

**IN THE STATE COURT OF TIFT COUNTY  
STATE OF GEORGIA  
Effective 1/16/2025**

**STANDING ORDER FOR ALL CIVIL CASES  
INSTRUCTIONS TO PARTIES AND COUNSEL**

The purpose of this Order is to inform the parties and their counsel of the Court's policies, practices and procedures. It is issued to promote the just and efficient determination of the case. This Order, in combination with this Court's Local Rules, the Georgia Uniform State Court Rules, and the Georgia Civil Practice Act, shall govern this case.

**FAILURE TO COMPLY WITH ANY PORTION OF THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS, INCLUDING STRIKING OF PLEADINGS, ASSESSMENT OF ATTORNEYS' FEES, DENIAL OF MOTIONS, AND/OR EXCLUSION OF WITNESSES OR EVIDENCE.**

**Case Administration**

**1. Contacting Chambers**

Your principal point of contact for all matters relating to this case is our Administrative Assistant, Suzanne Griffin. She may be reached by phone or e-mail at:

Administrative Assistant

Suzanne Griffin

(229) 386-7921

[suzanne.griffin@tiftcounty.org](mailto:suzanne.griffin@tiftcounty.org)

Mailed, couriered, and hand delivered communications should be addressed as follows:

Suzanne Griffin

Administrative Assistant to the Honorable Herbert W. Benson

P.O. Box 934

Tifton, GA 31793

Any pleadings or other documents required to be filed in the case must be addressed and delivered to the Clerk of State Court at P.O. Box 354, Tifton, GA 31793 or e-filed using the Court's electronic filing system, PeachCourt.

## **2. Courtesy Copies and Proposed Orders**

When an attorney or party files a motion or any response, they shall notify the opposing parties and Ms. Griffin by e-mailing a copy of the document not later than 24 hours after filing. All courtesy copies of motions emailed to Ms. Griffin shall be accompanied by a proposed Order in Word format. Without prior permission of the Court, no brief submitted shall exceed twenty-five (25) pages, not including exhibits and certificates of service.

## **Case Management**

### **1. Case Management Orders**

A Case Management Order is required to be filed in each case. The Standing Order regarding same is attached hereto as Exhibit A.

### **2. Conferences**

Scheduling, discovery, pre-trial, and settlement conferences promote the speedy, just and efficient resolution of cases. The Court therefore encourages the parties to request a conference when they believe a conference will be helpful and when they have specific goals and an agenda for the conference.

### **3. Court Reporters**

Parties wishing to have a court reporter present at any judicial proceeding must contact the court reporter directly to schedule their attendance. It is imperative to contact the court reporter immediately following scheduling a proceeding with the Court. The Court's reporters may be contacted at [premiercourtreporting.ga@gmail.com](mailto:premiercourtreporting.ga@gmail.com) or (229) 740-3147.

### **4. Conflicts**

If an attorney has a conflict with a filed notice, a conflict letter in full compliance with Rule 17.1 is required. Filing a conflict notice letter does not excuse the parties from appearing until

directed by the Court.

## **5. Candor in Responsive Pleadings**

In accordance with O.C.G.A. § 9-11-8(b), a party's responsive pleading must admit or deny the averments of the adverse party's pleading.

## **6. Discovery**

### **a. Discovery Responses – Boilerplate and General Objections**

Boilerplate objections in response to discovery requests are strongly discouraged. Parties should not invoke the usual litany of rote objections unless the responding party has a valid basis for these objections.

Moreover, general objections are disfavored, i.e., a party should avoid including in his response to a discovery request a "Preamble" or a "General Objections" section stating that the party objects to the discovery request "to the extent that" it violates some rule pertaining to discovery (such as attorney-client privilege, work product immunity from discovery, the requirement that discovery requests be reasonably calculated to lead to the discovery of admissible evidence, or the prohibition against discovery requests that are vague, ambiguous, overly broad, or unduly burdensome). Instead, each individual discovery request should be met with every specific objection thereto, but only those objections that actually apply to that particular request. Otherwise, it becomes impossible for the Court or the party upon whom the discovery response is served to know what objections have been asserted to each individual request. Such general objections may be disregarded by the Court. If any documents are withheld from production during discovery pursuant to a privilege, a privilege log must be produced at the time the discovery response is due, identifying the document(s)

withheld and the privilege asserted.

A party who objects to a discovery request but then responds to the request must indicate whether the response is complete. For example, in response to an interrogatory, a party is not permitted to raise objections and then state, “Subject to these objections and without waiving them, the response is as follows” unless the party expressly indicates whether additional information would have been included in the response but for the objections(s).

