

PRE-TRIAL GUIDELINES IN DIVORCE CASES

It appearing to the Court that a proceeding relating to divorce and/or custody of minor children is pending in Circuit Court, the parties are advised to comply with the terms and conditions of these Pre-Trial Guidelines until further order of this Court:

- 1) IF PRIOR COURT ORDERS EXIST WHICH DETERMINE CUSTODY AND SUPPORT OF THE MINOR CHILDREN, THE PARENTS ARE REQUIRED TO ABIDE BY SUCH PRIOR COURT ORDERS.
- 2) IF NO PRIOR COURT ORDERS EXIST WHICH DETERMINE CUSTODY AND SUPPORT OF THE MINOR CHILDREN, THE PARENTS ARE JOINT CUSTODIANS OF THE CHILDREN UNTIL THE COURT ORDERS OTHERWISE. THE PARENTS SHOULD CONDUCT THEMSELVES AS FOLLOWS UNTIL FURTHER ORDER OF THIS COURT:
 - a) Each parent should keep the other parent notified of his/her address and telephone number, and permit the other parent to have reasonable contact with the children unless it is necessary to prevent contact between parent and child to protect the child from abuse or neglect, or to protect a spouse from physical abuse from the other spouse.
 - b) The children should continue to attend their usual school and childcare provider unless there exists a compelling reason to do otherwise.
 - c) Each parent should inform and seek consultation from the other, if possible, of important health care or educational issues involving the children.
 - d) Neither parent should submit the child to psychiatric or psychological examination, evaluation, or treatment without giving oral and written notice to the other parent.
 - e) Both parents have a legal duty to provide monetary support for their children. Until the Court enters a written child support order, both parents should contribute to their children's support to the best of their ability.
 - f) The Court encourages the parents to begin the task of agreeing on mutually acceptable custody and visitation arrangements which are in the children's best interests. If the parents have difficulty in reaching agreement, assistance is available from many sources, including your lawyers, family counselors, divorce mediators,

ministers, and other spiritual leaders. If you wish to obtain a referral list, contact the Court Services Unit of the Juvenile & Domestic Relations Court at 382-5745.

3) IF HUSBAND AND/OR WIFE OWN PROPERTY WHICH WAS ACQUIRED DURING THE MARRIAGE, THE PARTIES ARE ADVISED AS FOLLOWS:

- a) Husband and Wife should not withdraw money from retirement accounts, pensions, Individual Retirement Accounts, or other such retirement or pension benefits, unless agreed in writing by both parties. The parties may withdraw funds from joint or individual bank accounts or investment accounts without the agreement of both parties if such withdrawals are necessary to pay for living expenses of the family, routine debt payments of the parties, or attorney's fees and court costs. As part of the divorce proceedings each spouse will be required to account for all money withdrawn or spent by each of them and adjustments may be made at a later date
- b) The parties should not sell, destroy, hide, or give away any household goods, furniture, personal belongings, appliances, automobiles, or any other tangible personal property which is owned jointly or separately, unless by written agreement of the parties.
- c) The parties should not incur any joint debt without mutual agreement.

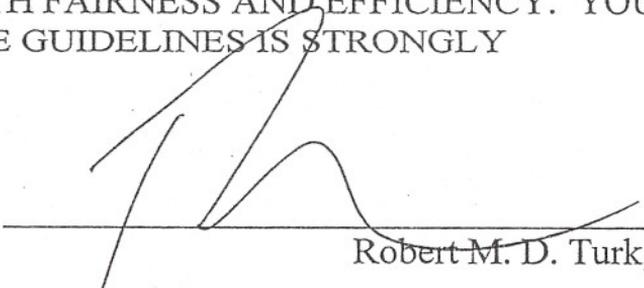
4) HUSBAND AND WIFE ARE REQUIRED BY LAW TO REFRAIN FROM ANY ACT OF PHYSICAL VIOLENCE, VERBAL ABUSE, OR HARASSMENT AGAINST EACH OTHER OR ANY FAMILY MEMBER.

5) IF CHILD SUPPORT REQUIRES RESOLUTION OF THE COURT, THE FOLLOWING MINIMUM DOCUMENTATION SHOULD BE PRODUCED TO THE COURT AND TO THE OTHER PARTY (OR LEGAL COUNSEL) NO LESS THAN FIVE DAYS PRIOR TO A HEARING ON CHILD SUPPORT:

- a) A copy of at least four of the most recent pay check stubs which are representative of your actual wages, together with any other written documentation which shows your actual current income.
- b) Copies of any unusual bills or expenses, such as extraordinary medical expenses or other debts, of the children or the parents.
- c) If you are under an existing court order to provide spousal support, alimony, or child support, provide a copy of such order.

- d) If your child requires childcare services for you to be able to work, provide a written statement or receipts from the childcare provider to document childcare costs.
 - e) If you provide health care insurance for your child, provide a written statement or other documentation of this cost of this insurance which is attributable to the children born of this marriage.
- 6) IF SPOUSAL SUPPORT REQUIRES RESOLUTION BY THE COURT, THE FOLLOWING MINIMUM DOCUMENTATION SHOULD BE PRODUCED TO THE COURT AND TO THE OTHER PARTY (OR LEGAL COUNSEL) NO LESS THAN FIVE DAYS PRIOR TO A HEARING ON SPOUSAL SUPPORT:
- a) All of the information set forth in the preceding paragraph on child support.
 - b) Completed "Monthly Income and Expenses" statement attached hereto.

THESE PRE-TRIAL GUIDELINES ARE DESIGNED TO PROTECT THE WELL-BEING OF YOUR CHILDREN, TO PRESERVE YOUR MARITAL ASSETS, AND TO ALLOW COURT PROCEEDINGS TO BE CONDUCTED WITH FAIRNESS AND EFFICIENCY. YOUR COMPLIANCE WITH THE GUIDELINES IS STRONGLY ENCOURAGED.



Robert M. D. Turk, Judge

