

**APPENDIX "D"**

**IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS**

**In the Matter of the Marriage of:**            )  
  )  
\_\_\_\_\_  
  )  
**vs.**    )  
  )  
\_\_\_\_\_  
  )

**Case No.** \_\_\_\_\_

**DOMESTIC RELATIONS PRETRIAL QUESTIONNAIRE**  
**2<sup>ND</sup> ED.**

**INSTRUCTIONS:** This questionnaire must be completed by each attorney of record or the party, if *pro-se*. The original is to be filed with the Court, and copies mailed to the Judge and all other counsel at least **five (5) days prior** to Pretrial Conference. Counsel need only complete those portions which are relevant to the issues in controversy. All answers must be typed. If the space provided is not sufficient for your answers, you may type you own questionnaire and answers in accordance with this format.

1. Present date:
  
2. Attorney's name and party they represent:
  
  
3. Are there any issues regarding child custody, residency, parental access or visitation (3<sup>rd</sup> party):
  - a. Attach a copy of your proposed parenting plan. (This is required, even if child custody and residency are not contested.)
  
  - b. If custody is an issue, specify your request (joint or sole) and set forth a

concise statement of facts in support.

c. If residency is a contested issue set forth your request specifying the requested residency and set forth a complete description of all evidence upon which you intend to rely in support of this request. (It is not sufficient to merely refer to proposed parenting plan.)

d. If parenting time is an issue, describe in detail your proposal for parenting time and set forth all facts and evidence upon which you intend to rely in support of your request. (Mere reference to parenting plan is not sufficient.)

e. Set forth a concise description of any issues regarding visitation, (3<sup>rd</sup> party), if any.

f. Is a physical or mental evaluation of the parties pursuant to K.S.A. 60-235 requested? If yes, why?

g. If you propose supervised parenting time you must set forth a complete statement as to the evidence you intend to rely upon in support of this position. Also your parenting plan must be specific as to who you propose to supervise the

parenting time, the times, location and transportation.

h. Is a home study requested?

i. Has mediation been attempted regarding contested child custody, residency or parenting time issues?

If not, set forth a detailed explanation as to why mediation should not be ordered.

4. Is there an issue concerning the payment of child support?

a. Attach a copy of your child support worksheet required by Administrative Order No. 75. (Required even if amount of support is not in issue)

b. If custody is in dispute, each party shall prepare and attach 2 proposed Schedule (One providing custody is with respondent, and one as if custody is with petitioner). In preparation of the schedules required herein, parties should assume joint custody with order providing reasonable visitation.

c. Each party must specify with particularity any child support adjustments (item “e” on the worksheet) which you wish the Court to consider regarding child support.

5. Is there a controversy regarding the division of marital assets and/or indebtedness? If so, complete the following:

a. Background consideration:

(i) Age of parties:

(ii) Relevant considerations regarding duration of marriage:

(iii) A brief description of your allegations regarding the present and future earning capacity of the parties:

(iv) A brief, concise description of any other relevant allegations concerning time, source or manner of acquisition of assets/debts; family ties and obligations; dissipation of assets; tax consequences or any other factor to be alleged to the Court as a necessary consideration to make a just and reasonable division of property:

b. Attach as an exhibit hereto an outline of your proposed property division.

Include in your proposed property division outline the following:

(i) All assets and debts of the parties indicating which party is to receive or be responsible for the same:

(ii) A description of all property which should not be subject to division and a concise justification for exclusion from marital estate:

(iii) A concise description of the manner of division including requests for division in kind, judicial liens, orders of sale, and the like.

6. Is there an issue concerning spousal maintenance?

- a. If so, describe the amount, period, and manner of payment you request:
  
- b. Set forth a concise statement supporting the amount and manner of payment of maintenance requested:
  
- c. Describe any provisions you intend to propose regarding termination or modification of spousal maintenance:

7. Are attorney fees being requested from the other party?

8. Are there any issues regarding the value of marital assets?

If so, set forth a complete list of all property over which there is a valuation dispute, list proposed appraisers, their addresses and telephone numbers, and include a brief description of their occupation or qualifications:

9. List all witnesses you intend to call at trial. (NOTE: You must list all witnesses known to you at the time of the Pretrial Conference).

10. List all exhibits you intend to offer at trial. (NOTE: You must list all exhibits known to you at the time of the Pretrial Conference).

11. Discovery:

a. List discovery you have completed:

b. Please specify further discovery contemplated (if discovery is complete, state “none”).

c. If further discovery is contemplated, state when same will be completed:

12. What is the estimated time required for trial?

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Signature

I hereby certify that a true and correct copy of the above and foregoing Pretrial Questionnaire was served upon opposing counsel by depositing a copy of the same in the United States mail, postage prepaid, on the \_\_\_\_ day of \_\_\_\_\_, 2005 addressed to:

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Signature