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JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

**IN THE 21ST JUDICIAL CIRCUIT, COUNTY OF ST. LOUIS**
**STATE OF MISSOURI, FAMILY COURT**

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| **In re:** | |
| **Landre Smith** | |
| **Petitioner,** | **Cause No. 16SL-DR05871-03** |
| **and** | |
| | **Division 36** |
| **Ariel Alton** | |
| **Respondent.** | |

**This cause is set for trial on December 13, 2023 at 9:00am.**

**Expected length of trial 1 day.**

## TRIAL PREPARATION ORDER

This trial preparation order is intended to ensure that trial time is used most efficiently.

**Trial Settings:**

*All* cases set for trial must be *ready* for trial on the date and time set. Cases will not be continued on the day of trial except in the most extraordinary of circumstances.

Trials shall begin at or as close to the scheduled time as possible, depending upon the completion of other conferences and motions before the court. If the parties wish to engage in settlement discussions the day of trial, they must come to the courts building before the scheduled time for trial for such discussions. A day of trial typically concludes at or near 5:00 PM.

**Updated Financial Forms:**

At least **10 days** prior to the trial, the parties shall exchange updated **income and expense** and **statement of property** forms and efile these with the court. Litigants represented by legal aid or other nonprofit organization shall file

an updated financial certification of financial condition for purposes of an award of GAL fees 10 days prior to trial

If the case involves issues of child custody and support, at least **10 days** prior to the trial date, the parties shall exchange **proposed parenting plans** and **Forms 14** and efile these with the court.

**GAL FEES**

Each party is to pay directly to the GAL a deposit toward trial prep and trial.
Mother is ordered to pay directly to the GAL an additional $ 1500.00 and Father is ordered to pay directly to the GAL and additional $1500.00 on or before December 1, 2023.
This additional amount of $3000.00 may not be the total amount incurred by the GAL and the Court may award additional GAL fees after trial.

**Exhibits for Trial:**

FOR THE JUDGE'S USE ONLY exhibits, Div. 36 **prefers** Exhibit books and have them delivered at least 3 days before trial. Petitioners shall use numbers and respondents shall use letters. GALs and third parties shall use a prefix and numbers (e.g., "GAL 1"). If the exhibits are submitted in one cumulative PDF document, each page must be numbered and a list of exhibits with page references provided to the Court and all counsel.

**If an exhibit contains more than 5 pages, each page must be clearly numbered by the party who will propose the introduction of that exhibit.**

At least **10 days** before the trial date, the parties shall exchange a **list of exhibits** that they propose to offer at trial and **efile a copy of their exhibit list**. Except for good cause shown, no exhibit shall be admitted at trial unless it is included on this list of exhibits. Prior to trial, the attorneys must review the proposed lists and **create a list of overlapping exhibits** that will be filed with the court prior to the start of the trial. Additional exhibits not included on the original exhibit list may be used for impeachment purposes only but will not be admitted as evidence absent a showing of good cause. The parties shall present any objections to the designated deposition testimony that they intend to enter into the record to the Court at least (10) ten days prior to trial. Deposition testimony must be made part of the record. Parties can request the Court to receive into evidence portions of said depositions designated by page and line number. Any and all motions in limine shall be filed no later than (10) days prior to trial.

Except for good cause shown or by agreement of the parties in writing and filed with the court, all exhibits delivered to opposing counsel no later than **10 days** prior shall be admitted into evidence without foundation, identification or authentication unless written objections thereto are filed no later than **5 days** prior to the trial. However, any exhibit shall still be subject to any other proper objection.

**Summary exhibits** are allowed and encouraged if the exhibit and all supporting information that the exhibit summarizes is delivered to opposing counsel within **5 days** prior to the trial. If no objection to the summary exhibit is filed at least **3 days** prior to the trial date, the summary exhibit may be admitted as a summary exhibit at trial. If a good faith objection is filed by **3 days** prior to the trial, the summary exhibit shall not be admitted at trial unless by specific order of the court.

**Children as Witnesses:**

If any party plans to call a minor child as a witness at trial, such party shall notify the judge by motion at least **21 days** before trial. The court may require the parties to submit written questions to be asked of the child in advance, at the discretion of the court.

**Use of Information Technology Equipment:**

All parties must comply with **Local Rule 29** if they wish to use private and/or Court provided audio-visual equipment, computer equipment, or equipment based on other technologies in court during trial. A request to use such equipment and/or technology must be submitted to the court not less than **twenty (20) days prior** to the trial date and shall include a detailed description of the equipment and/or technology to be used. The request must disclose whether any party intends to attend trial remotely and/or if any witness will testify remotely and the reason for remote attendance. If the request includes a request for the witness and/or party to testify remotely, the request must state the specific technology to be used and must address how exhibits are to be handled with the remote witness(es). **Any objections to the use of any equipment and/or technology must be made in writing within five (5) days of the filing of a request.**

**Penalties & Modification:**

Failure to comply with this order may result in the imposition of sanctions by the court, including but not limited to, dismissal of the action, entry of a default judgement or restrictions on the admission of evidence. These sanctions may be imposed upon the motion of either party or upon the court's own motion.

The parties may mutually agree to change the timing deadlines above in writing and shall file a memorandum of understanding with the court evidencing same, with the exception of the deadline required to disclose the intention to call a minor child as a witness. All Exhibit books shall be retrieved from the Division within 30 days of entry of the Judgment unless timely post-trial motions are filed or they shall be destroyed.

SO ORDERED:

Hon Joseph L Green
Div. 36 11-08-23

Cc: Missouri eFiling System casenet.

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