

27943
SUPERIOR COURT OF GWINNETT COUNTY
WARREN DAVIS, JUDGE
NON-JURY DOMESTIC RELATIONS TRIAL CALENDAR
2 DAY CONTESTED CASES

6/26/23

Dates: June 28, 2023

Courtroom: 101 (VIDEO HEARINGS VIA ZOOM)

BENCH TRIALS & HEARINGS CONDUCTED BY VIDEO CONFERENCING / IN PERSON PROCEEDINGS

VIRTUAL APPEARANCE - ZOOM: Bench Trials & Witnesses. Pursuant to USCR 9.1 & 9.2, all bench trials may be conducted virtually by consent, but jury trials cannot be conducted virtually. Despite this provision, all witnesses and parties in civil trials may testify remotely in the discretion of the Court. Only counsel may be required to be present

VIDEO PARTICIPATION: Each respective attorney, party and witness should each have their own high-quality audio/video connection if video testimony is to be presented by ANY PARTY OR WITNESS. Utilize the separate connection similarly to having the witness (party) appear separately on the witness stand. If the rule of sequestration is invoked (1) the testifying witness (party) should be in a separate room, to the extent possible, (2) No other persons should be present with a testifying witness; (3) nor should such testifying witness utilize other electronic devices while testifying

Should you wish to appear by video, meeting instructions will be sent to you via email together with an instruction at a later time

Exhibits: Parties should email all exhibits to the Court pre-marked in .pdf format to Supctdiv10@gwinnettcourt.com with a copy to the opposing side.

Laptop to Courtroom: If anyone connected to the case is appearing remotely, please bring a laptop so that you can be better seen as well as better question or cross-examine the remote witness/party.

COVID-19 ADDITIONAL PROTECTIONS: Court attendees may also bring hand sanitizer and any cleansing wipes as many areas of the courtroom are shared by others.

INTERPRETER: If your case requires a court appointed foreign language interpreter, please contact the Administrative Office of the Courts, 770.822.8552 or Bahar Graveran, 770.822.8043 or email supctdiv10@gwinnettcourt.com.

INTÉRPRETE. Si su caso requiere un intérprete de idiomas extranjeros designado por el tribunal, comuníquese con la Oficina Administrativa de los Tribunales, 770.822.8552 o con Bahar Graveran 770.822.8043 o envíe un correo electrónico a supctdiv10@gwinnettcourt.com.

GIẢI THÍCH Nếu trường hợp của bạn yêu cầu phiên dịch ngoại ngữ do tòa chỉ định, vui lòng liên hệ với Văn phòng Hành chính của Tòa án, 770.822.8552 hoặc Angela Woodruff, 770.822.8044 hoặc email supctdiv10@gwinnettcourt.com

통역사 법원에서 외국어 통역사로 지정된 경우, 법원 행정실 770.822.8552 또는 Bahar Graveran, 770-822-8043 또는 이메일 supctdiv10@gwinnettcourt.com)으로 문의하십시오.

译员。如果您的案件需要法院指定的外语口译员，请联系法院行政办公室 770 822.8552 或 Bahar Graveran, 770 822.8043 或发送电子邮件至supctdiv10@gwinnettcourt.com

COURT REPORTER - DUE TO THE CURRENT COURT REPORTER SHORTAGE, YOU MAY BE REQUIRED TO HIRE YOUR OWN COURT REPORTER. IMPORTANT INSTRUCTIONS - See page 2

SEE LIST OF CASES HERETO ATTACHED AND INCORPORATED BY REFERENCE HEREIN.

A non-jury term of Div. 10, Gwinnett Superior Court, will begin on the date, time and courtroom listed above, at which time the cases appearing on the attached calendar will be called for trial in the order in which they are listed. This calendar is set for the trial of non-jury cases only. Cases may then be tried out of order to facilitate completing more short time duration cases with narrow issues. **THIS IS A MULTIPLE DAY CALENDAR. SHORT DURATION CASES WILL BE HEARD AT THE BEGINNING OF THE CALENDAR. OTHER CASES REQUIRING MORE TIME WILL BE**

EITHER RESET TO THE CIVIL BENCH CALENDAR, CALLED BACK LATER OR DURING OUR BACK UP CALENDAR WEEK(S). CASES IN WHICH A JURY DEMAND IS FILED WILL ALSO BE HEARD.

