❑District Court ❑Denver Juvenile Court _____ County, Colorado Court Address: In re: ❑The Marriage of: ❑The Civil Union of: ❑Parental Responsibilities concerning: Petitioner: and Co-Petitioner/Respondent:	▲ **COURT USE ONLY** ▲ Case Number: Division Courtroom

ORDER APPOINTING DECISION-MAKER PURSUANT TO §14-10-128.3, C.R.S.

This matter is before the Court on the parties' Stipulation Regarding Appointment of Decision-Maker pursuant to §14-10-128.3, C.R.S.

Finding in the best interests of the child(ren), the Court hereby appoints as Decision-Maker (DM):

Name: _____

Mailing Address: _____

Telephone #: _____ Fax #: _____ Email: _____

Information about the child(ren):

Full Name of Child	Date of Birth

Information about the Petitioner: Date of Birth: _____

Name: _____ Attorney: _____

Mailing Address: _____

City & Zip: _____

Home Phone #: _____ Work Phone #: _____ Cell #: _____

Information about the Co-Petitioner/Respondent: Date of Birth: _____

Name: _____ Attorney: _____

Mailing Address: _____

City & Zip: _____

Home Phone #: _____ Work Phone #: _____ Cell #: _____

Responsibilities of the Decision-Maker:

1. The DM shall comply with the requirements of §14-10-128.3, C.R.S., and any other applicable statutes or Chief Justice Directive(s), and any other practice or ethical standards established by rule, statute, or licensing

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board that regulates the Decision-Maker. You are required within seven days of your appointment, to disclose to each party, attorneys of record, and the court any familial, financial, or social relationship that the appointed person has or has had with the child, either party, the attorneys of record, or the judicial Officer. (JDF1338)

2. The DM has binding authority to resolve disputes between the parties as to the implementation or clarification of existing orders concerning:
   - ❑ Parenting Time
   - ❑ Child support
   - ❑ Specific disputed parental decisions as described below:

     _____

     _____

     _____

     _____

     _____

   as set forth in:
   - ❑ Temporary Order entered by the Court on _____ (date).
   - ❑ Permanent Order entered by the Court on _____ (date).
   - ❑ Post Decree Order entered by the Court on _____ (date).
   - ❑ Other _____

3. The DM's decisions must be consistent with the substantive intent of the existing court order.

4. The DM's procedures for making determinations shall be in writing and shall be approved by the parties prior to the time the DM begins to resolve a dispute of the parties.

5. Decisions of the DM shall be filed by the DM with the Court and mailed to the parties or to counsel for the parties, if any, no later than 21 days after the date the decision is issued. All decisions shall be effective immediately upon issuance and shall continue in effect until vacated, corrected, or modified by the DM or Court order.

Responsibilities of the Parties:

1. Each party, or their counsel, shall initiate contact with the DM within _____ days from the date of this Order. Each party and counsel shall confer with the DM when and as the DM directs, and shall otherwise cooperate fully with the DM.

2. Counsel for _____ or the *pro* se party _____shall provide the DM with all court orders, and all documentation currently in the court file related to the issues before the DM.

3. The parties or their counsel are responsible for providing information concerning other cases which have a relationship to this case when requested to do so by the DM.

Release of Confidential Information:

The parties shall sign any releases necessary to assist the DM; and the DM may request the Court to issue any other necessary order for release of information.

Immunity:

The DM is granted quasi-judicial immunity while acting within the course and scope of his/her appointment.

Termination of the Decision-Maker's Appointment:

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1. This appointment shall terminate on _____ (date). The Court shall maintain the discretion to terminate this appointment at any time for good cause.

2. Upon agreement of the parties, the Court may extend, modify, or terminate the appointment. The Court shall allow the DM to withdraw at any time.

Payment of Costs and Fees in Favor of the Decision-Maker:

The Court hereby finds that the fees of the DM, plus mileage and costs are reasonable and necessary. Any objection to these fees and costs shall be made in writing and filed with the Court within 14 days of the date of this Order. The DM's fees are in the nature of child support as the role of the DM is to work with the parties on parenting issues and/or child support issues that affect or may affect the best interests of the child(ren).

After considering the financial resources and/or other equitable circumstances of the parties, the Court apportions the payment of the retainer, fees, and costs as follows:

1. The DM's hourly rate is $_____ and he/she requires $_____ for the initial retainer.
   - ❑ The Petitioner will pay the DM directly the amount of $_____ or _____ % to be applied toward the initial retainer on or before _____ (date).
   - ❑ The Co-Petitioner/Respondent will pay the DM directly the amount of $_____ or _____ % to be applied toward the retainer on or before _____ (date).

2. Thereafter, the DM shall bill his/her hourly rate of $_____ against the initial retainer, and fees and costs in excess shall remain apportioned as set forth above and shall be paid within 30 days of the date billed, unless otherwise ordered by the Court or agreed between the parties.

The Court maintains the discretion to reallocate the appointment of fees.

The Decision-Maker shall not commence work until the retainer is satisfied in full and the Decision-Maker shall apprise the Court within 14 days of his/her inability to proceed with the case because of non-payment. Upon notification to the Court, the Court may set a forthwith hearing which will require the mandatory appearance of the non-paying party. Failure of either party to comply with this Order will result in sanction by the Court which may include up to six months in the County Jail or a $1,000.00 fine.

Date: _____

_____
❑Judge ❑Magistrate

CERTIFICATE OF SERVICE

I certify that on _____ (date), I mailed, faxed, e-filed, or hand-delivered a copy of this Order to the following:

- ❑ Attorney for Petitioner or Petitioner *pro se*
- ❑ Attorney for Co-Petitioner/Respondent or Co-Petitioner/Respondent *pro se*
- ❑ Decision-Maker
- ❑ Other_____

_____
Clerk

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