

SAMPLE JOINT PRETRIAL STATEMENT

**SECTIONS A&B ARE FOR DISSOLUTION OF MARRIAGE CASES
AND PATERNITY CASES**

A. Whether this is an original action or whether this is a supplemental proceeding.

B. The Child(ren)

- a. Full names, ages, and dates of birth of the child(ren).
- b. Current time-sharing practiced and whether the time sharing is in place by Court order or by agreement of the parties.
- c. The gross and net incomes of each party for the purpose of setting child support, and the basis for the amount of income (pay stub, W-2, Federal Income Tax Return, etc.
- d. For child support:
 - i. Amount of child support requested, pursuant to Florida Statutes.
 - ii. Any retroactive, arrearage, or credit for support payments at issue and a proposed calculation and/or amount of each
- e. Any retroactive, arrearage, or credit for support payments at issue and a proposed calculation and/or amount of each.
- f. Any medical/dental/vision insurance policy for the child(ren) and the out-of-pocket premium amounts for the children only.
- g. Any special needs issues, including but not limited to medical, emotional, or education, regarding the child(ren) that may affect time sharing or child support and what that effect may be.
- h. Proposed contact schedule or reference to a filed Parenting Plan, as long as that Parenting Plan is complete. Include transportation and other specifics of the proposal, such as place and time for exchanges of the child(ren).
- i. GAL report and any agreement about whether the Court may consider the GAL report and any stipulations to hearsay in the report.
- j. For Paternity Cases only, whether the Mother is seeking

reimbursement of any expenses of childbirth, and if so, in what amount along with a list of the documentation being provided to show the expenses.

- k. Reference any stipulations not included above.

SECTIONS C-F ARE FOR DISSOLUTION OF MARRIAGE CASES ONLY

C. Alimony

- a. The Marriage:
 - i. Date and place of marriage
 - ii. Date of separation
- b. Amount of alimony proposed by each party.
- c. Nature of the alimony, *i.e.* specific type, term, and amount of alimony proposed by each party.
- d. Any retroactive, arrearage, or credit for payments that are an issue.

D. Real Property

- a. A list of all real property to be divided, including the address of each parcel of property, the legal description(s) of each and the identification number from the property appraiser (available on the website). This does not negate the obligation to include same in a joint equitable distribution spreadsheet.
- b. The value of each parcel of property, each mortgage debt, lien and/or obligation on/for the property, and who is obligated for payment of each mortgage, debt, lien and/or obligation. List separately the property taxes and insurance and state whether they are included in the mortgage payment.
- c. For each mortgage, debt, lien and/or obligation, who is paying it and how much is being paid.
- d. The interest, right of claim, or equitable interest each party claims in each parcel of property.
- e. The name of the party in possession of the property. List when the possession began. State who pays for what part of monthly expenses

related to the property.

- f. Proposed distribution of real estate.
- g. Any particular or special claim to property greater than a “50% equity”, including claims for repayment of expenses or adjustments made for rental value to a party in possession.

E. Personal Property: If over four items, these should instead be included in a joint equitable distribution spreadsheet.

- a. List of all personal property to be divided
- b. State the suggested disposition of such property.
- c. List the value of each item of personal property as well as any lien or obligation against it, including the amount of the lien and who is paying the lien

F. Debts: If over four items, these should instead be included in a joint equitable distribution spreadsheet.

- a. A list of all personal property to be divided.
- b. A list of the value of each debt, in whose name each debt is, who is paying the debt currently, and how much is being paid.
- c. Suggested disposition of such debts.

SECTIONS G-I ARE FOR DISSOLUTION OF MARRIAGE CASES AND PATERNITY CASES

G. Attorney’s Fees and Costs

- a. Attorney’s fees and court costs sought by either party from the other (estimate to conclusion of trial).
- b. Legal basis for fees requested.
- c. List stipulations either as to entitlement or amount of fees being sought by either party.
- d. Include any outstanding entitlement awards where amounts were not specified during litigation and any outstanding fee awards not paid.

- e. State if testimony will be offered on this issue at trial or at a subsequent hearing.
- f. If fees are to be litigated at trial, attach an affidavit of fees. A supplemental affidavit will be permitted.
- g. The date on which redacted invoices were provided to the other party and whether additional invoices will need to be provided prior to trial and the date on which it is anticipated same will be provided.

H. Trial Exhibits/Witnesses

- a. A witness list giving names and addresses of all individuals who may be called by each party to provide testimony, including impeachment witnesses and expert witnesses.
- b. A detailed schedule of all photographs, exhibits, and documentary evidence that a party proposes to use, including impeachment and expert witnesses. The schedule should include enough information to identify each specific document, general categories of documents are not permitted. Composite exhibits are permitted if they are specifically identified.
- c. All exhibits being presented should be pre-marked before the trial date. Instructions on how to properly pre-mark evidence and tags can be obtained through the Clerk of Court.
- d. A joint equitable distribution spreadsheet: Petitioner or Petitioner's counsel shall insert their numbers, then send to Respondent or Respondent's counsel for their numbers. The joint equitable distribution spreadsheet shall be emailed to the Court and to both parties at the same time at least five (5) business days prior to the Pretrial Conference and a printed copy shall be attached to the Joint Pretrial Statement.

I. Miscellaneous

- a. Request for amendments to the pleadings.
- b. If this is a modification, filing dates and description of the prior pleadings relevant to the current proceeding. (e.g., Final Judgment, Supplemental Petition, etc.)
- c. Any issue the party wants to take up at trial that is not addressed above.

- d. Any outstanding motions (*All motions should have been heard or abandoned during the Pretrial Conference. The hearing of any motions other than for Attorney's Fees during trial requires permission from the Court.*)
- e. Request for judicial notice.
- f. Citations or copies of any case law to be argued at time of trial.
- g. Whether there will be a court reporter and/or interpreter(s) and any agreement between the parties concerning the sharing of the cost of same.

J. Good Faith Estimate

- a. A good faith estimate of the time needed for both parties to try this case before the Court.

K. Financial Affidavits

- a. A new executed updated Financial Affidavit for each party shall be filed no later than seven (7) days before the Pretrial Conference.
- b. No new financial affidavits will be accepted at or after the Pretrial Conference absent good cause.