Contested cases will be called at 9.00 a.m. and heard thereafter. If the case becomes settled, counsel may either appear at the time listed above, either by video or in person, or file a MOTION FOR JUDGMENT ON THE PLEADINGS **ONE WEEK PRIOR** to this court date. Settled cases receive first priority. Cases in which no appearance is made will be **DISMISSED FOR WANT OF PROSECUTION**. A Motion for Judgment on the Pleadings is an option only available to attorneys, and the Motion must be filed one week prior to trial. Parties representing themselves must attend the scheduled court hearing by video, or in person, as there are usually remaining issues to be resolved

****CASES REQUIRING MORE THAN ½ DAY, MUST CONTACT JUDICIAL ASSISTANT, BAHAR GRAVERAN, @ 770-822-8043 AS CASES REQUIRING MORE TIME 'MAY' BE RESET TO OUR CIVIL BENCH/JURY CALENDAR OR OUR BACK UP CALENDARS. WE USE THIS PARTICULAR CALENDAR TO QUICKLY MOVE DOMESTIC CASES OF SHORTER DURATION. ALL CASES NOT REACHED ARE SET UPON TO OUR BACK UP CALENDAR(S) LISTED ABOVE. UPDATES ON THE STATUS OF CALENDARS IS AVAILABLE ON LINE, OR BY CALLING 770.822.8043. SEE <http://www.gwinnettcourts.com/> >Courts & Judge > Superior Court > JUDGE WARREN DAVIS (see Trial Calendar list on right side). **BACK UP CASES WILL RECEIVE PRIOR DAY NOTICE. YOU MAY ALSO EMAIL OUR CALENDAR COORDINATOR WITH NOTICE TO ALL COUNSEL/PARTIES AT supctdiv10@gwinnettcounty.com****

CONTINUANCES & IMMEDIATE TRIAL CALENDAR RESET DATES: Pursuant to 8.5 URSC, continuances WILL NOT BE GRANTED MERELY BY AGREEMENT OF COUNSEL. If the case has not previously been continued by this Division, then telephone mutual consent requests may be made to Bahar Graveran @ 770.822.8043 or emailed to supctdiv10@gwinnettcounty.com. A reset date shall be scheduled.

Previously continued cases: If the case has been previously continued by this Division, then all requests for continuance shall be submitted, in pleading form, at least five (5) days prior to the call of the Calendar. (Requests can be FAXED to 770.822.8535 or emailed as a signed attachment to supctdiv10@gwinnettcounty.com) Requests shall contain the following information Reason for the continuance, length of time, (i.e. 30, 60, 90 days), proposed trial month reset date, if opposing counsel or party agrees/disagrees to continuance, if continuances have previously been granted, to which party and for what reason, an Order for Judge's signature in the event the request is granted. The requesting party shall ascertain if continuance has been granted and shall notify all parties. Calendar position may be lost.

COURT REPORTER – GIVEN THE CRITICAL SHORTAGE OF COURT REPORTERS WE CAN NO LONGER GUARANTEE THAT A COURT REPORTER WILL AUTOMATICALLY BE AVAILABLE FOR TAKEDOWN IN ALL CIVIL/DOMESTIC CASES. WE WILL STILL USE OUR BEST REASONABLE EFFORTS. YOU MUST BE PREPARED IN ADVANCE TO HIRE YOUR OWN COURT REPORTER SHOULD YOU WANT TO GUARANTEE THAT THE CASE WILL BE TAKEN DOWN. WE RECOMMEND SHARING COSTS WITH THE OTHER PARTY.

Our official court reporter ("CR") will NOT be present. You may inquire of her availability by sending an email request to Carole Poss, carole.poss@gwinnettcounty.com (770-822-8540) or an email request to bahar.graveran@gwinnettcounty.com Reminder. If only one side employs a court reporter, without sharing in takedown, that will have an adverse effect upon the party not sharing in takedown costs. Failure to share in 'take down' costs will impair your ability to procure a transcript. Failure to have a CR take down your case may affect any appeal from an adverse ruling by the court. The party/parties retaining shall pay all fees immediately upon conclusion of the hearing/trial. The cost for our CR take-down of the trial is approximately \$43.31 per hour (or \$21.50 per hour if cost is shared between the parties). Counsel/parties shall make immediate payment at the time take down is completed. Costs for a privately employed Court Reporter will vary.

