

PLYMOUTH COUNTY PROBATE AND FAMILY COURT TIME STANDARDS ADJUSTMENTS

As a result of the provisions of Probate and Family Court Standing Order 1-06 revising Standing Order 1-04 relative to Case Management and Time Standards for cases filed in Probate and Family Court Department, the Plymouth Probate and Family Court has implemented certain revisions to its method of scheduling matters filed in the court.

The items of most interest are as follows:

Case Track will continue to be determined at time of filing.

Scheduling by the court will henceforth be done after the return of service has been filed with the court (instead of a time of filing).

Prior to a Case Management Conference, any party may schedule a motion and mark same up for a motion session of the assigned judge. The judge may conduct a Case Management Conference at the motion hearing and will establish the further scheduling for the case.

Any time after the filing of a case and before a Case Management Conference, the parties may submit a Joint Stipulation for Pre-Trial conference and eliminate the need to appear at a Case Management Conference. The procedure is outlined in a memorandum entitled Instructions for Joint Stipulation for Pre-Trial Conference.

The court may schedule selected cases directly for a Pre-Trial Conference instead of a Case Management Conference. Parties who wish to first proceed to a Case Management Conference instead of the Pre-Trial Conference may notify in writing the scheduling clerk for the assigned judge of their agreement to cancel the scheduled Pre-Trial Conference and to request a Case Management Conference. The notification must be made within 30 days of the date of the Notice of Pre-Trial Conference. The Case Management Conference will be scheduled by the court. At the Case Management Conference, the judge will then schedule a Pre-Trial Conference.

At the conclusion of every court event until the case goes to judgment, a permanent decree is issued, or the matter is dismissed, the next court event shall be scheduled.

In divorce cases, a certificate reflecting attendance at a Parent Education Program must be filed in order for a Pre-Trial Conference to be completed by the Judge.

In divorce and paternity cases, a current Financial Statement for each party must be filed at the time of the Pre-Trial Conference.