

District Court El Paso County, Colorado 270 South Tejon Street Colorado Springs, CO 80903 (719)452-5000	▲ COURT USE ONLY ▲
Petitioner: _____  And  Respondent/Co-Petitioner: _____	Case Number: _____  Division: _____ Room: _____
<p align="center"><b><i>DOMESTIC RELATIONS CASE MANAGEMENT ORDER</i></b>  <b><i>(POST-DECREE OR POST-FINAL ORDERS)</i></b></p>	

**IMPORTANT! If YOU ARE ASKING TO CHANGE OR ENFORCE ORDERS THAT WERE ISSUED IN YOUR CASE, YOU SHALL PROVIDE A COPY OF THIS CASE MANAGEMENT ORDER (CMO) (INCLUDING ATTACHMENTS), TOGETHER WITH ALL OTHER DOCUMENTS FILED WITH THE COURT TO ALL COUNSEL AND SELF-REPRESENTED (PRO SE) PARTIES. COMPLETE THE CERTIFICATE OF SERVICE AT THE BOTTOM OF COURT FORMS OR ATTACH A JDF 1313 FORM IDENTIFYING THE METHOD SELECTED TO PROVIDE THE OTHER PARTIES WITH COPIES OF DOCUMENTS (PERSONAL SERVICE, US MAIL, OR JUDICIAL E-FILE) AND INDICATE THAT THE OTHER PARTIES WERE PROVIDED WITH THE POST-DECREE OR POST-FINAL ORDERS MOTION(S) WITHIN 14 DAYS OF FILING. NOTE: ATTORNEYS MUST ELECTRONICALLY FILE IN THE 4TH JUDICIAL DISTRICT DOMESTIC CASES.**

**This CMO contains important information regarding your court case. To better serve you and the court, please read this CMO in its entirety.**

All forms can be found online at [www.court.state.co.us](http://www.court.state.co.us).

- **Before you file your motion, you will check to see if the other parties agree with your request. Duty to confer: pursuant to Rule 121, Section 1-15 paragraph 8. If you don't explain in your motion that you did check with the other parties (confer), your motion may be denied.**
- **Your case has been assigned to both a District Court Magistrate (i.e., a lettered Division) and a District Court Judge (i.e., a numbered Division). **Your Judge or Magistrate can issue other orders or modify these orders by issuing another Case Management Order.****
- **Most often, post-decree or post-final orders matters will be heard by the numbered Division that is currently assigned to your case. It is possible that your case may have been changed to a different division than you had before. You can confirm the correct division that you are assigned to by contacting the Clerk's Office at (719) 452-5000. Be sure to fill in the correct Division number under "Division" in the top box (caption) of all forms that you file.**
- **All court appearance scheduling regarding post-decree or post-final orders motions including Emergency Motions regarding parenting time should be conducted with the numbered Division currently assigned to your case unless one of the following exceptions applies:**

- a. Motions to Modify or Terminate Child Support and/or Verified Motions and Affidavits for Citation for Contempt of Court if no other post-decree or post-final orders motions are pending are heard in Division R;
  - b. Motion to Modify or Terminate Child Support or Verified Motion and Affidavits for Citation for Contempt of Court regarding alleged failure to pay child support only where the El Paso County Child Support Enforcement unit is a party to the case, and no other post-decree or post-final orders motions are pending, are heard by Division NCS, M or Z (unless otherwise ordered by the Court).
- The Court will attempt, within 49 days of the filing of any post-decree or post-final orders motion(s), to either enter a ruling based upon the pleadings submitted or order that the case be scheduled and resolved under the provisions of Colorado Rule of Civil Procedure (hereafter referred to as “C.R.C.P.”) 16.2(c) or otherwise act on such motions. Emergency Motions shall be resolved on a forthwith basis.
  - If any post-decree or post-final orders motion involves financial issues, each party shall, without a formal discovery request, provide to the other parties all Mandatory Disclosures, as set forth in the form and context of Appendix to Chapters 1 to 17A, form 35.1, C.R.C.P., as well as a completed Sworn Financial Statement (Form JDF 1111) to the other parties within 42 days after service of such post-decree or post-final orders motion unless the Court has already ruled on such motion(s) or orders. Complete the certificate of service at the bottom of court forms or attach a JDF 1313 form, identifying the method selected to provide the other parties with copies of documents.

