

IN THE SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT
STATE OF GEORGIA



**STANDING TRIAL MANAGEMENT ORDER FOR CIVIL CASES
IN JUDGE INGRAM'S DIVISION**

The following terms govern the parties and their preparation for and presentation of the trial of their civil matter.

1. Conflicts/Continuances

All conflict letters must be submitted at least two weeks before the trial calendar begins and must follow Uniform Superior Court Rule 17.1 in proposing a resolution. The mere act of filing a conflict letter does not release a party from appearing at trial nor does it automatically result in a continuance. Should a matter that takes precedence over the trial of a case in this Division resolve before or during the trial calendar in this Division, the matter in this Division is subject to being called to trial.

Continuances from trial calendars will be granted sparingly and only on the basis of clearly articulated exceptional circumstances.

2. Consolidated pre-trial order

If any party files a jury demand or otherwise desires a jury trial, the parties must submit, **directly to the Court**, a consolidated pre-trial order **three weeks before the trial calendar begins or on the deadline set by the Court**. Unless the parties otherwise agree, Plaintiff/Petitioner shall be responsible for consolidating the pre-trial order. All other parties shall provide their portions of the consolidated pre-trial order to the Plaintiff/Petitioner no later than two business days prior to the due

date. Failure to submit a pre-trial order will be deemed an election to proceed with a bench trial.

3. Court reporter

The parties must provide their own court reporter if they desire to have the trial taken down. Attorneys have an affirmative duty to notify their clients that failure to have the trial reported may have an adverse effect on any appeal.

4. Courtroom technology

In the event any party intends to utilize exhibits during any hearing, trial or other proceeding and the counsel is unfamiliar with the evidence presentation technology in Courtroom 7-E, then that attorney should consult the Court to find out if Zoom or Evidence Presentation Technology (https://www.fultoncourt.org/about/admin/eps_brochure.pdf) will be used.

If further assistance is needed counsel should contact Court Support at (404) 612-2770 or e-mail CourtSupport@fultoncountyga.gov. If counsel is unable to get the needed assistance from contacting Court Support, he or she should contact Kathy Cobbs, Judicial Assistant, at kathy.cobbs@fultoncountyga.gov. Said e-mail should include the specifics of the technology questions/support needed in advance of trial. Parties should note that the Court only provides a VGA connection to the Evidence Presentation System, if it is being utilized. Therefore, if another type of connection is needed, each party must bring their own adapter. Parties must bring their own laptops to connect to Zoom, when it is being utilized for evidence presentation.

The courtroom has a large screen for the jurors and smaller screens for the parties, the witness, and the Court. This equipment is available to all parties. The Court and its staff, however, are not experts in its operation. The parties are advised

to familiarize themselves with this equipment before trial, to avoid embarrassment and delay. In the event any party intends to utilize exhibits during any hearing, trial or other proceeding and the counsel is unfamiliar with the evidence presentation technology in Courtroom 7-E or Zoom, then that attorney should contact Court Support at (404) 612-2770 or e-mail CourtSupport@fultoncountyga.gov. If counsel is unable to get the needed assistance from contacting Court Support, he or she should contact Kathy Cobbs, Judicial Assistant, at kathy.cobbs@fultoncountyga.gov. Said e-mail should include the specifics of the technology questions/support needed in advance of trial.

Parties may be free to import their own equipment (if it is compatible with and will not disrupt the Court's technology system), although this will require the issuance of an order pursuant to Uniform Superior Court Rule 22. Any party seeking such an order must provide a proposed order to Ms. Candler at least two business days before trial.

5. Motions in limine

Motions *in limine* must be filed no later than **one week before the beginning of the trial calendar, or by the specific deadline set by the Court**. If a party filing a motion *in limine* believes that the motion(s) will require a hearing lasting more than an hour, the party must alert the Court so that the prospective jurors' schedule can be properly managed.

6. Depositions used at trial

If a party intends to rely on deposition testimony, that party must confer with all other parties **prior to trial** and attempt to agree on the testimony to be presented. If the parties cannot agree on what portions of the deposition testimony,

if any, should be excluded, the parties must jointly prepare a list of the page and line numbers at issue and provide it to the Court **at the time they file their motions *in limine***, along with the relevant text from the deposition(s).

7. Voir dire

Counsel shall submit to the Court all proposed voir dire questions **at least two business days before the beginning of the trial calendar, or by the specific deadline set by the Court**. Submissions should be made via e-mail in Microsoft Word format to Ms. Candler, with a courtesy copy e-mailed to all opposing parties. Prior to the commencement of voir dire, the Court will discuss with the parties which questions will be permitted and which will be disallowed.

