**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 Petitioner (or moving party if it is a post-decree matter) is responsible for the first draft. The first draft should be sent to all other parties/counsel at least seven days before the pretrial conference. The draft order must be submitted to the court, by email, in MS Word format, no later than two court days prior to the scheduled pretrial conference unless otherwise ordered. All documents required to be filed with the Court Clerk must likewise be filed two court days prior to the scheduled pretrial conference and identified in the Pretrial Order by JIMS document number.**

**Do not submit the order to the Division 11 e-queue. The proposed order must be emailed to** **David.Jobe@jocogov.org****.**

 **When completing the pretrial order, clearly inapplicable sections may be deleted. For instance, if it is a parentage case, you may delete the language about incompatibility. Likewise, if child support is an issue, you may delete the language about an agreed worksheet.**

 **All blanks must be filled in. If the issue to be discussed in the text box is not applicable, simply state “N/A” or “None.” Text boxes are in green so to be noticeable. You do not, however, need to complete the section setting the trial date. That will be filled in at the pretrial conference.**

 **If the parties are submitting a proposed order that contains language upon which the parties are unable to agree, the Petitioner’s proposed language should be in red while the Respondent’s proposed language should be in blue. Third party proposed language should be in purple. The Court will assume that language in black or green fonts is agreed.**

 **The instruction page should be removed before submitting the proposed order to the court.**

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

**CIVIL DEPARTMENT - FAMILY COURT**

**In the Matter of (the Marriage of):**

**Petitioner Name Case No. Case Number**

**and Division #**

**Respondent Name Chapters 23 & 60**

**PRETRIAL ORDER**

A final pretrial conference was held on [insert date]. The Court mandated settlement conference was completed on [date of settlement conference].

