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

**CIVIL DEPARTMENT - FAMILY COURT**

|  |  |
| --- | --- |
| In the Matter of: |  |
|  | **Case no:**  |
| **And** | **Division 21, Chapter 60** |
|  |  |

**CASE MANAGEMENT ORDER**

NOW ON THIS DAY the Court enters the following amended case management order.

1. **TRIAL SETTING:**
	1. This case has been set for bench trial/hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. This bench trial/hearing will be IN PERSON in Division 21, Courtroom 6F, of the Johnson County Courthouse located at 150 W. Santa Fe., Olathe, KS 66061,
2. **PRE-TRIAL CONFERENCE:**
	1. A Pre-Trial Conference shall be held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Pre-trial will be by ZOOM. However, if there is **court signed** pre-trial order, no appearances will be necessary.
	2. A copy of Division 21’s Domestic Pretrial order can be found on the Johnson County Website at: [JOHNSON COUNTY DISTRICT COURT (jocogov.org)](https://courts.jocogov.org/judge_Triplett.aspx) If the parties submit an agreed domestic pre-trial order, contact the Administrative Assistant to have hearing taken off calendar. If you cannot come up with an agreed pre-trial order, all counsel will need to make a personal appearance with their version of a pre-trial order.
3. **EXPERT WITNESSES:**
	1. Any party that intends to call an expert witness must designate the expert on or before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Such designation ***must include*** the name and business address of each expert witness. In addition, the designation ***must state*** the subject matter on which each designated expert is expected to testify, the substance of the facts and opinions of the expert and a summary of the grounds for each opinion. In addition to the designation, if the expert witness is a “retained” expert pursuant to K.S.A.60-226(b)(6)(B) and he/she has prepared a written report, such report ***must*** be provided along with the designation. If the written report contains the information contemplated by K.S.A. 60-226(b)(6)(A) &/or (B), the designation for that expert may simply refer to and incorporate the written report.
	2. Any party that wishes to call a rebuttal expert witness to testify at trial must identify such expert witness on or before the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Such designation ***must include*** the name and business address of each rebuttal expert witness. In addition, the designation ***must state*** the subject matter on which each designated expert is expected to testify, the substance of the facts and opinions of the expert and a summary of the grounds for each opinion. In addition to the designation, if the expert witness is a “retained” expert pursuant to K.S.A. 226(b)(6)(B) and he/she has prepared a written report, such report ***must*** be provided along with the designation. If the written report contains the information contemplated by K.S.A. 60-226(b)(6)(A) &/or (B), the designation for that expert may simply refer to and incorporate the written report.
	3. Along with the designation of expert witness, counsel ***must*** provide at least two dates that each identified expert is available to have his/her deposition taken within 14 days of the service of the expert designation. If for some reason, the parties cannot agree upon a date for the deposition of an expert witness within 14 days of the service of the expert designation, counsel ***must*** contact Court for a conference call to set a deposition date for the expert witness.
	4. Any party who has an objection to the form of another party’s expert designation, must file such objection with the Court within ten (10) days of receipt of such expert designation. If the objection is not timely filed, it is waived. The parties are mutually responsible for contacting the Court to set a hearing on the objection.
	5. Any party that wishes to move to determine whether a witness qualifies as an expert and/or whether or not the proposed expert’s testimony satisfies the requirements of K.S.A. 60-456(b), as amended, shall file a motion and set the matter for hearing on a date within thirty (30) days after the date of the expert’s deposition or before the close of discovery, whichever is sooner.  The party should allow sufficient time for the court to rule on the motion before the pretrial conference.  Failure to timely file the motion, pursuant to K.S.A. 60-457(b) as amended, may be deemed a waiver of the challenge to an expert’s qualifications.
4. **DISCOVERY DEADLINE:** Absent agreement of the parties or order of this Court
	1. No written discovery may be served by any party after \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
	2. All discovery in this case shall be completed on or before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
5. **MOTIONS:** 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.**
	1. Motions To Compel Discovery: Any motion to compel discovery must be filed within 14 days of the default, service of response, answer or objection that is the subject of the motion. If the motion is not filed within this time, the motion will not be considered without leave of the Court. Any such motion must recite with particularity, the communications or attempted communications aimed at resolving the discovery dispute prior to the filing of the motion. The motion must also recite the date of the conference call above referenced.
		1. Hearing on motion to compel: If the parties are unable to resolve their discovery dispute and the motion(s) is/are set for a hearing, the parties shall jointly prepare Division 21’s Summary of Discovery Disputes (a copy of which can be retrieved at: [JOHNSON COUNTY DISTRICT COURT (jocogov.org)](https://courts.jocogov.org/judge_Triplett.aspx)
	2. Scheduling motions: 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. The written notice must include list (with DOC #’s) all of the motions, responses, and replies that will be heard.
6. **DOCUMENTS[[1]](#footnote-2)**:
	1. Parties MUST **file** with the Court and provide chambers copies in MS WORD format, the following documents by 12PM the business day prior to the pre-trial conference.
		1. Jointly prepared Final Witness and Exhibit lists (Chamber’s copy should be in EXCEL format). Stipulated to exhibits shall start with 1. Petitioner’s non stipulated to exhibits start with 101. Respondents non stipulated to exhibits start with 201. Guardian Ad Litem’s non stipulated to exhibits start with 301.
		2. A jointly prepared proposed parenting plan.[[2]](#footnote-3)
		3. A proposed child support worksheet in a modifiable format;[[3]](#footnote-4)
		4. Updated Domestic Relations Affidavits; and
		5. A jointly prepared proposed property division worksheet in MS Excel format. The Division 21 preferred form is found on the Division 21 webpage or by emailing **the Division 21 administrative assistant**.
7. **OTHER ORDERS:**
	1. Alternative Dispute Resolution: The parties are ordered to engage in alternative dispute resolution (mediation, conciliation, and/or settlement conferences) prior to pretrial.
	2. Guardian Ad Litem fees.       to pay $     to GAL by 5PM on      . Court reserves jurisdiction to reapportion this cost.
	3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IT IS SO ORDERED:**

**Hon. Catherine Decena Triplett**

**Division 21**

**PLAINTIFF/PLAINTIFF ATTORNEY(s):**

**DEFENDANT/DEFENDANT ATTORNEY(s):**

1. \*\*\* NOTE \*\*\* if these documents 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)
2. If there is a GAL, the GAL will prepare a proposed plan and circulate it amongst the parties/attorneys. The attorneys will mark their proposed changes and additions: Petition in Red, Respondent in Blue. [↑](#footnote-ref-3)
3. If the party uses the Bradley Software program, the native Bradley Software file must be sent to the Court. [↑](#footnote-ref-4)