Evidence presented at trial which was requested but not disclosed during the discovery period may be excluded.

**b. Serving Discovery Prior to Expiration of the Discovery Period**

All discovery requests must be served early enough that responses thereto are due on or before the last day of the discovery period.

**c. Extension of Discovery Period**

Please refer to Section 5(c) of this Standing Order.

**d. Motions to Compel Discovery and Objections to Discovery**

Pursuant to USCR 6.4(B), if any discovery dispute arises during the discovery period, the parties shall meet and confer in person or over the telephone in a good faith effort to resolve the dispute.

If that is not successful, *the parties must request a phone or video conference with the Court prior to filing any motions.* The Court will attempt to resolve the matter at this conference without the necessity of a formal motion. The request for the conference should be made by e-mail to the Court’s Administrative Assistant, Ms. Griffin, with counsel for all parties copied. The e-mail should include a brief description of the nature

of the dispute, have attached any documents the Court will need to review in attempting to resolve the dispute, and indicate whether the parties want the conference taken down by a court reporter.

This process shall not apply to post-judgment discovery.

**e. Conduct During Depositions**

- i. At the beginning of the deposition, deposing counsel shall instruct the witness to ask deposing counsel, rather than the witness's own counsel, for clarifications, definitions or explanations of any words, questions or documents presented during the course of the deposition. The witness shall abide by these instructions.
- ii. All objections, except those that would be waived if not made at the deposition under O.C.G.A. § 9-11-32(d)(3)(B) and those necessary to assert a privilege or to present a motion pursuant to O.C.G.A. § 9-11-30(d), shall be preserved. Other objections therefore need not be made during the course of depositions. If counsel defending a deposition feels compelled to make an objection, he or she shall state the basis of the objection (such as "objection to form") and nothing more. Defending counsel shall elaborate on his/her objection only upon the request of deposing counsel. Counsel shall not make objections or statements that might suggest an answer to a witness and shall avoid speaking objections except in extraordinary circumstances.
- iii. Counsel SHALL NOT instruct a witness not to answer a question unless that counsel has objected to the question on the ground that the answer is

protected by a privilege or a limitation on evidence directed by the Court.

- iv. Counsel and their witness-clients SHALL NOT engage in private off-the-record conferences during depositions or breaks in depositions regarding any of counsel's questions or the witness's answers except for the purpose of deciding whether to assert a privilege. Any conferences that occur pursuant to or in violation of this rule are a proper subject for inquiry by deposing counsel to ascertain whether there has been any witness-coaching and, if so, what the coaching included. Any conferences that occur pursuant to or in violation of this rule shall be noted on the record by the counsel who participated in the conference. The purpose and outcome of the conference shall be noted on the record.
- v. Deposing counsel shall provide to the witness's counsel a copy of all documents shown to the witness during the deposition. The copies shall be provided either before the deposition begins or contemporaneously with the showing of each document to the witness. The witness and the witness's counsel do not have the right to discuss documents privately before the witness answers questions about them. See subsection (iv) above.
- vi. Depositions are limited to no more than seven hours of time on the record. Breaks are not included when calculating the duration of the deposition.

## **7. Motions**

### **a. Motions to Compel Discovery and Objections to Discovery**

Please refer to Section 4(d) of this Standing Order.

### **b. Motions for Dismissal**

All Motions for Dismissal must have the file disposition form attached as an exhibit.

**c. Extensions of Time**

Reasonable motions for extension will be granted only upon a showing of good cause or by consent of all parties. All motions requesting an extension of the discovery period must be made prior to the expiration of the existing discovery period.

**8. Mediation**

All parties are required to mediate unless excused from so doing by the Court. The parties may contact Melissa Hughes, the Tift County Alternate Dispute Resolution Director, at (229) 386-7827 or may select a mutually-agreed-upon private mediator. All parties are required to mediate in good faith and with an effort to resolve ALL issues in the case. **If an insurance carrier is involved, a representative with full settlement authority must attend the mediation in person unless prior approval is obtained from the Court. The Plaintiff's Attorney shall file a report of the outcome of the mediation with the Clerk of Court on the form designated by Melissa Hughes. The results shall be filed no later than ten (10) business days after the completion of mediation with copies to all attorneys and Ms. Hughes.**

**9. Pretrial Matters**

**a. Motions in Limine**

All Motions in Limine and objections to deposition testimony shall be attached to the Pretrial Order as exhibits.

