IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT, IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

FAMILY LAW DIVISION

|  |  |
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|  , |  |
| Petitioner, |  |
| Case No.: |   |
| and |  |
| Division: | J |
|  , |  |
| Respondent. |  |

# ORDER SETTING TRIAL AND PRETRIAL CONFERENCE

(Judge Christine A. Marlewski)

Pursuant to Rule 12.440 of the Florida Family Law Rules of Procedure, the Court finds that this action is at issue and ready for trial, and orders as follows:

1. This cause is set for Trial on , beginning at

 .m., in Courtroom 403 of the George E. Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida 33602.

1. This cause is set for Pretrial Conference on , beginning at .m., in Courtroom 403 of the George E. Edgecomb Courthouse, 800

E. Twiggs Street, Tampa, Florida 33602.

1. The parties to this case and their respective lead counsel for the Trial shall be present for the Pretrial Conference.
2. At least 45 days before the scheduled Trial date, each party shall provide to the other party and file with the Court a witness list giving the names, addresses and telephone numbers of all individuals and representatives that the party reasonably expects to call at trial, along with a brief summary of each witness’s expected testimony. The witness list shall specifically designate all expert witnesses.
3. All discovery shall be completed by the date of the Pretrial Conference set forth

above.

* 1. Prior to the Pretrial Conference, the substance of any expert opinions to be offered

at trial shall be disclosed.

* 1. Prior to the Pretrial Conference, any expert witness expected to testify at trial shall be made available for deposition.
	2. All discovery requests must be timely served so that the applicable rule allows for a response no later than the date of the Pretrial Conference.
1. Counsel for the parties shall meet to exchange and mark exhibits for Trial no later than the Tuesday before the week in which the Trial is scheduled to start. Counsel shall attempt to agree to the admissibility of as many exhibits as possible. All agreed upon exhibits shall be in a notebook or series of notebooks with a descriptive index and marked as agreed for purposes of admission into evidence. Any exhibits not agreed upon shall be kept in separate notebooks and marked as the particular party’s proposed exhibits. The notebooks shall be no thicker than 2.5 inches. All parties are encouraged to consider technology in their submissions, including the use of electronic exhibits with an electronic hyperlinked index.
2. All trial notebooks shall be delivered to the Court by 12:00 p.m. on the Friday before the week in which Trial is scheduled to begin.
3. Please be advised that absent extraordinary circumstances and good cause shown (or where it is otherwise permitted under the rules), the Court will generally preclude the testimony of a witness not disclosed on the witness list, and will generally preclude the introduction of evidence not disclosed during discovery.
4. A mediation conference shall be completed at least 14 days before the first day of the Trial.
5. At least three (3) days prior to the Pretrial Conference, counsel for the parties are directed to each file with the Court and serve on opposing counsel a Memorandum setting forth the following:

# THE MARRIAGE

* + 1. Date and place of marriage.
		2. Date of separation.
		3. Date of filing of the petition for dissolution of marriage.

# THE CHILDREN

* + 1. Names and ages of the children involved, if any.
		2. The party who presently has majority timesharing with the children.
		3. The amount of child support proposed for the children.
		4. Whether or not the children are covered under any medical insurance policy.
		5. What, if any, special medical problems any of the children have.
		6. Completed proposed parenting plan.
		7. Whether a social investigation or guardian ad litem was ordered and report completed.
		8. Whether an approved Parent Education and Family Stabilization class has been completed and a certificate filed.

# ALIMONY

* + 1. Nature of the alimony: permanent, durational, rehabilitative, lump sum, bridge-the-gap, or a combination of the same.
		2. Amount of alimony, if any, proposed by each party.
		3. A proposed needs analysis summary from each party.
		4. Whether rehabilitative alimony is requested, and whether a written plan has been submitted.

