

Name, Address & Phone Number  
(If Attorney filing, type Name, Address & Phone Number)

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

Pro Se or Attorney for \_\_\_\_\_

IN THE FAMILY COURT OF THE SECOND CIRCUIT

STATE OF HAWAI'I

	)	FC-D No.
	)	
Plaintiff,	)	MOTION TO SET ORDER
	)	(PRETRIAL ORDER NO. 1);
vs.	)	Attachment(s) _____
	)	
	)	Motion to Set Conference
	)	
Defendant.	)	Date: _____
_____	)	Judge: _____

**MOTION TO SET ORDER  
(PRETRIAL ORDER NO. 1)**

**Present**

Plaintiff's Attorney: \_\_\_\_\_

Defendant's Attorney: \_\_\_\_\_

Plaintiff       Defendant

\_\_\_\_\_

**Mediation Occurred**

No       Yes      \_\_\_\_\_

Mediator's Name

\_\_\_\_\_ to arrange mediation with

\_\_\_\_\_ by \_\_\_\_\_.

**Volunteer Settlement Master** \_\_\_\_\_ is appointed as the Volunteer Settlement Master. Plaintiff's attorney shall prepare an Order Appointing Volunteer Settlement Master for the court to approve and file.

**Trial Date, Scheduling Information, and Other Important Deadlines.** All Blanks Must be Filled in. A deadline date in this order is binding unless a different date is set forth in a later order (such as the report dates established in the Custody Evaluator Order). The court will calculate deadline dates using the formula under the Misc. Information column unless the parties and the court agree to a different date. **The party who filed the motion that generated the trial date set below shall file the first witness list and the first Settlement Conference Statement.**

<u>Event</u>	<u>Misc. Information</u>	<u>Date</u>
<b>Witness List Filed by</b> <input type="checkbox"/> <b>Plaintiff</b> <input type="checkbox"/> <b>Defendant</b> Names of lay & expert witnesses, contact information (real), and subject matter of testimony	(49 days before Settlement Conference)	_____
<b>Responsive Witness List Filed by</b> <input type="checkbox"/> <b>Plaintiff</b> <input type="checkbox"/> <b>Defendant</b> Names of lay & expert witnesses, contact information (real), and subject matter of testimony	(42 days before Settlement Conference)	_____
<b>Expert Reports Exchanged</b>	(35 days before Settlement Conference)	_____
<b>All Discovery Completed</b>	(28 days before Settlement Conference)	_____
<b>Exhibits and Exhibit List Exchanged</b>	(21 days before Settlement Conference)	_____
<b>Settlement Conference (SC) Statement Filed by</b> <input type="checkbox"/> <b>Plaintiff</b> <input type="checkbox"/> <b>Defendant</b> <input type="checkbox"/> Concise comparison chart of trial positions <input type="checkbox"/> Property Allocation Chart <input type="checkbox"/> Updated Asset & Debt and Income and Expense Statements <input type="checkbox"/> Child Support Guidelines Worksheet <input type="checkbox"/> Proposed Decree, reflecting trial positions <input type="checkbox"/> Parenting Plan <input type="checkbox"/> Confidential settlement letter (Do not file)	(14 days before Settlement Conference)	_____
<b>Responsive SC Statement Filed by</b> <input type="checkbox"/> <b>Plaintiff</b> <input type="checkbox"/> <b>Defendant</b> <input type="checkbox"/> Concise comparison chart of trial positions <input type="checkbox"/> Property Allocation Chart <input type="checkbox"/> Updated Asset & Debt and Income and Expense Statements <input type="checkbox"/> Child Support Guidelines Worksheet <input type="checkbox"/> Proposed Decree, reflecting trial positions <input type="checkbox"/> Parenting Plan <input type="checkbox"/> Confidential settlement letter (Do not file)	(7 days before Settlement Conference)	_____
<b>Settlement Conference</b>	(Thurs, 18 days before trial week)	_____, _____
<b>Calendar Call</b> Give original Exhibits and two Exhibit Lists to court	(Thurs, 11 days before trial week)	_____, <u>8:30 a.m.</u>
<b>Letter Re Admissibility of Exhibits</b> To court and opposing side	(Thurs, 4 days before trial week)	_____, by <u>3:30 p.m.</u>
<b>Trial Week</b> Length of trial _____ day(s) Parties will share time equally <input type="checkbox"/> Yes <input type="checkbox"/> No		_____
<input type="checkbox"/> See Page 5 for additional dates and events		

**Stipulations/Issues in Dispute:** Issues that are checked as “Agreed” are not in dispute based on the Position Statements previously submitted and/or the agreements of the parties made since. An agreement only becomes final when the agreement is placed on the record or signed by the parties and approved by the court. Parties should clearly write out the terms of any agreement using either the appropriate Divorce Decree from the Uncontested Divorce packet or a continuation sheet. All written agreements should be attached to this Order.

		<u>Agreed</u>	<u>Disputed</u>	<u>Not Applicable</u>
1.	Jurisdiction:			
	a. Personal jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>	
	b. Subject matter jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Existence of an enforceable:			
	a. Premarital agreement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Marital agreement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Divorce agreement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Granting of the divorce itself.	<input type="checkbox"/>	<input type="checkbox"/>	
4.	Legal custody.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Physical custody.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Visitation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Income of:			
	a. Plaintiff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Expenses of:			
	a. Plaintiff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Child Support.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Child related expenses:			
	a. Child care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Pre-school expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Private school expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d. Summer school expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e. Post-high school expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. Extracurricular expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Child health care:			
	a. Maintenance of insurance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Payment of excess expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Alimony.			
	a. Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Duration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<u>Agreed</u>	<u>Disputed</u>	<u>Not Applicable</u>
13. Security for support:			
a. Alimony.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Child Support.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Property division – general:			
a. Asset wasting issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Valuation issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Classification issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Equitable deviation issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Property division – distribution:			
a. Credit Union/bank accounts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Securities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Real property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Life insurance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Retirement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Business assets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Investment assets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Household effects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Personal effects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Trust property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Other property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Debt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Tax matters.			
a. Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Refunds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Dependents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Deductions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Payments for property division.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Payment of legal fees:			
a. Attorney's fees and costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expert's fees and costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Mediation/arbitration fees and costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. CE/CGAL's fees and costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Compliance with prior orders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Other:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Name Change:    _____ Undecided			
_____ No Change			
_____ Change Name to: _____			
			(Full Name)