**b. Pretrial Orders**

Pretrial Orders must be submitted by the deadline set by the Court. This usually

will be at least 60 days prior to the trial date. When the Pretrial Order is submitted, the case shall be ready for trial. The statement of contentions in the Pretrial Order will be govern the issues to be tried. The plaintiff shall make certain all theories of liability are explicitly stated, together with the type and amount of each type of damages sought. The specific actionable conduct should be set out. In a multi-defendant case, the actionable conduct of each defendant shall be identified. The defendant shall explicitly set out any affirmative defenses upon which it intends to rely at trial as well as satisfy the above requirements with respect to any counterclaims.

All exhibits intended to be introduced at trial shall be identified specifically in the Pretrial Order. In listing witnesses or exhibits, a party may not reserve the right to supplement his list, nor should a party adopt another party's list by reference. Witnesses and exhibits not identified in the Pretrial Order may not be used during trial unless good cause is shown and except to prevent a manifest injustice.

#### **10. Trial –**

**a. The Court will give priority scheduling to any cases where the parties agree to proceed with a six person jury.**

**b. Jury Charges**

All requests to charge shall be submitted to the Court in Word format via email to Ms. Griffin. The original requests to charge must be filed with the Clerk of Court. Pattern charges should be requested by number and title only and may all be listed on one page. All non-pattern charges shall be numbered consecutively on separate pages as provided by Uniform State Court Rule 10.3. Non-pattern charges must contain citations of authority supporting the requested charge.



## 11. Zoom

Please see the Court's website for the information sheet titled '*Preparing to Participate in a Zoom Court Session*'. All information necessary to connect to a zoom meeting involving the Court will be provided by the Court's Administrative Assistant, Suzanne Griffin. She may be contacted at 229-386-7921 or by email at [suzanne.griffin@tiftcounty.org](mailto:suzanne.griffin@tiftcounty.org) no later than the day before the scheduled hearing.

## 12. Courtroom Presentation System

Our courtroom has some electronic equipment for use by counsel at trial. For more information about the equipment, please contact Ms. Griffin. It is the parties' responsibility to know how to use the available equipment, to have the necessary cords to hook up to the equipment, and to ensure the parties' own equipment interfaces with the Court's technology.

## 13. Garnishments

Please see the Court's website for the information sheet titled '*Garnishee's Responsibilities for Garnishment*'.

SO ORDERED, this 16<sup>th</sup> day of January, 2025.



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The Honorable Herbert W. Benson  
Judge, State Court of Tift County

**EXHIBIT A**

**IN THE STATE COURT OF TIFT COUNTY  
STATE OF GEORGIA**

**STANDING ORDER  
CASE MANAGEMENT ORDER**

Having found that the interests of the parties and the orderly management of the Court's business would be served by setting a schedule for this litigation and by stating the practices and procedures of this Court,

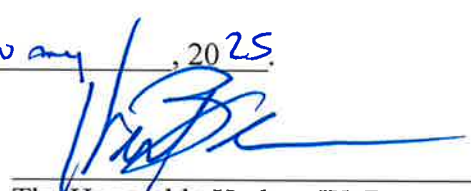
IT IS HEREBY ORDERED that, unless specifically exempted, counsel for all parties shall confer in an early planning conference, either in person or via telephone, in an effort to settle this case, discuss discovery, limit issues, or discuss other matters addressed by the proposed Case Management Order ("CMO"). This early planning conference shall be held ***no later than forty-five (45) days after the appearance of a defendant by answer***. Counsel for the plaintiff(s) shall ensure that this early planning conference is timely scheduling and completed.

IT IS FURTHER ORDERED that, unless specifically exempted or unless the case is successfully resolved during the early planning conference, the parties are required to complete and provide the Court with a proposed CMO for the Court's review ***no later than sixty (60) days after the appearance by a defendant by answer***. The proposed CMO shall be consolidated and e-filed by counsel for the plaintiff(s); a Microsoft Word version of the CMO may be found at the State Court of Tift County's website.

If a party fails or refuses to participate in the early planning conference and/or completion of the proposed CMO, counsel for the plaintiff(s) shall so indicate when providing the proposed CMO to the Court. If the parties fail to reach agreement on portions of the proposed CMO, each party's proposal shall be included in the proposed CMO with a notation in **bold** that the parties failed to reach agreement on that particular portion.

**A party's failure to comply with the terms of this Standing Order may result in sanctions, including but not limited to dismissal of the complaint or striking of the answer, as appropriate.**

SO ORDERED, this 16<sup>th</sup> day of January, 2025.

  
The Honorable Herbert W. Benson  
Judge, State Court of Tift County