**INSTRUCTIONS FOR PREPARATION**

* **This pretrial order should be jointly prepared by all parties. All parties and counsel are expected to cooperate in the preparation of the pretrial order.**
* **The draft order must be submitted to** [**the Division 21 administrative assistant**](mailto:michelle.logsdon@jocogov.org) **in MS Word format, no later than two court days prior to the scheduled pretrial conference unless otherwise ordered.**

**IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS**

**CIVIL DEPARTMENT - FAMILY COURT**

**In the Matter of:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Case No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**and Division 21**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Chapters 23 & 60**

**PRETRIAL ORDER**

A final pretrial conference was held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Court mandated settlement conference was completed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. **Appearances.**
   1. Petitioner appears \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   2. Respondent appears \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   3. Other Appearances:  None
      1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
      2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
      3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. **General Stipulations.**
   1. There are no objections to personal jurisdiction over the parties, subject matter jurisdiction and venue except:  None \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   2. The parties are incompatible and are entitled to a decree of divorce, each from the other.
   3. USCRA
      1. does NOT apply.
      2. does apply and all of the provisions have been met except:  N/A
         1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   4. If either party has not attended Parents Forever as required by Johnson County Local Rule 24, he or she will do so prior to trial. Failure to attend Parents Forever may result in restrictions upon parenting time.
3. **Parenting Plan.[[1]](#footnote-1)**
   1. The names and ages of the minor child(ren) is/are: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   2. The Court exercises \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction for purposes of entering orders of legal custody and parenting time for the minor children pursuant to the UCCJEA (K.S.A. 23-37,101 et seq.).
   3. The parents’ agreed final parenting plan is filed as Document [DOC # \_\_\_\_\_\_].
   4. Petitioner’s proposed final parenting plans is filed as Document [DOC # \_\_\_\_\_\_].
   5. Respondent’s proposed final parenting plans is filed as Document [DOC # \_\_\_\_\_\_].
   6. The Guardian ad Litem’s final parenting plans is filed as Document [DOC # \_\_\_\_\_\_].
4. **Domestic Relations Affidavits[[2]](#footnote-2)**: The parties have a duty to update their respective domestic relations affidavits with updated information.
   1. Petitioner’s current domestic relations affidavit is filed as Document [DOC # \_\_\_\_\_\_].
   2. Respondent’s current domestic relations affidavit is filed as Document [DOC # \_\_\_\_\_\_].
5. **Support.[[3]](#footnote-3)**
   1. Child Support.
      1. The parties agreed child support worksheet is filed as Document [DOC # \_\_\_\_\_\_].
      2. Petitioner’s proposed child support worksheet is filed as Document [DOC # \_\_\_\_\_\_]. Petitioner requests the following Section E adjustments\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
      3. Respondent’s proposed child support worksheet is filed as Document [DOC # \_\_\_\_\_\_]. Respondent requests the following Section E adjustments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
      4. Is the Interstate Pay Differential applicable?  Yes  No
         1. If yes, for what states? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         2. If the parties do not agree each parties’ concise position is set forth here.
            1. Petitioner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
            2. Respondent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
      5. Should the Court use the Extended Income Formula?  Yes  No
         1. If the parties do not agree each parties’ concise position is set forth here.
            1. Petitioner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
            2. Respondent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
      6. Shared Residency Calculation (if applicable).
         1. The parties shared expense plan is filed as Document [DOC # \_\_\_\_\_\_].
         2. If the parties have not agreed upon a written shared expense plan:
            1. Petitioner  Respondent  Both will be paying for clothing.
            2. Petitioner  Respondent will be paying for direct expenses, OR,  the parties disagree who should be paying for direct expenses.
   2. Spousal Maintenance.
      1. Neither party requests spousal maintenance.
      2. Petitioner  Respondent requests spousal maintenance as follows:
         1. Monthly amount requested: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         2. Maximum term (in months): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         3. To Start on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         4. Set out all other terminating events: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
      3. Petitioner  Respondent agrees to pay spousal maintenance as follows:
         1. Monthly amount requested: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         2. Maximum term (in months): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         3. To Start on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
         4. Set out all other terminating events: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. **Property Division.[[4]](#footnote-4)**
   1. The parties’ agreement resolving all property division issues is filed as Document [DOC # \_\_\_\_\_\_].
   2. A [jointly prepared property division spreadsheet](https://courts.jocogov.org/forms/DIV%2021%206%20-%20Property%20Division%20Worksheet.xls) is filed as Document [DOC # \_\_\_\_\_\_]. A copy of Division 21’s Preferred property (Asset/Debt) Division spreadsheet can be found on the 10th judicial district website (<https://courts.jocogov.org/judge_Triplett.aspx> ).
   3. The parties’ ages are: Husband \_\_\_\_\_\_ and Wife \_\_\_\_\_\_.
   4. The parties were married on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   5. The parties length of the marriage as of the date of trial (in months): \_\_\_\_\_\_\_\_\_\_\_.
   6. The parties started to live separately on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   7. The court sets the following valuation dates: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. **Witnesses**.
   1. Petitioner’s final exhibit list is filed as DOC # \_\_\_\_\_\_.
   2. Respondent’s final exhibit list is filed as DOC # \_\_\_\_\_\_.
   3. GAL’s final exhibit list is filed as DOC # \_\_\_\_\_\_.
   4. Petitioner lists the following previously designated experts for testimony at trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Designation is filed as DOC # \_\_\_\_\_\_.
   5. Respondent lists the following previously designated experts for testimony at trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Designation is filed as DOC # \_\_\_\_\_\_.
   6. GAL lists the following previously designated experts for testimony at trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Designation is filed as DOC # \_\_\_\_\_\_.
   7. The witness exclusion rule will be applied at trial. Witnesses (other than parties) will be excluded from the trial until after their testimony has been completed so that they cannot hear the testimony of other witnesses.
   8. Witnesses listed by one party may be called by the other party. Witnesses not listed as required by this order shall not be permitted to testify absent leave of Court.
8. **Exhibits.**
   1. Petitioner’s preliminary exhibit list is filed as DOC # \_\_\_\_\_\_.
   2. Respondent’s preliminary exhibit list is filed as DOC # \_\_\_\_\_\_.
   3. Reports made to the Court pursuant to K.S.A. 23-3210 and/or Johnson County Local Rule 23, are admitted into evidence by this order. The parties stipulate that the following reports are also admitted and will be subject to the disclosure provisions of Local Rule 23: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   4. All trial exhibits, together with a final exhibit list, will be marked and exchanged three days prior to trial. Petitioner’s Exhibits will be marked 1-99. Respondent’s exhibits will be marked 100-199. GAL exhibits will be marked 201-299.
   5. The following listed exhibits are considered business records under K.S.A. 60-460(m) and are admitted into evidence, but the parties reserve the right to object to the contents of these documents on any other basis, including relevance and hearsay within a document. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   6. Copies of exhibits may be used in lieu of originals.
   7. Exhibits listed by one party may be offered by the other party.
   8. The parties have stipulated to the admission of the following exhibits[[5]](#footnote-5): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   9. Exhibits not listed, marked, and exchanged as required by this order, shall not be received into evidence absent leave of Court.
9. **Requested Amendments to Pleadings.**
   1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
10. **Motions**:
    1. If a motion is filed, and neither the Kansas Statutes, nor the Kansas Supreme Court Rules clearly set forth a deadline for a response to such motion, the deadline shall be 14 calendar days after service of the motion.
    2. The Court requires parties to send copies of all motions to the Division 21 Administrative Assistant in WORD and PDF format at the time of filing. **Please number each page of your brief, include a table of contents, and a table of authorities.**
    3. Scheduling motions: A hearing on the motions is not automatic. Any party who desires a hearing for oral argument on any motion filed is responsible for contacting the Administrative Assistant for Division 21 to schedule such hearing. Such party must then send written notice of the hearing to all other parties.
11. **Trial.**
    1. Trial is scheduled for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ beginning at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for a period of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
    2. The trial will be completed in the timeframe set forth and additional time will not be permitted absent leave of Court. Each party will half the allotted time for the presentation of their direct and cross examinations, as well as any rebuttal testimony. If there are more than two parties, the time will be shared proportionately. If the parties expect a decision at the conclusion of the evidence, they should adjust their time accordingly.
    3. Proposed Decrees, Trial Briefs or Proposed Findings of Fact and Conclusions of Law are not required unless specifically ordered. If a party chooses to file, such must be filed by 5PM fourteen (14) days prior to trial. Responses are due by 5PM seven (7) days prior to trial. Parties must provide the Court with copies of any caselaw cited or otherwise relied upon. The pleadings must be digitally delivered to [**the Division 21 administrative assistant**](mailto:michelle.logsdon@jocogov.org)in MS Word no less than two court days prior to trail.
12. **Procedural or Other Issues.**
    1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
    2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
    3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
13. **Notice of final judgment**: The parties are hereby put on notice that in the event that the other party fails to appear at the trial, the Court may proceed to a trial on the merits in that party’s absence and final orders may be made.

