

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

_____ **Complainant**

v.

Case No.: _____

_____ **Defendant**

VIRGINIA BEACH ANNULMENT PRETRIAL ORDER

I. Trial Issues [check all that apply]

- Grounds of Annulment
- Child Visitation
- Child Custody
- Child Support

The trial date is _____.

II. Pretrial Conference

A pretrial conference is required when either or both of the following apply: (1) child support, visitation or custody are contested as part of the annulment suit; or (2) counsel has determined in good faith that the trial will require more than two hours.

Will this matter require a pretrial conference?

- NO.
- YES. The pretrial conference is scheduled for:

DATE _____ **TIME** _____.

The purpose of the pretrial conference is to discuss the issues, to reach stipulations, and to discuss any other matters, which may aid in the disposition of the case. When a pretrial conference is required, it shall be scheduled with the duty judge no later than one week prior to the trial date.

III. Judicial Settlement Conference

A settlement conference with a qualified Judicial Settlement Conference Judge is required when the trial of all issues will require more than one (1) hour. The judicial settlement conference is a dispute resolution process to assist the parties in assessing their case by discussing the issues and any possible mutually beneficial settlement agreement.

Will this matter require a judicial settlement conference because the trial of all issues will take more than one hour?

- NO.
- YES. Counsel shall submit this Court's required Order of Designation and Referral to Judicial Settlement Conference. The judicial settlement conference shall be scheduled no later than 14 days prior to trial.

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).

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).

VI. Dispositive Motions

All dispositive motions shall be presented to the court for hearing as far in advance of the trial as practical.

VII. Parent Education Seminar

If a child's custody, visitation or support, is contested, the parents shall attend 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. This Court's Parent Education Seminar Order must be submitted with this pretrial order. The court must receive proof of compliance before the trial date.

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 or witness was through inadvertence.

IX. Required Worksheets and Forms

If custody, visitation or support of a minor child is contested counsel shall file with the Court and opposing counsel not later than 15 days prior to trial:

- Monthly Income and Expense Statement of each party
- Child Support Guideline Worksheets

X. Settlement Conference by Parties and Counsel

If a judicial settlement conference or pretrial conference is not required, counsel shall jointly file, not later than 7 days prior to trial, a certification with the Court that counsel and their clients personally met and participated in a good faith effort to resolve all issues in dispute. The certification shall list any issues resolved and those that remain for resolution at trial.

XI. Continuances

Continuances of the trial date will only be granted by the court for good cause shown.

XII. Court Reporter

A court reporter is required for the trial and must be secured by the parties.

XIII. 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, or by agreement of all counsel.

XIV. 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 sanction.

ENTER: _____

Judge

Counsel for Complainant

Counsel for Defendant