

custody modification is sought. *Scott v. Scott*, 276 Ga. 372 at 376 (2003).

In addition, the provision leaves up to Plaintiff to determine if Defendant has violated the terms of the provision, without court intervention. See *Johnson v. Johnson*, 290 Ga. 359 (2012). However, this error on the part of the trial court does not warrant a new trial as the provision may be stricken from the Final Judgment and Decree.

Therefore, the self-effectuating provision is hereby stricken from the Parenting Plan and the Final Judgment and Decree of Divorce.

**2. GAL Lied to get Fraudulent Inducement and representation.**

At the hearing on the Motion for New Trial, Defendant presented Exhibit 46, which he said proved the Guardian Ad Litem lied about her experience. At the trial, Defendant asked the Guardian Ad Litem about her experience and "credentials" in the autism field. (Transcript, p. 48). Defendant did not ask the Guardian about the information contained in Exhibit 46, although it must have been available to him because it was an email sent to him from his attorney on June 7, 2010. It is not newly discovered evidence and he has not shown this court why he did not raise the issue at trial. This is not a proper ground for a new trial.

**3. Tusan Lied to CBS about GAL not abridging his rights. Already ruled on motion.**

While no evidence of this allegation was presented at the hearing, the Court can surmise from the record in this case that Defendant is arguing about an event that took place long after the final trial of this matter. Judge Tusan is no longer assigned to this case and she is not hearing this Motion for New Trial. Therefore, it is not a proper ground for a new trial.