DISMISSALS AND SETTLEMENTS: Any dismissal or settlement agreement shall be submitted to the Clerk (and a copy forwarded to Bahar Graveran prior to the call of the calendar. Counsel should be

prepared to reduce all settlements immediately to writing and signed by the parties. **The Court discourages the reading of settlements into the record.** If the case is settled, be prepared to reduce settlements to writing **INSTANTER.** Please bring computer thumb-drives, laptops or proposed boilerplate agreements to help you expedite this process

JURY DEMANDS: WRITTEN DEMAND FOR A JURY TRIAL may be filed **BEFORE** the call of the case for trial. Jury demand cases remain on this calendar for immediate trial, which includes the civil back-up calendar dates listed above. A demand for jury trial may not be withdrawn unless a settlement agreement is filed as part of the record in said case.

ATTORNEY FEES: The Court adjudicates all claims for attorney's fees at the time of trial. Attorney fees may be assessed against either party. Parties may be ordered to pay their own attorney fees as an allocation of debt. Attorney fees are statutory and must be strictly construed. Please prepare statutory foundation, as may be needed.

MEDIATION: Mediators are available for all cases or for parties needing assistance completing court required forms. Attending mediation will not delay your trial unless approved by the court. If you need mediation assistance, please call the ADR Office, 770 822.8501, <http://www.gwinnettcourts.com/> > Court Programs > Alternative Dispute Resolution (ADR). **ALL FEES FOR MEDIATION SHALL BE PAID IMMEDIATELY.** Persons who are indigent may qualify for free mediator assistance.

UNIFORM SUPERIOR COURT RULE 24.2, FINANCIAL DATA REQUIRED: Except as noted below, at least fifteen (15) days before any temporary or final hearing in any action for temporary or permanent child support, alimony, equitable division of property, modification of child support or alimony or attorney's fees, the party requesting such hearing shall file with the Clerk of Court and serve upon the opposing party the affidavit specifying his or her financial circumstances in the form set forth herein. In cases filed with complete separation agreements or consent orders resolving all issues but the issue of divorce, the parties are not required to file financial affidavits, unless otherwise ordered by the Court. Within five (5) days of service of the affidavit and worksheet and schedules (where applicable) unless the court shortens or enlarges the time, the opposing party shall file with the clerk and serve upon the other party the affidavit specifying his or her financial circumstances in the form set forth herein and the worksheet and schedules, completed insofar as possible. The parties shall file with the clerk and serve upon each other the affidavit and worksheet and schedules (where applicable) at least ten (10) days prior to any court ordered mediation or other alternative dispute resolution proceeding. In any case in which a party has previously filed and served the affidavit, worksheet and schedules and thereafter amends the affidavit or worksheet and schedules, any such amendments shall be served upon the opposing party at least 10 days prior to final hearing or trial and shall be filed with the Clerk of court at or before trial. Failure of any party to furnish the above financial information, in the discretion of the Court, may subject the offending party to the penalties of contempt and may result in continuance of the hearing until such time as the required financial information is furnished or such other sanctions or remedies deemed appropriate in the Court's discretion.

