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2 District Judge, Department \_\_\_  
3 Flathead County Justice Center  
4 920 South Main Street, Suite 310  
5 Kalispell, MT 59901  
6 (406) 758-5906

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8 IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE  
9 STATE OF MONTANA, IN AND FOR THE COUNTY OF FLATHEAD

10 IN THE MATTER OF:

Cause No. DN-16-\_\_\_\_(\_\_\_\_)

11 \_\_\_\_\_,  
12 YOUTH IN NEED OF CARE.

**DISCOVERY AND SCHEDULING ORDER**

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14 In order to ensure the just and timely determination of this matter consistent with the  
15 rights and procedure unique to matters of this type, IT IS HEREBY ORDERED that the  
16 Department of Public Health and Human Services, Child and Family Services Division, shall  
17 promptly make available to counsel for the child, counsel for the specific birth parent, and the  
18 Court-appointed CASA/GAL, the case records enumerated below, in hard copy or by electronic  
19 means, at least five (5) days prior to any show cause or contested hearing:

20 1. All relevant Centralized Intake reports/referrals (with reporter information  
21 redacted per Mont. Code Ann. § 41-3-205(7)); all Child Protection Specialist correspondence to  
22 parents or providers; all CPS case notes (CAPS); any home studies; parenting assessments;  
23 psychological evaluations; chemical dependency evaluations; any drug testing results; and any  
24 visitation notes/Family Service Plans/Monthly Progress Reports.

25 2. Any photograph, document, or tangible object which the Department intends to  
26 introduce at any contested hearing.

27 3. All school, criminal, and/or medical records in the Department's possession  
28 relating to the above-named child and/or the birth parents.

29 4. Any and all other information in the Department's file and/or control, and not  
30 specifically enumerated above, shall be made available to counsel for inspection and  
31 photocopying at the Department upon 48 hours' advance notification.  
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1 IT IS HEREBY ORDERED that all parties shall file with the Court, and serve upon all  
2 parties, a list of any lay or expert witnesses intended to be called at any contested hearing, along  
3 with their names and phone numbers, the subject of their testimony, any reports they have  
4 submitted or upon which they have relied, and if experts, their credentials. Witness Lists shall  
5 be filed and served upon all parties **at least two (2) days** prior to any contested hearing.

6 Motions for telephonic or Vision Net appearance shall be filed **at least two (2) days**  
7 prior to any contested hearing.

8 IT IS FURTHER ORDERED that if a matter is contested, counsel for the party in  
9 opposition shall advise the Court and counsel for the Department, **at least two (2) days** prior to  
10 any scheduled hearing. If notice is not given or waived, the matter shall be continued for good  
11 cause until the next available Court date.

12 SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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15 \_\_\_\_\_  
16 District Judge

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