**INSTRUCTIONS FOR PREPARATION**

 **This pretrial order should be jointly prepared by all parties. If one party does not participate, the participating party should submit this with the non-participating parties contentions blank. All parties and counsel are expected to cooperate in the preparation of the pretrial order. The draft order must be submitted to the Court, by email, in MS Word format no later than 48 hours prior to the scheduled pretrial conference. Failure to timely submit will result in the Pre-Trial Conference being converted to a Status Conference. All attachments must be included. All documents required to be filed with the Court Clerk must likewise be filed two business days prior to the scheduled pretrial conference. The proposed order must be submitted to the e-queue of Judge Wonnell in WORD format.**

 **This template is just that, a template. Counsel are not required to use this form, but any proposed pretrial order must cover all of the matters referenced in it. Clearly inapplicable sections may be deleted. For instance, if the property division is resolved, the only portion of the form that need be retained is the part so stating. The remainder may be deleted.**

 **All text boxes must be completed. 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 as 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 Pre-Trial order should clearly reflect both parties’ contentions.**

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

**FAMILY COURT**

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

Click here to enter text. **Case No.** Click here to enter text.

**and Division 6**

Click here to enter text. **Chapter 23**

**PRETRIAL ORDER**

A final pretrial conference was held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The one-half hour Court mandated final settlement conference was completed on Click here to enter text..