Four Mandatory Requirements for Cases Involving Minor Children

- 1. Child Support Worksheets & Guidelines:** ALL parties/attorneys **MUST** submit the Child Support Worksheet & Schedules, Child Support Calculator website (<https://csonlinecalc.georgiacourts.gov/>) Choose the 'button' of 'to be made available to the Court.' (see Help Menu > User Guide p.23 transmit to Court and send a copy to the adverse party. For additional help see Gwinnett Family Law Clinic, tabs for Divorce, Legitimation, etc., across top of site. <http://gwinnettfamilylawclinic.org/>. **YOU MUST BRING PROOF OF CURRENT INCOME TO THE HEARING**, such as current pay check stub or W-2 form, etc.
- 2. Navigating Family Change:** Navigating Family Change: For all cases involving minor children, both parties should attend a Navigating Family Change seminar prior to final trial. To register for the seminars, parties can go to the websites listed. All questions regarding the seminars can be directed to info@cnfc.org. For more information you may also contact the Center for Navigating Family Change @ 404-592-1257. Navigating Family Change (English) <https://cnfc.org/nfc-online/> Navigating Family Change (Spanish) <https://cnfc.org/nfc-spanish/> Advanced Parenting Seminar <https://cnfc.org/advanced-workshop/>
- 3. Child Support Addendum:** (Standing Order Child Support Computation Procedures) Gwinnett's Child Support Addendum must be submitted in all cases in which child support is sought. These forms may be obtained from the clerk of court's office or they may be obtained on line at (form 10) If the parties intend to decrease periodic

support as the number of children for whom support is paid decreases, these forms must be modified. See <http://www.gwinnettcourts.com> > Courts & Judges > Superior Court > Forms and Documents. For additional help see Gwinnett Family Law Clinic, tabs for Divorce, Legitimation, etc., across top of site. <http://gwinnettfamilylawclinic.org/>

- 4 **Parenting Plan:** In any case wherein custody of any child is at issue between the parents, **EACH** parent shall prepare a proposed parenting plan **OR** the parties may jointly submit a parenting plan to be filed with the clerk of court. Accordingly, the final decree determining the custody of a child, including modification actions, must incorporate a permanent parenting plan either separately attached or incorporated into a settlement agreement. Parenting Plan forms may be obtained from the clerk of court or online <http://www.gwinnettcourts.com/> > Courts & Judges > Superior Court > Forms and Documents. The Court discourages attempting to incorporate a parenting plan into a settlement agreement as most fail to incorporate the provisions required by O.C.G.A. § 19-9-1 and U.S.C.R. § 24.10. For additional help see Gwinnett Family Law Clinic, tabs for Divorce, Legitimation, etc., across top of site. <http://gwinnettfamilylawclinic.org/>

FREE CLASS FOR TO HELP PARTIES REPRESENTING THEMSELVES PREPARE FOR COURT

The Gwinnett Pro Bono Clinic has free classes to help parties representing themselves to fill out the appropriate and necessary forms, such as Child Support Worksheets, Parenting Plans, Child Support Addendums and to give a brief explanation of the trial process. Call 678-376-4545 or register online, at <http://tiny.cc/FamilyLawClass>. Day and evening classes available. For additional help see Gwinnett Family Law Clinic, tabs for Divorce, Legitimation, etc., across top of site. <http://gwinnettfamilylawclinic.org/>

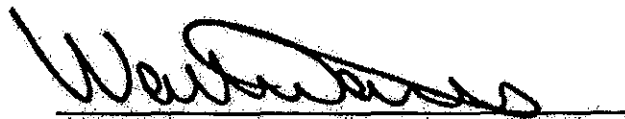
HIGH CONFLICT PARENTING

IF YOUR CASE INVOLVES HIGH CONFLICT PARENTING ISSUES YOU SHOULD REQUEST THE ADVANCED CO-PARENTING WORKSHOP FOR CUSTOMIZED TRAINING. Call 770-822-8195 or request Court Order, by calling 770-822-8041. The Court can enter an order directing the party or parties to attend.

If you have any questions about conflicts or the status of the cases, please call Bahar Graveran, Judicial Assistant, @ 770-822-8043 or email supctdiv10@gwinnettcounty.com with notice to all other counsel.

Reminder: The court will post a copy of the updated Domestic Relations Calendar as needed, on the Court's website at <http://www.gwinnettcourts.com/> > Courts & Judges > Superior Court > Judge Warren Davis.

So Ordered, this 6th day of June, 2023



Judge Warren Davis
Gwinnett Superior Court, Div. 10, 75 Langley Drive
Lawrenceville GA 30046-6935
770.822.8043, Judicial Assistant, Bahar Graveran

Copy to ADR:

Email notice to Counsel of Record and regular mail notice to pro se parties in accordance with U.S.C.R. 8.3.

Upon request court proceedings can be broadcast via YouTube. This Court's YouTube link can be accessed at gwinnettcourts.com/superior/judge-warren-davis