# PERSONAL PROPERTY

* + 1. A detailed list of all personal property in controversy, including a statement of values; date of valuation; source of valuation; whether any values are agreed; whether any lien or obligation exists against the property; and the identity of the lien obligor.
		2. Suggested disposition of the property.
		3. A list of all life insurance policies, if any, and whether said policies are term or whole life, the beneficiary of said policies, and their present cash surrender value.

# REAL PROPERTY

* + 1. A detailed list of all real property in controversy, including a statement of values; date of valuation; source of valuation; whether any values are agreed; whether any lien or obligation exists against the property; and the identity of the lien obligor and the lien holder.
		2. What interest, right of claim or equitable interest each party claims in each parcel of property.
		3. Suggested disposition of the property.

# RETIREMENT PLANS

* + 1. A list of all retirement, pension, profit sharing, annuity, deferred compensation, and insurance plans, whether vested or non-vested.
		2. The value of the retirement plans or other benefits.
		3. What interest, right, claim or equitable interest each party claims in the plan or benefit.
		4. Suggested disposition of the plan or benefit.
		5. Date of valuation.

# DEBTS

* + 1. A list of all unsecured debts and the amounts thereof.
		2. A list of all secured debts including the security for payments of the debts and the amounts thereof.
		3. Suggested disposition of the debts.
		4. Date of valuation.

#  ATTORNEY’S FEES AND COURT COSTS

* + 1. A statement of the amount of attorney’s fees and court costs sought by either party from the other (estimate to conclusion of Trial) with a citation to authority as to the legal basis for recovery of attorney’s fees and costs.
		2. Whether testimony will be offered on this issue at Trial or at a subsequent hearing.

# MISCELLANEOUS

* + 1. Whether any party requests amendment of the pleadings.
		2. Whether any issues should be referred to a general magistrate or to mediation.
		3. Whether further discovery is requested. The conduct of discovery after the discovery deadline shall be permitted only on order of the Court for good cause shown or agreement of the parties and which shall not delay the Trial of this cause.
		4. A good faith list of all admissions and stipulations to avoid unnecessary proof.
		5. Whether a party requests judicial notice and a particular listing of all issues or matters for which judicial notice is requested.
		6. A good faith list of all issues to be resolved with attached memoranda of law when anticipated to be necessary.
		7. Estimate the time needed for Trial. (The parties are expected to complete the Trial within the allotted time and the Court will equitably allocate the time between the parties).
		8. Whether either party requests child support and/or alimony payments to be made through the State Disbursement Unit.
		9. A statement reflecting the last date the parties mediated.

# ATTACH TO THE MEMORANDUM THE FOLLOWING

* + 1. An up-to-date, full, complete, accurate and properly executed Family Law Financial Affidavit.
		2. A Child Support Guidelines Worksheet.
		3. A joint proposed chart of equitable distribution identifying each item and value agreed upon. If the parties are unable to submit a joint proposed equitable distribution chart, each party shall submit a proposed equitable distribution chart. Each chart shall include a description of the source of valuation (agreed, appraisal, expert testimony, party testimony, etc.).
		4. A schedule of all photographs, exhibits, and documentary evidence that the party intends to use at trial.
		5. An updated witness list giving the names, addresses and telephone numbers of all individuals and representatives that the party reasonably expects to call at trial, along with a brief summary of each witness’s expected testimony. The witness list shall specifically designate all expert witnesses.
1. All motions not heard at least ten (10) days prior to Trial are deemed abandoned or waived, absent good cause shown.
2. The parties shall do all things reasonable and necessary to assure the availability of their witnesses for the Trial or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure.
3. **Counsel shall immediately notify the Court in the event of settlement**. The case will not be removed from the trial docket until the settlement terms are reduced to writing and submitted to the Court for approval.
4. Failure to comply with the requirements of this Order **shall** subject a party or counsel to appropriate sanctions and may subject the case to being removed from the trial docket without further notice.

**DONE AND ORDERED** at Tampa, Hillsborough County, Florida, this day of

 , 20 .

Copies to:

CHRISTINE A. MARLEWSKI

Circuit Judge

 , Counsel for Petitioner

 , Counsel for Respondent