Voir dire may be conducted in-person or virtually. Voir dire will be conducted in the following manner: prospective jurors will be seated in the gallery in numerical order, twelve to a row; each prospective juror will have a card with his/her juror number on it (in the virtual format the jurors will be on the screen and their juror number will be their screen name). The Court will propound general questions to the entire panel. Prospective jurors will respond to the Court's questions by raising their cards (in-person) or hands (virtually). At the completion of general questioning, prospective jurors will be brought, one row at a time, into the jury box for follow-up questioning for in-person voir dire and will be on the screen in panels of 12 for virtual voir dire. Prior to any individual questioning, each of the twelve panelists will answer a series of biographical questions printed on the back of the juror number card (or displayed on the screen). Counsel will then be permitted to conduct follow-up questioning, provided that counsel are efficient in their use of the panelists' time. (If counsel are repeating each other or exploring areas outside the scope of the general questions, the Court may resume the role of questioner.) This follow-up questioning is limited to answers given in response to the general

questions from the Court. Plaintiff/Petitioner goes first with the entire first panel, Defendant/Respondent goes first with the entire second panel, and the parties continue to rotate, panel by panel, unless the parties agree to proceed in a different order. This process will be repeated, twelve panelists at a time, until the Court determines that enough jurors have been qualified to permit peremptory striking to begin. The Court will hear requests for strikes for cause prior to beginning peremptory strikes.

Peremptory strikes will be silent for in-person and oral for virtual voir dire. Plaintiff(s) will strike first. Parties are free to strike from the entire panel of qualified jurors; they need not decide first on Panel Member No. 1, then Panel Member No. 2, etc. Before striking begins, the Court will inform the parties of the universe from which they are to strike (*e.g.*, from No. 1 through No. 24). The same process will then be applied to the pool of potential alternate jurors.

8. Exhibits

All exhibits and demonstrative evidence must be marked, digitized (scanned) and exchanged prior to the start of trial. The parties must confer before trial concerning any issues of authenticity. Any disagreement about the admissibility of exhibits should be brought to the Court's attention before trial begins.

Any party that intends to introduce exhibits during trial must provide an exhibit list to the Court and one copy to each opposing party **prior to jury selection**. The exhibit list should include for each exhibit both the exhibit number and a brief description of what the exhibit purports to be.

Counsel are under a continuing obligation to preview exhibits with opposing counsel before relevant witnesses are called to the stand. It is not an appropriate use

of the jurors' time to have the parties reviewing proposed exhibits while the witness waits on the stand and the jurors sit idly in the box.

9. Witnesses

Any party that intends to call witnesses (or present deposition testimony) must provide a witness list to the Court and one copy to each opposing party **prior to jury selection**.

If a party calls a party-opponent for cross-examination during its case-in-chief, counsel for that party-opponent (and counsel for any other party) will be permitted to examine the party-opponent immediately following the cross-examination. *TGM Ashley Lakes, Inc. v. Jennings*, 264 Ga. App. 456, 467 (2003).

10. Juror questions during trial

Jurors will be permitted to submit written questions for witnesses at the close of the parties' examination. The Court and counsel will review all such submissions; the Court will then pose those questions it deems proper. *Allen v. State*, 286 Ga. 392, 397 (2010).

11. Jury charges

Counsel must submit to the Court any proposed jury charges **prior to jury selection, or by the specific deadline set by the Court**. In addition to e-filing proposed charges with the Clerk of Court, the parties must also e-mail a copy, in Microsoft Word format, to Ms. Candler by this deadline. If a party is seeking any pattern charges, the party need only list the pattern charge numbers and titles; the Court will supply the relevant pattern language. Non-pattern requests or modified pattern requests should be submitted in full text along with citations to authority.

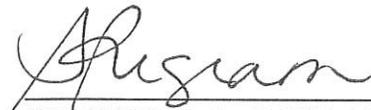
At the charge conference, the Court will provide a proposed draft charge and will hear argument from the parties as to what language should be added to or

omitted from the proposed charge. A copy of the final charge will go out with the jury during deliberations.

12. Verdict form

The parties must submit proposed verdict forms to Ms. Candler, again via e-mail in Microsoft Word format, **prior to jury selection**, or by the specific deadline set by the Court.

SO ORDERED this 17th day of May 2022.



SHUKURA L. INGRAM, JUDGE
SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT