



Understanding Discovery Disputes

Sometimes one party believes the other's discovery responses are late, incomplete, or improperly objected to. This happens in most cases, on both sides, and does not always mean anyone did something wrong. Georgia has a clear process for resolving these disputes.

How disputes are resolved

- 1 Reviewing Responses.** Each side reviews what the other sent and notes anything that appears missing, incomplete, or improperly objected to.
- 2 The 6.4 Letter.** Uniform Superior Court Rule 6.4 requires a good-faith attempt to resolve the dispute before involving the court. This is usually done by letter, and either side may send one.
- 3 Conferring.** The attorneys may talk or exchange emails to work out a solution. Many disputes end here.
- 4 Motion to Compel.** If the issue is not resolved, either party can ask the judge to order a response.
- 5 Attorney Fees.** When a motion to compel is granted, the court may order the party who did not respond to pay the fees the dispute caused.
- 6 Third-Party Subpoenas.** When enough information is available, such as the name of a bank or employer, records can be requested directly from them.

How you can help

If We Send One. Tell us the names of banks, employers, and other places that may hold important records.

If You Receive One. A 6.4 letter is routine, not an accusation. Send us any missing documents promptly so we can respond on time.

Stay Current. Keep your own responses complete and up to date.

What to keep in mind

Discovery disputes are common and are often resolved without a court hearing.

Court involvement adds time, so we try to resolve issues informally first.

Judges generally expect both parties to cooperate in good faith.

Chasing every document or demanding every discrepancy be fixed is not always the best strategy. Omissions and inconsistencies can show the judge a party is not credible, and the judge may infer that what was withheld would have been harmful. Trust your lawyer to know when to fight this.

This guide provides general information about discovery disputes in Georgia family law matters and is not legal advice about your specific case. Your attorney will explain how discovery disputes apply to your situation.

YOUR ROLE

Share the names of any banks, employers, or other record holders you know of, send us anything requested in a 6.4 letter promptly, and keep your own responses complete.

QUESTIONS?

As always, all questions and requests should be directed to the team via email to team@pepitone.law.