**FAILURE TO FILE THESE FINANCIAL DOCUMENTS MAY RESULT IN SANCTIONS AGAINST THE NON-COMPLYING PARTY.** In order to process your post-decree or post-final orders motion, the law requires that each party know all the important information, financial data and other relevant facts about the other person. Any intentional failure to provide factually accurate information to the Court and the other party may result in a fine or other sanction.

- The Sworn Financial Statement and any proposed child support worksheets shall be filed with the Court in cases where child support or maintenance are at issue. Other mandatory disclosure documents shall not be filed with the Court.

### **SCHEDULING EVIDENTIARY HEARINGS/MEDIATION**

- If the Court does not rule on a post-decree or post-final orders motion based upon the pleadings within 49 days of said pleadings having been filed, the Court will likely require that the parties participate in mediation prior to the Court hearing the issue(s) at hand at an evidentiary hearing. The moving party is responsible for scheduling mediation with either a mutually agreed upon mediator in the community or, if the parties are unable to agree, with the Office of Dispute Resolution. The ODR may be reached by email at [04JDMediation@judicial.state.co.us](mailto:04JDMediation@judicial.state.co.us). If there are multiple motions filed by both parties the moving party is the party whose post-decree or post-final orders motion was filed first.
- If the parties have scheduled mediation and the Court has not yet ruled on any pending post-decree or post-final orders motions and has not scheduled either an Initial Status Conference or an Evidentiary Hearing, then the moving party shall file a Notice to Set the unresolved issue(s) with the Division assigned to the matter for an Evidentiary Hearing (unless the Court has ordered otherwise). The court shall determine the scope of any hearing on contested matters.

## PREPARATION FOR EVIDENTIARY HEARING

- If at least one party is represented by counsel, the parties shall file a joint Trial Management Certificate 7 days prior to any evidentiary hearing date or at such other time as ordered by the Court. Petitioner's Counsel (or Respondent's counsel if the Petitioner is *pro se*) shall be responsible for scheduling meetings among counsel and parties and preparing and filing the Trial Management Certificate. The joint Trial Management Certificate shall set forth stipulations and undisputed facts, any request for attorney fees, disputed issues and specific points of law, lists of lay exhibits and expert witnesses the parties intend to call at hearing, and a list of exhibits, including updated Sworn Financial Statement and proposed worksheets if child support or maintenance are at issue. The parties shall exchange copies of exhibits at least 7 days prior to hearing.
- If both parties are not represented by counsel, then each party shall file with the Court a Pre-Trial Statement (Form JDF 1129) identifying the disputed issues and that party's witnesses and exhibits. You may find additional instructions and forms regarding Trial Prep at [www.courts.state.co.us](http://www.courts.state.co.us) including JDF 79 - How to Issue a Subpoena, JDF 71 - Witness List, and JDF 72 - Exhibit List.
- Unless otherwise stipulated or ordered by the court, and subject to the provisions of subsection (g) or C.R.C.P. 16.2, the disclosure of expert testimony will be governed by the provisions of C.R.C.P. 26(a)(2)(B). The time for disclosure of expert or lay witnesses whom, a party intends to call at an emergency hearing shall be determined by the Court.
- A party is under a continuing duty to supplement and amend any disclosure in a timely manner.

