

IN THE MUNICIPAL COURT OF ATLANTA
STATE OF GEORGIA

FILED IN OFFICE
MUNICIPAL COURT
OF ATLANTA

2026 JUL 20 PM 3:49

**STANDING ORDER FOR CASES IN
JUDGE SEITZ'S HOUSING AND
CODE ENFORCEMENT DIVISION**

No. 003 Revised

The following rules and procedures will govern cases in this Housing & Code Enforcement Division (Housing & Code). Absent express permission from the Court, no exceptions or waivers to the requirements set forth herein are allowed. This Standing Order shall supersede any previous Housing & Code Court Standing Orders.

I. CASE MANAGEMENT

TIME TO DISPOSITION

Housing & Code operates under a caseflow management plan aimed at resolving all matters efficiently and expeditiously. In most cases, this Court aims to dispose of matters within 180 days of case initiation and initial hearing in accordance with locally accepted standards. As a result, without cause or exceptional circumstances, attorneys and defendants should not expect the Court to grant a motion for continuance in a case older than 180 days. Without cause or exceptional circumstances, such cases will be moved to the next available trial calendar.

REQUESTS FOR RESETS

To aid in efficient and expeditious resolution of cases under the Court's caseflow management plan, requests or motions filed for resetting hearings on the Housing & Code calendar will stand **automatically denied** without showing cause for

such continuance in accordance with Atlanta Code of Ordinances Sec. 62-68.

Defendants whose requests to reset their case are denied by the Court may have their case heard sooner than their scheduled date by requesting to be added as a walk-in to any Housing & Code calendar on an earlier date before the start of the calendar hearings. The request must be made in Courtroom 5C (not at the Clerk's window) to the judge's staff. When a request is granted due to showing adequate cause, the Court will enter an order granting the continuance with a new court date. Until the Court enters an order or directs the party otherwise, all attorneys and defendants are expected to appear in court or risk penalties. Such penalties may include the issuance of a bench warrant for failure to appear, suspension of a defendant's driver's license, monetary fines, and **default judgment in civil hearings**.

ENTRY OF APPEARANCE; REQUESTS TO WITHDRAW AS COUNSEL

Attorneys **MUST** file entries of appearances or a pleading to be permitted to represent clients. Those desiring to withdraw as counsel of record **must submit a written request to withdraw pursuant to Uniform Municipal Court Rule 7.2**. Failure to do so will result in your client's case being reset upon their appearance without you in court until you appear or sanctions if you never appear, refuse to withdraw as counsel, or a substitution of counsel is not filed.

EXPEDITED CIVIL HEARINGS; MOTIONS IN HOUSING EMERGENCIES

Upon written notice and good cause shown, the undersigned Judge may grant a hearing to occur no less than 14 days after the filing and service of a motion for emergency hearing on any civil matter related to a violation of the Atlanta Housing Code requiring such expedited procedure. The motion shall set forth in detail the necessity for such expedited procedure (e.g., severe property conditions threatening the immediate safety and habitability of units for numerous residents).

II. PRETRIAL

ARRAIGNMENT IN CRIMINAL CASES

In general, Housing & Code Court will require all defendants to enter a plea at arraignment. The Court may permit a continuance to allow the defendant to negotiate with the prosecution regarding whether the defendant is compliant with housing and code ordinances. If the Court permits a continuance, the defendant may not be required to enter a plea until a later court date after arraignment. Additionally, any resulting status of compliance does not automatically dismiss the case. It may, however, affect the prosecution's plea offer and sentence recommendation and the ultimate disposition and sentence imposed by the Court.

NO ARRAIGNMENTS IN CIVIL CASES; TRIAL AT FIRST HEARING

Unlike criminal cases which normally have an arraignment hearing on one date and then a reset for trial on another date, civil cases will not have an arraignment but **proceed with a trial and hearing of evidence on the first date scheduled in**

municipal court pursuant to the judicial procedure outlined under §18 Judicial Proceedings of the Atlanta Housing Code. Failure to appear for such hearing does not prohibit the Court from moving forward and later entering a **Judgment in Absentia against the civil defendant.**

FAILURE TO APPEAR & PENALTIES

Cases assigned to Housing & Code will remain within this division after a defendant has failed to appear for a court hearing – said cases will not be transferred to the Court’s general Failure to Appear (FTA) Division. Additionally, all defendants failing to appear at a hearing in Housing & Code will be required to appear in order for any resulting bench warrant to be lift. Unlike defendants in traffic cases who may be entitled to the lifting of a bench warrant by simply scheduling a new court date in accordance with O.C.G.A. § 17-6-11(b), the Court will not lift bench warrants in Housing & Code cases unless the defendant appears in person before the Court. The Penalties for a defendant’s failure to appear at their previous court hearing will be enforced unless a legal excuse with evidence is provided to the Court at the time of the defendant’s next hearing.

PLEAS IN ABSENTIA

Attorneys appearing at hearings in Housing & Code without their client present must be prepared to enter a plea in absentia to avoid an FTA bench warrant for the client. If an attorney is unable to obtain an offer from the prosecutor on the plea ahead of the scheduled court date such that the attorney’s client is unable to complete the

plea in absentia at the scheduled hearing, the Court may permit a one-time reset to complete the plea in absentia based on a review of the age of the matter and history of resets granted. A sample plea in absentia form is attached herein at the document appendix. NOTE: Attorneys are to review this standard plea form and ensure it is altered as needed to fit the nature of your client's charges and parties' agreed upon plea terms.

Otherwise, attorneys generally must appear with their clients present. Attorneys may not appear on behalf of their client (unless the client is a business entity) without their client present only to request a "reset" or continuance without showing cause for such continuance in accordance with Atlanta Code of Ordinances Sec. 62-68.

Attorneys appearing without their clients and not prepared to enter a plea in absentia will not avoid the issuance or continued existence of a bench warrant for failure to appear, suspension or continued suspension of a defendant's driver's license, or additional penalties due to failure of their client to appear.

912 LICENSE REINSTATEMENT FORM ISSUANCE

Some matters assigned to Housing & Code involve traffic violations. In cases involving a uniform traffic citation, the Court (via the clerk's window in the courthouse) will issue a 912 License Reinstatement Form after a failure to appear when the Defendant schedules a new date to appear before the court or waives arraignment in accordance with O.C.G.A. § 17-6-11. Defendants and attorneys are encouraged to review O.C.G.A. § 17-6-11 for applicability of the statute to their or

their client's charges in a pending case. Upon a subsequent failure to appear for the rescheduled hearing or a subsequent request for a new date for disposition of the same uniform traffic citation, the Court retains the discretion to forward to the Department of Driver Services the defendant's driver's license number for suspension, issue the 912 License Reinstatement Form upon the Defendant appearing for Housing & Code Court or disposing of their matter, issue a bench warrant for the defendant's arrest in accordance with O.C.G.A. § 17-7-90, and/or assess an FTA penalty.

REQUESTS FOR INTERPRETERS

All requests by attorneys for interpreters at Housing & Code hearings must be filed with the Clerk's Office as separate and standalone requests **thirty (30) days in advance of a hearing**. Such requests that are not separate but made a part of an "omnibus" motion (a single document filed with the Court which combines several distinct and different motions and requests) are void and may require a continuance of the hearing for which the interpreter was needed. Also, **a courtesy copy of the request must be sent** to Judicial Office Manager Johnny Hudson at JLHudson@Atlantaga.gov, and copies may be served on opposing counsel via e-mail. Failure to provide the Judicial Office Manager with a copy will result in the request being void. Failure to abide by this requirement may result in sanctions or penalties for violation of this Court's Standing Order.

CONFLICT NOTICES REQUIRED

Attorneys who are lead counsel and representing clients who are scheduled on a Housing & Code calendar are **required to submit written notice of conflicts pursuant to Uniform Municipal Court Rule 8** such that notice will be received at least seven (7) days in advance of the conflict date. Failure to notify the Court in a timely manner, absent justifiable excuse, may result in sanctions or penalties for failure to appear on the conflict date and for violation of this Court's Standing Order. The filing of a conflict notice alone does **not** release an attorney or party from appearing at trial or result in a continuance automatically. The Court will hold for your report unless it is apparent that the matter requires continuance. Please include in your conflict notice a proposed resolution for the scheduling conflicts.

MOTIONS; OMNIBUS MOTIONS PROHIBITED

A courtesy copy of every filed motion requiring action from or attention of the Court **must** be sent to Judicial Office Manager Johnny Hudson at JLHudson@Atlantaga.gov. Failure to provide the Judicial Office Manager with a copy of such motion will result in that motion not being scheduled for a hearing, may constitute waiver of the issue, and may result in sanctions or penalties for violation of this Court's Standing Order. Copies may be served on opposing counsel via e-mail. Generalized motions which are not supported by sufficiently particularized facts and omnibus motions are not to be filed; they will be denied as vague and dilatory. Every motion requiring the Court's attention must be filed separately.

