

FILE NO: _____

STATE OF NORTH CAROLINA
SECOND JUDICIAL DISTRICT
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

PLAINTIFF
VS

FAMILY FINANCIAL
SCHEDULING AND DISCOVERY ORDER

DEFENDANT

This matter, coming on to be heard before the undersigned Judge Presiding at a regularly scheduled session of Civil (Administrative) Court on the date shown below for a Family Financial Case Scheduling and Discovery conference concerning pending issues of Equitable Distribution, Alimony and Child Support; and

IT APPEARING TO THE COURT THAT:

1. The Plaintiff did not appear appeared (pro se) (thru counsel _____).
2. The Defendant did not appear appeared (pro se) (thru counsel _____).
3. Plaintiff Defendant communicated with the Court prior to this session and was excused from appearing.
4. Plaintiff Defendant is the spouse who first filed a claim for Equitable Distribution and is therefore designated the Initiating Party;
5. This order was consented to by all parties and/or their attorneys in writing on or before the scheduled hearing date and is hereby accepted by the undersigned.

After review of the file, and after hearing the contentions and positions of the parties, the court determines that the following order will meet the interests of justice and the expeditious handling of the matter.

Now, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. Relevant Dates:
The claim for equitable distribution was first filed on _____, 20__ and for purposes of equitable distribution, the date of the parties separation is _____, 20__.
2. Discovery:
 - A. Initiating Party has has not filed an Equitable Distribution Affidavit (as required by statute), and has has not produced and served copies of all documents required by Local District Court Rule 4.4. If not, Initiating Party is ordered to file and serve an Equitable Distribution Affidavit and produce and serve copies of all required documents by _____, 20__.

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- B. Responding Party has has not filed an Equitable Distribution Affidavit (as required by statute), and has has not produced and served copies of all documents required by Local District Court Rule 4.4. If not, Responding Party is ordered to file and serve an Equitable Distribution Affidavit and produce and serve copies of all required documents by _____, 20__.
- C. The parties shall complete further discovery by _____, 20__. Within two weeks after the date, the parties may amend their inventory affidavits.
 In order to meet this deadline the parties shall comply with the schedule included in the attached Supplementary Discovery Order.

3. Dispositive Motions:

The parties shall file and serve all dispositive motions by _____, 20__.

4. Mediation (ADR):

- A. Exempt from Mediation: A motion to Dispense with ADR Procedures has been filed pursuant to Local District Court Rule 5.3(f). For good cause shown, the motion to Dispense with ADR Procedures has been allowed. (See motion and Order filed in this proceeding.)
- B. Settlement Procedure: An order requiring a Mediated Settlement Conference was entered on _____, 20__. (See Form AOC-CV-824.) The parties have have not agreed upon the person who will conduct the Mediated Settlement Conference. If not _____ is hereby appointed. (See Form AOC-CV-825.)
- C. An alternate settlement procedure has been chosen. An evaluator or other neutral has been appointed by the Court. (See Form AOC-CV-826.)
- D. The deadline for completion of the ADR Procedure is _____, 20__.

5. Other Issues:

6. Pretrial and Assignment Conference:

- A. A Pretrial and Assignment Conference is set on _____, 20__. The initiating party shall serve on the responding party a proposed ED Pretrial Order, accurately incorporating the contentions of the parties as set forth in their Equitable Distribution Affidavits, by _____, 20__.
- B. If the Pretrial Order has not been entered (signed by the parties and counsel and the Court) by the time set for the Conference, parties and counsel are directed to appear at such time, prepared to submit their final contentions for inclusion in the

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Pretrial Order, to be binding upon the parties at the trial, unless the Court allows amendment for good cause shown. Counsel are directed that if they are unable to appear for the pretrial conference, they are to arrange to have associate counsel, fully apprised of the issues to be resolved, appear on their behalf.

- C. Parties and counsel are directed to bring with them to the conference their personal and business calendars in order that an appropriate trial date, as convenient as possible to all involved, may be set.

7. Alimony and Child Support:

- A. This matter includes pending claims for alimony child support.
A final hearing on these matters is set on _____, 20____.
- B. A Post Separation Support Order was entered on _____, 20____.
after a hearing conducted before Judge _____;
- C. A Post Separation Support Order was entered by and upon the consent of the parties on _____, 20____.
- D. A Temporary Child Support Order was entered on _____, 20____
after a hearing conducted before Judge _____;
- E. A Temporary Child Support Order was entered by and upon the consent of the parties on _____, 20____.
- F. A Family Financial Affidavit has has not been filed by the Plaintiff and has has not been filed by the Defendant as required by Local District Court Rule 3.1. Affidavits must be filed and served on the other party by _____, 20____.

8. Assigned Judge.

This case is assigned to Judge _____. He or she is designated as the Judge who shall conduct all remaining hearings in this matter other than Administrative Session matters. Any continuance from the assigned hearing dates may only be entered by said Judge or the Chief District Court Judge. All such continuances shall be scheduled before the assigned Judge unless otherwise approved by the Chief District Court Judge.

Date

Chief District Court Judge

CONSENTED TO:

Plaintiff

Attorney for the Plaintiff

Defendant

Attorney for the Defendant