## BEST PRACTICES

- **Failure to follow these procedures or failure to appear at the evidentiary hearing may result in Court imposed sanctions including but not limited to: dismissal, award of attorney's fees and costs, your case being continued pending compliance with Court orders or default being entered against you by the Court.**
- **Check with the judicial assistant(s) working for the Division to which your case is assigned to find out whether that Division has any other standard case management orders it issues in situations like yours.**

## **INFORMATION FOR SELF-REPRESENTED PARTIES**

If you represent yourself, you must follow the same procedures as parties who are represented by attorneys. The laws governing your case (Colorado Revised Statutes) can be found at the following website: <https://www.courts.state.co.us/resources.cfm> Forms can be purchased from the Clerk's Office (Room S101) of the courthouse or can be downloaded for free from the State Court website: <https://tinyurl.com/COFamilyMatterForms>

**Family Court Facilitators Main Office number is (719) 452-5104. To reach a Facilitator directly and for a faster response, generally email contact is preferred.**

Eric Burton  
[eric.burton@judicial.state.co.us](mailto:eric.burton@judicial.state.co.us)

Nicolle Rugh  
[nicolle.rugh@judicial.state.co.us](mailto:nicolle.rugh@judicial.state.co.us)

Michael Vigil (Espanol)  
719-452-5102

Cecilia Wall  
[cecilia.wall@judicial.state.co.us](mailto:cecilia.wall@judicial.state.co.us)

### **Additional Assistance:**

Teller County Courthouse  
Lori McLeod, SRLC  
719-689-6912

Walk in Hours: Tues – 1pm to 3:30pm  
Wed & Fri: 8:30am – 12pm and 1pm – 3:30pm

El Paso County Courthouse  
Pro Se Help Center – Room S101  
[04selfhelp@judicial.state.co.us](mailto:04selfhelp@judicial.state.co.us)  
719-452-5100  
Hours: Mon–Fri from 8am to 430pm

**This Case Management Order supersedes all previous C.M.O.'s issued by the Domestic Court.**

Dated this 2<sup>nd</sup> day of February, 2023

BY THE COURT



Honorable Catherine Mitchell Helton  
Presiding Domestic Judge  
El Paso County 4<sup>th</sup> Judicial District

## DOMESTIC AND/OR CHILD ABUSE COMMUNITY RESOURCES ATTACHMENT

If you have experienced domestic abuse in your relationship, you are strongly encouraged to obtain assessment, counseling, or other available services for yourself and your children. If you have a limited income or otherwise cannot afford such services, financial assistance may be available to cover some or all costs. Call the following domestic abuse services for assistance:

<p><b>Centro de la Familia</b> 1645 S. Murray. Colorado Springs, CO 80916 Main: 719-227-9170 Crisis Hotline: 719-432-5305 TDD: 711 (CO Relay) <a href="https://www.coscentro.org">https://www.coscentro.org</a></p>	<p><b>National Domestic Violence Hotline</b> 1-800-799-7233 TDD: 1-800-787-3224 <a href="http://www.thehotline.org">www.thehotline.org</a></p>
<p><b>The Initiative – Abuse Free Culture for All</b> *Assistance for those with disabilities – services statewide Main: 303-839-5510 <a href="http://www.dviforwomen.org">www.dviforwomen.org</a></p>	<p><b>Safety Shelter – Wellness Foundation</b> (Shelter is not in El Paso County. Client must be willing to go out East.) PO Box 571 Hugo, CO 80821 Main: 1-888-602-6226 Crisis Hotline: 1-888-602-6226</p>
<p><b>Family Advocacy Program – Army Community Services</b> 6303 Wetzel Ave, Bldg #1526 Fort Carson, CO 80913 Main: 719-526-4590 Crisis Hotline: 1-800-342-9647 TDD: 719-526-1949 <a href="https://carson.armymwr.com/ACS">https://carson.armymwr.com/ACS</a></p>	<p><b>TESSA</b> 435 Gold Pass Heights Colorado Springs, CO 80906 Main: 719-633-1462 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 <a href="http://www.tessacs.org">www.tessacs.org</a></p>
<p><b>Family Advocacy Program – USAFA</b> 5136 Community Center Dr. USAFA, CO 80840 719-333-5270 or 719-333-5271</p>	<p><b>TESSA – Cripple Creek</b> 166 E. Bennett Ave Cripple Creek, CO 80813 Main: 719-822-3033 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 <a href="http://www.tessacs.org">www.tessacs.org</a></p>
<p><b>Family Advocacy Program – USAF</b> Including Peterson, Cheyenne &amp; Schriever 110 W. Ent Ave, #725 Peterson SFB, CO 80914 Main: 719-556-8943 Crisis: 719-244-9903</p>	<p><b>TESSA – Calhan</b> Community Outreach Center 328 10<sup>th</sup> St. Calhan, CO 80808 Main: 719-243-4833 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 <a href="http://www.tessacs.org">www.tessacs.org</a></p>