1. Appearances.
	1. Petitioner appears in person and with counsel, Click here to enter text..
	2. Respondent appears in person and with counsel, Click here to enter text..
	3. Other Appearances (Guardian ad Litem, Case Manager, CASA volunteer, etc.): Click here to enter text.
2. General Stipulations.
	1. There are no objections to personal jurisdiction over the parties, subject matter jurisdiction and venue except: Click here to enter text.
	2. The parties are incompatible and are entitled to a decree of divorce, each from the other.
	3. Choose an item.
	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 children are: Click here to enter text..
	2. The Court properly exercises Choose an item. 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. Choose an item. If the parties have not agreed upon a final parenting plan the Petitioner’s proposed final parenting plans is attached is filed with the Court Clerk as Document Click here to enter text. and Respondent’s proposed final parenting plans is filed with the Court Clerk as Document Click here to enter text..
	4. Issues concerning Third Party Visitation: Click here to enter text.
	5. Petitioner’s concise statement of the facts and/or law upon which he/she relies to support the claim that his/her proposed parenting plan serves the best interests of the minor child(ren): Click here to enter text.
	6. Respondent’s concise statement of the facts and/or law upon which he/she relies to support the claim that his/her proposed parenting plan serves the best interests of the minor child(ren): Click here to enter text.
4. Support.
	1. Spousal Maintenance.
		1. Choose an item..
		2. Set forth Petitioner’s position concerning the amount, manner, and term of maintenance, all terminating events, and the legal and factual basis for the request/opposition for/to maintenance: Click here to enter text.
		3. Set forth the Respondent’s position concerning the amount, manner, and term of maintenance, all terminating events, and the legal and factual basis for the request/opposition for/to maintenance: Click here to enter text.
		4. If spousal maintenance is an issue for trial, each party has filed a current Domestic Relations Affidavit (signed within seven days prior to the pre-trial conference) at the time of 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. If child support is resolved, the parties agreed child support worksheet is attached as Attachment Choose an item..
		2. If child support is not resolved, Petitioner’s proposed child support worksheet is filed with Court Clerk as Document Click here to enter text.. Petitioner sets forth the following concise statement of the facts and/or law supporting his/her claim that the proposed child support worksheet is appropriate, including the basis for any Section E adjustments: Click here to enter text.
		3. If child support is not resolved, Respondent’s proposed child support worksheet is filed with the Court Clerk as Document Click here to enter text.. Respondent sets forth the following concise statement of the facts and/or law supporting his/her claim that the proposed child support worksheet is appropriate, including the basis for any Section E adjustments: Click here to enter text.
		4. Is the Interstate Pay Differential applicable and if so for what states? (If the parties do not agree each parties’ concise position should be set forth.) Click here to enter text.
		5. Should the Court use the Extended Income Formula? Why or why not? (If the parties do not agree each parties’ concise position should be set forth.) Click here to enter text.
		6. Shared Residency Calculation (if applicable).
			1. The parties shared expense plan is attached as Attachment Choose an item..
			2. If the parties have not agreed upon a written shared expense plan: Choose an item.. The child(ren)’s Direct Expenses are paid by: Choose an item.. (If the parties do not agree each parties’ concise position should be set forth.) Click here to enter text..
5. Property Division.
	1. Choose an item..
	2. If the division of property is not resolved: Petitioner’s proposed property division spreadsheet is attached as Attachment Choose an item.. Respondent’s proposed property division spreadsheet is attached as Attachment Choose an item..
	3. The parties’ ages are: Husband Click here to enter text. and Wife Click here to enter text..
	4. The length of the marriage is: Click here to enter text. If there were substantial periods of separation or other factors that should be considered regarding the length of marriage please describe. Click here to enter text..
	5. Petitioner’s position regarding the present and future earning capacities of each party: Click here to enter text..
	6. Respondent’s position regarding the present and future earning capacities of each party: Click here to enter text..
	7. Provide a summary of any significant facts Petitioner will be asking the Court to consider concerning time, source, and manner of acquisition of property; dissipation of assets; family ties and obligations; the allowance of maintenance or lack thereof; or other relevant factors in making a just and reasonable division of property (see K.S.A. 23-2804):Click here to enter text..
	8. Provide a summary of any significant facts Respondent will be asking the Court to consider concerning time, source, and manner of acquisition of property; dissipation of assets; family ties and obligations; the allowance of maintenance or lack thereof; or other relevant factors in making a just and reasonable division of property (see K.S.A. 23-2804):Click here to enter text..
	9. If there are issues regarding the value of marital assets or debts, identify Petitioner’s previously designated expert (appraiser) testifying: Click here to enter text..
	10. If there are issues regarding the value of marital assets or debts, identify Respondent’s previously designated expert (appraiser) testifying: Click here to enter text..
	11. The Court sets the following valuation dates: Click here to enter text.
6. Witnesses.
	1. Petitioner lists (full name and address) fact witnesses for 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: Click here to enter text.
	2. Respondent lists (full name and address) fact witnesses for 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: Click here to enter text.
	3. Petitioner lists the following previously designated experts for testimony at trial: Click here to enter text.
	4. Respondent lists the following previously designated experts for testimony at trial: Click here to enter text.
	5. 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.
	6. 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.
7. Exhibits.
	1. Petitioner’s preliminary exhibit list is attached as Attachment Choose an item..
	2. Respondent’s preliminary exhibit list is attached as Attachment Choose an item..
	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: Click here to enter text.
	4. All trial exhibits, together with a final exhibit list, will be marked and exchanged ten days prior to trial. Exchange may be electronic. Petitioner’s Exhibits will be marked 1-99. Respondent’s exhibits will be marked 100-199. Third party exhibits will be marked 201-299. Parties may present exhibits in electronic format as long as opposing Counsel, the witness and the Court have access to and see the same document. If a party wants to offer evidence contained on a phone or other electronic device, and has not previously made a paper or pdf version of the evidence, the entire phone or electronic device may be admitted into evidence and all of the contents on the phone or electronic device as well.
	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. Click here to enter text..
	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: Click here to enter text..
	9. Exhibits not listed, marked, and exchanged as required by this order, shall not be received into evidence absent leave of Court.
8. Amendments to Pleadings.
	1. Click here to enter text.
9. Pending Motions or Motions Expected to be Filed Prior to Trial.
	1. Petitioner: Click here to enter text.
	2. Respondent: Click here to enter text.
	3. Pending motions: Click here to enter text.
10. Trial.
	1. Trial is scheduled for Click here to enter a date. Beginning at Click here to enter text. for a period of Click here to enter text..
	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.
	3. If ordered, Trial Briefs or Proposed Findings of Fact and Conclusions of Law shall be delivered to the Court, with copies to all opposing counsel or unrepresented parties, two days prior to trial.
	4. The parties Choose an item. expedited trial procedures. A separate agreed order for the procedure to be used will be filed before trial.
11. Procedural or Other Issues.
	1. Click here to enter text.

IT IS SO ORDERED.

*­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

District Court Judge

Submitted by:

[insert attorney signature blocks here]