

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

5

Petitioner,

Case No: _____
DIVISION 5

v.

Respondent,

SCHEDULING ORDER

On _____, 2012, this case came before the Court on a case management conference. The Court hereby makes the following orders:

1. This case is set for trial on _____, 201____, at _____am/pm in Division Five. This is a NO CONTINUANCE trial setting and will not be continued by the Court absent extraordinary circumstances.

2. Each party shall submit a proposed judgment to the Court the day of trial in both hard copy and electronically in *Word* format on a disk. Parties may submit their proposed judgments after the conclusion of all evidence on the day of trial.

3. Discovery in this case shall be completed by all parties and close on _____, 201____ (closure date). “Discovery” includes, but is not limited to, interrogatories, requests for production of documents, depositions, and requests for admissions. “Completion” of discovery contemplates the timely exchange of pleadings and responses thereto. Discovery may not be conducted after the closure date except by agreement of the parties, or by order of the Court, for good cause shown, upon the filing of a motion to extend discovery before the original closure date. An agreement of the parties to conduct discovery after the closure date shall not constitute grounds for a continuance of the trial. Nothing contained herein shall excuse a party from the continuing obligation to update responses

to discovery or to respond to discovery requests made before the closure date. All motions shall be filed promptly after counsel discovers, or should have discovered, the basis for such motion. No motion may be filed after the closure date set in this order except for cause occurring subsequent to the closure date. Parties shall comply with the applicable provisions of Local Rule 68.4.1.

4. The Court has considered whether or not mediation will assist the parties in discussing contested issues in the case and, being fully advised, makes the following orders regarding mediation (an "X" indicates the paragraph is in effect under this scheduling order):

_____ Mediation is ordered Pursuant to Local Rule 68.12 and the sliding fee schedule. Accordingly, the parties will not have the ability to select a mediator. The issues to be mediated are limited to custody and/or visitation. The mediator is to be assigned and coordinated through the Office of Family Court Resource Services. The parties are ordered to file their respective Form 15 with Family Court Resource Services located on 3100 Main, Suite 204, Kansas City, Missouri 64111, within five (5) days of this order. Fees shall be assessed on a sliding scale basis. Failure to complete mediation prior to the trial date listed in paragraph one (1) of this order will not be grounds for a continuance of the scheduled trial date.

_____ The mediator agreed to by the parties is: _____.

The parties shall schedule mediation with the mediator within fifteen (15) days of the date of this order. Failure to complete mediation prior to the trial date listed in paragraph one (1) of this order will not be grounds for a continuance of the scheduled trial date. All unresolved issues are to be mediated by the parties. Petitioner shall pay _____ percent of the mediator's fee. Respondent shall pay _____ percent of the mediator's fee.

_____ The mediator shall be selected by the parties within _____ days of the date of this order and the parties shall immediately file with the Court notice of the name of the mediator. Failure to select a mediator and notify the Court of the name of the mediator within this time frame shall result in the Court selecting a mediator for the parties. Failure to complete mediation prior to the trial date listed in paragraph one (1) of this order will not be grounds for a continuance of the scheduled trial date. All unresolved issues are to be mediated by the parties. Petitioner shall pay _____ percent of the mediator's fee. Respondent shall pay _____ percent of the mediator's fee.

_____ The Court directs the parties to mediate this case with:_____.

The parties shall schedule mediation with the mediator within fifteen (15) days of the date of this order. Failure to complete mediation prior to the trial date listed in paragraph one (1) of this order will not be grounds for a continuance of the scheduled trial date. All unresolved issues are to be mediated by the parties. Petitioner shall pay _____ percent of the mediator's fee. Respondent shall pay _____ percent of the mediator's fee.

_____ For good cause shown, the court waives the requirement for mediation directed by Supreme Court Rules 17 and 88, and by Local Rule 68.12.

5. The Court makes the following determination regarding the appointment of a Guardian Ad Litem at this time, however the Court may change its determination prior to the final disposition of this case by modification of this order or a separate order. Either party may file a verified motion requesting the appointment of a Guardian Ad Litem (an "X" indicates that the paragraph is in effect under this scheduling order):

_____ The parties have no basis for the appointment of a Guardian Ad Litem.

_____ The parties have indicated a basis for the appointment of a Guardian Ad Litem, and the Court will appoint_____ as the Guardian Ad Litem for the minor child(ren) herein. The details of that appointment shall be fully set forth in a separate order.

_____ The Court finds that a Guardian Ad Litem would be helpful in representing the interests of the child(ren) in this matter, and the Court will appoint _____ as the Guardian Ad Litem for said minor child(ren). The details of that appointment shall be fully set forth in a separate order.

6. The Petitioner and Respondent in this matter are ordered to complete the following (an "X" indicates that the paragraph is in effect under this scheduling order):

_____ FOCIS (Dissolutions)

_____ REFOCIS (Motions to modify that involve custody or visitation)

_____ PTLA (Parenting Together Living Apart-Paternity)

Petitioner and Respondent shall schedule classes immediately and complete the required classes on or before _____.

7. In the event this case is settled and the parties are granted leave to submit this case by affidavit, the affidavit shall include all information listed in Form 1499 of Local Rule 68.3.1 in **THE SAME NUMERICAL ORDER** found in said form. Form 1499 of Local Rule 68.3.1 can be found on the Court's website. In addition, both parties shall file a Form 1402.

8. Miscellaneous orders:

9. The following are new orders or modifications of the existing orders:

IT IS SO ORDERED.

Date

JAMES F. KANATZAR

Circuit Judge-Division Five

Copies of this order were hand delivered to:

_____, Attorney for Petitioner

_____, Attorney for Respondent