**IT IS SO ORDERED.**

Hon. Catherine Decena Triplett

Submitted by:

[insert attorney signature blocks here]

1. \*\*\* NOTE \*\*\* if an agreed upon parenting plan is not on file, or, if legal custody and/or parenting time are still at issue and proposed parenting plans have not been submitted by the parties **prior** to the date of the scheduled pre-trial conference, the case is *not* ready for trial and the Court *may* cancel the trial and continue it to a future date and time. [↑](#footnote-ref-1)
2. \*\*\* NOTE \*\*\* the Court strictly complies with [Kan. Sup. Ct. Rule 139](https://casetext.com/rule/kansas-court-rules/kansas-rules-relating-to-district-courts/motions-discovery-pretrial-procedures-and-related-matters/rule-139-domestic-relations-affidavit-support-order-and-payment). If this/these have not been submitted by the parties **prior** to the date of the scheduled pre-trial conference, the case is *not* ready for trial and the Court *may* cancel the trial and continue it to a future date and time. [↑](#footnote-ref-2)
3. If this/these have not been submitted by the parties **prior** to the date of the scheduled pre-trial conference, the case is *not* ready for trial and the Court *may* cancel the trial and continue it to a future date and time. [↑](#footnote-ref-3)
4. If this has not been submitted by the parties **prior** to the date of the scheduled pre-trial conference, the case is *not* ready for trial and the Court *may* cancel the trial and continue it to a future date and time. [↑](#footnote-ref-4)
5. The court STRONGLY encourages the parties to confer about the admissibility of as many exhibits as possible prior to trial. [↑](#footnote-ref-5)