

Cause No. _____

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IN DISTRICT COURT
505th JUDICIAL DISTRICT
FORT BEND COUNTY, TEXAS

SCHEDULING ORDER

This order applies to parties appearing pro se as well as those represented by counsel.

The following deadlines shall apply to this case UNLESS MODIFIED BY THE COURT, except as expressly permitted herein by Rule 11 agreement.

1. _____ **COURT / JURY (CIRCLE ONE) TRIAL IS SET FOR THIS DATE.**

_____ .M This case will be ready for trial on the date indicated. Reset or continuance of the Trial Setting will not alter any deadlines established in this Order or established by the Texas Rules of Civil Procedure, unless specifically provided by Order after Motion showing good cause. **FAILURE TO APPEAR WILL RESULT IN DISMISSAL FOR WANT OF PROSECUTION AND/OR ENTRY OF A DEFAULT ORDER.**

The expected length of trial is _____ days/hours.

2. _____ **PRE-TRIAL CONFERENCE**

_____ .M Lead counsel and pro se parties shall appear in person to discuss all aspects of trial on this date. Each party shall be prepared to consider such other matters as may aid in the disposition of the case, including any matter raised pursuant to Rule 166. All Pre-Trial motions (Motions in Limine, etc.) shall be filed 10 days before the formal pretrial conference and will be heard at the formal pretrial conference as scheduling permits. Agreement on Pre-Trial motions or parts of motions is strongly encouraged. **The Court will not hear motions on the day of trial without obtaining prior leave of the Court.** FAILURE TO APPEAR WILL RESULT IN DISMISSAL FOR WANT OF PROSECUTION AND/OR ENTRY OF A DEFAULT ORDER.

Each party is directed to produce the following **no later than Noon on the business day before the Pre-Trial Conference:**

- a) **CONCISE TRIAL SUMMARY.** State each separate cause of action and/or defense. Please be as brief and concise as possible. This summary is intended to be an aid for the Judge and staff and should be limited to one page if possible.

No formal headings or styles are required. Reference to case law and statute may be included. The trial summary must be submitted to the Court Coordinator at Angella.Powers@fortbendcountytexas.gov (and served upon all other parties) prior to the formal pretrial conference.

- b) **WITNESS LIST.** Witness Lists (except rebuttal witnesses) must be exchanged and served upon all other parties 10 days before the formal pretrial conference.
- c) **DOCUMENTARY EVIDENCE AND EXHIBITS.** Exhibits and Exhibit Lists must be exchanged and served upon all other parties 10 days before the formal pretrial conference. Please refer to the court's Exhibit Policy for additional specifics. Please be prepared to consider stipulations as to the authenticity and admissibility of exhibits at the formal pretrial conference.
- d) **(JURY TRIALS ONLY) PROPOSED JURY INSTRUCTIONS AND ISSUES.** Proposed jury charges must be submitted in Microsoft Word format to the Court Coordinator at Angella.Powers@fortbendcountytexas.gov (and served upon all other parties) in exactly the same form as it would be presented to the jury. However, please cite your authority or source at the end of each question or instruction. Please do not include signature blocks for the Judge to grant, deny or modify any requested definition, instruction or question. The proposed charge should follow the current edition of the TEXAS RULES OF CIVIL PROCEDURE and the applicable TEXAS PATTERN JURY CHARGES.

3. _____ **MEDIATION.**

Mediation is required. The parties, attorneys and any person with settlement authority shall attend mediation by this date with _____ (if the parties do not agree, the Court will appoint a mediator from the wheel). This date must be **at least 30 days prior to the trial date.**

4. _____ **AMENDING PLEADINGS.**

All amendments and supplements to pleadings must be filed by this date unless modified by Rule 11 agreement. This order does not preclude prompt filing of pleadings directly responsive to any timely filed pleadings.

5. _____ **SWORN INVENTORY AND PROPOSED PROPERTY DIVISION.**

In contested divorce cases, each party shall serve the other party with a sworn inventory setting forth a description and value of all property (real or personal, community and separate) owned or claimed by the parties, a list of all debts (stating

the creditor and amount) owed by the parties, and a proposed division of all property and debts. Each party shall present their sworn inventory and proposed property to the Judge at the formal pretrial conference. **This date must be prior to mediation.**

6. _____ **PROPOSED PARENTING PLAN.**

In contested conservatorship cases, each party shall serve the other party with a proposed parenting plan that includes the provisions in Family Code §153.601(4). Each party shall present their proposed parenting plan to the Judge at the formal pretrial conference.

7. _____ **DISCOVERY DEADLINE AND LIMITATIONS.**

All discovery must be completed by this date unless modified by Rule 11 agreement. Parties must serve discovery in sufficient time to allow for a timely response to be served by the other party under the TEXAS RULES OF CIVIL PROCEDURE no later than this deadline. Incomplete discovery will not delay the trial date or the other deadlines established in this Order.

The parties may modify these limitations by Rule 11 agreement.

8. _____ **CHILD CUSTODY EVALUATION.**

A child custody evaluation must be ordered pursuant to agreement of all parties, or if any party does not agree to the evaluation, after notice and hearing, **within 30 days from the date of this order**; otherwise, such evaluation is waived by the parties.

9. _____ **PARENT EDUCATION AND FAMILY STABILIZATION.**

If this is a contested divorce with children, suit affecting the parent child relationship or suit to modify the parent child relationship, all parties shall attend an approved parent education and family stabilization course **within 30 days from the date of this order**.

If the case is not reached for trial on the trial date, a new trial date will be set by the Court. In that event, **these deadlines will NOT be extended without approval by the Court and entry of a new scheduling order.** The attorneys or parties signing below are responsible for providing a copy of this Order to all parties joined and/or attorneys that enter appearance after this date.

SO ORDERED on _____, 20_____.

JUDGE PRESIDING

AGREED AND/OR ACKNOWLEDGED:

Attorney for Plaintiff / Petitioner
Email: _____

Plaintiff / Petitioner
Email (if *Pro Se*): _____

Attorney for Defendant / Respondent
Email: _____

Defendant / Respondent
Email (if *Pro Se*): _____

Attorney for _____
Email: _____

Party: _____
Email (if *Pro Se*): _____