

CAUSE NO. _____

§ IN THE DISTRICT COURT

§ 302ND JUDICIAL DISTRICT

§ DALLAS COUNTY, TEXAS

BENCH TRIAL DISCOVERY CONTROL PLAN AND SCHEDULING ORDER¹

The following was agreed by the parties and/or ORDERED by the Court:

_____ Check this for a LEVEL 2 Discovery Control Plan pursuant to the Texas Rules of Civil Procedure

-OR-

_____ Check this for a LEVEL 3 Discovery Control Plan pursuant to the Texas Rules of Civil Procedure

Complete the below items:

1. The deadline for filing amended pleadings is _____
2. The deadline for filing special exceptions to pleadings is _____
3. All discovery shall be completed by _____
4. Limits for depositions: _____
5. Limits on interrogatories and requests for production: _____
6. Designations of Experts²:
 - A. the party seeking affirmative relief on an issue shall provide a designation of testifying experts by _____.
 - B. the party not seeking affirmative relief on an issue shall provide a designation of its testifying experts by _____.
7. All dispositive motions (summary judgment, plea to jurisdiction, plea in abatement, etc.) shall be filed and heard by _____.
8. Discovery requests must be propounded in adequate time to allow a timely response by the deadline.
9. All Daubert/Dupont expert challenges must be filed at least 10 days before hearing/trial.
10. Mediation is required in ALL cases. Mediation is/was on _____ with _____

(Parties who fail to mediate are limited to 1 hour per side at trial. Tex. Gov't Code Ch. 36—if court-appointed, the mediator is approved for up to 8 hours at a fee of no more than \$3,000 to be paid by the parties.)

¹ If you cannot get an opposing counsel or party to sign this order or agree to a trial date, please file a Motion describing your efforts and submit your proposed scheduling order to the court

² TRCP 195.2 Schedule for Designating Experts. (a) with regard to all experts testifying for a party seeking affirmative relief, 90 days before the end of the discovery period; (b) with regard to all other experts, 60 days before the end of the discovery period.

11. Interview of Child in Chambers³. If requested, the child interview per 153.009 is set for _____

12. Bench Trial. This matter is set for a Trial Before the Court on _____ at 9:30 a.m. (Trials set at 9:30 a.m. may not finish before lunch. You may be reached in the afternoon. Please plan accordingly.)

13. Time Required for Trial – _____ hours per side. (No more than 3.0 hours per side without leave of court.)

14. Exhibits: Attorney should stipulate to the admission of any exhibits as much as possible and file such stipulations, along with the Certificate of Conference, to the Court seven days prior to trial.

15. Exhibits Notebooks should be prepared and submitted to the Court Reporter seven days prior to trial.

Signed and approved on _____

JUDGE SANDRA JACKSON

AGREED:

Attorney for Petitioner

Attorney for Respondent

Attorney ad Litem/Other

³ *Unless the child interview is scheduled on this order or is docketed with the Court before the day of trial, it is waived.*