

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

Case No.:

<p>,</p> <p>Plaintiff,</p> <p>vs.</p> <p>,</p> <p>Defendant</p>	
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**Pre-Trial Order for a case involving domestic relations**

The following constitutes a Pre Trial Order entered in the above styled case after conference with counsel for the parties:

I. The name, address and phone number of the attorneys who will conduct the trial are as follows:

For the Plaintiff

For the Defendant

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bar No. \_\_\_\_\_

Bar No. \_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

II. The estimated time required for trial is \_\_\_\_\_.

III. There are no motions or other matters pending for consideration by the court except as follows: \_\_\_\_\_.

IV. If there is a jury demand, the jury will be qualified as to relationship with the following: \_\_\_\_\_.

V.

- a. All discovery has been completed, unless otherwise noted and the court will not consider any further motions to compel discovery except for good cause shown. The parties, however, are permitted to take depositions of any person(s) for the preservation of evidence for use at trial.
- b. Unless otherwise noted, the names of the parties as shown in the caption to this order are correct and complete and there is no question by any party as to the misjoinder or non joinder of any parties.

- VI. Plaintiff has attached proposed child support worksheets as Exhibit "P-5", proposed parenting plan(s) as Exhibit "P-6" and a list of exhibits as Exhibit "P-2" supporting their contentions.
- VII. Defendant has attached proposed child support worksheets as Exhibit "D-5", proposed parenting plan(s) as Exhibit "D-6" and a list of exhibits as Exhibit "D-2" supporting their contentions.
- VIII. Issues:

		In dispute?	
		Yes	No
A.	Divorce	<input type="checkbox"/>	<input type="checkbox"/>
B.	Alimony	<input type="checkbox"/>	<input type="checkbox"/>
C.	Property division	<input type="checkbox"/>	<input type="checkbox"/>
D.	Child Custody	<input type="checkbox"/>	<input type="checkbox"/>
	Visitation	<input type="checkbox"/>	<input type="checkbox"/>
	Child Support	<input type="checkbox"/>	<input type="checkbox"/>
E.	Attorney's Fees	<input type="checkbox"/>	<input type="checkbox"/>
F.	Other	<input type="checkbox"/>	<input type="checkbox"/>
	_____		

A. If DIVORCE is in dispute, state the grounds and basis of opposition:

By Plaintiff \_\_\_\_\_  
 By Defendant \_\_\_\_\_

B. If ALIMONY is in dispute, state the following:

1. \_\_\_\_\_ seeks alimony as follows: \_\_\_\_\_ in the amount of \$\_\_\_\_.
2. \_\_\_\_\_ would agree to the following: \_\_\_\_\_.
3. Entitlement to alimony is/is not disputed. (If entitlement to alimony is disputed, summarize the claims as to the factual cause of the separation and the conduct of the parties toward each other.)
  - a. Adultery as a bar to alimony is/is not an issue.
  - b. Desertion as a bar to alimony is/is not an issue.
4. Summarize the contentions of the parties as to each of the eight factors under O.C.G.A. §19-6-5 governing the amount of alimony (any factor not summarized here may not be used at trial). \_\_\_\_\_

C. If DIVISION OF PROPERTY is in dispute, complete and attach the property schedule as Exhibits "P-4" and "D-4".

D. For cases involving parties with minor children:

1. Attach as Exhibits "P-7" and "D-7" proof of attendance at the Seminar for Divorcing Parents (whether custody, support or visitation is in issue or not).

2. Complete and attach the Child Support Worksheets as Exhibits "P-5" and "D-5", whether child support is in issue or not.
3. If CHILD CUSTODY or VISITATION is in dispute, state the following:
  - a. Wife wants custody and proposes visitation as provided in her proposed parenting plan attached as Exhibit "P-6" [If more than one plan is proposed, attach and identify as Exhibit "P-6.2, P-6.2, etc.]
  - b. Husband wants custody and proposes visitation as provided in his proposed parenting plan attached as Exhibit "D-6" [If more than one plan is proposed, attach and identify as Exhibit "D-6.2, D-6.2, etc.]
  - c. If either party desires "joint physical custody", state here and explain exact proposal. State any objection in detail. \_\_\_\_.

E. If ATTORNEY'S FEES are in dispute, state the following:

1. Plaintiff requests approximately \$\_\_\_\_ of Defendant and cost. State legal authority. \_\_\_\_.
2. Defendant requests approximately \$\_\_\_\_ of Plaintiff and cost. State legal authority. \_\_\_\_.

F. List and summarize all other issues:

\_\_\_\_\_

[paragraphs IX through XI are inapplicable]

- XII. If not previously filed, each party shall present to the court at the pre trial conference the affidavits required by Rule 24.2. as Exhibits "P-3" and "D-3"
- XIII. Stipulated facts are attached as Exhibit "P-9".
- XIV. The parties have attached as Exhibits "P-2" and "D-2" a list of all documentary and physical evidence that will be tendered at the trial by the Plaintiff or Defendant. Unless noted, the parties have stipulated as to the authenticity of the documents listed and the exhibits listed may be admitted without further proof of authenticity. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury.
- XV. Special authorities relied upon by Plaintiff relating to peculiar evidentiary or other legal questions are as follows: \_\_\_\_.
- XVI. Special authorities relied upon by Defendant relating to peculiar evidentiary or other legal questions are as follows: \_\_\_\_.
- XVII. All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3. [counsel should inquire of the court regarding any request of electronic copies of the requests to charge.]

- XVIII. The testimony of the following persons may be introduced by depositions: \_\_\_\_\_. Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the court prior to trial.
- XIX. The parties have attached lists of witnesses as Exhibits "P-1" and "D-1" indicating whether the witness 1) will be present or whether the witness 2) may be present at trial.
- XX. Opposing counsel may rely on representation by the designated party that he will have a witness present unless notice to the contrary is given in sufficient time prior to trial to allow the other party to subpoena the witness or obtain his testimony by other means.
- XXI. The possibilities of settling the case are \_\_\_\_\_.
- XXII. The parties Choose one want the case reported. If the case is reported, both parties will bear the cost of the take down.
- XXIII. Other matters: \_\_\_\_\_.
- XXIV. Attachments: {**check all that apply**}

Exhibit #	Plaintiff	Description	Exhibit #	Defendant
P-1	<input type="checkbox"/>	List of Witnesses	D-1	<input type="checkbox"/>
P-2	<input type="checkbox"/>	List of Evidentiary Exhibits	D-2	<input type="checkbox"/>
P-3	<input type="checkbox"/>	Financial Affidavit	D-3	<input type="checkbox"/>
P-4	<input type="checkbox"/>	Property Schedule	D-4	<input type="checkbox"/>
P-5	<input type="checkbox"/>	Child Support Worksheet(s)	D-5	<input type="checkbox"/>
P-6	<input type="checkbox"/>	Parenting Plan(s)	D-6	<input type="checkbox"/>
P-7	<input type="checkbox"/>	Seminar for Divorcing Parents Certification	D-7	<input type="checkbox"/>
P-8	<input type="checkbox"/>	Other _____	D-8	<input type="checkbox"/>
P-9	<input type="checkbox"/>	Stipulations		

It is hereby ordered that the foregoing, including the attachments thereto, constitutes the PRE TRIAL ORDER in the above case and supersedes the pleadings which may not be further amended except by order of the court to prevent manifest injustice.

SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Judge, Superior Court  
 Blue Ridge Judicial Circuit