**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 agreed proposed order must be submitted to the Court, into Division 12’s E-Queue, in MS Word format, and filed with the Court Clerk’s office, Friday by noon, prior to the scheduled final pretrial conference, unless otherwise ordered. All documents required to be filed with the Court Clerk must likewise be filed and identified in the Pretrial Order by JIMS document number.**

**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.**

**When submitting proposed parenting plans or property division worksheets you must use the forms found on the Division 12 webpage. Pleadings that do not conform with the Division 12 forms may be stricken.**

**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 12**

**Respondent Name**

**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.
3. Parenting Plan.
   1. The names and ages of the minor child(ren) is/are: [insert names 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 plans is filed as Document [insert DOC #].
   5. Respondent’s proposed final parenting plans is filed as Document [insert Doc #].
   6. The Guardian ad Litem’s final parenting plans is filed as Document [insert Doc #].
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 agrees 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: Husband [enter age] and Wife [enter age].
   5. The length of the marriage is: [enter length].
   6. The court sets the following valuation dates: [insert here]
6. Witnesses.
   1. Petitioner lists (all currently-known) fact witnesses that it may use for its case-in-chief at trial below. 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.

Petitioner’s witnesses: [insert here]

* 1. Respondent lists (all currently-known) fact witnesses that it may use for its case-in-chief at trial below. 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.

Respondent’s witnesses: [insert here]

* 1. Petitioner lists the following previously-designated experts for testimony at trial: [insert here with reference, by Document number, to the designation].
  2. Respondent lists the following previously designated experts for testimony at trial: [insert here with reference, by Document number, to the designation].
  3. 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.
  4. 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.

1. Exhibits.
   1. Petitioner’s identifies the following exhibits that it may seek to introduce during his/her case-in-chief at trial [insert identifier].
   2. Respondent’s identifies the following exhibits that it may seek to introduce during his/her case-in-chief at trial [insert identifier].
   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: [insert here].
   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. Third party 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. [insert here].
   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: [insert here].
   9. Final Exhibit Lists and Exhibits shall be exchanged in accordance with Division 12’s Court Rules. Exhibits not listed, marked, and exchanged as required by this Order and the Division 12’s Rules, shall not be received into evidence, absent leave of Court.
2. Requested Amendments to Pleadings.
   1. [insert here}
3. 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]
4. Trial.
   1. Trial is scheduled for [insert date] beginning at [insert start time] for a period of [insert duration].
   2. The trial will be completed in the timeframe set forth and additional time will not be permitted absent leave of Court. Ordinarily, each party will share 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 part will provide the court the following documents. The documents must be digitally delivered no later than 7 days prior to trial. The opposing party will be provided the documents at the same time.
      1. A proposed parenting plan in MS Word or similar format. The Division 12 preferred form is found on the Division 12 webpage.
      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.
      3. A proposed property division worksheet in MS Excel format. The Division 12 preferred form is found on the Division 12 webpage.
   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, they must notify the opposing party/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 three 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 Division 12 webpage.
5. Procedural or Other Issues.
   1. [insert here]

IT IS SO ORDERED.

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

The Honorable K. Christopher Jayaram

Judge of the District Court, Division 12

150 W. Santa Fe Street, 7th Floor

Olathe, KS 66061

(913) 715-3860

Administrative Assistant: Sarah Mondragon

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Submitted by:

[insert attorney signature blocks here]