PLEA WITHDRAWALS

In the absence of a showing that withdrawal is necessary to correct a manifest injustice, a defendant may not withdraw a plea of guilty or nolo contendere as a matter of right once sentence has been pronounced by the judge.

III. TRIAL

MONTHLY TRIAL WEEK

Housing & Code Court will aim to minimize multiple continuances and set a continuous week of trial calendars each month to prevent unnecessary delay in moving forward with case resolution and trial. Trial calendars will generally occur during the first week of each month at 9:00 AM. The Court may schedule other hearings around the trial calendar if a trial day is not filled with cases for trial.

PRETRIAL MOTIONS; PRETRIAL MOTIONS DATE

Barring special circumstances, most evidentiary or dispositive pretrial motions (e.g., motions in limine, etc.) will be heard immediately before trial during pre-trial hearings. However, other motions that are not appropriate for raising and being heard immediately before trial (e.g., motions to suppress evidence and other motions subject to O.C.G.A. § 17-7-110) should be filed no more than 10 days after arraignment where discovery was shared or after receiving discovery in the case – whichever is later – and will be heard on the Monday preceding the monthly pretrial week. Motions not filed in accordance with this requirement will be deemed untimely and denied.

COURTROOM TECHNOLOGY; SHARING EVIDENCE

Courtroom 5C is equipped with a courtroom laptop connected to a large television screen behind the witness stand. All electronic and video evidence may be shared using a court-provided Zoom links, which will cast to the Courtroom's television screen. Court staff normally provide said links at the end of the week preceding a trial week. **NOTE:** When sharing evidence that includes audio via Zoom, make sure you click the "share sound" button that appears immediately after clicking "Share Screen" and immediately before you begin sharing. Not doing so causes a delay and is time-consuming. Lawyers must ascertain whether the equipment will meet their trial needs and familiarize themselves with the technology **before** trial.

EXHIBITS

Attorneys should prepare copies of exhibits for the Court as well as the opposing party. All exhibits and demonstrative evidence **must be marked** and exchanged prior to the start of trial.

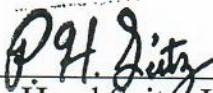
PROPOSED ORDERS

All proposed orders should be emailed as a Microsoft Word document to Judicial Office Manager Johnny Hudson at JLHudson@Atlantaga.gov – they are never to be filed with the Clerk's Office.

IV. SANCTIONS

Failure to comply with basic courtesies, the Lawyer's Creed, the Uniform Municipal Court Rules, the applicable practice rules, and the Court's orders may result in sanctions.

SO ORDERED on this 20th day of July, 2026.



Pierce Hand Seitz, Judge
Municipal Court of Atlanta

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CLERK OF COURT
DEANDRE C. MOORE

Document Appendix

IN THE MUNICIPAL COURT OF ATLANTA

STATE OF GEORGIA

CITY OF ATLANTA

CASE/CITATION NO.

V.

Defendant.

PLEA IN ABSENTIA

I, the above-named Defendant, hereby certify that it would be expensive and/or burdensome for me to travel to Atlanta, Georgia to dispose of this case. It is my understanding that my case is scheduled for disposition on the ____ day of _____, 20____, and that I have been charged with the following:

1. _____ 2. _____ 3. _____
4. _____ 5. _____ 6. _____

It is my understanding, through my attorney, _____, that the Solicitor will recommend a fine of \$ _____.00. I understand that the recommendation is not binding upon the trial judge. I understand that upon conviction the court can impose a sentence of up to 6 months imprisonment and a fine of \$1,000.00, or both, for each charge against me.

I hereby authorize my attorney to enter a plea of Guilty/Nolo Contendere on my behalf and in my absence to all charges related to the above-styled matter and sign any and all necessary documents regarding same. I hereby request and consent that my case be disposed of in my absence, and I hereby waive my presence at such trial. My attorney has fully explained to me the following rights which I understand and which I waive:

1. The right to trial with or without a jury.
2. The right to confront and cross-examine any witness and evidence on my behalf.
3. The right to present witnesses and evidence on my behalf.
4. The right to examine all physical and documentary evidence against me.
5. The right to remain silent.

6. The right to have free counsel appointed to represent me if I am indigent.
7. The right to appeal to a higher Court except in certain circumstances.
8. The right to require the State to prove its case against me beyond a reasonable doubt.

This _____ day of _____, 20____.

Defendant:

(Printed Name)

(Signature)

Defendant's Attorney:

Bar No. _____

JUDGE
MUNICIPAL COURT OF ATLANTA