

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

JAN 16 2024

CHÉ ALEXANDER  
Clerk of Superior Court

Fulton County, Georgia



IN RE: PROCEDURE FOR ALL  
CIVIL CASES ASSIGNED  
TO JUDGE BENTON'S DIVISION

JUDGE ALICE BENTON

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

The following terms govern the parties and their preparation for and presentation of the trial of their civil matters in this Division.

**CONSOLIDATED PRE-TRIAL ORDERS**

No later than the dates set in the parties' operative scheduling order, the parties shall submit, by email, a fully consolidated pre-trial order directly to the Judge Benton's Staff Attorney. The pre-trial order shall be presented in the form prescribed by Rule 7.2 of the Uniform Rules of the Superior Court. 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 days prior to the due date. No party may submit their own individual portions of the pre-trial order to the Court without written certification detailing their good-faith efforts to present the Court with a fully consolidated order. Extensions for submitting proposed pre-trial orders will be granted only for good cause.

**TRIAL DATES AND NOTICE**

The Court will notify the parties and their counsel and/or *pro se* litigates of trial by e-filing at least twenty days before the call of the first case listed. Upon receipt of the calendar, the parties are ordered to contact the Staff Attorney for Judge Benton

with the status of the case, the estimated length of trial, and the possibilities for settlement.

## **CONFLICTS**

Conflict letters must be submitted one week before the trial calendar begins and shall comply fully with Rule 17.1 of the Uniform Superior Court Rules.

## **TRIAL MANAGEMENT**

### 1. Voir Dire

The Court will generally conduct initial *voir dire* as to legal excuses and preliminary matters and then allow the parties to conduct their own *voir dire* as to the case. Parties must submit to the Staff Attorney a courtesy copy, emailed to all opposing parties, with all proposed *voir dire* questions at least two days before the beginning of the trial calendar.

### 2. Jury Charges

In addition to filing jury charge requests with the Clerk, the parties shall also email a copy in Word format to the Staff Attorney prior to jury selection. Each party shall provide a list identifying the title and number of each proposed pattern charge requested by the party, using the current pattern charges published by the Council of Superior Court Judges. The parties need not recite the text of pattern charges. Parties may request non-pattern charges only where there is no pattern charge applicable to the specific issue. Parties requesting non-pattern charges shall provide citation to applicable statutory or case authority.

### 3. Verdict Form

The parties must submit their proposed verdict forms via email in Word format to the Staff Attorney prior to jury selection.

#### 4. Exhibits

All exhibits must be pre-marked and numbered for introduction at trial. All exhibits and exhibit lists shall be scanned individually into PDF format and emailed to the Staff Attorney, with all counsel copied, no later than two days before 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.

#### 5. 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 objecting party must prepare a list of page and line numbers at issues and provide the list, along with the relevant text from the deposition to the Staff Attorney no later than two days before the beginning of the trial calendar.

#### 6. Motions *in Limine*

Motions *in limine* must be filed and emailed to the Staff Attorney, with all counsel copied, no later than two days before the beginning of the trial calendar. If a party filing a motion *in limine* believes that the motion 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.

#### 7. Courtroom Technology

The Court encourages the parties to familiarize themselves with available courtroom technology for the presentation of their cases. (A list of courtroom equipment is available at <https://www.fultoncourt.org/court-technology>). Parties who wish to schedule a courtroom technology walk-through with Court Technology Services may complete a form available at <https://www.fultoncourt.org/court->

technology. Parties must confirm with Chambers that the courtroom is available on the requested walk-through date.

8. Court Reporter

The parties must provide their own court reporter if they desire to have the trial taken down. The Court does not supply a court reporter for civil trials. Attorneys have an affirmative duty to notify their clients that failure to have the trial reported may have an adverse effect on any appeal.

9. Interpreter

Under Uniform Superior Court Rule 7.3, any party needing an interpreter for a trial witness must notify the Staff Attorney at least five days before trial that an interpreter is needed, and the specific language skills required so that the Court can arrange for proper services.

10. Objections to Questions or Testimony

When objecting during trial, parties must state only that they are objecting and specify the ground(s) for the objection. Further argument or discussion of an objection will not be heard unless requested by or permitted by the Court. The parties may request a sidebar discussion if there is a need to elaborate on the grounds for or response to an objection.

11. Court Hours and Promptness

The Court makes every effort to begin proceedings at the appointed time and expects promptness from counsel, parties, and witnesses.

**SO ORDERED** this 16th day of January, 2024.



ALICE BENTON  
SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT