

Case No: _____

vs
Petitioner,

**INFORMAL FAMILY LAW TRIAL
WAIVER FORM**

Respondent.

Each party wishing not to proceed as an Informal Family Law Trial must complete and file this form at or prior to the Civil Trial Setting Conference. Failure to file this form may result in the case being scheduled as an Informal Family Law Trial.

The parties to a family law case must choose how they want the trial to be conducted. There are two options:

1. An Informal Family law trial, which may affect the ability of both parties to present witnesses, the rules of evidence will not apply and the judge can ask questions to clarify issues. A case in which one or both parties are not represented by counsel **will be scheduled as an Informal Family Law Trial.**
2. A traditional trial, which means that both parties are allowed to call witnesses and to cross-examine the witnesses appearing on behalf of the other party and the rules of evidence will apply. If both parties agree to proceed with a traditional trial, then the case will be set for a traditional trial.

INFORMAL FAMILY LAW TRIAL

(Initials) I decline to proceed to trial under the Informal Family Law Trial Pilot Program.

I request to proceed in the normal question and answer manner of trial and under the rules of evidence.

I understand that had the case proceeded as an Informal Family Law Trial, I would have waived the rules of evidence. I also understand that by waiving the rules of evidence:

- Either party can submit any document or other evidence he or she wishes into the record, subject to limitations on numbers of witnesses, affidavits, and expert witness reports; and
- Either party can tell the court anything he or she feels is relevant, subject to the trial judge's approval, and the judge can ask questions to clarify issues.

I understand the following:

- My decision not to participate in this Informal Family Law Trial process is strictly voluntary, and no one can force me to agree to this process; and
- The court will determine what weight will be given to documents, physical evidence, and testimony that is entered as evidence during the trial process. The judge cannot ask questions to clarify issues.

I am confident that I understand the Informal Family Law Trial process.

I have not been threatened or promised anything for declining to participate in the Informal Family Law Trial process.

Dated this _____ day of _____, 20_____.

Respectfully submitted,

Party's signature

Printed name