

STATE OF MAINE

District Court
Location
Docket No.

Plaintiff

vs.

CASE MANAGEMENT ORDER

Defendant

Upon due notice to the parties, a Case Management Conference was held in this matter. The following were present:

- Plaintiff
Defendant
Department of Human Services Representative
Guardian Ad Litem
Other:
Plaintiff's Attorney
Defendant's Attorney

As a result of the conference, the Court finds and Orders as follows:

1. OTHER RELEVANT CASES.

A. Protection from Abuse Order(s) affecting the parties or their children.

- None
Prior order(s) no longer in effect
Order(s) currently in effect

(Name & location of all courts, docket numbers and dates of all current and prior orders.)

B. Criminal case(s) affecting contact between the parties or between a party and the child(ren).

- None
Pending case(s)
Completed case(s)

(Name & location of all courts, docket numbers and dates of all current and prior orders.)

C. Other cases that may affect this one:

2. MINOR CHILD(REN) OF THE PARTIES. The parties, together, have minor child(ren) whose name(s) and date(s) of birth is/are:

(Born:) (Born:)
(Born:) (Born:)

3. WRITTEN AGREEMENT OF THE PARTIES.

The parties' written agreement, dated, is incorporated, but not merged, in this Order.

4. PATERNITY (if applicable).

The parties agree that they are the parents of the child(ren) in this case and paternity is not an issue.

The parties disagree and paternity testing is ordered as follows:

The parties disagree on paternity, and testing is complete.

5. PARENTAL RIGHTS AND RESPONSIBILITIES.

- The parties are unable to agree on any issues regarding parental rights and responsibilities.
- The parties have reached an **Interim** **Final** agreement on parental rights and responsibilities. The parties written agreement referenced in paragraph 3 above is hereby made the order of the Court.
- Pursuant to the parties **Interim** **Final** agreement, the attached Schedule of Parental Rights and Responsibilities is incorporated herein by reference and made the order of the Court.
- After hearing, _____ having failed to appear, the attached Schedule of Parental Rights and Responsibilities is incorporated herein by reference and made the order of the Court.

6. CHILD SUPPORT, HEALTH INSURANCE, INCOME WITHHOLDING.

- The parties are unable to agree on child support or health insurance.
- The parties agree on an **Interim** **Final** Child Support Order and Immediate Income Withholding Order.
 - The attached Child Support Order is incorporated herein by reference.
 - A proposed Child Support Order will be submitted to the Court within 14 days.
- After hearing, _____ having failed to appear, the attached Child Support Order and Immediate Income Withholding Order are incorporated herein by reference and made the order of the Court.
- The court enters a Job Search Order, which is attached hereto and incorporated herein by reference.

7. VIOLATION OF FOREGOING ORDERS REGARDING THE MINOR CHILD. The parties are cautioned that a violation of any of the foregoing provisions of this Order concerning their parental rights and responsibilities may result in a finding of contempt by the Court and the imposition of fines and sanctions which might include, but would not be limited to, additional or more specific terms and conditions regarding their parental rights and responsibilities.

8. PROPERTY AND DEBTS.

- The parties are unable to agree on responsibility for debts or occupancy of the family residence.
- The parties have reached the following **Interim** **Final** agreement:
 - A. Plaintiff Defendant shall have the right to the exclusive possession of the real estate.
 - B. Plaintiff Defendant shall be solely responsible for payment of the following items relating to the real estate: mortgage(s) installments taxes insurance repairs utility charges
 Other: _____

 - C. Responsibility for recurring debts as follows: _____
_____.
 - D. Other: _____.

9. SPOUSAL SUPPORT, HEALTH INSURANCE, INCOME WITHHOLDING.

- The parties are unable to agree on spousal support or health insurance.
- The parties agree on an **Interim** **Final** Spousal Support Order and Conditional Income Withholding Order.
 - Beginning _____, _____ shall pay spousal support to _____ in the amount of \$ _____ per week month
 - The attached Spousal Support Order is incorporated herein by reference.
 - A proposed Spousal Support Order will be submitted to the Court within 14 days.
- The parties agree Plaintiff Defendant shall maintain health insurance for the benefit of the other party while this case is pending.