[Reference to 16.2(e)(2). These are not to be filed with the Court, except as may be ordered pursuant to C.R.C.P. 16.2]

**Mandatory Financial Disclosures.** (Complete and accurate copies may replace originals. “Child(ren)” refers to minor child(ren) of both parties).

Each party shall provide:

- a. Sworn Financial Statement. A completed and signed Sworn Financial Statement (*JDF 1111*) in the Supreme Court approved form (Form 35.2).
- b. Income Tax Returns (Most Recent 3 Years). The personal and business federal income tax returns for the three years before filing of the petition or post decree motion. The business returns shall be for any business for which a party has an interest entitling the party to a copy of such returns. Each return shall include all schedules and attachments, such as W-2s, 1099s, and K-1. If a return is not completed at the time of disclosure, include the documents necessary to prepare the return, such as W-2s, 1099s, and K-1s, copies of extension requests, and the estimated amount of tax payments. If a decree has been entered within the last three years, only those returns filed since entry of the decree need be provided.
- c. Personal Financial Statements (Last 3 Years). All personal financial statements, statements of assets or liabilities and credit and loan applications prepared during the last three years. IF a decree has been entered within the last three years, only those statements/applications prepared since entry of the decree need be provided.
- d. Business Financial Statements (Last 3 Years). For every business in which a party has access to financial statements, the last three fiscal years’ financial statements, all year-to-date financial statements and the same periodic financial statements for the prior two years. If a decree has been entered within the last three years, only those statements prepared since entry of the decree need be provided.
- e. Real Estate Documents. The title documents and all documents stating value of all real property in which a party has a personal or business interest. This section shall not apply to post-decree motions unless so ordered by the Court.
- f. Personal Debt. All documents creating debt, and the most recent debt statement showing the outstanding balance and payment terms. This section shall not apply to post-decree motions unless so ordered by the Court.
- g. Investments. The most recent account statements or other documents identifying each investment in which a party has any personal or business interest, and stating the current value.
- h. Employment benefits. The most account statement or other documents identifying each employment benefit of a party, and stating the current value.
- i. Retirement Plans. The most recent documents identifying each retirement plan of which a party is a beneficiary, and stating the current value, and the Summary Plan Descriptions. This section shall not apply to post-decree motions unless so ordered by the Court.
- j. Bank/Financial Institution Accounts. The most recent account statements identifying each account of a party at banks and other financial institutions, and stating current value.
- k. Income Documentation. For each income source of a party in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes and income from every other source, pay stubs, a current income statement and the final income statement for the prior year. Each self-employed party shall provide a sworn statement of gross income, business expenses necessary to produce income, and net income for the three months before filing of the petition or post decree motion.
- l. Employment and Education-Related Child Care Documentation. Any documents that show a party’s average monthly employment-related child care expense including child care expense related to the party’s education and job search. This section shall apply only if child support is an issue.
- m. Insurance Documentation. All life, health and property insurance policies and current documents that show beneficiaries, coverage, cost (including the portion payable to provide health insurance for child(ren)) and payment schedule. This section shall not apply to post-decree motions unless either so ordered by the Court or, if child support is an issue, the policy and cost information regarding the child(ren) shall be provided.
- n. Extraordinary Children’s Expense Documentation. All documents that show average monthly expense for all recurring extraordinary child(ren)’s expenses. This section shall apply only if support is an issue.
- o. Unless so ordered by the Court, these mandatory disclosures shall not apply to post-decree motions that raise only issues of decision-making and parenting time.