

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

_____,
Plaintiff,

v.

Civil No.: _____

_____,
Defendant.

CONTESTED DIVORCE SCHEDULING ORDER

I. Trial Date

The trial date of this case is _____, 20_____, at _____ A.M.

The estimated length of trial is _____.

- Continuances of the trial date will only be granted by the Court for good cause shown.
- A court reporter is required for the trial and must be secured by the parties.

II. Issues [check all that apply]

- Grounds of Divorce
- Equitable Distribution
- Child Custody
- Child Visitation
- Spousal Support
- Child Support

III. Judicial Settlement Conference

The parties are ordered to attend, no later than 30 days before trial, a Judicial Settlement Conference at no cost to the parties, unless waived by the Court. By agreement of the parties, mediation by a certified mediator may be substituted for the Judicial Settlement Conference.

IV. Discovery

The parties shall complete discovery, including depositions, by 30 days before trial; however, depositions taken in lieu of live testimony at trial will be permitted until 15 days before trial. Discovery and depositions may be taken after the specified time period by agreement of counsel of record or for good cause shown. The foregoing deadlines shall not relieve a party of the obligation to respond to discovery requests within the time periods set forth in the Rules of the Supreme Court of Virginia, including, in particular, the duty to supplement or amend prior responses pursuant to Rule 4:1(e) of the Rules of the Supreme Court of Virginia.

V. Designation of Experts

If requested in discovery, experts shall be identified on or before 90 days before trial. If requested, all information discoverable under Rule 4:1(b)(4)(A)(I) of the Rules of Supreme Court of Virginia shall be provided or the expert will not ordinarily be permitted to express any non-disclosed opinions at trial. The foregoing deadline shall not relieve a party of the obligation to respond to discovery requests within the time periods set forth in the Rules of Supreme Court of Virginia, including, in particular, the duty to supplement or amend prior responses pursuant to Rule 4:1(e) of the Rules of the Supreme Court of Virginia.

VI. Dispositive Motions

All dispositive motions shall be presented to the court for hearing as far in advance of the pretrial conference as practical, and in no case later than the pretrial conference.

VII. Parent Education Seminar

If a child's custody, visitation or support, is contested, the parents must show proof that they have attended within 12 months of their court appearance, or otherwise shall attend within 45 days, an educational seminar conducted by a qualified person or organization on the effects of separation or divorce on children, parenting responsibilities, options for conflict resolution and financial responsibilities pursuant to Virginia Code § 20-103, unless the Court grants an exemption from attendance of such program for good cause shown.

VIII. Exhibit and Witness List

Counsel shall exchange 15 days before trial a list specifically identifying each exhibit to be introduced at trial, copies of any exhibits not previously supplied in discovery, and a list of witnesses proposed to be introduced at trial. Any exhibit or witness not so identified will not be received in evidence, except in rebuttal or for impeachment or unless the admission of such exhibit or testimony of the witness would cause no surprise or prejudice to the opposing party and the failure to list the exhibits was through inadvertence.

IX. Pretrial Conference

A pretrial conference will be held on _____, 20____ at 9:00 AM. The purpose of the pretrial conference is to discuss the issues, to reach stipulations, to discuss settlement and any other matters that may aid in the disposition of the case. The parties and counsel must attend the pretrial conference in person. Five (5) days prior to the pretrial conference the Pretrial Conference Brief and all worksheets and forms that are applicable to the case must be completed and exchanged by counsel and filed with the court. The worksheets and forms required by the Court applicable to the issues in this case (*see* Appendix II of the Chesapeake Circuit Court Contested Divorce Procedures Manual):

- Monthly Income and Expense Statement of each party

- Child Support Guideline Worksheets
- Equitable Distribution Forms
- The statutory factors that are applicable to the case and what evidence counsel expects to produce at trial to support each factor (Forms: 5(A), 5(B), 5(C) & 5(D))
- Such other forms as directed by the Court

A Final Pretrial Conference Order will be entered by the judge at the conclusion of the conference.

X. Waiver of Modification of Terms of Order

Upon motion, the time limits and prohibitions contained in this order may be waived or modified by leave of court for good cause shown.

XII. Failure To Comply

Failure to comply with any provision of this Order by any party may result in limitation or exclusion of evidence, and/or claims, and/or the case being removed from the trial docket and/or any other appropriate sanctions.

IT IS SO ORDERED.

ENTER: _____

Judge

WE ASK FOR THIS:

Counsel for Plaintiff

Counsel for Defendant