1. Appearances.
	1. Petitioner appears in person and with counsel, [insert counsels’ name].
	2. Respondent appears in person and with counsel, [insert counsels’ name].
	3. Other Appearances (Guardian ad Litem, Case Manager, CASA volunteer, etc.): [insert counsels’ name]
2. General Stipulations.
	1. There are no objections to personal jurisdiction over the parties, subject matter jurisdiction and venue except: [insert issues or state N/A]
	2. The parties are incompatible and are entitled to a decree of divorce, each from the other.
	3. [state if USCRA applies and if it does if all provisions are met]
	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 or a delay in final orders.
3. Parenting Plan.
	1. The names and ages of the minor child(ren) is/are: [insert initials and ages of children].
	2. The Court exercises [insert UCCJEA jurisdictional basis] 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 [insert DOC #].
	4. Petitioner’s proposed final parenting plan is filed as Document [insert DOC #].
	5. Respondent’s proposed final parenting plan is filed as Document [insert Doc #].
	6. The Guardian ad Litem’s final proposed parenting plan is filed as Document [insert Doc #].
	7. If the parties are not in agreement on the parenting plan, the parties will work together to submit **one (1)** parenting plan to the Court seven (7) days prior to trial in Word format, wherein the areas of disagreement will be noted in their assigned font color. Failure to submit this parenting plan to the Court may result in a continuance of the final trial.
4. Support.
	1. Spousal Maintenance.
		1. Neither party requests spousal maintenance.
		2. Petitioner/Respondent requests spousal maintenance as follows:
			1. Monthly amount requested: insert amount
			2. Maximum term: insert duration in months and starting date
			3. Set out all other terminating events: set out all other terminating events
		3. Petitioner/Respondent proposes to pay spousal maintenance as follows:
			1. Monthly amount requested: insert amount if any
			2. Maximum term: insert duration in months and starting date
			3. Set out all other terminating events: set out all other terminating events
		4. If spousal maintenance is an issue for trial, each party must complete and file an updated Domestic Relations Affidavit signed no earlier than seven days prior to the pre-trial conference. The “short form” shall not be used unless specifically authorized by the Court in advance of the pretrial conference.
	2. Child Support.
		1. The parties agreed child support worksheet is filed as Document [insert identifier].
		2. Petitioner’s proposed child support worksheet is filed as Document [insert Doc #]. Petitioner requests the following Section E adjustments: [insert here]
		3. Respondent’s proposed child support worksheet is filed as Document [insert DOC #]. Respondent requests the following Section E adjustments: [insert here]
		4. Is the Interstate Pay Differential applicable? Yes/No
			1. If yes, for what states? [insert here]
			2. If the parties do not agree, each parties’ concise position is set forth here. [insert here]
		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. [insert here]
		6. Shared Residency Calculation (if applicable).
			1. The parties shared expense plan is filed as Document [insert identifier].
			2. If the parties have not agreed upon a written shared expense plan:
				1. [state who is paying for clothing].
				2. State who will pay the child(ren)’s Direct Expenses: [state which parent pays direct expenses].
5. Property Division.
	1. The parties’ agreement resolving all property division issues is filed as Document (insert number here).
	2. Petitioner’s proposed property division spreadsheet is filed as Document [insert identifier].
	3. Respondent’s proposed property division spreadsheet is filed as Document [insert identifier].
	4. The parties’ ages are Petitioner [enter age] and Respondent [enter age].
	5. The length of the marriage is: [enter length].
	6. The Court sets the following valuation dates: [insert here]
	7. The parties will work together to submit **one (1)** asset and debt division spreadsheet to the Court seven (7) days prior to trial. Failure to submit the asset and debt division spreadsheet to the Court may result in a continuance of the final trial.
6. Witnesses.
	1. Petitioner’s witness list (with full name and address) is filed as Document [insert DOC #]. Witnesses not listed will not be permitted to testify absent leave of Court. Witnesses to be called solely for rebuttal or impeachment need not be listed.
	2. Respondent’s witness list (with full name and address) is filed as Document [insert DOC #]. Witnesses not listed will not be permitted to testify absent leave of Court. Witnesses to be called solely for rebuttal or impeachment need not be listed.
	3. Guardian ad Litem / Intervener / Third Party witness list (with full name and address) is filed as Document [insert DOC #]. Witnesses not listed will not be permitted to testify absent leave of Court. Witnesses to be called solely for rebuttal or impeachment need not be listed.
	4. Petitioner lists the following previously designated experts for testimony at trial: [insert here with reference, by Document number, to the designation].
	5. Respondent lists the following previously designated experts for testimony at trial: [insert here with reference, by Document number, to the designation].
	6. Guardian ad Litem / Intervener / Third Party [insert name here] lists the following previously designated experts for testimony at trial: [insert here with reference, by Document number, to the designation].
	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.
	9. The following previously listed witnesses will appear remotely.
		1. [insert names]
		2. The following remote witnesses will testify from outside Kansas: [insert names]
		3. [insert rules, stipulations, or other provisions for the remote witnesses]
7. Exhibits.
	1. Petitioner’s preliminary exhibit list is filed as Document [insert identifier].
	2. Respondent’s preliminary exhibit list is filed as Document [insert identifier].
	3. Guardian ad Litem / Intervener / Third Party [insert name here]’s preliminary exhibit list is filed as Document [insert identifier].
	4. 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: [insert here].
	5. All trial exhibits, together with a final exhibit list, will be marked and exchanged seven (7) days prior to trial. Petitioner’s Exhibits will be marked 1-99. Respondent’s exhibits will be marked 100-199. Third party exhibits will be marked 201-299.
	6. 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. [insert here].
	7. Copies of exhibits may be used in lieu of originals.
	8. Exhibits listed by one party may be offered by the other party.
	9. The parties have stipulated to the admission of the following exhibits: [insert here].
	10. Exhibits not listed, marked, and exchanged as required by this order, shall not be received into evidence absent leave of Court.
	11. Division 11 is a paperless court. All exhibits will be presented in electronic/digital format unless the Court otherwise orders (in advance of trial). In some circumstances, rebuttal evidence may be presented in hard copy. The Court will not accept notebooks or other physical evidence unless otherwise provided in this order. The Court does not allow memory sticks or similar portable media storage devices to be connected to the audio-visual system. If you have not done so, please obtain your technology training by contacting the District 10 support team at district10support@kscourts.org. Training should be completed at least seven days prior to trial.
8. Requested Amendments to Pleadings.
	1. [insert here]
9. Pretrial Motions.
	1. The following pretrial motions have been filed, or are expected to be filed, and require a decision prior to trial.
		1. Petitioner: [insert here]
		2. Respondent: [insert here]
		3. Third party: [insert here]
10. Trial.
	1. Trial is scheduled for [insert date] beginning at [insert start time] for a period of [insert duration]. The trial will be in person/remote/hybrid. A hybrid trial is one in which some witnesses will appear in person and some witnesses will be remote.
	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. Depending upon the issues to be resolved, each party will provide the court the following documents. All other parties will be provided the documents at the same time.
		1. If the parties are not in agreement on the parenting plan, the parties will work together to submit **one (1)** parenting plan to the Court seven (7) days prior to trial in Word format, wherein the areas of disagreement will be noted in their assigned font color. Failure to submit this parenting plan to the Court may result in a continuance of the final trial.
		2. A proposed child support worksheet in a modifiable format. If the party uses the Bradley Software program, the native Bradley Software file must be sent seven (7) days prior to trial.
		3. The parties will work together to submit **one (1)** asset and debt division spreadsheet to the Court seven (7) days prior to trial. Failure to submit the asset and debt division spreadsheet to the Court may result in a continuance of the final trial.
	4. 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 one, they must notify all other parties/counsel at least seven days prior to trial. The pleadings will be filed and digitally delivered to the Court in MS Word or similar format no less than two court days prior to trial.
	5. The parties [do or do not] stipulate to the use of expedited trial procedures. If yes, a separate agreed order for the procedure to be used will be filed before trial. See the division webpage.
11. Procedural or Other Issues.
	1. Parties will retain the exhibits for purposes of any appeal.

IT IS SO ORDERED.

District Court Judge

Submitted by:

[insert attorney signature blocks here]