10. ISSUES AND OTHER MATTERS REMAINING IN DISPUTE.

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Parental Rights & Responsibilities | <input type="checkbox"/> Primary Residence | <input type="checkbox"/> Rights of Contact | <input type="checkbox"/> Child Support |
| <input type="checkbox"/> Actual or Imputed Income of party | <input type="checkbox"/> Spousal Support | <input type="checkbox"/> Real Estate | <input type="checkbox"/> Support Arrearage |
| <input type="checkbox"/> Marital vs. Non-marital property | <input type="checkbox"/> Pensions or Benefits | <input type="checkbox"/> Allocation of Debt | <input type="checkbox"/> Personal Property |
| <input type="checkbox"/> Guardian Ad Litem Apptmt./Fees | <input type="checkbox"/> Paternity | <input type="checkbox"/> Medical Insurance | <input type="checkbox"/> Attorney's Fees |
| <input type="checkbox"/> Tax exemption | <input type="checkbox"/> Other: _____ | | |

11. MEDIATION.

- The parties are ordered to attend mediation, as follows:
 - Mediation is scheduled for _____ at _____ a.m./p.m. with _____ (name of mediator).
 - The parties shall obtain a date for mediation from the clerk.
 - The parties desire to engage in private mediation prior to the next court date.
- The court mediation fee shall be paid as follows:
 - Plaintiff shall pay \$ _____ no later than _____.
 - Defendant shall pay \$ _____ no later than _____.
- The mediation fee has been waived by the Court.
- Mediation is waived for the following good cause: _____

12. **ATTORNEY'S FEES.** No later than _____ Plaintiff Defendant shall pay \$ _____ to the other party's attorney for attorney's fees incurred or to be incurred by the other party in this case.

13. **PRETRIAL OR STATUS CONFERENCE.** Trial counsel and parties are required to attend a pretrial or status conference on _____ at _____ a.m./p.m.

14. **INTERIM HEARING.** An interim hearing will be held on _____ at _____ a.m./p.m. before a CMO Judge. Estimated length of hearing: _____

15. **FINAL HEARING.** A final hearing will be held on _____ at _____ a.m./p.m.

16. **CASE TRACK ASSIGNMENT.** The case is assigned to Track I Track II Track III, as follows:

	Track I Uncontested interim	Track II Contested interim	Track III Modification/Enforcement/Other
Agreed temporary order	within 14 days		
Financial statement	within 30 days	(specific date not > 10 days)	(specific date not > 10 days)
Mediation (interim issues)		within 14 days	
Enforcement hearing			within 21 days
Discovery cutoff	60 days	40 days	
Interim hearing		within 45 days	
Mediation	within 90 days	within 90 days	

17. **EDUCATION.** Plaintiff Defendant ordered to attend _____
_____ by _____

Plaintiff Defendant must file a certificate of completion of the educational program with the Clerk's Office prior to a final hearing in this matter.

18. **OTHER:** _____

19. **DOCKET ENTRY.** The clerk is directed to make the following entry in the civil docket pursuant to M.R.Civ.P. 79(a).

“Case Management Order with Agreement or Schedule of Parental Rights and Responsibilities, Child Support Order, Immediate Income Withholding Order, Conditional Withholding Order filed. Plaintiff Defendant ordered to pay child support of \$ _____ per week month. Plaintiff Defendant ordered to pay spousal support of \$ _____ per week month. The Case Management Order is incorporated into the docket by reference at the specific direction of the court.”

Date: _____

Judge / Case Management Officer

COPIES OF THIS ORDER were given to the parties by the Clerk on this date in hand by mail.

Notice to the Parties

Pursuant to Title 4 M.R.S.A. § 183(1)(E), the parties are hereby notified of their right to have the interim order reviewed de novo at any final hearing before a judge of the District Court. Final orders are subject to appellate review in the same manner as any final order of the District Court.