

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA

In the matter of:

**Seminar for Divorcing Parents and
Mediation of Contested Domestic Relations
Cases**

Administration and Procedure

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2009 NOV -9 PH 3:02
PATTY BAKER, CLERK

ORDER

Seminar for Divorcing Parents

Pursuant to the inherent powers of this Court and in order to provide for the speedy, efficient and inexpensive resolution of disputes, it is hereby ordered:

Section 1: This order applies to all parties with minor children (under the age of 18) in all divorce, separate maintenance, paternity, change of custody, child support, visitation, legitimation and other domestic relations actions as may be otherwise ordered by the Court, excluding domestic violence actions, U.I.F.S.A. cases, uncontested visitation modifications and uncontested child support modifications. This order applies to the actions as stated above filed on or after July 1, 1994.

Section 2: It is hereby ordered that all parties shall successfully complete the program entitled "Seminar for Divorcing Parents" or such other equivalent as approved by the Court. This four hour educational seminar focuses on the developmental needs of children, with emphasis on fostering the child's emotional health during periods of stress. The program is informative, supportive and directs people desiring additional information or help to appropriate resources. Topics covered include: 1) developmental stages of childhood; 2) reactions of children to divorce, generally and at specific ages; 3) how divorce affects families; 4) grief processes and coping skills; 5) roles of divorced parents; 6) co-parenting skills; 7) financial obligations of parents; and 8) mediation as a tool to resolve domestic disputes.

Section 3: Attendance is required of all parties to a case where the interests of children under the age of 18 are involved. The seminar must be successfully completed within 31 days of service of the original complaint upon the defendant. The Court's action on a petition will not be delayed by a non-moving or responding party's refusal or delay in completing the seminar. Upon a party's failure to successfully complete the seminar pursuant to this Order, the assigned Judge may take appropriate action, including but not limited to actions for contempt.

Section 4: Participants will pay a fee of \$30.00 to cover the total cost of the seminar including the presenter's fee, handouts, applications and program administration. The fee may be waived if a party presents a verified affidavit of poverty and it appears upon investigation that the party otherwise meets the Court's guidelines of indigency. The Ninth Judicial District Office of Dispute Resolution will administer the seminar using qualified counselors, educators, and trainers pursuant to a contract with the Ninth Judicial District Office of Dispute Resolution.

Section 5: A service of equal value may be substituted for the seminar if written verification satisfactory to the Programs Coordinator is provided to the Court by a third party indicating that the specific issues noted above have been addressed in another forum through professional or pastoral counseling, or another similar educational program. Parties may attend any four hour Superior Court approved parenting seminar in the State of Georgia and, upon proof of attendance, substitute attendance to this Seminar. A certificate of attendance is valid for three years. Further, for good cause shown, the assigned judge may waive the requirement of completion of this program in individual cases.

Section 6: Notification will be provided to the parties of their responsibility to attend the seminar or to provide alternative verification at the time of the filing of the pleadings. Applications may be obtained from the Ninth Judicial District Office of Dispute Resolution or from the Clerk of Superior Court. The application and fee must be returned to the Ninth Judicial District Office of Dispute Resolution at least three (3) working days prior to the seminar selected in order to insure that adequate space and materials are present at the seminar for each party. Parties may register by a telephone information/scheduling line at least three (3) working days prior to the seminar selected and make the full payment at the seminar. Parties may attempt registration within three (3) days of the session or appear at the seminar to register, but cannot be guaranteed a space and rescheduling would be required.

Section 7: Parties must attend all four hours of the seminar in order to receive credit for attendance. Upon successful completion of the seminar, the parties will be awarded a certificate of attendance to present to the judge at the time of their court appearance. The Ninth Judicial Administrative District will provide written notice to the Superior Court Clerk for each person successfully attending the seminar.

Section 8: A deputy of the Sheriffs Department in the County in which the seminar is held will provide security at each seminar immediately prior to, during, and immediately after each session.

Mediation

All parties in contested domestic relations actions shall participate in mediation prior to a final hearing on the matter. However, this rule does not apply to cases filed under the Family Violence Act, O.C.G.A. §19-13-1, et seq., legitimation, annulment, paternity or termination of parental rights actions.

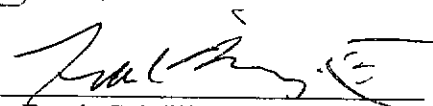
Prior to the final hearing, the parties through counsel shall certify in writing that the parties have participated in mediation.

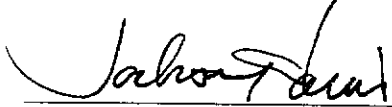
The parties are to share in the cost of mediation equally, unless otherwise agreed upon or unless otherwise ordered. Cost of mediation shall be in accordance with the rules of the Ninth Judicial District respecting mediation. The length of the mediation session shall be determined by the parties and the mediator at the beginning of the session. The parties shall pay the mediator at the beginning of the session. All requests for fee waiver or reduction based on inability to pay must be made to the Ninth Judicial District's Office of Dispute Resolution in advance of the mediation session.

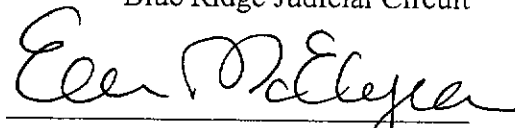
Nothing herein prevents the parties from participating in an independent alternative dispute resolution program in lieu of the one offered by the Ninth Judicial District.

This Order supersedes that Order entered on June 30, 1994, and recorded in Minute Book 143, Page 174; that Order entered on May 16, 1996, and recorded in Minute Book 149, Page 614; and that Order entered on April 19, 2004, and recorded in Minute Book 181, Page 352.

SO ORDERED this 30 day of October, 2009.


Frank C. Mills, III, Chief Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit


Jackson Harris, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit


Ellen McElyea, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit