

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

Plaintiff \_\_\_\_\_ , \*  
\*  
\*  
\* Case No. :  
\*  
vs. \*  
\*  
\*  
Defendant \_\_\_\_\_ , \*

**DOMESTIC RELATIONS PRE-TRIAL ORDER**

INSTRUCTIONS: This order must be completed IN DETAIL as to all issues.  
Conclusory language of OCGA shall not suffice to preserve any disputed issue.

**I. Issues:**

	Is in dispute?	
	YES	NO
A. Divorce	( )	( )
B. Alimony	( )	( )
C. Division of Property	( )	( )
D. Child Custody	( )	( )
Visitation	( )	( )
Child Support	( )	( )
E. Attorney's Fees	( )	( )
F. Other _____	( )	( )

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

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

1. (Husband)(Wife) seeks alimony as follows:

Periodic: \_\_\_\_\_ per \_\_\_\_\_ (if terminable other than at death or remarriage, state termination conditions: \_\_\_\_\_)

Lump sum: \_\_\_\_\_ (if payable in installments indicate the period for such installment payments: \_\_\_\_\_)

In kind: \_\_\_\_\_

2. (Wife)(Husband) opposes alimony or would agree to the following alimony award : \_\_\_\_\_

3. Entitlement to alimony (is)(is not) disputed. (If entitlement to alimony is disputed, each party must 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 an issue. EXPLAIN:

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

b. \_\_\_\_ Desertion as a bar to alimony is an issue. EXPLAIN:

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

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, this order incorporates the most recent version of the financial affidavit filed by each party and the matters therein are deemed to set forth accurately each party's position as to the property at issue and the value thereof. If "source of funds" is an issue, provide details including an explanation of the proposed disposition of the property, using the source of funds analysis and formula. Without details, source of funds issue will be deemed waived.

Set forth your proposed award of property. Value of property must be CURRENT MARKET VALUE for all real and personal property.

Wife's Proposed Award:

1. Real Property:

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2. Vehicles:

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3. Personal Property:

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Husband's Proposed Award:

1. Real Property:

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2. Vehicles:

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3. Personal Property:

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Unscheduled property will be left with the party in current possession and will not be otherwise awarded unless stipulated.

**D. If CHILD CUSTODY, VISITATION or CHILD SUPPORT is in dispute:**

1. Attach proof of attendance at the Seminar for Divorcing Parents (as required by standing order of this circuit in **all cases with minor children**, whether

custody, support or visitation is in issue or not).

2. Complete and attach up-to-date Child Support Worksheet and Schedules and complete the Child Support Attachment.

3. State contentions about duration of child support for each child. Absent detailed submission, child support shall continue until age 20 so long as the child is enrolled in and attending high school, not emancipated, married, self supporting, or deceased.

4. If **CHILD CUSTODY / VISITATION** is in dispute, attach a proposed parenting/visitation plan. If a guardian ad litem is involved in this case, has the guardian approved the proposed plan?

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).\_\_\_\_\_

3. It is the obligation of EACH party to supplement this figure and bring it current with notice to the other party in writing up to the day before trial at the commencement of any trial or hearing in which attorney's fees are sought.

F. The parties' financial affidavits as required by Uniform Superior Court Rule 24.2 (are attached)(have been previously filed).

G. List and summarize all other issues.

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II. **TRIAL**

Have the parties attended mediation (yes or no)? \_\_\_\_\_

A. The attorneys who will conduct the trial are:

\_\_\_\_\_ for the Plaintiff

\_\_\_\_\_ for the Defendant

**B. 1.** 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, shall be permitted to take depositions of any person(s) for the preservation of evidence for use at trial.

**2.** 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 nonjoinder of any parties.

**C.** The jury will be qualified as to relationship with the following:

\_\_\_\_\_

**D. Evidence**

**1.** The following is 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.

a. By the Plaintiff:

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

b. By the Defendant:

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

**2.** (Plaintiff)(Defendant)calls the court's attention to the following peculiar evidentiary (including but not limited to *Daubert*) or other legal issue(s):

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

Special authorities relied upon by (Plaintiff)(Defendant) relating to peculiar

evidentiary or other legal questions are as follows:

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3. The testimony of the following persons may be introduced by deposition:

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Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the court prior to trial.

**E. Stipulations:**

1. The parties stipulate the admissibility of the following documents (physical evidence) waiving any certification, authentication, hearsay, opinion, chain of custody or other objections:

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2. The parties stipulate the truth of the following facts:

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3. The parties stipulate that the following witnesses would testify under oath as follows and that such be considered as evidence:

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**F. The following are lists of witnesses the Plaintiff *will* have present at trial:**

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Plaintiff *may* have present at trial:

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Defendant *will* have present at trial:

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Defendant *may* have present at trial:

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1. Are you requesting child testimony or interview by the Court?

**G.** There are no motions or other matters pending for consideration by the court except as follows:

**H.** All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3.

**I.** The form of all possible verdicts to be considered by the jury are as follows:

**J.** The possibilities of settling the case are:

**K.** The parties (do)(do not) want the case reported.

**L.** Estimated length of trial is \_\_\_\_\_.

**M.** Final written offers of Settlement were exchanged on \_\_\_\_\_.

**N.** Other matters: -

**O.** Attachments:

\_\_\_\_ Property Schedule

\_\_\_\_ Child Support Worksheet and Schedules current as of \_\_\_\_\_

\_\_\_\_ Child Support Attachment

\_\_\_\_ Seminar for Divorcing Parents Certificate

\_\_\_\_ Financial Affidavits current as of \_\_\_\_\_

\_\_\_\_ Attorney's Fees Proffer \_\_\_\_\_

Submitted by:

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

It is hereby ordered that the foregoing, including the attachments thereto, constitutes the PRE-TRIAL ORDER in the above styled case.

**SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_.**

\_\_\_\_\_  
**Judge, Superior Court**

\_\_\_\_\_  
**Judicial Circuit**



**CHILD SUPPORT ATTACHMENT TO PRE-TRIAL ORDER**

Mark and explain all areas of dispute, including not only the basis of the dispute the monetary amount, if any, you contend is correct. Failure to mark or explain a dispute will result in preclusion of the issue at trial.

**Schedule A - Gross Income Incomes**

	<u>Mother</u>	<u>Father</u>	<u>Nonparent Custodian</u>
<u>Information Complete?</u> (Yes/No)	_____	_____	_____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to the acquire information necessary for both sides to present a completed Schedule A:

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Self-employment Income

Does a party have self-employment income?	_____	_____	_____
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If so, set forth calculation of such income

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Place a checkmark by any disputed items and explain below:

1. Salary and Wages	_____	_____	_____
2. Commissions, Fees, Tips	_____	_____	_____
3. Income From Self-Employment	_____	_____	_____
4. Bonuses	_____	_____	_____

5. Overtime Payments	_____	_____	_____
6. Severance Pay	_____	_____	_____
7. Recurring Income from Pensions or Retirement Plans	_____	_____	_____
8. Interest Income	_____	_____	_____
9. Income from Dividends	_____	_____	_____
10. Trust Income	_____	_____	_____
11. Income from Annuities	_____	_____	_____
12. Capital Gains	_____	_____	_____
13. Social Security Disability or Retirement Benefits (Do not include SSI or payments for children)	_____	_____	_____
14. Worker's Compensation Benefits	_____	_____	_____
15. Unemployment Benefits	_____	_____	_____
16. Judgments from Personal Injury or Other Civil Cases	_____	_____	_____
17. Gifts (cash or other gifts that can be converted to cash)	_____	_____	_____
18. Prizes / Lottery Winnings	_____	_____	_____
19. Alimony & maintenance from persons not in this case	_____	_____	_____
20. Assets which are used for support of family	_____	_____	_____

21. Fringe Benefits (if significantly reduce living expenses) \_\_\_\_\_

22. Any Other Income including Imputed Income. \_\_\_\_\_

Explain basis for dispute, including your position as to correct amount:

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Indicate whether any of the following is at issue and if so, explain basis below:

Willful Un- or Underemployment \_\_\_\_\_

Other Variable Income (including whether either party seeks a one-time lump sum payment) \_\_\_\_\_

Social Security Benefits received by Child \_\_\_\_\_

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**Schedule B - Adjustments to Income**

	Mother	Father	Nonparent Custodian
Applicable?	_____	_____	_____
Information Complete?	_____	_____	_____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

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Indicate areas of dispute and explain basis below

Self-employment Tax	_____	_____	_____
Prior Child Support Order(s)	_____	_____	_____
Theoretical Child Support Order(s)	_____	_____	_____

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**Schedule D - Additional Expenses**

	Mother	Father	Nonparent Custodian
Applicable?	_____	_____	_____
Information Complete ?	_____	_____	_____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

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Indicate areas of dispute and explain:

Health Care Insurance Premiums	_____	_____	_____
Work-related Day Care	_____	_____	_____

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**Schedule E - Deviations**

	Mother	Father	Nonparent Custodian
Applicable	_____	_____	_____
Information Complete	_____	_____	_____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

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Each party shall indicate those deviations the party contends apply, state the amount of deviation sought indicating whether it is an increase or reduction and state the basis. The other party shall mark each deviation disputed.

<u>Mother:</u>	<u>Amount</u>	<u>Basis:</u>	<u>Disputed?</u> (Yes/No)
_____ (A) High income	\$ _____	_____	_____
_____ (B) Low income	\$ _____	_____	_____
_____ (C) Other health related insurance	\$ _____	_____	_____
_____ (D) Child and dependent care tax credit	\$ _____	_____	_____
_____ (E) Travel expenses	\$ _____	_____	_____
_____ (F) Alimony	\$ _____	_____	_____
_____ (G) Mortgage	\$ _____	_____	_____
_____ (H) Permanency plan or foster care plan	\$ _____	_____	_____
_____ (I) Extraordinary expenses	\$ _____	_____	_____
_____ Educational	\$ _____	_____	_____
_____ Medical	\$ _____	_____	_____
_____ Special	\$ _____	_____	_____

_____ (J) Nonspecific deviations	\$ _____	_____	_____
_____ (K) Parenting time	\$ _____	_____	_____

<u>Father:</u>	<u>Amount</u>	<u>Basis:</u>	<u>Disputed?</u> (Yes/No)
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_____ (A) High income	\$ _____	_____	_____
_____ (B) Low income	\$ _____	_____	_____
_____ (C) Other health related insurance	\$ _____	_____	_____
_____ (D) Child and dependent care tax credit	\$ _____	_____	_____
_____ (E) Travel expenses	\$ _____	_____	_____
_____ (F) Alimony	\$ _____	_____	_____
_____ (G) Mortgage	\$ _____	_____	_____
_____ (H) Permanency plan or foster care plan	\$ _____	_____	_____
_____ (I) Extraordinary expenses	\$ _____	_____	_____
_____ Educational	\$ _____	_____	_____
_____ Medical	\$ _____	_____	_____
_____ Special	\$ _____	_____	_____
_____ (J) Nonspecific deviations	\$ _____	_____	_____
_____ (K) Parenting time	\$ _____	_____	_____

<u>Nonparent Custodian:</u>	<u>Amount</u>	<u>Basis:</u>	<u>Disputed?</u> (Yes/No)
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_____ (A) High income	\$ _____	_____	_____
_____ (B) Low income	\$ _____	_____	_____
_____ (C) Other health related insurance	\$ _____	_____	_____
_____ (D) Child and dependent care tax credit	\$ _____	_____	_____
_____ (E) Travel expenses	\$ _____	_____	_____
_____ (F) Alimony	\$ _____	_____	_____
_____ (G) Mortgage	\$ _____	_____	_____
_____ (H) Permanency plan or foster care plan	\$ _____	_____	_____

_____ (I) Extraordinary expenses	\$ _____	_____	_____
_____ Educational	\$ _____	_____	_____
_____ Medical	\$ _____	_____	_____
_____ Special	\$ _____	_____	_____
_____ (J) Nonspecific deviations	\$ _____	_____	_____
_____ (K) Parenting time	\$ _____	_____	_____

**Modification Actions** (skip if not applicable).

In addition to responding to each of the questions above, identify dispute in any of the following areas and explain below:

	<u>Mother</u>	<u>Father</u>	<u>Nonparent Custodian</u>
Change in income	_____	_____	_____
Change in financial circumstances	_____	_____	_____
Change in needs of child	_____	_____	_____
Does a party seek a phase in of reduction/increase?	_____	_____	_____