

## Checklist for Going to Trial

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- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative cannot complete a form for you.
- Attach a copy of any document referred to in the form.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Some forms may not apply in your case.
- Check with your court about local requirements.

### **(1) Request a trial only if the case does not settle**

Before requesting a trial, you and the other party must make every effort to try to settle your differences. Unless you have not been excused from mediation, this includes good faith negotiations with the help of a mediator. If you and the other party cannot settle all of your differences, then you must try to settle as many of them as possible. You can go to trial only on those issues that you have tried and failed to settle.

### **(2) Certificate of Readiness for Trial; Request for Pretrial Conference**

- Any party may file a Certificate of Readiness for Trial, but do not do so if the other party has already filed one.
- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- Complete the heading exactly as it appears in the Petition.
- Review all of the Paragraphs carefully. By signing the form, you are saying that all of the Paragraphs are true.
- Paragraph (5): Check (A) or (B) to say whether you have tried to mediate the dispute and failed or you were excused from mediation.
- Paragraph (6) and (7): Check whether you are requesting a Pretrial Conference or Trial. A Pretrial Conference is required in Judicial Districts 1, 2, 3 and 4.
- Attach any required documents and forms.
- Date and sign the form.
- Complete the Certificate of Service.
- Serve the form and attachments on the other party.
- File the original form and attachments with the judicial services representative.

### **(3) Mediation Disposition Notice**

- This is not a court form, but it is required. Ask your mediator to complete it and file it.

### **(4) Proposed Settlement of Remaining Issues**

- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- Complete the heading exactly as it appears in the Petition.
- In each Paragraph, check whether that topic is an issue. If the topic is an issue, print your proposed settlement of the issue.
- Date and sign the form.
- Attach the form to the Certificate of Readiness for Trial.

### **(5) Pretrial Order**

- Complete the heading exactly as it appears in the Petition.
- Do not complete the rest of the form unless you are told to do so. Sometimes the judge (or court commissioner) will prepare the order; sometimes the judge will tell the winning party to prepare the order.
- If you are told to prepare the order, complete all of it except the judge's signature. What you write in the order must agree with what the judge decided.
- Serve the unsigned order on the other party within 21 days after being told to prepare the order.
- Complete the Certificate of Service.
- File the original unsigned order and the Certificate of Service with the judicial services representative within 21 days after being told to prepare the order.
- The other party has 7 days in which to object.

### **(6) After the judge or commissioner signs the Pretrial Order**

- Serve a copy of the signed order on the other party.
- Complete the Certificate of Service.
- File the original Certificate of Service with the judicial services representative.