

10TH JUDICIAL DISTRICT OF KANSAS
JOHNSON COUNTY, DIVISION 14

RULES OF THE COURT

The following Rules of the Court become effective immediately as of this 6th day of March, 2024, and continue until further order of the Court:

1. **Conduct.** Counsel, Parties, and Witnesses are expected to treat each other with civility and courtesy. Do not feel free to interrupt. When on Zoom, please behave with courtesy just as you would in the physical courtroom. Harassment of any personnel appointed to assist the Court will not be tolerated.
2. **Civility to Court Appointed Personnel.** Parties and Counsel will treat everyone appointed by the Court to assist in any case with civility. You will at no time harass, threaten, or disparage these individuals in any way whether by phone, email, text, social media, or in any other fashion. These individuals include but are not limited to: Guardian Ad Litem, Case Manager, Parenting Coordinator, Parenting Supervisors, Court Services officers, Special Masters, Mediators, Conciliators, Interpreters, Court Reporters, the Court's Administrative Assistant, and anyone else the Court may appoint to assist in the investigation or disposition of a case. *Failure to follow this order may result in contempt proceedings.*
3. **Recording of Hearings.** Pursuant to Supreme Court Rule 1001, no one may record hearings, either in person or by Zoom, without permission of the Court. Violations of this rule will result in contempt proceedings.
4. **Administrative Assistant.** The Court's AA is not permitted to give legal advice. Please do not ask her for legal advice. Please do not attempt to litigate your case with the AA. Communication with the AA is for scheduling only. You may not email the AA to issue complaints or for any other reason. Violation of this rule may subject you to contempt proceedings or criminal charges.
5. **Email.** Please do not email the Judge directly without permission. All email must go through the Judge's AA. Stacey.Pennell@jocogov.org
6. **Attire.** Counsel, Parties and Witnesses are expected to dress for court, including Video Court.
7. **Video.** Counsels and parties are expected to make certain they have good

signal and clear audio for hearings by Zoom. Everyone must appear on video. This is a court of record. For the record to be clear, please ensure you have good signal and a good microphone. It is illegal for you to record the hearing. Violation of Supreme Court Rule 1001 will result in contempt proceedings.

8. **Witnesses by Video.** For trials and contested hearings by video, please be aware that parties and witnesses are required to sit in a separate room when they are "on the stand" testifying.

9. **Motions.** You may Not attach exhibits to your motions. The Court will not consider any exhibit attached to a motion or other pleading. Exhibits are Not admitted absent an opportunity to object by the opposing party.

10. **Motions to Modify.** Motions to modify must go through mediation before a hearing will be set. If filing a Motion to Modify, the proposed parenting plan, Domestic Relations Affidavit (DRA), and child support worksheet must be filed contemporaneous with the Motion to Modify pursuant to Supreme Court rules.

11. **Motions for the Hearing Officer.** Motions to modify support, terminate support, modify or terminate maintenance, or other matters that can be heard by the Hearing Officer must first be raised with the Hearing Officer.

12. **Motions to Compel Discovery.** You must confer with the opposing party or their counsel before filing a motion to compel. A "Golden Rule" letter is not a substitute for conferring.

13. **Notice of Hearing.** When counsel or a pro se party asks for a matter to be scheduled, counsel or parties are required to send out a notice of the hearing. Please include the name of the motion, the document number, and the filing date from the ROA in the Notice so it is clear to everyone what is going to be heard (the filing date is important because we may lose document numbering when we switch to the Odyssey system). Also, Do Not simply notice up hearings or assume you can *add* motions to a previously scheduled hearing. You *must* ask the Court's AA first for permission to schedule a motion or other matter so that we can ensure there is enough time for your matter or motion to be heard.

14. **Exhibits.** For contested hearings by video, please be aware the Court requires that exhibits be submitted well in advance of the hearing. The Court will not entertain trial by ambush. Time deadlines shall be set by the Court for each case, but in every case no less than 48 hours prior to the hearing. The Court needs time to make certain your exhibit can be opened. For in-person hearings, you may bring the Court's copy of the exhibits on a flash drive on the day of the hearing but you must exchange with the opposing party in advance as ordered. When Case Center is fully in place, you will be required to submit exhibits through that portal. ** You may Not attach exhibits to your motions. The Court will Not consider exhibits attached to motions or other pleadings. Pursuant to the statutory

rules of evidence, exhibits must be introduced in court with an opportunity for the opposing party to object.

15. Parenting Plans. Parties should file a Parenting Plan within 90 days of filing their Petition for divorce or parentage action. If filing a Motion to Modify, the proposed parenting plan, DRA and child support worksheet must be filed contemporaneous with the Motion to Modify per Supreme Court Rule.

16. Temporary Orders. If a temporary order restricts parenting time, asks for maintenance, or asks for child support -- counsel must include in the motion sound basis for the requested order including a child support worksheet.

17. Objections to Ex Parte Orders. If you object to any provisions of an ex parte temporary order, please contact the Court's AA to schedule a hearing as soon as possible. A hearing will be scheduled as soon as possible.

18. Uncontested Divorce, Paternity, Custody. If one Party is pro se, please schedule a disposition hearing with the Court. Counsels must submit an asset spreadsheet to ensure the division of assets is fair, just and equitable. Parties should sign the spreadsheet. Spreadsheets should not be filed; they should be emailed to the Court's AA to keep this information private.

19. Spreadsheets. When division of assets and debt are at issue for trial, Counsels must each prepare a UNIFORM spreadsheet. Each party will have their own version of the spreadsheet which shows the values and assignments they believe are correct, but both worksheets will list the same items, in the same order, using the same descriptions (for instance, the Court does not want one spreadsheet to read "Retirement Account" and the other to read "401k Account"). If there is argument as to whether an item goes on the spreadsheet, then the Court wants to see it on the spreadsheet. You can argue at trial whether the item or value belongs on the spreadsheet. Each side will please provide a copy of their spreadsheet with their proposed values for the Court in digital format using landscape mode. The spreadsheets must be provided to the Court at the PreTrial conference, and the final spreadsheet is due no later than 2 days before trial.

20. Mandatory Settlement Conference. Please be aware that before trial, the Court requires Counsel and Parties to engage in a settlement conference with counsel present. Parties are expected to be prepared, and they must have a spreadsheet of assets (if at issue) for that conference.

IT IS SO ORDERED.

Paul W. Burmaster
District Court Judge - Div. 14
Johnson County, Kansas