



SUPREME COURT OF GEORGIA

Atlanta August 2, 2018

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

It is ordered that new Uniform Superior Court Rule 2.6 (defining “filing”) be approved, and that Rule 24.2 (relating to domestic relations financial data and scheduling and notice of a temporary hearing), Rule 24.2A (relating to child support required monthly figures) and Rule 48 (relating to inquiry regarding weapons carry license) be amended to conform to new statutory language. It is further ordered that Uniform Superior Court Form SC-10 (Civil Docket), SC-11 (Superior Court Civil Docket), SC-12 (Criminal Docket), SC-13 (Civil Case Initiation Form), and SC-14 (Civil Case Disposition Form) be deleted. The new and amended rules, which shall be effective August 30, 2018, are as follows:

Rule 2. DEFINITIONS

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Rule 2.6. Filing

Unless otherwise provided by law, the term “filing” as used in these rules includes any submission to a clerk of court either in paper or electronic form. Electronic filing is governed by Rule 36.16.

Rule 24. DOMESTIC RELATIONS

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Rule 24.2. Financial Data Required; Scheduling and Notice of Temporary Hearing

Except as noted below, at least 5 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, all parties shall serve upon the opposing party the affidavit specifying his or her financial circumstances in the form set forth herein. In cases involving child support, the worksheet(s) and schedules required by OCGA § 19-6-15 and only as promulgated by

the Georgia Child Support Commission shall be completed and served upon the opposing party contemporaneously with the filing of the affidavit required above. In emergency actions, the affidavit, worksheet(s) and schedules may be served on or before the date of the hearing or at any other time as the Court orders.

In cases filed with complete separation agreements or consent orders resolving all issues but the issue of divorce, the parties are not required to serve financial affidavits, unless otherwise ordered by the Court. In cases involving child support, the parties must attach to the proposed final judgment a completed worksheet or worksheets and any applicable schedules. In addition, the separation agreement must include the parties' gross and adjusted incomes.

The Office of Child Support Services is exempt from filing financial affidavits.

Notice of the date of any temporary hearing shall be served upon the adverse party at least 15 days before the date of the hearing, unless otherwise ordered by the Court.

The parties shall serve upon each other the affidavit and worksheet(s) and schedules (where applicable) at least 5 days prior to any mediation or other alternative dispute resolution proceeding.

In any case in which a party has previously served the affidavit, worksheet(s) and schedules and thereafter amends the affidavit or worksheet(s) and schedules, any such amendments shall be served upon the opposing party at least 5 days prior to final hearing or trial.

On the request of either party, and upon good cause shown to the Court, the affidavits, worksheets, schedules, and any other financial information may be sealed, upon order of the Court.

Only the last four digits of social security numbers, tax identification numbers, or financial account numbers shall be included in any document served or filed with the Court pursuant to this rule. No birth date should be included, only the year of birth. See also OCGA § 9-11-7.1.

A Certificate of Service shall be filed with the Clerk of Court certifying proper service of the affidavit required above and worksheet(s) and schedules (where applicable). Each party shall submit to the Court the original affidavit and worksheet(s) and schedules (where applicable) at the time of hearing or trial.

Failure of any party to furnish the above financial information may subject the offending party, in the discretion of the Court, to the penalties of contempt and may result in continuance of the hearing until the required financial information is furnished and may result in other sanctions or remedies deemed appropriate in the Court's discretion.

Notwithstanding the time limits contained in this rule, the Court may decide a matter without strict adherence to a time limitation, if the financial information was known or reasonably available to the other party, or if a continuance would result in a manifest injustice to a party.

The affidavit shall be under oath and in substantially the following form:

[Rule 24.2 continues with the affidavit form.]

[There are no proposed changes to the affidavit at this time.]

Rule 24.2A. Monthly Figures Required; Week and Hour to Month Multipliers

Except as specified in the child support calculator instructions, all amounts listed must be monthly. In all domestic cases in which a conversion of economic data from weekly to monthly must be made, a conversion factor of 4.35 weeks per month shall be used.

In calculating monthly income based upon a forty hour work week, hourly salary shall be multiplied by 174 hours.

Rule 48. INQUIRY REGARDING WEAPONS CARRY LICENSE

(A) A judge shall make the inquiry required by OCGA § 16-11-129 (e):

(1) When sentencing for conviction of: any felony;¹ any charge of carrying a weapon without a license;² any charge of carrying a weapon or long gun in an unauthorized location;³ any misdemeanor involving the use or possession of a controlled substance;⁴ or any misdemeanor crime of domestic violence as defined in 18 USC § 921 (a) (33);⁵

¹ OCGA § 16-11-129 (b) (2) (B).

² OCGA § 16-11-129 (b) (2) (H) (i).

³ OCGA § 16-11-129 (b) (2) (H) (ii).

⁴ OCGA § 16-11-129 (b) (2) (I).

⁵ OCGA § 16-11-129 (b) (2) (E); 18 USC § 922 (g) (9).

(2) When addressing any criminal defendant adjudicated mentally incompetent to stand trial;⁶

(3) When addressing any criminal defendant adjudicated not guilty by reason of insanity;⁷

(4) When addressing any person who is subject to a restraining order as described in 18 USC § 922 (g) (8).

(B) Where required by OCGA § 16-11-129 (e), the judge shall inquire whether a person convicted of any crime or otherwise adjudicated in a matter which would make the maintenance of a weapons carry license by such person unlawful is the holder of a weapons carry license. If such person is the holder of a weapons carry license, then the sentencing judge shall inquire of the person the county of the probate court which issued such weapons carry license, or if the person has ever had his or her weapons carry license renewed, then of the county of the probate court which most recently issued the person a renewal license. Unless otherwise ordered by the court, within 10 days of the inquiry, the clerk shall notify the judge of the probate court of such county of the matter which makes the maintenance of a weapons carry license by the person to be unlawful pursuant to OCGA § 16-11-129 (b) by forwarding to the probate judge notice of the matter disqualifying the person from holding a weapons carry license.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 Clerk

⁶ OCGA § 16-11-129 (b) (2) (K).

⁷ OCGA § 16-11-129 (b) (2) (L).