. Demonstrative aids must be approved before display to the jury at any time.


9. Prior to closing argument, counsel is not allowed to show exhibits to the jury without prior permission from the court.

10. Plaintiff will submit a proposed verdict form prior to commencement of trial.

11. Professionalism (which includes courtroom courtesy) is required at all times.

Hereafter, this Order will control the course of the trial and may not be amended except by consent of the parties and the Court or by Order of the Court to prevent manifest injustice.

SO ORDERED this 6th day of February, 2023.

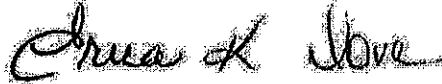


ERICA K. DOVE, Judge
State Court of Gwinnett County

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

All parties on the February 27, 2023, Jury Trial Calendar are hereby ordered to confer with their clients and opposing counsel regarding the appropriateness of an Alternative Dispute Resolution (ADR) process as a beneficial alternative to trial. If you are not represented by counsel, you shall confer with the opposing counsel or party. All parties are required to return this form to the Judge's office by mail or fax (770-822-8645) or e-mail to kiana.evans@gwinnettcourt.com by February 22, 2023 IF you wish to utilize ADR.

SO ORDERED this 6th day of February, 2023.



ERICA K. DOVE, Judge

I have conferred with my client in civil action no. _____; position no. _____

We wish to utilize an ADR process.

Mediation

Non-binding Arbitration

Case Evaluation

Binding Arbitration

We do not wish to utilize an ADR process.

Plaintiff or Attorney for Plaintiff

Defendant or Attorney for Defendant

Print Name

Print Name

A copy of Gwinnett's *Alternative Dispute Resolution Program Standing Order* regarding Alternative Dispute Resolution (ADR) may be obtained at www.gwinnettcourts.com/#courtprograms_alternativedisputeresolution. Mediation, arbitration, and case evaluation are alternatives that may be requested through the judge's office. If you choose an alternative process, a list of neutrals with their background experience and rates is available at www.gwinnettcourts.com/home.asp#courtprograms_adrprocesses. You may also contact a Dispute Resolution Coordinator at 770-822-8553. The parties are responsible for agreeing on a neutral, covering the cost of the neutral, and coordinating with the neutral to set a date for the ADR session. Sessions may be held at the Gwinnett Justice and Administration Center at 9:00 a.m. or 1:00 p.m. weekdays. If the parties cannot agree on a neutral, the court will appoint one.

ERICA K. DOVE, Judge

Gwinnett Justice and Administration Center, 75 Langley Drive, Lawrenceville, Georgia 30046-6935